PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:

February 7, 2023

Consent [X]

Public Hearing []

Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Contract for Consulting/Professional Services – South County Reclaimed Water Transmission Pipeline – Phase I (Contract) with Chen Moore and Associates, Inc., (Consultant) to extend the term of the Contract for an additional year.

Summary: On March 13, 2018, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2018-0295) with Consultant to provide engineering services during design, permitting, bidding and construction phase services for the South County Reclaimed Water Transmission Pipeline - Phase I (Project). The total term of the Contract was for five (5) years. The Project provides for the first phase in the design of the infrastructure necessary to deliver reclaimed water from Broward County's northern wastewater treatment plant to the PBCWUD service area and focuses on the east and west portions of the transmission infrastructure required to deliver reclaimed water to potential customers. The Project contains approximately 9 miles of this transmission pipeline and has been designed in sub-phases to provide for multiple competitively bid construction sub-projects. The Project has experienced delays due to bid protests and rebidding efforts for Phase I A construction. Phase I B is nearing the end of design and requires bidding and construction phase services from the Consultant. Amendment No. 1 will extend the term of the Contract for one (1) year to allow for continuity of service with the Consultant for these services. Staff is recommending this extension in accordance with Section 2-54(b) of the County Purchasing Code, which allows extensions to competitively bid contracts beyond the specified term or renewal period when the Board determines that such an extension of the term or renewal period is beneficial to the interest, health, safety or welfare of the County.

This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 82.50% SBE participation. Amendment No. 1 includes an overall SBE participation of 0.00%. The cumulative SBE participation including Amendment No. 1 is 84.57%. Consultant is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project No. 17-035) <u>District 5</u> (MWJ)

Background and Justification: On April 5, 2016, the BCC approved an Interlocal Agreement with Broward County related to the construction, ownership, operation and maintenance of a Regional Reclaimed Water System (Agreement) to deliver reclaimed water from Broward County's northern wastewater treatment plant to the PBCWUD service area (R2016-0470). The First Amendment to the Agreement was approved by the BCC on August 15, 2017 (R2017-1052).

The regional Broward County/Palm Beach County Reclaimed Water Project (Regional Project) will allow Broward County to meet the requirements of the Ocean Outfall Law established in Section 403.086, Florida Statutes and will provide for the expansion of the provision of reclaimed water to additional customers in the PBCWUD service area. The Regional Project will provide environmental benefits to the residents of both Broward County and Palm Beach County, including groundwater recharge, mitigation of salt water intrusion and reduction of the reliance on potable water for irrigation needs.

Attachments:

1. TWO (2) Originals of Afficial field No.	1.	Two	(2)	Originals	of Amendment No.	1
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2. Location Map

3. EBIX Compliance Summary Report

Recommended By:	ALS13 BY MA	119123
	Department Director	Date
Approved By:	Ill & Elm	1/25/23
	Assistant County Administrator	Date [']

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

The roal Califficat Impact.											
Fiscal	Years		2023		2024	20	25	2026	2027		
Operati Externa Prograi	Expenditures ing Costs al Revenues m Income (County Match County	/)	0 0 0 0 0 0 0 0 0 0 0 0			<u>0</u> <u>0</u> <u>0</u> <u>0</u>		<u>O</u> <u>O</u> <u>O</u> <u>O</u>	<u> </u>		
NET FISCAL IMPACT 0 <u>0</u> <u>0</u> <u>0</u> <u>0</u>											
# ADDITIONAL FTE POSITIONS (Cumulative) 0 0 0 0											
Budget Account No.: Fund 4011 Dept 721 Unit W039 Object 6543											
Is Item Included in Current Budget? Yes X No											
Does this item include the use of federal funds? Yes No X											
Reporting Category <u>N/A</u>											
B. Recommended Sources of Funds/Summary of Fiscal Impact:											
ι	John Ge										
III. <u>REVIEW COMMENTS</u>											
A. OFMB Fiscal and/or Contract Development and Control Comments: OFMB Fiscal and/or Contract Development and Control Contract Development and Control Find 1/13/23											
B. I	Legal Sufficiency Assistant Q		torney	/20/	23						
C. (Other Departmer										
	Department Director										

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

AMENDMENT NO. 1 TO CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES SOUTH COUNTY RECLAIMED WATER TRANSMISSION PIPELINE – PHASE I PBCWUD PROJECT NO. 17-035 WITH CHEN MOORE AND ASSOCIATES, INC.

