PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	May 3, 2022	[X] []	Consent Workshop	[]	Regular Public Hearing
Department:	Engineering & Public Works Department Engineering & Public Works Department				
Submitted By: Submitted For:	Roadway Produ			1C	

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 1 (Amendment) to the Annual Structural Engineering Professional Services Contract (R2020-0547), dated June 2, 2020 (Annual Contract) with Alan Gerwig & Associates, Inc. (AGA), to modify the fee schedule.

SUMMARY: Approval of this Amendment will adjust AGA's hourly rates, as allowed under Article 1.1.5 of the Annual Contract and supported by the Consumer Price Index (CPI). This article provides that at the consultants request, but no more frequently than once every twelve (12) calendar months, the unburdened (raw) rates may be adjusted by negotiation as an equitable adjustment, if the cost of living index, CPI, supports an increase. The CPI supports an increase of 3.7%. The Affirmative Procurement Initiative selected for this Annual Contract on April 3, 2019 is a 20% minimum mandatory Small Business Enterprise (SBE) participation. AGA agreed to 90% SBE participation for the Annual Contract. Their cumulative SBE participation to date for the Annual Contract is 80.12%. Consultant Service Authorizations in the amount of \$348,198 have been authorized for AGA to date. AGA is a Palm Beach County (County) based company and is a certified SBE company. Countywide (YBH)

Background and Justification: On June 2, 2020, the Board of County Commissioners (BCC) approved the Annual Contract with AGA to provide professional services required for County projects. The fee, as detailed in Exhibit B1 of the attached Amendment, has been negotiated as just and reasonable.

In accordance with the BCC adopted procedures pursuant to Section 287.055, Florida Statutes, Consultants Competitive Negotiations Act, AGA was selected for the Annual Contract. Anne Gerwig, Mayor of Wellington, is owner of 1% of AGA. In the event any item would come before her that would offer a special financial benefit to her or her business relating to this contract, AGA has disclosed that it would require her to recuse herself from that item, thereby removing any conflict of interest for herself, AGA and the County. Anne Gerwig also serves as chair of the Citizens Advisory Committee on Health and Human Services as a Palm Beach County League of Cities representative, which is purely advisory and without oversight of this Annual Contract. Disclosure of these contractual relationships at a noticed public meeting is provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics.

After reviewing the attached Amendment and finding it in proper order, the Engineering Department recommends BCC approval.

Attachments: 1. Amendment No. 1 with AC	GA with Exhibit B1 & Ebix Insuran	ce Compliance (2)
Recommended by:	Scarl I	3/17/2-22
Approved By:	County Engineer	Date 4/5/22

Date

F:\ROADWAY\AGENDA ITEMS PENDING (& DRAFTS)\05-03-22\3-C-3 Gerwig Structural Annual Amendment for Rate Increase\3-C-TBD Gerwig Structural Annual Amendment 1.docx

Assistant County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	\$ -0-	-0-	0	-0-	0-
Operating Costs	-0-	0-	-0-	-0-	
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)		-0-	-0-	-0-	-0-
In-Kind Match (County)	0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes No Does this item include the use of federal funds? Yes No X

Budget Account No:

Fund

Dept

Unit

Object

Recommended Sources of Funds/Summary of Fiscal Impact:

**** Fiscal impact is indeterminable at this time. This firm is authorized to provide services on a task order basis. Funding will be established by project as necessary.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

0 -0 . 2/22/0-

OFMB 94 3.22-22

Contract Dev and Control

B. Approved as to Form and Legal Sufficiency:

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C. Other Department Review:

Department Director

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

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Attachment 1

AMENDMENT NO. 1 TO THE ANNUAL STRUCTURAL ENGINEERING SERVICES CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND ALAN GERWIG & ASSOCIATES, INC.

This Amendment No. 1 (AMENDMENT) to the Annual Structural Engineering Services Contract (R2020-0547), dated June 2, 2020 (ANNUAL CONTRACT), is made and entered into on ______, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY) and Alan Gerwig & Associates, Inc., a Florida for profit Corporation (CONSULTANT) whose Federal ID is 65-0843137 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the COUNTY and CONSULTANT entered into the ANNUAL CONTRACT on June 2, 2020 (R2020-0547); and

WHEREAS, Article 1.1.5 of the ANNUAL CONTRACT provides: "At the CONSULTANT'S request, but no more frequently than once every twelve (12) calendar months, the unburdened (raw) rates may be adjusted by negotiation as an equitable adjustment, if the cost of living index (Consumer Price Index (CPI)) supports an increase. However, the multiplier agreed to under the original contract SHALL NOT be changed"; and

WHEREAS, the CONSULTANT requested an equitable adjustment that is supported by the CPI; and

WHEREAS, by this AMENDMENT, the CONSULTANT and the COUNTY mutually agree to amend the ANNUAL CONTRACT, as provided herein.

