# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	September 17, 2024	[X] Consent [ ] Workshop	[ ] Regular [ ] Public Hearing			
Department: Engineering and Public Works Department Submitted By: Engineering and Public Works Department Submitted For: Roadway Production Division						
	<u>I. EXEC</u>	UTIVE BRIEF				
Continuing Service	es Construction Contract (Rape and Maintenance Inc. (	(2023-0624), dated M	ment No. 1 to the Landscaping lay 16, 2023 (Contract) with A expiration date from November			
2024 to May 15, 20 to be amended, what agrees. This Control Committee establishmall Business Erris 20%. To date, amount of \$167,8 located in Palm Bernstein 15, 20%.	026. Section 3 of the Special of the adhering to all other of the act was presented to the Gract was presented to the overall participation at 70 of ACA's \$2,000,000 or \$2.000,000 or \$2.000	al Provisions in the Coriginal terms, conditional Setting Committeement Initiative (API n. The proposed SBE achieved on this Contract have been a sed SBE company. The	ation date from November 13, contract allows for the Contract ons and unit prices, and ACA ee on October 5, 2022 and the 1) of 20% minimum mandatory 2 participation for this Contract tract is 100% and tasks in the authorized. ACA has an office its allowable extension is not to ountywide (YBH)			
_		_	1 and finding it in proper order, roval by the Board of County			
Attachments: 1. ACA Amendm	ent No. 1 and Ebix Insuran	ce Compliance (3)				
Recommended by YBH/TEL	Journall Kelly County	Folk Engineer	08/21/2024 Date			
Annroyed Pyr	+00		8/30/24			

Deputy County Administrator

# II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	-0-	-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-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE —					
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-
Ts Item Included in	Current I	Budge+2		Vec N	To []

Is	Item Included in Current Budget?	Yes No 🗸 Yes No 🗸 Yes No 🗸
Is	this item using Federal Funds?	YesNo.✓
Is	this item using State Funds?	Yes No 🗸

Budget	Account	No:
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Dept

Unit

Object

Recommended Sources of Funds/Summary of Fiscal Impact:

\*\*This item has no fiscal impact.

C. Departmental Fiscal Review:

Harry Randery

III. REVIEW COMMENTS

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

ASSUL 8/22/24

Contract Dev. and Control

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

**Department Director** 

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

# AMENDMENT NO. 1 TO THE LANDSCAPING CONTINUING SERVICES CONSTRUCTION CONTRACT BY AND BETWEEN PALM BEACH COUNTY AND A CUT ABOVE LANDSCAPE AND MAINTENANCE, INC. PROJECT #2022055

This Amendment No.1 (AMENDMENT) to the Landscaping Continuing Services Construction Contract (R2023-0624), dated May 16, 2023, (CONTRACT), is made and entered into on September 17, 2034 by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY), and A Cut Above Landscape and Maintenance, Inc., a Florida for profit Corporation (CONTRACTOR) whose Federal ID is 65-0884353 (individually Party and collectively Parties).

#### WITNESSETH

WHEREAS, the COUNTY and CONTRACTOR entered into the CONTRACT on May 16, 2023 (R2023-0624); and

WHEREAS, Section 3 of the Special Provisions of the CONTRACT allows for extensions and other contract deviations upon mutual written agreement through a Board approved Contract Amendment, while adhering to all other original terms, conditions and unit prices of the CONTRACT; and

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

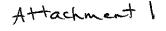
NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the Parties agree as follows:

- 1. The above recitations are true and correct and incorporated herein,
- 2. The CONTRACT is hereby amended to extend the expiration date of the CONTRACT from November 13, 2024 to May 15, 2026.
- 3. It is the intent of the Parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
- 4. Except as hereby amended, changed or modified, all other provisions of the CONTRACT shall remain in full force and effect.

Project # 2022055

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Amendment # 1



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

OWNER:

APPROVED AS TO TERMS AND CONDITIONS

By:

Morton L. Rose, P.E

Morton L. Rose, P.E. Director of Roadway Production

CONTRACTOR:

A CUT ABOVE LANDSCAPE AND

MAINTENANCE; INC.

Damon Rockett, President

ATTEST WITNESS:

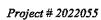
Signature

Name (type or print)

(Corp. Seal)

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			
Ву:				
Deputy Clerk	By: Maria Sachs, Mayor			
APPROVED AS TO FORM AND LEGAL SUPPLICIENCY  By: Yelizaveta B Herman Assistant County Attorney	(Seal)			

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Project # 2022055

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Amendment # 1

Print Date 6/26/2024 8:40:52 AM



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#### Paim Beach County Compliance Summary Report

Vendor Number	Vendor Name	AM Best Railing	însurance Gartier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00002112	A Cut Above Landscape & Maintenance, Inc.		Compliant					2022055	Annual Landscaping
		VX , qA	National Union Fire Insurance Company of Pittsburg	7107684	6/7/2024	0/7/2025	Auto Liability		
		A++g , XV	Southern-Owners Insurance Company	5389042701	6/7/2024	6/7/2025	Excess Liability		
		A++g , XV	Southern-Owners Insurance Company	2089042724	6/7/2024	6/7/2025	General Liability		
		Ar, XV	AlU Insurance Company	80771670	6/7/2024	6/7/2025	Workers Comp		

Risk Profile: Standard - Construction Services

Required Additional insured: Palm Beach County Board of County Commissioners

Ownership Entity :

# NONGOVERNMENTAL ENTITY HUMAN TRAFFICKING AFFIDAVIT (§ 787.06(13), Fla. Stat.) THIS AFFIDAVIT MUST BE SIGNED AND NOTARIZED

I, the undersigned, am an officer or representative of Muth MO (CONTRACTOR) and attest that CONTRACTOR does not use coer defined in section 787.06, Florida Statutes.	***
Under penalty of perjury, I hereby declare and affirm that the a and correct.  (signature of officer or representative) (printed name of officer)	bove stated facts are true  Callt f officer or representative)
State of Florida, County of Palm Beach  Sworn to and subscribed before me by means of physical presence	•
Personally known ☑ OR produced identification □.  Type of identification produced	
NOTARY PUBLIC My Commission Expirest State of Florida at large	SUNNIE HUFFMAN  Notary Public - State of Florida Commission # HH 461878 My Comm. Expires Jan 24, 2028 Bonded through National Notary Assn.

(Notary Seal)