PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 7, 2022

Consent [X] Public Hearing [] Regular []

Department:

Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: An Emergency Extension to the Contract with Aquifer Maintenance and Performance Systems, Inc., (AMPS) for System-Wide Wellfield Maintenance for Palm Beach County Water Utilities Department (PBCWUD) (Contract) to extend the Contract for an additional nine 9-month period with a \$750,000 increase of funds to the Contract amount.

Summary: On March 14, 2017, the Board of County Commissioners (BCC) approved the Contract (R2017-0315) with AMPS, in the amount of \$1,189,076. On January 23, 2018, Amendment No. 1 (R2018-0075) to the Contract renewed the Contract for an additional 12-month period. On February 5, 2019, Amendment No. 2 (R2019-0217) to the Contract renewed the Contract for an additional 12month period and increased the Contract amount by \$500,000 to \$1,689,076. On March 17, 2020, Amendment No. 3 (R2020-0317) to the Contract renewed the Contract for an additional 12-month period and increased the Contract amount by \$300,000 to \$1,989,076. On March 9, 2021, Amendment No. 4 (R2021-0359) to the Contract renewed the Contract for an additional 12-month period and increased the Contract amount by \$300,000 to \$2,289,076. There are no additional extensions remaining on the Contract. On March 8, 2022, the BCC approved an Emergency Extension (R2022-0203) to the Contract extending the contract for an additional three 3-month period with no increase to the Contract amount. However, an extension of time equal to an additional nine (9) months is required for the continuation of maintenance, which shall include replacement of associated pumps and motors reaching the end of life expectancy. Staff is therefore recommending this emergency extension to the Contract.

This emergency extension is beneficial to the interest, health, safety or welfare of the County. New specifications are being developed and the bidding process for a new contract is in progress; however, the new contract will not be executed prior to the expiration of the three (3) month extension under R2022-0203. It is anticipated to have a new Contract awarded and in place by the end of this extension period. The requested extension shall increase the Contract funding by \$750,000 to \$3,039,076.00. The Contract extension does not guarantee nor authorize work. Work will be assigned during the nine (9) month extension period utilizing formal Construction Delivery Orders (KDO) drawn against the Contract, with the project cost identified on each KDO. The unit prices contained in the Contract will be used to determine the cost of the KDO's. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2000-0064) prior to the adoption of the new Equal Business Opportunity (EBO) Ordinance on October 16, The SBE participation goal established under the 2002 Ordinance was 15% overall 2018. participation. The Contract provided for 0% SBE participation, however; AMPS has been certified as an SBE for the provision of well services, including drilling, plugging, consulting, maintenance and repair. AMPS is a Palm Beach County based company. (PBCWUD Project No. 16-001/VMG) Countywide (MWJ).

Background and Justification: The Contract provides for maintenance of surficial production wells for Water Treatment Plant Nos., 2, 3, 8, 9, and 11. The extension of the Contract will provide for the continued maintenance of existing system-wide wellfields to maintain an adequate raw water supply.

Attachments:

- 1. Two (2) Originals of Emergency Extension
- 2. Location Map
- 3. Certificate of Liability Insurance

Recommended By:	Myptin Bet	5-4-2022
j	for Department Director	Date
Approved By:	That Ilw	5(18/2022
	Assistant County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	202	23	2024	2025	2026
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match County	\$ <u>330,000</u> <u>0</u> <u>0</u> <u>0</u> <u>0</u>	<u>\$420</u> . <u>0</u> <u>0</u> <u>0</u>				
NET FISCAL IMPACT	<u>\$330,000</u>	<u>\$420</u>	,000	<u>0</u>	<u>0</u>	<u>0</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u>C</u>	<u>)</u>	<u>0</u>	<u>0</u>	<u>0</u>
Budget Account No.: Fi	und <u>4001</u> und <u>4001</u> und <u>4001</u>	Dept Dept Dept	720 720 720	Unit <u>2534</u> Unit <u>2537</u> Unit <u>3GUA</u>	Object <u>4615</u> Object <u>4615</u> Object <u>4615</u>	
Is Item Included in Current I	Yes X N	lo				
Does this item include the u	se of federal	funds?		Yes N	o <u>X</u>	

Reporting Category N/A

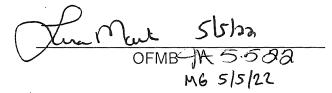
B. Recommended Sources of Funds/Summary of Fiscal Impact:

Contract will be funded by Water Utility Department user fees.