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That for and in consideration of the mutual benefits to flow from each to the other, the Parties hereto agree as follows:

The above recitals are true and correct and are incorporated herein.

Exhibit B of the ANNUAL CONTRACT is hereby deleted and replaced with the attached **Exhibit B1** – Revised Fee Schedule.

Except as hereby amended, changed or modified, all other provisions of the ANNUAL CONTRACT, shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this AMENDMENT to the ANNUAL CONTRACT, on behalf of the COUNTY, and CONSULTANT has hereunto set its hand the day and year above written.

OWNER: APPROVED AS TO TERMS AND CONDITIONS By: Morton L. Rose, P.E. Director of Roadway Production	_
CONSULTANT:	ATTEST WITNESS:
Alan Gerwig & Associates, Inc.	
	Day H
Alan Gerwig, P.E., President	Signature
	RUDICION HARTINEZ
A CONTRACTOR OF THE CONTRACTOR	Name (type or print)
(Corp. Seal)	Elitetheligh
	Signature

Name (type or print)

{SIGNATURE PAGES CONTINUED}

ATTEST: Joseph Abruzzo Clerk of the Circuit Court & Comptroller	COUNTY: Palm Beach County, a Political Subdivision of the State of Florida, by and through its Board of County Commissioners	
By:		
Deputy Clerk	By:	
- •	Robert S. Weinroth, Mayor	
APPROVED AS TO FORM		
AND LEGAL SUFFICIENCY	(Seal)	
By:		
Yelizaveta B. Herman		
Assistant County Attorney		

 $F: \label{local_control_control_control} F: \label{local_control} F: \label{local_control} Annual \ Amendment for \ Rate \ Increase \ BCC \ AMENDMENT \ to \ Annual \ docx$

12798 W. Forest Hill Boulevard Suite 201 Wellington, FL 33414 Phone: (561) 792-9000 Fax: (561)792-9901 CA No. 7969



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Exhibit B1

January 20, 2022

Structural Engineering Services Task Order Basis - Fee Schedule

Fee Schedule			
Position	Raw Rate	*Burdened Rate	
Sr. Engineer	\$62.22	\$186.66	
Project Manager	\$54.96	\$164.88	
Special Inspector	\$51.85	\$155.55	
Project Engineer	\$47.70	\$143.11	
Engineer	\$41.48	\$124.44	
Engineer Intern	\$34.22	\$102.66	
Designer	\$33.18	\$99.55	
Cadd Tech	\$31.11	\$93.33	

Note: Threshhold inspections will be provided by our subconsultant, Terracon Consultants, Inc.

Multiplier:

* 3.0 maximum allowable

Salary **1.00**

Overhead & Fringe 1.69 b
Subtotal 2.69

multipler used to calculate burdened rates.

12% Profit <u>0.32</u> Total **3.01**

Use 3.0 Maximum Allowable Multiplier

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an Gerwig & Associates, Inc.				
slan Gerwig & Associates, Inc.	Name:	Alan Ge	erwig & Associates, Inc.	
Active Records Only	Account Number:	DX0000	00507	
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	Status:	Current	y in Compliance.	
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√iew ▼	Insured			
Insured	Business Unit(s) DBA Number	Print Insured Info Print Compliance Report		
Notes	Account Information			
1 History	Account Number:	DX00000507		
Deficiencies	Risk Type:	Standard - Professional Services		
Coverages	Do Not Call:	Standard - Frotessional Services	Address Updated:	
Requirements	Address Information		, tali soo opaatos.	
Contract Screen				
Add ▼	Mailing Address		Physical Address	
Edit ▼	Insured:	Alan Gerwig & Associates, Inc.		
	Address 1:			
Help	Address 2:			
Video Tutorials ▼	: City:			'
	State:			
	Zíp:			
	Country:			
	Contract Information			
	Contract Number:			
	Contract Start Date:		Contract End Date:	
	Contract Effective Date:		Contract Expiration Date:	
	Description of Services:	Structural Engineering Annual Services	Safety Form II:	No
	Contact Information			
	Contact Name:	Elizabeth Joseph	Misc:	
	Phone Number:	5617929000	Alt Phone Number:	
	Fax Number:			
	E-Mail Address:	ejoseph@aga-engineering.com		
	Approval Date:			
	Rush:	No		
	Contract on File:	No		
	Certificate Received:	No		
	Indemnification Agreement:	No		
	Tax Id:			
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This Account created by e61 on 02/19/2020.