

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: August 15, 2006

Consent  
 Workshop

Regular  
 Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Amendment No. 3 to the Contract with Miller Legg & Associates, Inc. (R-2003-1354) for Phase I Environmental Assessment consulting services on a continuing contract basis for Facilities Development & Operations Department projects.

**Summary:** Miller Legg & Associates, Inc. was selected to provide Phase I Environmental Assessment consulting services on a continuing contract basis for Facilities Development & Operations Department for capital improvement projects. The Board approved an annual contract on September 9, 2003. The original contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. This amendment would provide for services during the third and final renewal period. Miller Legg & Associates, Inc. has an M/WBE-SBE participation goal of 15%. During the first three years of the Contract, Miller Legg & Associates, Inc has achieved 9.9% participation. Projects utilizing Miller Legg's M/WBE-SBE subconsultant services were not required for the tasks actually assigned and as a result, the SBE goal was not achieved. (Capital Improvements Division) Countywide (JM)

**Background and Justification:** In accordance with Board adopted procedures pursuant to Florida Statute 287.055 (Consultants Competitive Negotiation Act, CCNA), Miller Legg & Associates, Inc was one of two firms selected to perform Professional Phase I Environmental Assessment consulting services on a continuing contract basis. Work is authorized through individual task agreements when required during the term of this contract. The contract term is for 1 year and the original Board action allowed for (3) additional (1) year renewals. This Amendment would provide services during the third renewal period and would be the fourth and final year of the contract. It is the consensus of Facilities Development & Operations that Miller Legg & Associates, Inc has successfully provided the professional services required by the County in a timely manner. They are in good standing and wish to continue to provide professional services. This Amendment will maintain the continuous professional services required by Palm Beach County. During the first three years of the Contract, Miller Legg & Associates, Inc.'s office was awarded \$68,771.16 in Consultant Service Authorizations.

**Attachments:**

1. Amendment No. 3
2. September 9, 2003 Board Item

Recommended by: \_\_\_\_\_

*Armeny Wolf*  
Department Director

7/24/06  
Date

Approved by: \_\_\_\_\_

*[Signature]*  
County Administrator

8/8/06  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2006	2007	2008	2009	2010
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-
<b>NET FISCAL:</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Dept \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_

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

Fiscal impact cannot be determined at this time. Individual Task Assignments requiring BCC approval will be brought the Board, and fiscal impact will be addressed at that time; otherwise, funding will come from previously approved BCC projects.

**C. Departmental Fiscal Review:** \_\_\_\_\_

**III. REVIEW COMMENTS:**

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

*Jim Dalk* 8-3-06  
 OFMB  
 8/2/06

*John H. Webster* 8/4/06  
 Contract Dev. and Control  
**This amendment complies with our review requirements.**

**B. Legal Sufficiency:**

Assistant County Attorney  
*Monroe Joy*

**C. Other Department Review:**

Department Director

**AMENDMENT TO CONTRACT FOR  
Annual Phase I Environmental Assessment Services  
Continuing Contract**

This AMENDMENT NO. 3 dated \_\_\_\_\_, to the Contract (R-2003-1354) dated September 9, 2003, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as the COUNTY and Miller Legg & Associates, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT.

W I T N E S S E T H

**WHEREAS**, the parties have entered into a Contract under which the CONSULTANT provided certain professional services to the COUNTY for various projects in accordance with the Consultants Competitive Negotiations Act (CCNA) FS 287.055; and

**WHEREAS**, the parties hereto desire to amend the Contract to extend it for an additional one (1) year period.

**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:

1. The term of this Contract as set forth in Section 4, Article 4.1 is renewed for one (1) additional year to September 9, 2007.
2. Exhibit "B" is revised per the attached.
3. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.

**ATTACHMENT # 1**

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

ATTEST:  
SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY BOARD OF  
COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Tony Masilotti, Chairman

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

APPROVED AS TO TERMS AND  
CONDITIONS

By: \_\_\_\_\_  
Assistant County Attorney

By: Andrey Wolf  
Andrey Wolf, Director, FD&O

WITNESS: FOR CONSULTANT  
SIGNATURE

[Handwritten Signature]  
Signature

CONSULTANT:

[Handwritten Signature]  
Signature

BONNIE SERINA  
Name (type or print)

DENNIS J. THOMAS, P.E.  
Name (Type or print)

ASST. V.P. ENGINEERING  
Title

(Corporate Seal)

EXHIBIT "B"

PALM BEACH COUNTY

ANNUAL ENVIRONMENTAL ASSESSMENT SERVICES

**HOURLY RATE SCHEDULE**

July 1, 2006 through September 9, 2007

<u>Classification</u>	<u>Billing Rate</u>
1. Senior Professional Engineer / Project Manager	\$112.69 / hour
2. Senior Risk Management Specialist	\$120.98 / hour
3. Risk Management Specialist	\$ 90.23 / hour
4. Environmental Scientist	\$ 81.98 / hour
5. Engineer Technician / Sr. CADD Tech	\$ 73.97 / hour
6. Technical Assistant	\$ 60.16 / hour
7. Field Inspector	\$ 71.87 / hour
8. Administrative Assistant	\$ 51.56 / hour
9. Professional Land Surveyor	\$102.54 / hour
10. Survey Technician	\$ 64.13 / hour
11. Survey Party (3 person), per 8-hour day	\$1025.07 / day
12. Legal Descriptions & Sketches	\$ 420.00 each

Billing rates include salary cost, fringe benefits, overhead and profit and reflect a 2.86 multiplier

3H-4

Agenda Item #:

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

R-2003-1354  
Ms/A6-D  
Mc abs.

Meeting Date: September 9, 2003 [ X ] Consent [ ] Regular  
[ ] Workshop [ ] Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Contract with Miller, Legg & Associates, Inc., to provide environmental assessment services on a continuing contract basis for Facilities Development & Operations Department projects.

**Summary:** The purpose of this contract is to have an environmental consultant under contract to provide planning, engineering, and related consulting services for Facilities Development & Operations Department efforts to evaluate the developability of existing County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for each identified project. This contract will be for one (1) year with three (3) one year extension options. This firm will have a minimum 15% SBE participation. (Capital Improvements Division) Countwide (JM).

**Background and Justification:** Selection was performed under Board adopted procedures pursuant to the Consultants Competitive Negotiation Act (CCNA) and Florida Statute 287.055 on February 12, 2003. Two firms were selected for these services. Work will be authorized through individual task/agreements when they are required during the term of this contract.

**Attachments:**

- 1. Contract

Recommended by: [Signature] Department Director Date: 8/12/03

Approved by: [Signature] County Administrator Date: 9/2/03

ATTACHMENT # 2