PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	March 8, 2022	Consent [X] Public Hearing []	Regular []

Department: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: An Emergency Extension to the Contract with Aquifer Maintenance and Performance Systems, Inc., (AMPS) for System-Wide Wellfield Maintenance for Palm Beach County Water Utilities Department (PBCWUD) to extend the Contract for an additional three (3) month period with no increase of funds to the Contract amount.

Summary: On March 14, 2017, the Board of County Commissioners approved the Contract (R2017-0315) with AMPS, in the amount of \$1,189,076. On January 23, 2018, Amendment No. 1 (R2018-0075) to the Contract renewed the Contract for an additional 12-month period. On February 5, 2019, Amendment No. 2 (R2019-0217) to the Contract renewed the Contract for an additional 12-month period and increased the Contract amount by \$500,000 to \$1,689,076. On March 17, 2020, Amendment No. 3 (R2020-0317) to the Contract renewed the Contract for an additional 12-month period and increased the Contract amount by \$300,000 to \$1,989,076. On March 9, 2021, Amendment No. 4 (R2021-0359) to the Contract renewed the Contract for an additional 12-month period and increased the Contract amount by \$300,000 to \$2,289,076. There are no additional extensions remaining on the Contract. However, an extension of time equal to three (3) months is required for the continuation of maintenance, which shall include replacement of associated pumps and motors reaching the end of life expectancy. Staff is therefore recommending this emergency extension to the Contract. This emergency extension is beneficial to the interest, health, safety or welfare of the County. It is anticipated to have a new contract awarded and in place by the end of the extension period. The requested time extension shall not increase the Contract funding. The Contract extension does not guarantee nor authorize work. Work will be assigned during the 3-month extension period utilizing formal Construction Delivery Orders (KDO) drawn against the Contract, with the project cost identified on each KDO. The unit prices contained in the Contract will be used to determine the cost of the KDO's. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2000-0064) prior to the adoption of the new Equal Business Opportunity (EBO) Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provided for 0% SBE participation, however; AMPS has been certified as an SBE for the provision of well services, including drilling, plugging, consulting, maintenance and repair. AMPS is a Palm Beach County based company. (PBCWUD Project No. 16-001/VMG) Countywide (MJ)

Background and Justification: The Contract provides for maintenance of surficial production wells for Water Treatment Plant Nos., 2, 3, 8, 9, and 11. The extension of the Contract will provide for the continued maintenance of existing system-wide wellfields to maintain an adequate raw water supply.

Attachments:

- 1. Two (2) Originals of Emergency Extension
- 2. Location Map
- 3. Certificate of Liability Insurance

Recommended By:	Ali Bryst	2/15/2
	Department Director	Date
Approved By:	2hl & Slu	2 [1]
	Assistant County Administrator	Date

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II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match County					
NET FISCAL IMPACT	0	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)		<u>0</u>	0	<u>0</u>	<u>0</u>
Budget Account No.: Fu	nd 4011 Dep	$\frac{121}{2}$	Unit W064	Object <u>6</u>	<u>> 11</u>
Is Item Included in Current B	udget?		Yes_ X(*) N	10	
Does this item include the us	e of federal fu	nds?	Yes N	o <u>X</u>	
-	Re	porting Cat	tegory <u>N/A</u>		
B. Recommended Sour	ces of Funds/	Summary	of Fiscal Impact	:	
(*) There is no fiscal ir C. Department Fiscal R	eview:	ts are not	wh	KDOs are iss	ued.
A. OFMB Fiscal and/or		-		ments:	0-10-152
OFMBC OFMBC	U 2/10 DA 2.10.22	22	$\frac{1}{2 - 16 - 14}$	ment and Co	0 a/16/22 ntrot
B. Legal Sufficiency:	M.	1-1-	· •		

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Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

EMERGENCY EXTENSION TO CONTRACT WITH AQUIFER MAINTENANCE AND PERFORMANCE SYSTEMS, INC. -SYSTEM-WIDE WELLFIELD MAINTENANCE FOR PALM BEACH COUNTY WATER UTILITIES DEPARTMENT

This Emergency Extension, dated______, to the Contract (R-2017-0315) dated March 14, 2017, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY, and **Aquifer Maintenance and Performance Systems, Inc. (FEIN #65-0071672)** a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR.

WITNESSETH

WHEREAS, the parties have entered into a Contract under which the CONTRACTOR provided certain professional services to the COUNTY for various projects in accordance with the contract for the:

System-wide Wellfield Maintenance for Palm Beach County Water Utilities Department Contract No. WUD 16-001VMG

WHEREAS, the Contract was amended on January 23, 2018 (R-2018-0075) to extend the Contract for an additional one (1) year period (the "First Amendment"); and

WHEREAS, the Contract was amended on February 5, 2019 (R-2019-0217) to extend the Contract for an additional one (1) year period and to increase the contract amount by \$500,000 from \$1,189,076 to \$1,689,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Second Amendment"); and

WHEREAS, the Contract was amended on March 17, 2020 (R-2020-0317) to extend the Contract for an additional one (1) year period and increase the contract amount by \$300,000 from \$1,689,076 to \$1,989,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Third Amendment"); and

WHEREAS, the Contract was amended on March 9, 2021 (R-2021-0359) to extend it for an additional one (1) year period and increase the contract amount by \$300,000 from \$1,989,076 to \$2,289,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Fourth Amendment"); and

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WHEREAS, there are no remaining extensions available under the Contract and the procurement process for the replacement contract is not yet completed; and

WHEREAS, there is a continued need for the services provided by the CONTRACTOR; and

WHEREAS, an extension of the term for three (3) months is beneficial to the interest, health, safety or welfare of the County.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

- The term of this Contract as set forth in Special Conditions Section 14 is extended for three
 (3) months through <u>June 13, 2022</u>. The not to exceed amount is not being increased.
- 2. Except as specifically modified above, the terms and conditions of the Contract dated March 14, 2017, as amended by the First Amendment dated January 23, 2018, the Second Amendment dated February 5, 2019, the Third Amendment dated March 17, 2020, and the Fourth Amendment dated March 9, 2021, are hereby confirmed and remain in full force and effect.