C. Department Fiscal Review:

III. REVIEW COMMENTS

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



10/22 and Còr

B. Legal Sufficiency: Assistant County Attorney

C. Other Department Review:

Department Director

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

EMERGENCY EXTENSION TO CONTRACT WITH AQUIFER MAINTENANCE AND PERFORMANCE SYSTEMS, INC. -SYSTEM-WIDE WELLFIELD MAINTENANCE FOR PALM BEACH COUNTY WATER UTILITIES DEPARTMENT

This Emergency Extension, dated_______, to the Contract (R2017-0315) dated March 14, 2017, 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 **Aquifer Maintenance and Performance Systems, Inc. (FEIN #65-0071672)** a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONTRACTOR.

WITNESSETH

WHEREAS, the parties have entered into a Contract under which the CONTRACTOR provided certain professional services to the COUNTY for various projects in accordance with the contract for the:

System-wide Wellfield Maintenance for Palm Beach County Water Utilities Department Contract No. WUD 16-001VMG

WHEREAS, the Contract was amended on January 23, 2018 (R2018-0075) to extend the Contract for an additional one (1) year period (the "First Amendment"); and

WHEREAS, the Contract was amended on February 5, 2019 (R2019-0217) to extend the Contract for an additional one (1) year period and to increase the contract amount by \$500,000 from \$1,189,076 to \$1,689,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Second Amendment"); and

WHEREAS, the Contract was amended on March 17, 2020 (R2020-0317) to extend the Contract for an additional one (1) year period and increase the contract amount by \$300,000 from \$1,689,076 to \$1,989,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Third Amendment"); and

WHEREAS, the Contract was amended on March 9, 2021 (R2021-0359) to extend it for an additional one (1) year period and increase the contract amount by \$300,000 from \$1,989,076 to \$2,289,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Fourth Amendment"); and

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WHEREAS, the Contract was amended on March 8, 2022 (R2022-0203) to extend it for an additional three (3) month period with no increase to the contract from \$2,289,076 to provide for the wellfield maintenance activities to be undertaken under the extended contract term (the "Fourth Amendment"); and

WHEREAS, there are no remaining extensions available under the Contract and the procurement process for the replacement contract is not yet completed; and

WHEREAS, there is a continued need for the services provided by the CONTRACTOR; and

WHEREAS, an extension of the term for nine (9) months is beneficial to the interest, health, safety or welfare of the COUNTY.

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:

- The term of this Contract as set forth in Special Conditions Section 14 is extended for nine
 (9) months through <u>March 13, 2023</u>. The CONTRACT amount is being increased by \$750,000.
- 2. Except as specifically modified above, the terms and conditions of the Contract dated March 14, 2017, as amended by the First Amendment dated January 23, 2018, the Second Amendment dated February 5, 2019, the Third Amendment dated March 17, 2020, and the Fourth Amendment dated March 9, 2021, are hereby confirmed and remain in full force and effect.

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

ATTEST: JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

By__

Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND LEGAL

SUFFICIENCY

(witness signature)

(witness name printed)

Tamela

Deputy Clerk

Assistant County Attorney

5

(Corporate Seal)

in La Da M.A.

APPROVED AS TO TERMS AND

₩ Ali Bayat, P.E., PMP, Director Water Utilities Department

'CONTRACTOR'

CONDITIONS

By: AQUIFER MAINTENANCE and PERFORMANCE SYSTEMS. INC.

