

## AGENDA ITEM 3.A.2

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

## AGENDA ITEM SUMMARY

Meeting Date: March 18, 2025      ☐ Consent      ☐ Regular  
    ☒ 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 **\$10,465,363.70.**

### 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	\$	10,465,363.70
2) TOURIST DEVELOPMENT COUNCIL	\$	0.00
3) RISK MANAGEMENT	\$	<u>0.00</u>
<b>TOTAL</b>	<b>\$</b>	<b>10,465,363.70</b>

Recommended by: Lisa Supan 3-14-25  
Lisa Supan, Assistant 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>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</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  
03/18/2025

Contractor(s)	Project	Contract Amount Total Contract Authorized Amount S/M/WBE Dollar Amount/Percentage of Participation Original Contract Amount	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
<u>EXHIBIT A</u> UKG Kronos Systems LLC	One-time purchase of UKG Kronos Subscription Services per EPO 022625- 225.	Contract Amount: \$593,676.00 S/M/WBE: \$0	Fire Rescue Department  Accounting lines: 1300-440-4217-4674	Thelwell	

The Fire Rescue Department requests a one-time purchase of UKG Kronos Subscription software, in the amount of \$593,676. The Risk Management Department and County Attorney’s office have reviewed the limitation of liability for this agreement and advised staff accordingly. Given the vendor’s liability is capped at three times the amount the County pays under the agreement, which is a total cap of \$1,780,848, staff recommends Board approval. This contract has no renewal options available. Awardee is located out of state. This purchase is exempt from the Procurement Ordinance, specifically Section 2-51(f)(b). Since the one-time exempt purchase exceeds the mandatory bid amount of \$150,000 and the signature authority of the Director of Purchasing of \$300,000, this purchase must be reviewed and approved by the Board of County Commissioners.

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**EXHIBIT B**

Sutphen Corporation	One-time purchase of Sutphen HD Monarch S-Series 1000 Pumpers Fire Apparatus per Purchase Order #JC030425-11.	Contract Amount: \$6,599,837.70 S/M/WBE: \$0	Fire Rescue Department  Accounting Lines: 1300-440-4230-6401	Thelwell	
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The Fire Rescue Department requests a one-time purchase of Sutphen HD Monarch S-Series 1000 Pumpers (Fire Apparatus). Awardee is located out of State. There is no S/M/WBE currently certified for this commodity or service. This purchase is a piggyback contract from NPP.gov RFP 1905 Sutphen Contract No. PS20250, which expires 05/28/2026. This piggyback contract was reviewed and approved by the OEBO.

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**EXHIBIT C**

Environmental Systems Research Institute, Inc.	New term contract for ESRI Enterprise Agreement (EA), for the period of 03/18/2025 through 03/17/2028 per Master Agreement #SS250001.	Contract Amount: \$3,271,850.00 S/M/WBE: \$0	Information Systems Services Department  Accounting Lines: 0001-490-1300-5121 0001-490-1300-4674	Thelwell	
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The Information Systems Services Department requests \$3,271,850 to meet the County's requirements through the expiration of this new thirty-six (36) month term contract for ESRI products and services. The agreement, which is a sole source, contains indemnification and a liability provisions that differ from that adopted for use by the County under PPM# CW-F-049. In accordance with PPM# CW-F-049, the Department of Risk Management and the County Attorney's Office have reviewed the language and advised the department of the associated risks. Due to business needs and the benefits to be derived from the agreement, Risk Management and the County Attorney's Office have agreed to allow the department to move the agreement forward for Board of County Commissioners approval. The vendor's maximum liability under the agreement is capped at the price paid for maintenance fee by the County for the software modules that are the subject to the claim. Additionally, the vendor will not be liable for incidental or consequential damages, special damages or loss of profits, anticipated savings, business opportunity, goodwill or loss of information of any kind. The cap of liability does not apply to claims arising out of death or personal injury caused by either party's gross negligence or fraudulent misrepresentation. These negotiated terms will used for sole purchases, as applicable. This term contract has no renewal options available. 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.

**TOTAL AMOUNT OF ALL AWARDS: \$10,465,363.70**