

AGENDA ITEM 3.B.3.

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: September 1, 2020 (x) Consent () Regular
 () Workshop () Public Hearing

Department:

Submitted By: Clerk & Comptroller, Palm Beach County

Submitted For: Sharon R. Bock, Clerk & 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 **\$10,644,425.00**

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	\$ 10,524,425.00
2) TOURIST DEVELOPMENT COUNCIL	\$ 0.00
3) RISK MANAGEMENT	\$ <u>120,000.00</u>
TOTAL	\$ 10,644,425.00

Recommended by: *Radcliffe W. Brown* 08-28-2020
 Radcliffe Brown, Director - 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>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</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

SEPTEMBER 1, 2020

CONSENT AGENDA

3.B.3. – CONTINUED

A)

Extension and increase of term contract of \$870,250 with Graybar Electric Co. Inc.; World Electric Supply Inc.; Mayer Electric Supply Company Inc.; K & M Electric Supply Inc.; Audio Video Systems Inc.; CMH Solutions Inc.; Torres Electrical Supply Company Inc.; Light Bulbs Unlimited Store E/Div West Palm Bulb Inc.; WW Grainger Inc. d/b/a W.W. Grainger d/ba Grainger; IRL Enterprises Inc.; Musco Corporation d/b/a Musco Sports Lighting LLC; Bearing Distributors Inc. d/b/a BDI; Rexel USA Inc.; Lite USA Holdings Inc., d/b/a Lite Store USA; Daco Worldwide Marketing Corp.; Bearings & Drives Inc. d/b/a B&D Technologies for a total of \$4,838,808 for pre-qualification of vendors for electrical supplies and equipment from 06/08/2015 through 06/07/2021.

B)

New term contract with Epicurean Park LLC d/b/a Nex Era Services; L.V. Superior Landscaping Inc.; TNT Lawn Executives LLC; BG Lawn Care Services LLC for \$266,900 for grounds maintenance for various Palm Beach County Fire Rescue locations from 09/01/2020 through 08/31/2021.

C)

New term contract with JC Evolution Corp. d/b/a JC Evolution Corp.; Sunshine Cleaning Systems Inc.; Bright & Clear Soft and Pressure Washing; Green Earth Power Washing LLC; Clean My Ride LLC; Southland Painting Corp.; HIQ Services Corp. for \$1,352,925 for pre-qualification of vendors for pressure cleaning services from 09/01/2020 through 08/31/2025.

D)

Renewal of term contract with Morton Salt Inc. for \$1,040,850 for sodium chloride (solar salt quality) from 09/11/2020 through 09/10/2021.

E)

Renewal of term contract with Hinterland Group Inc. for \$4,101,000 for the rental of crews with equipment from 09/01/2020 through 08/31/2021.

F)

Renewal of term contract with LJ Power Inc. for \$1,846,500 for generator inspection, maintenance and repair from 09/09/2020 through 09/08/2021.

G)

One-time purchase from Alfa Laval Inc. of an Alfa Laval, spiral heat exchanger for \$46,000.

H)

Ratification of the approval of a Memorandum of Agreement with the School Board of Palm Beach County for \$1,000,000 for emergency feeding assistance from 04/01/2020 through 12/30/2020. (CARES Act)

I)

Risk Management - Workers' Compensation Claim Settlement for Richard Boynton for \$120,000.00.

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
09/01/2020

Contractor(s)	Project	Contract Amount S/M/WBE Dollar Amount/Percentage of Participation	Department(s) or Division(s) Accounting Line(s)	Executor	Minutes #
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<p>EXHIBIT A Graybar Electric Co., Inc.; World Electric Supply Inc.; Mayer Electric Supply Company, Inc.; K & M Electric Supply, Inc.; Audio Video Systems, inc.; CMH Solutions, Inc.; Torres Electrical Supply Company, Inc.; Light Bulbs Unlimited Store E/Div West Palm Bulb, Inc.; WW Grainger, Inc. d/b/a W.W. Graninger d/ba Grainger; IRL Enterprises, Inc.; Musco Corporation d/b/a Musco Sports Lighting, LLC; Bearing Distributors Inc. d/b/a BDI; Rexel USA, Inc.; Lite USA Holdings, Inc., d/b/a Lite Store USA; Daco Worldwide Marketing Corp.; Bearings & Drives,</p>	<p>Extension and increase of term contract for pre-qualification of vendors for electrical supplies and equipment for the period 06/08/2015 through 06/07/2021 per Master Agreement #15046.</p> <p style="text-align: center;">(See Next Page for Summary)</p>	<p>Increased Amount: \$ 870,250.00 Total with increase: \$4,838,808.00 S/M/WBE: Amount Dependent Upon Usage</p>	<p>Countywide</p>	<p>Scarlett</p>	
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Inc. d/b/a B&D
Technologies.

