

AGENDA ITEM 3.B.3

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: **AUGUST 22, 2023** (x) 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 \$12,210,498.16.

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	\$ 12,142,998 .16
2) TOURIST DEVELOPMENT COUNCIL	\$ 67,500 .00
3) RISK MANAGEMENT	\$.00
TOTAL	\$ 12,210,498.16

Recommended by: *Lisa Supan* 8/21/23
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>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</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



Risk Management Department

100 Australian Avenue, Suite 200

West Palm Beach, FL 33406

(561) 233-5400

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www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor

Maria Sachs, Vice Mayor

Maria G. Marino

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard


County Administrator

Verdenia C. Baker

Palm Beach County

INTER-OFFICE COMMUNICATION

To: Tracey Powell
Board Meetings & Hearing Specialist

From: Scott Marting 
Director - Risk Management

Date: July 14, 2023

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. Reginald Duren, Assistant County Administrator
David Ottey, Chief Assistant County Attorney

**RISK MANAGEMENT DEPARTMENT SETTLEMENTS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING
8/22/2023**

Exhibits	Name	Type of Claim	Date of Claim	Amount
A.	Arnoldo Guanche	Workers' Compensation	6/3/2016	\$67,500.00

CLAIM SETTLEMENTS TOTAL:

\$67,500.00

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

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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> Teleflex LLC	Increase of term contract for Teleflex, Arrow EZ-IO intraosseous system, equipment and supplies for the period of 11/15/2022 through 11/14/2023 per Master Agreement #SS250682.	Increased Contract Amount: \$55,000.00 Total Contract Authorized Amount: \$254,999.99 S/M/WBE: \$0 Original Contract Amount: \$199,999.99	Fire Rescue 1300-440-4211-5231	Thelwell	

The County has encumbered \$177,714 (\$19,746/month) during the previous nine (9) months of the current twelve (12) month term contract. The Fire Rescue Department requests an increase of \$55,000 over the previous authorized amount of \$199,999.99, for the remaining four and one half (4.50) months of the current term contract. This increase is necessary due to an unanticipated increase in orders and pricing during the past twelve (12) months for these essential lifesaving items. The contract amount for the: (i) initial twelve (12) month term was \$180,000, which was increased to \$199,999.99, with \$128,090 expended. This term contract has four (4) twelve (12) month renewal options remaining. 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.

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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EXHIBIT B					
Universal Cabling Systems, Inc.	Increase of term contract for cabling systems, installation and repair services for the period of 01/07/2023 through 01/06/2024 per Master Agreement #19042RC.	Increased Contract Amount: \$1,000,000.00 Total Contract Authorized Amount: \$3,419,290.00 S/M/WBE: \$3,419,290.00 Original Contract Amount: \$669,290.00	Information Systems Services Department 3901-491-1431-4674	Thelwell	

The County has encumbered \$972,419 (\$138,917/month) during the previous seven (7) months of the current twelve (12) month term contract. The Information Systems Services (ISS) Department requests an increase of \$1,000,000 over the previous authorized amount of \$1,000,000 for the remaining five (5) months of the current term contract to complete telecommunications, fiber optic, cabling and radio communication installations for the new Supervisor of Elections building. The contract amount for the: (i) initial twelve (12) month term was \$600,000; which was increased to \$669,290, with \$420,253 expended; (ii) first twelve (12) month renewal term was \$750,000, with \$525,839 expended; (iii) second twelve (12) month renewal term was \$1,000,000, with \$394,718 expended. This term contract has one (1) twelve (12) month renewal option remaining. Awardee is located in Palm Beach County. The Goal Setting Committee recommended an SBE price preference for this solicitation

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<u>EXHIBIT C</u>					
AI Packer, Inc. DBA: AI Packer Lincoln	Increase of term contract for Ford OEM parts and service for the period of 01/24/2023 through 01/23/2024 per Master Agreement #23018.	Increased Contract Amount: \$169,130.00 Total Contract Authorized Amount: \$398,700.00 S/M/WBE: \$0 Original Contract Amount: \$208,700.00	Countywide Lead Department: Fire Rescue	Thelwell	

