

April 5, 2022
9:30am

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 5, 2022

<u>PAGE</u>	<u>ITEM</u>	
37	4L	ADD-ON: Certificate of Recognition presented to Andy Thomson (District 4)
40	5D-1	DELETED FOR FURTHER STAFF REVIEW (Comm Svs)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

APRIL 5, 2022

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 7-36)**

- 4. SPECIAL PRESENTATIONS (Page 37)**

- 5. REGULAR AGENDA (Pages 38-41)**

- 6. BOARD APPOINTMENTS (Page 42)**

- 7. STAFF COMMENTS (Page 43)**

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 45)

ADJOURNMENT (Page 46)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the appointment of Tatiana Messerole to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Tatiana Messerole	25	4/5/22-4/4/25	Private Sector	Florida Crystals Corporation

SUMMARY: On October 5, 2021, the Board of County Commissioners (BCC) approved the Interlocal Agreement Palm Beach Workforce Development Consortium, which replaced Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. The Agreement states the BCC will appoint private sector board members to assure a minimum 51% private sector majority. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4 to this agenda item. The Board has a maximum of 33 seats, 21 currently filled and a diversity count of Caucasian: 16 (76%), African-American: 3 (14%) and Hispanic: 2 (10%). The gender ratio (female:male) is: 7:14. The nominee is Hispanic female. Countywide (HH)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Work Order 2021050-09 in the amount of \$1,154,000 to mill and resurface Palm Beach Lakes Boulevard from I-95 to US 1 utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$1 million of M&M's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. M&M agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation including this work order is 15%. **This project is included in the infrastructure sales tax. District 7** (YBH)

2. Staff recommends motion to receive and file: an amended proportionate share agreement for \$15,828,921 (Project Control Number # 2005-00394) with Highland Dunes Associates Property LLC dated December 21, 2021, for the proposed project located at 660 Arden Lake Way, Wellington, FL 33470. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This agreement was executed by the County Administrator on December 21, 2021, per Resolution R2016-0125. The amendment updated the required proportionate share payment amount and phasing of payments, resulting from the elimination of Test 2 phasing conditions, as part of the Development Order Amendment (EAC-2021-00810) approved by the Board of County Commissioners on October 28, 2021. District 6 (SAS)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: Consultant Service Authorization (CSA) No. 1 to the Annual Construction Engineering Inspection (CEI) Professional Services Contract (R2021-0883) dated July 13, 2021 (Contract) with BCC Engineering, LLC (BCCE) in the amount of \$127,549.16 for the CR-A1A/Ocean Drive from Donald Ross Road to Indiantown Road Pedestrian Flashers installation (Project). **SUMMARY:** Approval of this CSA will authorize the professional services necessary for CEI services. The Affirmative Procurement Initiatives selected for this Contract on November 6, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. BCCE agreed to 30% SBE participation for the Contract and 30.73% SBE participation for this CSA. The cumulative SBE participation to date for the Contract including this CSA is 30.73%. District 1 (YBH)

4. Staff recommends motion to approve: Work Order 2021050-05 in the amount of \$1,039,000 to mill and resurface Jog Road from Linton Boulevard to Lake Ida Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$1 million of M&M's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. M&M agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation including this work order is 15%. **This project is included in the infrastructure sales tax.** District 5 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: Work Order 2021050-06 in the amount of \$331,000 to mill and resurface Jog Road from Glades Road to Potomac Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$1 million of M&M's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. M&M agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation including this work order is 15%. **This project is included in the infrastructure sales tax. District 4** (YBH)

6. Staff recommends motion to approve: Work Order 2021050-07 in the amount of \$278,000 to mill and resurface Westgate Avenue from Military Trail to Wabasso Drive utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$7 million of Ranger's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation including this work order is 15%. **This project is included in the infrastructure sales tax. District 7** (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve: Work Order 2021050-08 in the amount of \$616,000 to mill and resurface Palm Beach Lakes Boulevard from Okeechobee Boulevard to I-95 utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$1 million of M&M's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. M&M agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation including this work order is 15%. **This project is included in the infrastructure sales tax. District 7 (YBH)**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file:

A) a partial Notice of Award (NOA) No. 2 H89HA00034-29-00 from the U.S. Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA), for the budget period March 1, 2022 through February 28, 2023, in the amount of \$2,339,178 for new and existing programs to continue improving health outcomes for clients with HIV/AIDS; and

B) a partial Notice of Award (NOA) No.5 UT8HA33954-03-00 from the HHS, HRSA, for the budget period of March 1, 2022 through February 28, 2023, in the amount of \$325,659, for the federal grant program - Ending the HIV Epidemic (EHE) focused on reducing new HIV Infections by 90% in the United States by the year 2030.