This Amendment No. 1 dated _______ to the Contract For Consulting/Professional Services South County Reclaimed Water Transmission Pipeline – Phase I - PBCWUD Project No. 17-035 (R2018-0295) dated March 13, 2018 by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners, hereinafter referred to as the COUNTY, and **Chen Moore and Associates, Inc.,** a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT, whose Federal I.D. is 59-2739866.

WITNESSETH

WHEREAS, the parties have entered into the Contract under which the CONSULTANT provides certain professional services to the COUNTY for the expansion of the Palm Beach County Water Utilities Department reclaimed water system with the transmission pipeline delivering reclaimed water received from Broward County to customers in the southern Palm Beach County service area; and

WHEREAS the parties hereto desire to extend the Contract for an additional one (1) year period; and

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:

- Pursuant to Article 2 of the Contract, the term of the Contract is extended for one (1) additional year from March 13, 2023 through March 12, 2024.
- The period of service shall continue until completion of all outstanding
 Consultant Services Authorizations issued within the period of this

- Contract, unless otherwise terminated as provided herein.
- Except as specifically modified above, the terms and conditions of the
 Contract are hereby confirmed and remain in full force and effect.

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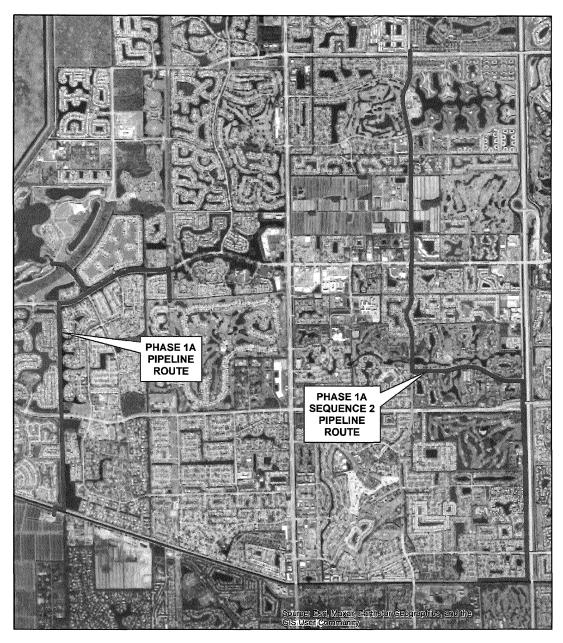
$\textbf{INWITNESS} \ \textbf{WHEREOF}, \ \textbf{the Board of County Commissioners of Palm Beach County},$

Florida has made and executed this Amendment on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

ATTEST: JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT AND COMPTROLLER, PALM BEACH COUNTY	PALM BEACH COUNTY, BY ITS BOARD OF COUNTY COMMISSIONERS
Deputy Clerk	By: Gregg K. Weiss, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY Assistant County Attorney	APPROVED AS TO TERMS AND CONDITIONS Ali Bayat, P.E., PMP, Director Water Utilities Department
	CONSULTANT
(witness signature)	Chen Moore and Associates, Inc.
Maritza Figueroa (witness name printed)	By: (signatory)
(witness signature)	(print signatory's name)
(witness name printed)	DT- Director/ Treasurer (print title)
	(Corporate Seal)

ATTACHMENT 2

Location Map PBCWUD Project No. 17-035



LEGEND —— PIPELINE ROUTE











Palm Beach County Compliance Summary Report

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00002026	Chen Moore & Associates Inc DBA CMA Consultants	Modified	Compliant					17-035	Contract for Consulting/Professional Services South County Reclaimed Water Transmission Pipeline – Phase I
		A++g , XV	Travelers Casualty Insurance Company of America	BA2W1500872247G	12/16/2022	12/16/2023	Auto Liability		
		Ar , XIV	Crum & Forster Specialty Insurance Company	efx121958	1/1/2023	1/1/2024	Excess Liability		
		Ar , XIV	Crum & Forster Specialty Insurance Company	EPK142287	1/1/2023	1/1/2024	General Liability		
		Ar , XIV	Crum & Forster Specialty Insurance Company	EPK142287	1/1/2023	1/1/2024	Professional Liability		
		A++g , XV	Travelers Casualty and Surety Company	UB2W148891	12/16/2022	12/16/2023	Workers Comp		

Risk Profile:

Standard - Professional Services

Required Additional Insured: Palm Beach County Board of County Commissioners

Ownership Entity: