

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: November 7, 2023

Consent [X]  
Public Hearing [ ]

Regular [ ]

Department: Water Utilities Department

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Change Order (CO) No. 3 with TLC Diversified, Inc. (Contractor) for the Lift Station Rehabilitation Project B Bid Package 2 (Project) in the amount of \$110,449.36 and for a Project time extension of 78 calendar days.

**Summary:** On January 12, 2021 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0063) with Contractor. The Contract provides for the rehabilitation of twenty-nine (29) lift stations throughout the PBCWUD service area to meet the current PBCWUD standards. CO No. 3 provides for modifications to the original design at eleven (11) lift stations including line stops, additional piping, expanding concrete slabs and sidewalks and landscaping changes.

The Contract was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On January 29, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 29.32% SBE participation which includes 8.97% MBE participation, 8.97% MBE (B). One of the vendors which accounted for 20.35% of the SBE participation graduated from the SBE program in July 2021 and is no longer an SBE. The Contractor performed a good faith effort and applied for a waiver with the Office of Equal Business Opportunity (OEBO). OEBO approved the waiver and the new SBE requirement was reduced to 8% SBE with a 5% MBE participation. CO No. 3 includes 7.45% SBE participation, which includes 0% MBE participation, 0% MBE (B). The cumulative SBE participation including CO No. 3 is 9.33% SBE participation, which includes 9.21% MBE participation, 9.21% MBE (B). Contractor is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the FY24 budget. (PBCWUD Project 15-096B) Districts 2, 5, 6 and 7 (MWJ)

**Background and Justification:** PBCWUD is administering a construction project with the Contractor for the rehabilitation of twenty-nine (29) lift stations. The Project provides for structural repairs, new pumps and equipment, fall protection for maintenance personnel, new control panels and instrumentation for remotely monitoring and controlling the lift stations. Completion of the work provided for in the Project will restore the service life of the lift stations and improve the long term operability and reliability of PBCWUD's wastewater collection system.

**Attachments:**

1. Three (3) Originals of Change Order No. 3
2. Location Map
3. Ebix Compliance Summary Report

Recommended By:

*Al. Bayart*  
Department Director

10/19/23  
Date

Approved By:

*Neil J. Blum*  
Assistant County Administrator

10/26/23  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years                            | 2024             | 2025     | 2026     | 2027     | 2028     |
|---|------------------|----------|----------|----------|----------|
| Capital Expenditures                    | \$110,450        | 0        | 0        | 0        | 0        |
| Operating Costs                         | 0                | 0        | 0        | 0        | 0        |
| External Revenues                       | 0                | 0        | 0        | 0        | 0        |
| Program Income (County)                 | 0                | 0        | 0        | 0        | 0        |
| In-Kind Match County                    | 0                | 0        | 0        | 0        | 0        |
| <b>NET FISCAL IMPACT</b>                | <b>\$110,450</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | 0                | 0        | 0        | 0        | 0        |

**Budget Account No.:** Fund 4011 Dept 721 Unit W031 Object 6546

Is Item Included in Current Budget? Yes X No     

Is this item using Federal Funds? Yes      No X

Is this item using State Funds? Yes      No X

Reporting Category N/A

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

One (1) time expenditure from user fees, connection fees and balance brought forward.

C. Department Fiscal Review: Joony Benton GE

**III. REVIEW COMMENTS**

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

Lisa M. [Signature] 10/25/23  
 MG 1011 OFMB 1011

[Signature] 10/25/23  
 Contract Development and Control  
 10/25/23

**B. Legal Sufficiency:**

[Signature] 10/25/23  
 Assistant County Attorney

**C. Other Department Review:**

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 Department Director

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