THE REST OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Emergency Extension on behalf of the COUNTY and CONTRACTOR has hereunto set its hand the day and year above written.

ATTEST: JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER

Deputy Clerk

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By__

Robert S. Weinroth , Mayor

APPROVED AS TO TERMS AND

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Assistant County Attorney

AL: Bayart

Ali Bayat, Director Water Utilities Department

'CONTRACTOR'

CONDITIONS

By: AQUIFER MAINTENANCE and PERFORMANCE SYSTEMS. INC.

Florida corporation а (insert state of corporation) Ŵ aus By: signatory

James Murray (print signatory's name)

By: President (print title)

2022 (date of execution)

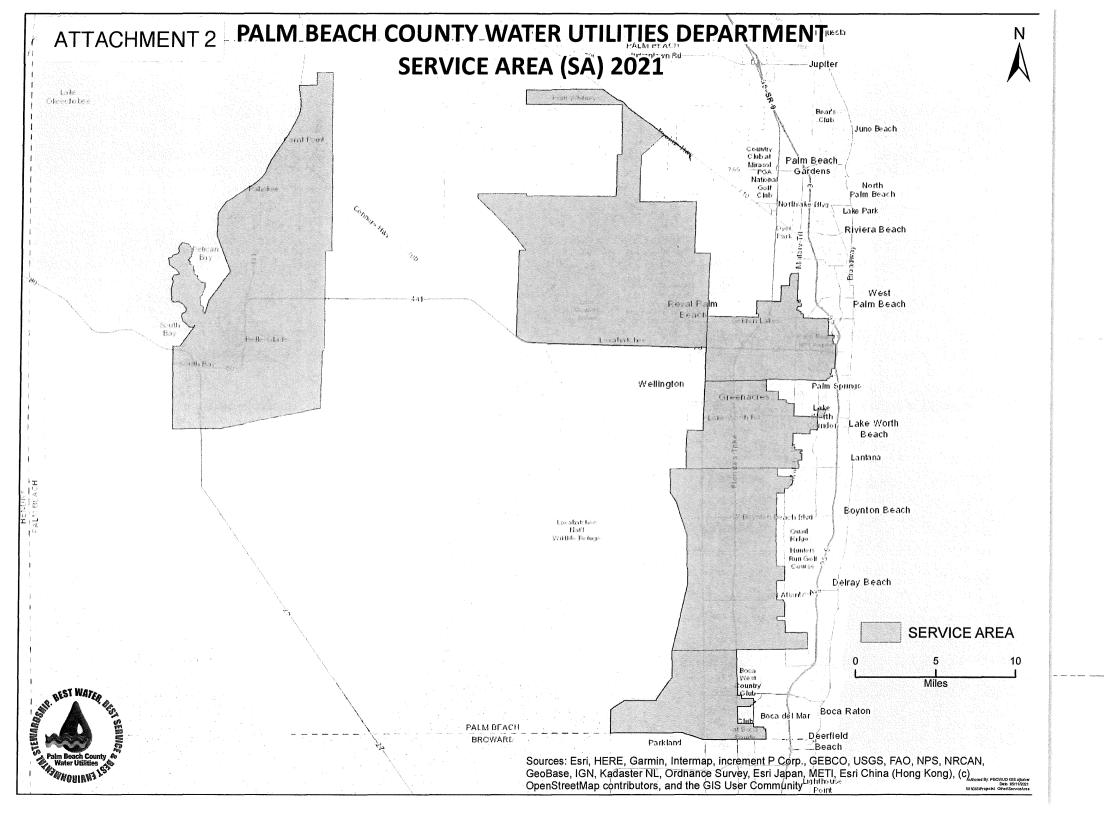
7146 Haverhill Road (Contractor's Official Address)

West Palm Beach, FL 33407 (Contractor's City, State, Zip Code)

(witness signature) ergetha m (witness name printed)

(Corporate Seal)

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ATTACHMENT 3



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/26/2021

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	1 NW 61st Manor					-	E-MAIL ADDRES	Ext): c. darcy@tisi		(A/C, No):		
							AUDRES	INS	URER(S) AFFOR	DING COVERAGE		NAIC #
Parkland FL 33067 INSURER A: Allied World Surplus Insurance Company 24319									24319			
INSU							INSURER B : Markel Amer Ins Co 38970					38970
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Palm Beach County Board of County Commissioners is named Additional Insured when required by written contract, waiver of subrogation applies in favor of certificate holder.												
CE	RTIFICATE HO	DER					CAN	CELLATION				
Palm Beach County Insurance Compliance PO Box 100085 - DX							SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.					
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ACORD 25 (2016/03)

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CERTIFICATE OF LIABILITY INSURANCE THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS

DATE (MM/DD/YYYY) 05/26/2021

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CERTIFICATE DOES NOT AFFIRMATI BELOW. THIS CERTIFICATE OF INS REPRESENTATIVE OR PRODUCER, AN	URAI	NCE	DOES NOT CONSTITUT				
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PRODUCER				CONTACT NAME:			
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New York, NY 10036				E-MAIL ADDRESS:			
Attn: Atlanta.Certrequest@marsh.com						DING COVERAGE	NAIC #
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11101 Roosevelt Blvd N St. Petersburg, FL 33716				INSURER C :		······································	
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