

AGENDA ITEM 3.A.2.

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: MAY 24, 2022 () Consent () Regular
(X) Workshop () Public Hearing

Department Submitted By: Clerk of the Circuit Court & Comptroller

Department Submitted For: Joseph Abruzzo, Clerk of the Circuit Court & Comptroller

I. EXECUTIVE BRIEF

Motion and Title:

Motion to approve the contracts and claims settlements' list as submitted by various departments to the Clerk & Comptroller's Office, cumulatively totaling \$4,291,063

Summary:

The appropriate County staff has executed each contract for the attached lists and each contract will be effective on approval of the Board of County Commissioners (BCC) unless a later effective date is referenced.

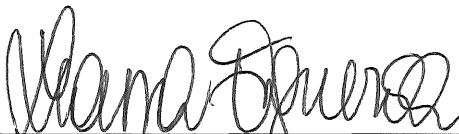
Background and Justification:

The Palm Beach County Purchasing Ordinance and R-94-702 delegate certain contracts execution to appropriate county staff. However, these contracts require BCC approval before becoming effective.

Attachments:

Lists identifying contracts:

1) PURCHASING	\$	4,291,063.00
2) TOURIST DEVELOPMENT COUNCIL	\$	0.00
3) RISK MANAGEMENT	\$	<u>00.00</u>
TOTAL	\$	4,291,063.00

Recommended by:  5/23/22
Liana Figueroa, Manager - Finance Services Date

Approved by: N/A
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five-Year Summary of Fiscal Impact:

<u>Fiscal Years</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____
Number of additional FTE positions (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes_____ No_____

Budget Account No.: Fund_____ Dept._____ Unit_____ Object_____

Reporting Category_____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

_____	_____
OFMB	Contract Dev. and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
05/24/2022

Contractor(s)	Project	Contract Amount S/M/WBE Dollar Amount/Percentage of Participation	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
EXHIBIT A Transportation Control Systems, Inc.; Wavetronix LLC dba Wavetronix; Temple Inc; Safety Zone America, Inc. dba Safety Zone Specialists; Earnest Products Inc. dba Southern Manufacturing & Fabrication; Express Supply Inc. dba Express Supply Inc.; GovComm Inc	Increase of term contract for APL Traffic Equipment for the period 02/25/2020 through 11/03/2022 per Master Agreement #650462.	Increased Amount: \$259,500.00 Total with increase: \$2,025,000.00 S/M/WBE: \$0 Original Contract Amount: \$1,605,000.00 (32.25 months)	Countywide Lead Department: Engineering & Public Works	Cooper	

The County has expended or encumbered \$1,630,988 (\$61,547/month) during the previous twenty-six and one half (26.5) months of the current thirty-two and one quarter (32.25) month term contract. Engineering requests an increase of \$259,500 over the previous authorized amount of \$1,765,500, inclusive of the Purchasing Director's ten percent (10%) authority, for the remaining five and three quarter (5.75) months of the current term contract. This increase is necessary in order for the Engineering Department to purchase solar school flasher time clocks for increased safety. This piggyback contract allows for the addition of vendors/items as approved by the originating entity. This contract is a piggyback off Florida Department of Transportation Bid #DOT-ITB-20-9034-GH, Contract # CR11362-CR1196 and has one (1) thirty-six (36) month renewal option. Five (5) Awardees are located outside Palm Beach County in the cities of Lakeland, Sanford, Tampa, Orlando and Ft. Lauderdale, Florida, and two (2) Awardees are located out of State. There is no S/M/WBE currently certified for this commodity or service. This piggyback was reviewed and approved by the OEBO.

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EXHIBIT B					
Evoqua Water Technologies LLC	One-time purchase for the pressure washing, removal and installation of media for scrubber towers, per Purchase Order #CPO MB050522-37.	\$531,841.00 S/M/WBE: \$0	Water Utilities Department 4001-720-2537-4620	Cooper	

The Water Utilities Department requests a one-time purchase for the removal and disposal of existing media, pressure wash and installation of new media on four (4) degasifier towers and two (2) odor scrubber towers at Water Treatment Plant #9. Awardee is located outside Palm Beach County in the City of Sarasota, Florida. Awardee is a sole source provider who is not a certified S/M/WBE. This sole source purchase is exempt from the EBO Ordinance.

EXHIBIT C					
Tropic Fence Inc; Martin Fence Co	Renewal of term contract for purchase, installation and repair of chain link fence for the period 05/24/2022 through 05/23/2023 per Master Agreement #20009B.	\$877,500.00 S/M/WBE: Amount Dependent Upon Usage Original Contract Amount: \$956,500.00	Countywide Lead Department: Parks & Recreation	Cooper	

The County has expended or encumbered \$265,494 (\$24,136/month) during the previous eleven (11) months of the current twelve (12) month term contract. Due to the need for repair/replacement of backstops and perimeter fencing at various parks throughout the County; fencing projects at the Limestone Creek Natural Area and Hypoluxo Scrub Natural Area, and repair/replacement of fencing at various Water Utilities locations, \$877,500 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. The contract amount for the: (i) initial twelve (12) month term was \$956,500, with \$769,902 expended; and (ii) first twelve (12) month renewal term was \$968,000. This term contract has two (2) twelve (12) month renewal options remaining. Awardees are located in Palm Beach County and are both certified SBE vendors. The original contract was established by a competitive solicitation process. This item was reviewed and approved for renewal by the OEBO.