The County has expended or encumbered \$3,824,646 (\$60,951/month) during the previous sixty-two and three quarter (62.75) months of the current sixty-three (63) month term contract, which includes a three (3) month extension pursuant to the Director of Purchasing's authority. Due to the impact of the COVID-19 pandemic, resulting in staff workload reprioritization and staff temporary non-availability for work, an additional nine (9) month extension to the current term contract is necessary for the Water Utilities Department to complete the OEBO and procurement process to award a new term contract and to avoid a gap in service. This term contract will be terminated for convenience upon award of a new term contract. In addition, an increase of \$870,250, inclusive of the Purchasing Director's ten percent (10%) authority, over the previously authorized amount of \$3,968,558, is required in order to continue to purchase electrical supplies and equipment during the extension of the contract. Approval is also requested to add vendors that may become pre-qualified during the term of the contract. Pre-Qualification contracts allow for the addition of new vendors during the full term of the contract. This term contract has no renewal options. Ten (10) Awardees are located in Palm Beach County, one (1) Awardee is located out of State, and five (5) Awardees are located outside Palm Beach County in the cities of Tampa, Stuart, Pompano, Davie, and Ft. Lauderdale, Florida.

EXHIBIT B

Epicurean Park, LLC d/b/a Nex Era Services; L.V. Superior Landscaping, Inc.; TNT Lawn Executives LLC; BG Lawn Care Services, LLC	New term contract for grounds maintenance for various Palm Beach County Fire Rescue locations for the period 09/01/2020 through 08/31/2021 per Master Agreement #20012.	\$266,900.00 S/M/WBE: Amount Dependent Upon Usage	Fire Rescue Department 1300-440-4214-4605 1300-410-4231-4605 1300-440-4232-4605 1300-440-4233-4605 1300-440-4234-4605 1300-440-4235-4605 1300-440-4236-4605 1300-440-4237-4605 1300-440-4238-4605	Scarlett	
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The County has expended or encumbered \$109,778 (\$11,556/month) during the previous nine and one half (9.5) months of the current ten and one half (10.5) month term contract. Due to anticipated grounds maintenance required at various Fire Rescue locations, \$266,900 is needed to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has four (4) twelve (12) month renewal options. Awardees are located in Palm Beach County. The Goal Setting Committee recommended SBE price preference for this solicitation.

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EXHIBIT C

JC Evolution Corp. d/b/a JC Evolution Corp.; Sunshine Cleaning Systems Inc.; Bright & Clear Soft and Pressure Washing; GreenEarth Powerwashing LLC; Clean My Ride LLC; Southland Painting Corp.; HIQ Services Corp.	New term contract for pre-qualification of vendors for pressure cleaning services for the period 09/01/2020 through 08/31/2025 per Master Agreement #20031.	\$1,352,925.00 S/M/WBE: Amount Dependent Upon Usage	Countywide	Scarlett	
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The County has expended or encumbered \$331,221 (\$5,115/month) during the previous sixty-four and three quarter (64.75) months of the current sixty-five and one half (65.5) month term contract. Due to the anticipated increase in maintenance activities for the Water Utilities Department and pressure cleaning services at Palm Beach International Airport's Concourse B, Concourse C, and parking garages, \$1,352,925 is needed to meet the County's requirements through the expiration of this new sixty (60) month term contract. Approval is also requested to add vendors that may become pre-qualified during the term of the contract. Pre-Qualification contracts allow for the addition of new vendors during the full term of the contract. This term contract has no renewal options. Four (4) Awardees are located in Palm Beach County and three (3) Awardees are located outside Palm Beach County in the cities of Miami and Fort Lauderdale, Florida. The Goal Setting Committee recommended SBE price preference for this solicitation.

EXHIBIT D

Morton Salt, Inc.	Renewal of term contract for sodium chloride (solar salt quality) for the period 09/11/2020 through 09/10/2021 per Master Agreement #19069A.	\$1,040,850.00 S/M/WBE: \$0	Water Utilities Department 4001-720-2531-5205 4001-720-2535-5205	Scarlett	
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The County has expended or encumbered \$495,900 (\$45,082/month) during the previous eleven (11) months of the current twelve (12) month term contract. Upon completion of preventative maintenance to the equipment associated with the feed of sodium chloride at Water Treatment Plants #2 and #8, water flow will be increased/restored to normal capacity. Therefore, \$1,040,850 is needed to meet the County's requirements through the

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expiration of this new twelve (12) month renewal term contract. This term contract has three (3) twelve (12) month renewal options remaining. Awardee is located out of State. No S/M/WBE vendor submitted a bid on this project. This item was reviewed and approved for renewal by the OEBO.

<u>EXHIBIT E</u>					
Hinterland Group, Inc.	Renewal of term contract for the rental of crews with equipment for the period 09/01/2020 through 08/31/2021 per Master Agreement #17058C.	\$4,101,000.00 S/M/WBE: \$0	Countywide	Scarlett	

The County has expended or encumbered \$1,028,507 (\$93,501/month) during the previous eleven (11) months of the current twelve (12) month term contract. Due to the anticipated need for culvert repairs, existing and upcoming drainage projects throughout the County, membrane change out projects, and to comply with FAA and TSA Federal Regulations for erosion repair at all County Airport locations, \$4,101,000 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has one (1) twelve (12) month renewal option remaining. Awardee is located in Palm Beach County. The original bid was established by a competitive selection process. Vendor is no longer an S/M/WBE. This item was reviewed and approved for renewal by the OEBO.