Florida corporation а (insert state of corporation) M M And By: signatory

James Murray (print signatory's name)

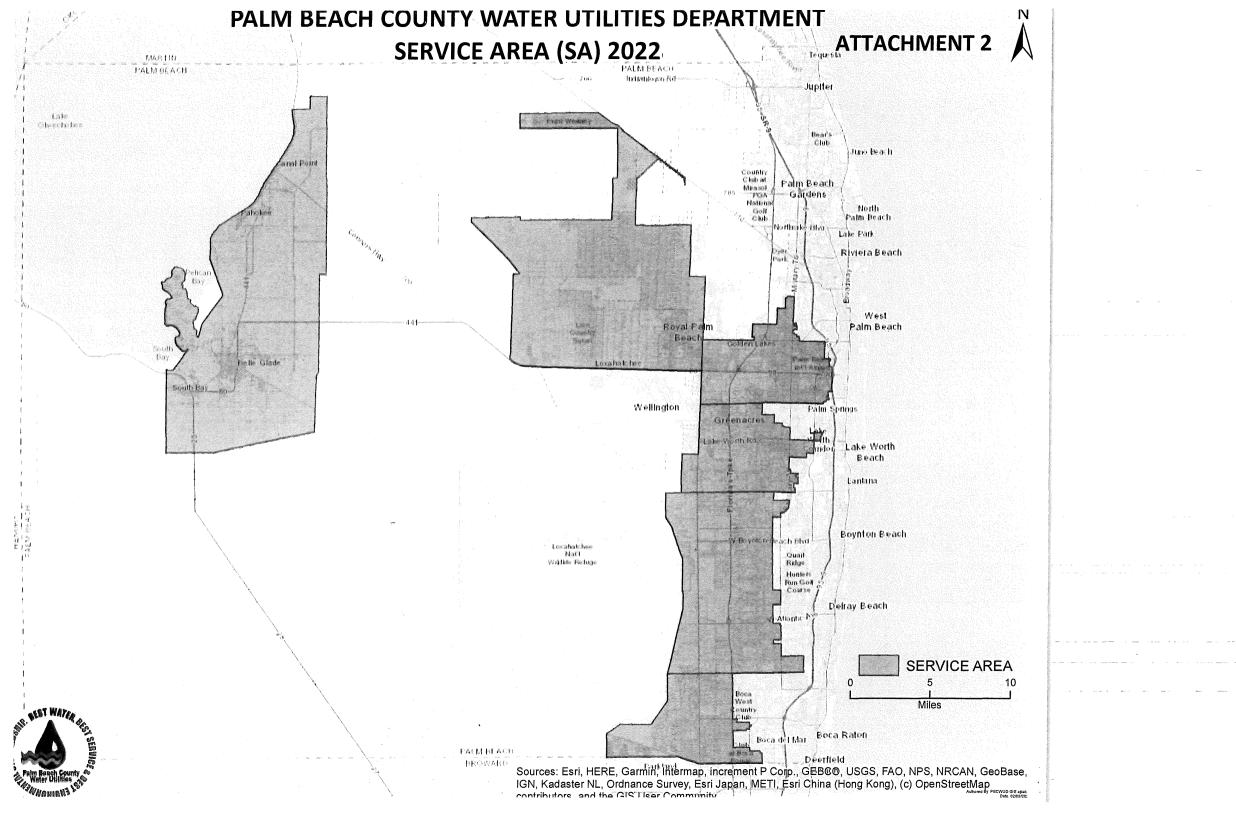
By: President (print title)

2022 3 , 2022 (date of execution)

7146 Haverhill Road (Contractor's Official Address)

West Palm Beach, FL 33407 (Contractor's City, State, Zip Code)

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Parkland FL 33067				FL 33067	INSURER(S) AFFORDING COVERAGE INSURER A : Allied World Surplus Insurance Company					NAIC # 24319
NSURED Aquifer Maintenance and Performance Systems, Inc. 7146 Haverhill Road North				ems, Inc.	INSURER B : Markel Amer Ins Co 3897 INSURER C : INSURER D :					
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