The County has encumbered \$209,244 (\$29,892/month) during the previous seven (7) months of the current twelve (12) month term contract. The Fire Rescue Department, as lead department, requests an increase of \$169,130 over the previous authorized amount of \$229,570, inclusive of the Purchasing Director's ten percent (10%) authority, for the remaining five and one half (5.5) months of the current term contract, due to an unanticipated increase in orders and pricing for parts and service on older county vehicles, and longer delivery time for replacement vehicles. The contract amount for the: (i) initial twelve (12) month term was \$208,700; which was increased to \$229,570, with \$196,166 expended. This term contract has four (4) twelve (12) month renewal options remaining. Awardee is located in Palm Beach County. This item was reviewed by the OEBO and a waiver of API requirements was approved.

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<u>EXHIBIT D</u>					Thelwell
Andritz Separation Inc.	Increase of term contract for Andritz Separation OEM parts and service, for the period of 05/23/2023 through 05/22/2024 per Master Agreement #SS750846.	Increased Contract Amount: \$343,700.00 Total Contract Authorized Amount: \$963,000.00 S/M/WBE: \$0 Original Contract Amount: \$619,300.00	Water Utilities Department 4001-720-2584-4615		

The County has encumbered \$579,885 (\$231,954 / month) during the previous two and one half (2.5) months of the current twelve (12) month term contract. The Water Utilities Department requests an increase of \$343,700 over the current authorized amount of \$619,300, inclusive of the Purchasing Director's ten percent (10%) authority, for the remaining nine and one half (9.5) months of the current term contract, due to an unanticipated increase in orders and pricing for parts and service for aging equipment, and failure of the filter press used in the wastewater treatment process. The contract amount for the: (i) initial twelve (12) month term was \$563,000; which was increased to \$619,300.00, with \$0 expended. This term contract has four (4) twelve (12) month renewal options remaining. 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.

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08/22/2023

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<u>EXHIBIT E</u>					
Preferred Governmental Claim Solutions, Inc. (PGCS	Renewal of term contract for Third Party Administrator for Workers' Compensation Program for the period 11/01/2023 through 10/31/2024 per Master Agreement #19057B.	Contract Amount: \$659,400.00 Total Contract Authorized Amount: \$3,136,475.00 S/M/WBE: \$0 Original Contract Amount: \$1,835,975.00	Risk Management 5011-700-7242-3401	Thelwell	

The County has expended or encumbered \$473,665 (\$47,366.50/month) during the previous ten (10) months of the current twelve (12) month term contract. The Risk Management Department requests \$659,400.00 to meet the County's requirements for professional third party Workers' Compensation claims administration services, through the expiration of this twelve (12) month renewal term contract. The contract amount for the: (i) initial thirty- six (36) month term was \$1,835,975.00 with \$1,711,549.03 expended and (ii) the first twelve (12) month renewal option was \$641,100.00 with \$473,655.02 expended. This term contract has no renewal options remaining. The original contract was established by a competitive solicitation process. Awardee is located outside Palm Beach County, in the City of Lake Mary, Florida. This item was reviewed by the OEBO and a Waiver of API Requirements was approved

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BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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<u>EXHIBIT F</u> AssetWorks Inc.	Renewal of term contract for Fleet Focus and Fuel Focus software license/maintenance, professional/ hosting services and hardware/equipment for the period of 08/17/2023 through 08/16/2024 per Master Agreement #SS250668B.	Contract Amount: \$300,000.00 Total Contract Authorized Amount: \$575,000.00 S/M/WBE: \$0 Original Contract Amount: \$275,000.00	Fire Rescue 1300-440-4217-5121 1300-440-4217-4674	Thelwell	

