

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: May 7, 2024 [X] Consent [ ] Regular  
[ ] Workshop [ ] Public Hearing

Department: Engineering & Public Works Department  
Submitted By: Engineering & Public Works Department  
Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve:


- A) Amendment No. 1 to the Annual Small Paving and Minor Construction Contract, dated December 20, 2022 (R2022-1489) with Saffold Paving, Inc. (SPI), to extend the expiration date from June 19, 2024 to December 19, 2025 and increase the contract amount from \$1,150,000 to \$2,300,000; and
- B) Amendment No. 2 to the Annual Small Paving and Minor Construction Contract, dated December 20, 2022 (R2022-1490), with Wynn & Sons Environmental Construction Company, LLC (WSE) to extend the expiration date from June 19, 2024 to December 19, 2025, increase the contract amount from \$1,150,000 to \$2,300,000, and recognize WSE's name change.

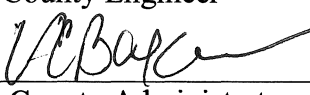
**SUMMARY:** Approval of these amendments will extend the expiration dates from June 19, 2024 to December 19, 2025, increase the contract amounts from \$1,150,000 to \$2,300,000, and recognize WSE's name change. The increased amounts for the contracts are based on updated estimates that exceed the current amounts for the contracts to be expended throughout Palm Beach County by the user departments. Amendment No. 2 for WSE is retroactive to January 20, 2023, which is when WSE filed Articles of Conversion with the State of Florida to convert the firm's name from Wynn & Sons Environmental Construction Company, Inc. to Wynn & Sons Environmental Construction Company, LLC. Section 3 of the special provisions in the contracts allows the parties to amend the contracts, while adhering to all other original terms, conditions and unit prices of the contracts. On May 4, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 20% minimum mandatory Small Business Enterprise (SBE) participation. SPI agreed to 89% SBE participation and WSE agreed to 86.6% SBE participation. To date, no tasks have been authorized for SPI and tasks in the amount of \$935,879 have been authorized for WSE. The first amendment to the contract, dated December 19, 2023 (R2023-1840) with WSE added two additional line items. SPI and WSE have offices located in the County. SPI is a certified SBE company. These allowable extensions are not to exceed 36 months total contract time, as the contracts provide. Countywide (YBH)

**Background and Justification:** After reviewing the attached amendments and finding them in proper order, the Engineering and Public Works Department recommends approval by the Board of County Commissioners.

**Attachments:**

- 1. SPI Amendment No. 1 and Ebix Insurance Compliance (3)
- 2. WSE Amendment No. 2 and Ebix Insurance Compliance (3)

Recommended by:  David Z. Koch 7/3/2024  
YBH/TEL County Engineer Date

Approved By:  J. Barber 4/15/24  
Deputy County Administrator Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2024	2025	2026	2027	2028
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 IMPACT</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# ADDITIONAL FTE					
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget?      Yes  No

Is this item using Federal Funds?      Yes  No

Is this item using State Funds?      Yes  No

Budget Account No:

Fund    Dept    Unit    Object

**Recommended Sources of Funds/Summary of Fiscal Impact**

**Spending Limit Increased By Department**

Engineering & Public Works	\$1,150,000.00
<b>Total Spending By Department</b>	<b>\$1,150,000.00</b>

Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available. Work is to be performed on a task order basis.  
 \*\*Total fiscal impact will not exceed \$1,150,000.00

C. Departmental Fiscal Review: *Danny Ramlal Singh*

**III. REVIEW COMMENTS**

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

*Sumant* 4/8/24  
 OFMB      CA 415  
 MD 415

*Bronck* 4/12/24  
 Contract Dev. and Control  
 Feb 4/11/24

**B. Approved as to Form and Legal Sufficiency:**

*MP* 4/12/24  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

**AMENDMENT NO. 1 TO THE  
ANNUAL SMALL PAVING AND MINOR CONSTRUCTION CONTRACT  
BY AND BETWEEN PALM BEACH COUNTY  
AND SAFFOLD PAVING, INC.  
PROJECT #2022053**

This Amendment No. 1 (AMENDMENT) to the Annual Small Paving and Minor Construction Contract (R2022-1489), dated December 20, 2022, (CONTRACT), is made and entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY), and Saffold Paving, Inc., a Florida for profit corporation (CONTRACTOR) whose Federal ID is 46-4218537 (individually Party and collectively Parties).

**W I T N E S S E T H**

WHEREAS, the COUNTY and CONTRACTOR entered into the CONTRACT on December 20, 2022 (R2022-1489); and

WHEREAS, Section 3 of the Special Provisions of the CONTRACT allows for extensions and other Contract deviations but will only be exercised upon mutual written agreement through a Board approved CONTRACT amendment, while adhering to all other original terms, conditions and unit prices of the CONTRACT; and

WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT, as provided herein.


NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the Parties agree as follows:

1. The above recitations are true and correct and incorporated herein.
2. The CONTRACT is hereby amended to extend the expiration date of the CONTRACT from June 19, 2024 to December 19, 2025.
3. The CONTRACT is hereby amended to increase the amount by \$1,150,000, from \$1,150,000 to \$2,300,000.
4. It is the intent of the Parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
5. Except as hereby amended, changed or modified, all other provisions of the CONTRACT shall remain in full force and effect.

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

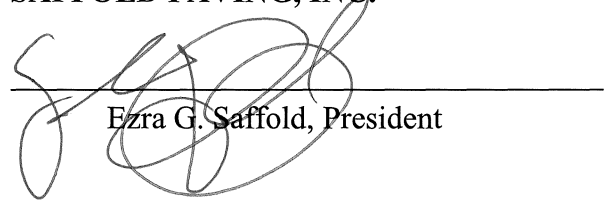
**OWNER:**

APPROVED AS TO TERMS  
AND CONDITIONS

By:   
Morton L. Rose, P.E.  
Director of Roadway Production

**CONTRACTOR:**

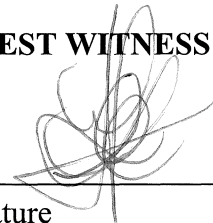
**SAFFOLD PAVING, INC.**

  
Ezra G. Saffold, President

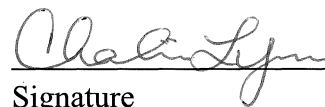
(Corp. Seal)



**ATTEST WITNESS:**

  
Signature

Evelyn Fontaverde  
Name (type or print)

  
Signature

Chalice Lynn  
Name (type or print)

*{SIGNATURE PAGES CONTINUED}*

**ATTEST:**

Joseph Abruzzo  
Clerk of the Circuit Court & Comptroller

**COUNTY:**

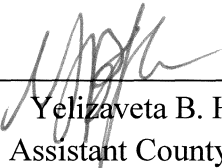
**Palm Beach County**, a Political Subdivision of  
the State of Florida, by and through its Board of  
County Commissioners

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

By: \_\_\_\_\_  
Maria Sachs, Mayor

(Seal)

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

By:  \_\_\_\_\_  
Yelizaveta B. Herman  
Assistant County Attorney



**Palm Beach County  
Compliance Summary Report**

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00001998	Saffold Paving Inc.		Compliant					2022053	Annual Small Paving and Minor Construction Contract
		A+g , XV	Progressive Express Insurance Company	963353604	11/11/2023	11/11/2024	Auto Liability		
		A-g , X	James River Insurance Company	001397001	1/27/2024	1/27/2025	Excess Liability		
		A-g , X	James River Insurance Company	001396991	1/27/2024	1/27/2025	General Liability		
		Ap , IX	American Builders Insurance Company	WCV012112913	7/2/2023	7/2/2024	Workers Comp		

**Risk Profile :** Standard - Construction Services  
**Required Additional Insured :** Palm Beach County Board of County Commissioners  
**Ownership Entity :**

**AMENDMENT NO. 2 TO THE  
ANNUAL SMALL PAVING AND MINOR CONSTRUCTION CONTRACT  
BY AND BETWEEN PALM BEACH COUNTY  
AND WYNN & SONS ENVIRONMENTAL CONSTRUCTION COMPANY, LLC.  
PROJECT #2022053**

This Amendment No. 2 (AMENDMENT) to the Annual Small Paving and Minor Construction Contract (R2022-1490), dated December 20, 2022 (CONTRACT), is made and entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (COUNTY), and Wynn & Sons Environmental Construction Company, LLC, a Limited Liability Company (CONTRACTOR) whose Federal ID is 65-0301746 (individually Party and collectively Parties).

**WITNESSETH**

WHEREAS, the COUNTY and Wynn & Sons Environmental Construction Company, Inc., entered into the CONTRACT on December 20, 2022 (R2022-1490), as amended on December 19, 2023 (R2023-1840).

WHEREAS, on January 20, 2023 Articles of Conversion were filed with the State of Florida to convert Wynn & Sons Environmental Construction Company, Inc. into Wynn & Sons Environmental Construction Company, LLC; and

WHEREAS, there are outstanding work orders under the CONTRACT (WORK ORDERS); and

WHEREAS, Section 3 of the Special Provisions of the CONTRACT allows for extensions and other CONTRACT deviations upon mutual written agreement through a CONTRACT amendment, while adhering to all other original terms, conditions and unit prices of the CONTRACT; and

WHEREAS, Amendment No. 1 to the CONTRACT (R2023-1840), dated December 19, 2023, modified the pay items; and

WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT, as provided herein.


NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the Parties agree as follows:

1. The above recitations are true and correct and incorporated herein.
2. The CONTRACT is hereby amended to extend the expiration date of the CONTRACT from June 19, 2024 to December 19, 2025.
3. The CONTRACT is hereby amended to increase the amount by \$1,150,000, from \$1,150,000 to \$2,300,000.
4. The CONTRACT, together with WORK ORDERS, is hereby amended, to delete Wynn and Sons Environmental Construction Company, Inc., as the name of the CONTRACTOR and replace the name of the CONTRACTOR with Wynn and Sons Environmental Construction Company, LLC.
5. No Waiver or Release. Notwithstanding any other clause or provision in this AMENDMENT, it is not intended to act as a release, waiver, or relinquishment of any claims, demands, warranties, damages, causes of action or rights of the COUNTY relating to Wynn and Sons Environmental Construction Company, Inc. and all such rights are reserved by the COUNTY and shall remain notwithstanding this AMENDMENT, to the extent they arise from or are related to the terms, conditions, covenants, obligations, liabilities and duties of Wynn and Sons Environmental Construction Company, Inc. existing prior to the Effective Date of this AMENDMENT.
6. The AMENDMENT shall be effective retroactively on January 20, 2023 and shall remain in full force and effect until December 19, 2025.
7. It is the intent of the Parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
8. Except as hereby amended, changed or modified, all other provisions of the CONTRACT, as amended, shall remain in full force and effect.

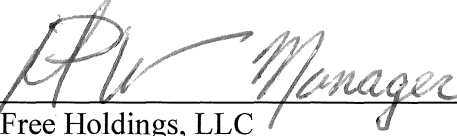


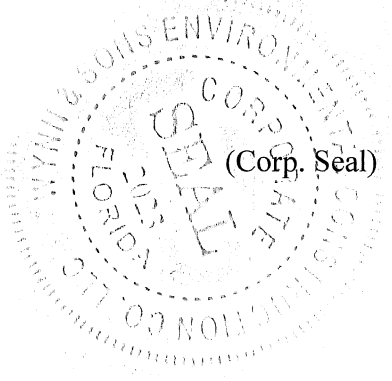
IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this AMENDMENT to the CONTRACT, as amended, on behalf of the COUNTY, and CONTRACTOR has hereunto set its hand the day and year above written.

**OWNER:**  
APPROVED AS TO TERMS  
AND CONDITIONS


By:   
Morton L. Rose, P.E.  
Director of Roadway Production

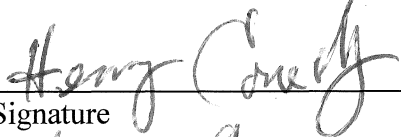
**CONTRACTOR:**  
**WYNN & SONS ENVIRONMENTAL  
CONSTRUCTION COMPANY, LLC**

 Manager  
Wynn Free Holdings, LLC  
Daniel P. Wynn, Manager



**ATTEST WITNESS:**

  
Signature  
Rick Voge  
Name (type or print)

  
Signature  
HENRY COVERLY  
Name (type or print)

{SIGNATURE PAGES CONTINUED}

**ATTEST:**

Joseph Abruzzo  
Clerk of the Circuit Court & Comptroller

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


**COUNTY:**

**Palm Beach County**, a Political Subdivision of  
the State of Florida, by and through its Board of  
County Commissioners

By: \_\_\_\_\_  
Maria Sachs, Mayor

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

(Seal)

By:  \_\_\_\_\_  
Yelizaveta B. Herman  
Assistant County Attorney

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**Palm Beach County  
Compliance Summary Report**

Vendor Number	Vendor Name	AM Best Rating	Insurance Carrier	Policy #	Eff. Date	Exp. Date	Coverage	Contract Number	Contract Name
DX00001994	Wynn & Sons Environmental Construction Company LLC		Compliant					2022053	Wynn & Sons Environmental Construction Company, Inc.
		Ar , XI	Monroe Guaranty Insurance Company	CA100085855	7/3/2023	7/3/2024	Auto Liability		
		Ar , XI	National Trust Insurance Company	UMB100085857	7/3/2023	7/3/2024	Excess Liability		
		Ar , XI	Monroe Guaranty Insurance Company	gl100085856	7/3/2023	7/3/2024	General Liability		
		A , XI	FCCI Insurance Company	WC0100085858	7/3/2023	7/3/2024	Workers Comp		

**Risk Profile :** Standard - Construction Services  
**Required Additional Insured :** Palm Beach County Board of County Commissioners  
**Ownership Entity :**