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<u>EXHIBIT D</u> Culpepper Plumbing, LLC.	Renewal of term contract for Hauling of Raw Sewage for the period 06/06/2022 through 06/05/2023 per Master Agreement #18050RD.	\$220,000.00 S/M/WBE: \$0 Original Contract Amount: \$138,000.00	Water Utilities Department 4001-720-2555-4615	Cooper	

The County has expended or encumbered \$403,334 (\$38,413/month) during the previous ten and one half (10.5) months of the current twelve (12) month term contract. Due to excessive rainfall causing overflow at lift stations, \$220,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. The contract amount for the: (i) initial twelve (12) month term was \$138,000, with \$4,958 expended; (ii) first twelve (12) month renewal term was \$138,000 with \$137,399 expended; (iii) second twelve (12) month renewal term was \$138,000 with \$89,368 expended; and (iv) third twelve (12) month renewal term was \$138,000, which was increased to \$425,000. This term contract has no renewal options remaining. Awardee is located in Palm Beach County. The original contract was established by a competitive solicitation process. No S/M/WBE vendor submitted a bid on this project. This item was reviewed and approved for renewal by the OEBO.

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Contractor(s)	Project	Contract Amount S/M/WBE Dollar Amount/Percentage of Participation	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT E</u> Precisely Software, Inc.	New term contract for software and maintenance for the period 06/01/2022 through 12/31/2023 per Master Agreement #SS300607.	\$91,413.00 S/M/WBE: \$0	Water Utilities Department 4001-720-32IT-4615	Cooper	

The Water Utilities Department (WUD) requests a new term contract for the purchase and maintenance of Precisely Software which is used to maintain the address databases for WUD’s billing system. The vendor, a sole source, requires that the County agree to a limitation of liability provision that deviates from the County’s standard requirements. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney’s office, negotiated with the vendor and agreed to a limitation of vendor’s indemnification of the County to certain data infringement claims. In addition, the contract contains a bilateral disclaimer of punitive, special, consequential, incidental, and direct damages, and caps each party’s liability to the amount of fees paid by County to Precisely Software. The limitation of liability does not apply to: (a) certain claims, including the County’s breach of certain conditions regarding use of data products and general use restrictions, (b) the County’s obligations to pay for work under an order or scope of work, (c) Precisely Software, Inc.’s infringement indemnification obligations, and (d) either party’s noncompliance with laws. This contract contains standard County language regarding the applicability of Section 768.28, Florida Statutes. These negotiated terms between the County and vendor will be used for future sole source purchases, as applicable. This term contract has no renewal options. Awardee is located out of State. This is a sole source provider who is not a certified S/M/WBE. This sole source contract is exempt from the EBO Ordinance.

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<u>EXHIBIT F</u> West Palm Machining & Welding, Inc.; Apex Welding Services, Corp; Van Linda Iron Works Inc	New term contract for welding services for the period 06/05/2022 through 06/04/2023 per Master Agreement #22050.	\$699,500.00 S/M/WBE: Amount Dependent Upon Usage	Countywide Lead Department: Water Utilities Department	Cooper	

The County has expended or encumbered \$417,481 (\$36,303/month) during the previous eleven and one-half (11.5) months of the current thirteen (13) month term contract. Due to needed repairs identified during safety inspections at various locations throughout Palm Beach County, \$699,500 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Two (2) Awardees, West Palm Machining & Welding, Inc. and Van Linda Iron Works Inc, are certified SBE vendors. Awardees are located in Palm Beach County. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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<u>EXHIBIT G</u> Raftelis Financial Consultants, Inc.	New Term Contract for water utilities financial consulting services for the period 06/01/2022 through 05/31/2024 per Master Agreement #21030R.	\$400,000.00 SBE: \$0	Water Utilities Department 4001-720-1110-3101	Cooper	

The County has expended or encumbered \$122,272.50 (\$11,115.68/month) during the previous eleven (11) months of the current twelve (12) month emergency contract. \$400,000 is needed to meet the County's requirements through the expiration of this new twenty-four (24) month new term contract. This contract has three (3) twelve (12) month renewal options. Awardee is located outside Palm Beach County in the City of Maitland, Florida. This item was reviewed by the Goal Setting Committee and an SBE Evaluation Preference for Prime Respondents was approved. No SBE Prime Respondent submitted a proposal for this project.

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Intrado Life & Safety Solutions Corporation	Emergency contract for 911 call handling, equipment, maintenance and project services for the period 03/02/2022 through 03/01/2023 per Master Agreement #800137.	\$1,211,309.25 S/M/WBE: \$0	Public Safety Department 1434-660-9250/varies	Cooper	

The Public Safety Department is requesting a twelve (12) month emergency term contract with a retroactive start date of March 2, 2022. This emergency contract covers the necessary maintenance and services required to operate the 911 call taking equipment in peak operating condition. There is an immediate need as the 911 equipment is mission critical lifesaving equipment and must be operating at full capacity. This emergency term contract allows for continued service while the procurement process can be completed to award a new contract. \$1,211,309.25 is needed to meet the County's requirements through the expiration of this new twelve (12) month emergency term contract. This term contract has no renewal options. Awardee is located out of State. This State funded contract is exempt from the EBO Ordinance.

TOTAL AMOUNT OF ALL AWARDS: \$4,291,063.25