The County has encumbered \$24,035 (\$2,289/month) during the previous ten and one half (10.5) months of the current twelve (12) month term contract. The Fire Rescue Department, requests \$300,000 to meet the County's requirements through the expiration of this new twelve (12) month renewal term contract, with a retroactive start date of August 17, 2023, for Fleet Focus and Fuel Focus software license/maintenance, professional/ hosting services and hardware/equipment. The vendor, who is a sole source, requires that the County agree to a limitation of liability provision that deviates from the County's standard requirements. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's office, negotiated with the vendor and agreed to: (i) limit the vendor's liability in the amount of \$1,000,000 and indemnify the County to the extent of the vendor's negligent acts or omissions. These negotiated terms between Palm Beach County and Assetworks, Inc. will be used for future sole source purchases, as applicable. The contract amount for the: (i) initial twelve (12) month term was \$250,000, which was increased to \$275,000, with \$274,489.09 expended and (ii) first twelve (12) month renewal term was \$300,000, with \$8,487 expended. This term contract has two (2) twelve (12) month renewal options remaining. 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.

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<u>EXHIBIT G</u> Alfred Benesch & Company; The Valerin Group, Inc; Upscale Events By Mosaic, Inc.; and WSP USA Inc.	Renewal of term contract for General Planning Consultant for the period of 08/20/2023 through 08/19/2024 per Master Agreement #F19019B	Contract Amount: \$1,259,484.16 Total Contract Authorized Amount: \$7,866,151.16 S/M/WBE: Amount Dependent Upon Usage Original Contract Amount: \$4,955,000.00	Palm Tran 1341-542-5560-3401 1341-542-5564-3401	Thelwell	

The County has encumbered \$1,136,784 (\$94,732/month) during the previous twelve (12) month term contract. The Palm Tran Department requests \$1,259,485 to meet the County's requirements through the expiration of this new twelve (12) month contract, for general planning consulting services. This term contract has no renewal options remaining. The contract amount for the: (i) initial twelve (36) month term was \$4,955,000, with \$610,382 expended and (ii) first twelve (12) month renewal term was \$1,651,667, with \$754,930 expended. One (1) Awardee is located in Palm Beach County and is a certified S/M/WBE firm. One (1) Awardee is located outside Palm Beach County in the city of Tampa, Florida. Two (2) awardees are located out of state. This Federally funded contract is exempt from the EBO Ordinance.

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08/22/2023

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<u>EXHIBIT H</u> Energy Efficient Electric, Inc.; Grid- One Electrical Construction, Inc.; Hinterland Group Inc.; Knight Electric Company, Inc.; Protect Video, Inc.; Sullivan Electric & Pump, Inc.; and Wilco Electrical, LLC	New term contract for electrical services for the period of 08/22/2023 through 08/21/2028 per Master Agreement #23074.	Contract Amount: \$1,339,500.00 S/M/WBE: Amount Dependent Upon Usage.	Countywide Lead Department: Facilities Development and Operations	Thelwell	

The County has encumbered \$1,303,997 (\$21,377/month) during the previous sixty-one (61) months of the current sixty-three (63) month term contract. The Facilities Development and Operations Department, as lead department, requests \$1,339,500 to meet the County's requirements through the expiration of this new sixty (60) month pre-qualification term contract. Additionally, approval is 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 term of this contract. This term contract has no renewal options. Seven (7) Awardees are located in Palm Beach County. One (1) is a certified S/MBE vendor and two (2) are certified SBE vendors. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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<u>EXHIBIT I</u> Audio Video Systems, Inc; and AVI Integrators Inc.	New term contract for card access security system parts, supplies, accessories, software and support plans for the period of 8/22/2023 through 8/21/2028 per Master Agreement #23047.	Contract Amount: \$600,000.00 S/M/WBE: Amount Dependent Upon Usage	Facilities Development and Operations / ESS Division 0001-410-4140-4620 0001-410-4140-4623	Thelwell	

The County has encumbered \$38,160 (\$2,120/month) during the previous eighteen (18) months of the current twenty (20) month term contract. The Facilities Development and Operations Department, ESS Division, requests \$600,000 to meet the County's requirements through the expiration of this new sixty (60) month term contract, due to the addition of software and support plans to the contract. This term contract has no renewal options. Two (2) Awardees are located in Palm Beach County. One (1) Awardee is a certified S/WBE vendor. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

