

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date:	May 7, 2024	<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
		<input type="checkbox"/>	Workshop	<input type="checkbox"/>	Public Hearing
Department:	Engineering & Public Works Department				
Submitted By:	Engineering & Public Works Department				
Submitted For:	Roadway Production Division				

I. EXECUTIVE BRIEF

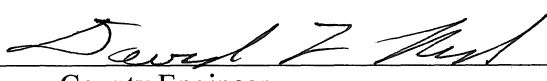
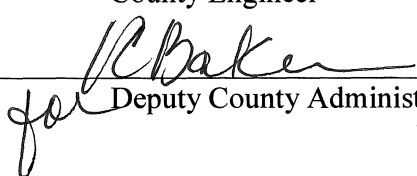
Motion and Title: Staff recommends motion to approve: Amendment No. 1 to the Guardrail Continuing Services Construction Contract (R2023-0539), dated April 18, 2023, with Southeast Highway Guardrail & Attenuators, LLC (SGA) to extend the expiration date from October 16, 2024 to April 17, 2026 and increase the contract amount from \$1,500,000 to \$3,000,000.

SUMMARY: Approval of this amendment will extend the expiration date from October 16, 2024 to April 17, 2026 and increase the contract amount from \$1,500,000 to \$3,000,000. The increased contract amount is based on updated estimates that exceed the current contract amount to be expended throughout Palm Beach County (County) by the user departments. Section 3 of the special provisions in the contract allow for it to be amended while adhering to all other original terms, conditions and unit prices of the contract. On July 6, 2022 the Goal Setting Committee applied an Affirmative Procurement Initiative of a Small Business Enterprise (SBE) price preference. SGA did not agree to any SBE participation. To date, tasks in the amount of \$123,294 have been authorized for SGA. SGA has an office located in the County. This allowable extension is not to exceed 36 months total contract time as the contract provides. Countywide (YBH)

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

Attachments:

1. SGA Guardrail Continuing Services Construction Contract Amendment No. 1 with Ebix Insurance Compliance (3)

Recommended by: <i>YB #TEL KAF</i> <i>gmk</i>	 _____ County Engineer	<i>4/15/2024</i> _____ Date
Approved By:	 _____ Deputy County Administrator	<i>4/15/24</i> _____ Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
Capital Expenditures	\$1,500,000	-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-
NET FISCAL IMPACT	\$1,500,000	-0-	-0-	-0-	-0-
# 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

Amendment No. #1

Spending Limit Allocation By Department

Engineering & Public Works	\$1,500,000.00
Total Spending By Department	\$1,500,000.00

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 \$1,500,000.00

C. Departmental Fiscal Review: Danny Ramlal Singh

III. REVIEW COMMENTS

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

[Signature] 4/8/24
 OFMB
 MD 4/8

[Signature] 4/11/24
 Contract Dev. and Control
 4/11/24

B. Approved as to Form and Legal Sufficiency:

[Signature] 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
GUARDRAIL CONTINUING SERVICES CONSTRUCTION CONTRACT
BY AND BETWEEN PALM BEACH COUNTY
AND SOUTHEAST HIGHWAY GUARDRAIL & ATTENUATORS, LLC
PROJECT #2022054**

This Amendment No. 1 (AMENDMENT) to the Guardrail Continuing Services Construction Contract (R2023-0539), dated April 18, 2023 (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 Southeast Highway Guardrail & Attenuators, LLC, a Foreign Limited Liability Company (CONTRACTOR) whose Federal ID is 81-2488503 (individually Party and collectively Parties).

WITNESSETH

WHEREAS, the COUNTY and CONTRACTOR entered into the CONTRACT on April 18, 2023 (R2023-0539); and

WHEREAS, Section 3 of the Special Provisions of the CONTRACT allows for extensions and other CONTRACT deviations 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

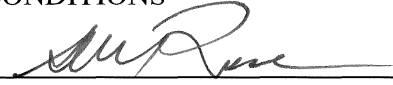
WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to amend the CONTRACT, as provided herein.

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

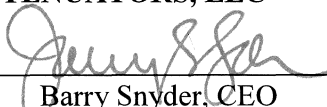
1. The above recitations are true and correct and incorporated herein.
2. The CONTRACT is hereby amended to extend the expiration date of the CONTRACT from October 17, 2024 to April 17, 2026.
3. The CONTRACT is hereby amended to increase the amount by \$1,500,000, from \$1,500,000 to \$3,000,000.
4. 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

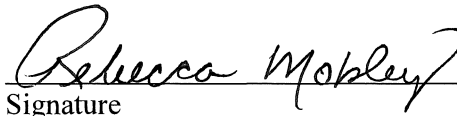
CONTRACTOR:
**SOUTHEAST HIGHWAY GUARDRAIL
& ATTENUATORS, LLC**


Barry Snyder, CEO

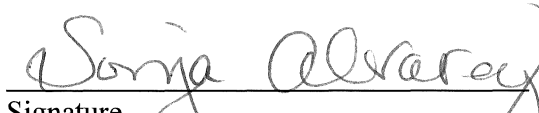
(Corp. Seal)



ATTEST WITNESS:


Signature

Rebecca Mobley
Name (type or print)


Signature

SONJA ALVAREZ
Name (type or print)

{SIGNATURE PAGES CONTINUED}

ATTEST:

Joseph Abruzzo
Clerk of the Circuit Court & Comptroller

COUNTY:

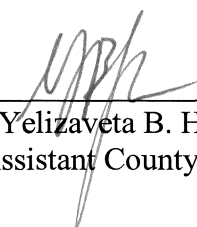
Palm Beach County, a Political Subdivision of
the State of Florida, by and through its Board of
County Commissioners

By: _____
Deputy Clerk

By: _____
Maria Sachs, Mayor

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

(Seal)

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
DX00002136	Southeast Highway Guardrail & Attenuators, LLC		Compliant					2022054	Southeast Highway Guardrail & Attenuators, LLC
		A , XV	Continental Casualty Company	7015245851	11/2/2023	11/2/2024	Auto Liability		
		Ag , XV	The Continental Insurance Company	7015245879	11/2/2023	11/2/2024	Excess Liability		
		Ag , XV	American Casualty Company of Reading, Pennsylvania	7015245865	11/2/2023	11/2/2024	General Liability		
		Ag , XV	The Continental Insurance Company	7034498116	11/2/2023	11/2/2024	Workers Comp		

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

Attachment 1