<u>EXHIBIT F</u>					
LJ Power, Inc.	Renewal of term contract for generator inspection, maintenance and repair for the period 09/09/2020 through 09/08/2021 per Master Agreement #18006RB.	\$1,846,500.00 S/M/WBE: \$0	Countywide	Scarlett	

The County has expended or encumbered \$1,145,003 (\$104,091/month) during the previous eleven (11) months of the current twelve (12) month term contract. Due to unanticipated repairs of aging generators, updating older generators to new standards and maintenance for portable generators used for emergency power during the hurricane season, \$1,846,500 is needed to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract. This term contract has two (2) twelve (12) month renewal options remaining. Awardee is located in Palm Beach County. The original bid was established by a competitive selection process. There is no S/M/WBE currently certified for this commodity or service. This item was reviewed and approved for renewal by the OEBO.

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09/01/2020

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EXHIBIT G
Alfa Laval, Inc. One-time purchase of an Alfa Laval, spiral heat exchanger per Purchase Order #CC0813320*42. \$46,000.00
S/M/WBE: \$0 Water Utilities Department Scarlett
4001-720-2584-4615

The Water Utilities Department requests a one-time purchase of one (1) Alfa Laval, spiral heat exchanger to replace equipment that has reached the end of its life cycle at the South Regional Reclamation Facility. Vendor, a sole source, requires that the County agree to a limitation of liability provision that deviates from the County's standard. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's Office following negotiations with Alpha Laval, Inc. agreed upon a mutual waiver where neither party shall be liable to the other for more than the amount of the contract (\$46,000). The limitation of liability is not applicable to vendor's obligation to indemnify the County for third-party claims for death, personal injury, or property damage. Awardee is located out of State. This sole source contract is exempt from the EBO Ordinance.

EXHIBIT H
School Board of Ratification of the approval of a Memorandum of \$1,000,000.00
Palm Beach County Agreement for emergency feeding assistance from S/M/WBE: \$0 Public Safety Department Scarlett
04/01/2020 through 12/30/2020 per EMP # TR 1160-760-CV01-4900
9658147. 1160-760-CV02-4900

Due to the COVID-19 pandemic, the Department of Public Safety requests approval of a retroactive nine (9) month Memorandum of Agreement (MOA) with the School Board of Palm Beach County (School Board) to help alleviate food insecurity faced by families. The County will reimburse the School Board a maximum amount of \$1,000,000 for the implementation of emergency feeding sites at fifty-one (51) School Board locations throughout the County. Due to emergency circumstances and the immediate necessity for these essential services during the COVID-19 pandemic, the Purchasing Director approved the emergency MOA and is seeking the Board's ratification of the Purchasing Director's approval of the emergency MOA. This emergency purchase is being funded with CARES Act funds and is exempt from the EBO Ordinance. Awardee is located in Palm Beach County. This emergency purchase is being funded with CARES Act funds and is exempt from the EBO Ordinance.

TOTAL AMOUNT OF CARES ACT AWARDS \$ 1,000,000.00
TOTAL AMOUNT OF ALL AWARDS \$10,524,425.00



Risk Management Department

100 Australian Avenue, Suite 200

West Palm Beach, FL 33406

(561) 233-5400

Fax: (561) 233-5420

www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Dave Kerner, Mayor

Robert S. Weinroth, Vice Mayor

Hal R. Valeche

Gregg K. Weiss

Mary Lou Berger

Melissa McKinlay

Mack Bernard

County Administrator

Verdenia C. Baker

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Affirmative Action Employer"*

Official Electronic Letterhead

Palm Beach County

INTER-OFFICE COMMUNICATION

To: Timothy Montiglio
Board Services Coordinator

From: Scott Marting *SM*
Director - Risk Management

Date: August 20, 2020

Subject: **Workers' Compensation Settlements for Board Approval**

Please add the attached schedule of Settlements for Approval to the list for BCC approval at the next meeting. Following Board approval, please return one copy of the approved agenda item summary and the schedule of settlements to my attention. Please call Harry George at 233-5417 if you have any questions regarding this matter.

Thank you.

Attachment(s)

c. Nancy Bolton, Assistant County Administrator
David Ottey, Chief Assistant County Attorney

**RISK MANAGEMENT DEPARTMENT SETTLEMENTS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING
9/15/2020**

Exhibits	Name	Type of Claim	Date of Claim	Amount
A.	Richard Boynton	Workers' Compensation	11/8/2004	\$120,000.00

CLAIM SETTLEMENTS TOTAL:

\$120,000.00

NOTE: Workers' Comp claims settlements must be reviewed and approved by a Judge of Compensation Claims prior to payment.