PALM BEACH COUNTY/CONTRACTS AND AWARDS FOR APPROVAL
 BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
 08/22/2023

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<u>EXHIBIT J</u> Drone Nerds Inc; Skydio, Inc.; and Volatus Aerospace USA Corp.	New term contract for drones, parts, supplies and accessories for the period of 8/22/23 through 8/21/28 per Master Agreement #23051.	Contract Amount: \$500,000.00 S/M/WBE: \$0	Countywide Lead Department: Facilities Development and Operations / ESS Division	Thelwell	

The Facilities Development and Operations Department, ESS Division, as lead department, requests \$500,000 for a new sixty (60) month pre-qualification term contract for drones, parts, supplies and accessories. Additionally, approval is 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 term of this contract. This term contract has no renewal options. One (1) Awardee is located outside Palm Beach County in the city of Ft. Lauderdale, Florida and two (2) Awardees are located out of state. No S/M/WBE vendor submitted a response on this project. The Goal Setting Committee recommended an SBE price preference for this solicitation.

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 BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
 08/22/2023

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<u>EXHIBIT K</u> All-Brand Supplies Distributor, Inc.; ILS HHA of Region 11, LLC dba ILS HME of Florida; MAR-J Medical Supply, Inc.; and Mega Nursing Services, Inc.	New term contract for incontinence supplies, personal hygiene items and nutritional supplements, direct delivery to client homes, for the period of 09/01/2023 through 08/31/2024 per Master Agreement #F23052.	Contract Amount: \$470,000.00 S/M/WBE: \$0	Community Services Department 1006-144-1443-3401; 1006-144-1457-3401; 1006-144-1461-3401; 1006-144-1472-3401; 1006-144-1481-3401	Thelwell	

The County has encumbered \$493,290 (\$35,235/month) during the previous fourteen (14) months of the current fifteen (15) month term contract. The Community Services Department requests \$470,000 to meet the County's requirements through the expiration of this new twelve (12) month term contract, based on grant funding received, increased product costs and increased client demand. This term contract has four (4) twelve (12) month renewal options. Two (2) Awardees are located in Palm Beach County, and two (2) Awardees are located outside Palm Beach County in the cities of Medley and Miami, Florida. This Federally funded contract is exempt from the EBO Ordinance.

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BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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<u>EXHIBIT L</u> James F. Schnelle Jr., P.E. dba Environmental Management & Engineering, LLC	New term contract for control and removal of exotic vegetation and installation of native and littoral plants for the period of 08/22/2023 through 08/21/2024 per Master Agreement #23020.	Contract Amount: \$555,000.00 S/M/WBE: Amount Dependent Upon Usage	Countywide Lead Department: Water Utilities	Thelwell	

The County has encumbered \$732,480 (\$30,520/month) during the previous twenty-four (24) month term contract. The Water Utilities Department, as lead department, requests \$555,000 to meet the County's requirements through the expiration of this new twelve (12) month term contract, for removal of exotic vegetation from parks, natural areas, nesting and restoration islands, living shorelines, and installation of native plants at sites throughout the County. This term contract has four (4) twelve (12) month renewal options. Awardee is located in Palm Beach County and is a certified SBE vendor. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
08/22/2023

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<u>EXHIBIT M</u> KGW Enterprises, Inc. dba Able Plumbing; Shamtec, Inc.; and Speedy Rooter, Inc.	New term contract for plumbing services for the period of 09/08/2023 through 09/07/2024 per Master Agreement #23043.	Contract Amount: \$567,500.00 S/M/WBE: Amount Dependent Upon Usage	Countywide Lead Department: Facilities Development and Operations	Thelwell	

The County has encumbered \$140,931 (\$ 26,844/ month) during the previous five and one quarter (5.25) months of the current twelve (12) month term contract. The Facilities Development and Operations Department, as lead department, requests \$567,500 to meet the County's requirements through the expiration of this new twelve (12) month term contract. This term contract has 4 twelve (12) month renewal options. Three (3) Awardees are located in Palm Beach County, of which one (1) Awardee is a certified SBE vendor and one (1) Awardee is a certified S/MBE vendor. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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BOARD OF COUNTY COMMISSIONERS MEETING DATE OF
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<u>EXHIBIT N</u> The W-T Group, LLC	New term contract for development of an ADA transition plan for the period 09/01/2023 through 10/31/2024 per Master Agreement #23032.	Contract Amount: \$259,784.00 S/M/WBE: Amount Dependent Upon Usage	Parks and Recreation Department	Thelwell	

The Parks and Recreation Department requests \$259,784.00 to meet the County's requirements through the expiration of this new fourteen (14) month term contract, for the development of an Americans Disabilities Act (ADA) transition plan for over 93 active properties that comprise 8,100+ acres of land. To plan for a park system that effectively serves the needs of the County's population regardless of ability, an independent analysis of the park system is needed to determine overall compliance with the ADA standards. The term contract has no renewal options. The Awardee is located out of State. The Goal Setting Committee recommended an SBE Evaluation Preference for SBE Prime Respondents.

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<u>EXHIBIT O</u> Gold Star Graphics, Inc. DBA Minuteman Press; NPC, LLC; and PB Marketing Group LLC DBA Printing and Branding Solutions	New term contract for printing of Palm Tran rider's guide books for the period of 08/22/2023 through 08/21/2028 per Master Agreement #23076.	Contract Amount: \$300,000.00 S/M/WBE: Amount Dependent Upon Usage	Palm Tran 1340-540-5170-4701	Thelwell	

The Palm Tran Department requests \$300,000 for a new sixty (60) month pre-qualification term contract for the printing of Palm Tran rider's guide books. This term contract has no renewal options. Two (2) awardees are located in Palm Beach County, of which one (1) is a certified S/MBE vendor. One (1) awardee is located outside Palm Beach County in the city of Tampa, Florida. Additionally, approval is 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 term of this contract. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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<u>EXHIBIT P</u> Allied Controls, Inc.; Apple Specialties Inc.; Bond Supply, Inc.; Palm Beach Plumbing Parts, Inc; The Ware Group, LLC dba Johnstone Supply; and Utility Supply Associates, Inc.	New term contract for plumbing and HVAC parts, equipment and supplies (Tra-Ser) for the period of 08/22/2023 through 08/21/2028 per Master Agreement #23044.	Contract Amount: \$3,764,500.00 S/M/WBE: Amount Dependent Upon Usage	Countywide Lead Department: Facilities Development and Operations	Thelwell	

The County has encumbered \$3,809,454 (\$57,719/month) during the previous sixty-six (66) months of the current sixty-nine (69) month term contract. The Facilities Development and Operations Department, as lead department, requests \$3,764,500 to meet the County's requirements through the expiration of this new sixty (60) month term contract. This term contract has no renewal options. Four (4) awardees are located in Palm Beach County, of which one (1) is a certified SBE vendor. One (1) awardee is located out of State and one (1) awardee is located outside Palm Beach County in the city of Apopka, Florida. The Goal Setting Committee recommended an SBE Price Preference for this solicitation.

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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 Q</u> SHI International Corp.	Standard indemnification / insurance requirements for information technology solutions / services per Delivery Order #050923*11686.	Indemnification / Insurance Only S/M/WBE: \$0	Community Services Department 0001-148-1310-6405	Thelwell	

On February 28, 2023, the BCC approved a term contract with SHI International Corp. with a not to exceed amount of \$10,000,000 for the purchase of information technology solutions / services for the period of 03/01/2023 through 02/28/2025. Using this contract, the Community Services Department seeks approval of an End User Agreement for the DynaTouch Platform, which facilitates the purchase of five (5) kiosks and software, for residents to apply for assistance services (rent, utilities, etc.). The agreement contains indemnification and 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 Community Services Department of the associated risks. Due to business needs and the benefits to be derived from the Agreement, the Department of Risk Management and the County Attorney's Office have agreed to allow the Community Services Department to move the agreement forward for Board of County Commissioner approval. The Department of Risk Management and the County Attorney's Office negotiated with the vendor and agreed to limit DynaTouch Interactive Technologies' liability to \$300,000.

TOTAL AMOUNT OF ALL AWARDS \$12,142,998.16