SUMMARY: On December 7, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program application (R2021-1778). The grant allows the Community Services Department (CSD) to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. Some of the services provided under the grant are medical case management, medical care, pharmaceutical assistance, oral health care, legal support services, outpatient ambulatory services, health insurance premium assistance and food bank home-delivered meals. On January 18, 2022, HHS, HRSA, issued a partial NOA in the amount of \$2,339,178. Under this grant, the program will serve approximately 3,600 clients. In Grant Year 2021, 3,155 clients were served with a viral suppression rate of 83%. On December 17, 2019, the BCC ratified the Mayor's signature on the EHE: A Plan for America Grant application (R2019-1875). On January 19, 2022, the HHS, HRSA issued a partial NOA for EHE in the amount of \$325,659. This grant focuses on reducing HIV infection by 90% in the United States by the year 2030. To accomplish the goal of ending the epidemic, Palm Beach County will use the award to engage in three main activities: Telehealth Adherence Counseling (TAC), Community Outreach, Response and Engagement Teams and Rapid Entry to Care. Telehealth platforms will be used to help keep persons with HIV adherent to their care plans and medication through TAC services. Under this grant, approximately 270 clients will be served. **These are RWHAP grant funds, no County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: Amendment No. 2 for Provision of Services with CareerSource Palm Beach County, Inc. (CareerSource) (R2020-1541), for the period August 1, 2020 through September 30, 2022, to revise portions of the contract and to increase the overall funding by \$25,000 for a new total contract amount not-to-exceed \$125,000 to provide trades industry trainings and work readiness services to low-income participants. **SUMMARY:** CareerSource is qualified to provide various services for the Community Action Program. Funding is provided by the Community Services Block Grant (CSBG). A portion of the CSBG funds is used to provide training for eligible clients. Qualified clients must be residents of Palm Beach County and meet the federal poverty level guidelines. Since 1999, the County has collaborated with CareerSource to serve economically disadvantaged residents of Palm Beach County. Amendment No. 2 is necessary in order to increase funding and provide trades training and work readiness and referral services to a minimum of 22 clients. Clients are referred to providers within the industry for selection and enrollment into the trades industry training programs. Vocational training classes include commercial driver's license and construction trades, such as carpentry, welding, electrician and plumbing. In Grant Year 2020, 67 out of 79 CAP clients who enrolled in the various self-sufficiency trainings completed training. A total of 35 unemployed clients obtained and maintained employment for over a 90 day period. Charles Duval, an employee of CareerSource is a member of the Farmworker Program Advisory Board. Sandra Wright, an employee of CareerSource is a member of the Community Action Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No County match is required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends receive and file: Amendment No. 1 to the Subrecipient Agreement for Ryan White Program HIV/AIDS Part A (RWHAP) for Health Support Services with The Poverello Center Inc. (R2021-0312), for the period March 1, 2021 through February 28, 2024, to increase the agreement by \$21,858 for a new Grant Year (GY) 2021 amount not-to-exceed \$50,238, for a new total three-year agreement amount not-to-exceed \$106,998, for foodbank/home-delivered meals support services. **SUMMARY:** On June 15, 2021, the U.S. Department of Health and Human Services, Health Resources and Services Administration issued a final notice of award. The total grant award for the RWHAP GY 2021 was \$7,304,638. This funding allowed the Community Services Department to continue funding much-needed medical and support services to Palm Beach County residents with HIV/AIDS. The amendment increased the GY 2021 total agreement amount by \$21,858 in the foodbank/home-delivered meals support services category and served 146 additional clients. The amendment allowed the agency to continue improving health outcomes for clients. The amendment was executed by the County Administrator in accordance with Resolution No. R2013-0519, dated May 7, 2013, which delegated signature authority to the County Administrator or designee. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating department as a receive and file agenda item. **These are RWHAP grant funds, no County match is required.** (Ryan White Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: two Consent to Sublease (Consent) documents, consenting to the sublease of space by Atlantic Aviation – West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) at the Palm Beach International Airport (PBI), with the following subtenants:
1. Gitibin and Associates, Inc., dba Go Rentals, effective as of 1/1/2022; and
 2. DLE Aviation, Inc., effective as of 9/1/2021

SUMMARY: Atlantic provides general aviation fixed based operator services at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended). The Lease Agreement provides for the sublease of space, subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: Cargo Building Lease Agreement with FSM Group, LLC (FSM), commencing January 28, 2022, and terminating September 30, 2022 (Initial Term), with automatic annual renewals occurring each October 1st unless canceled, for FSM to lease approximately 1,988 square feet of space in Unit 1304 of the cargo building #1300 at the Palm Beach International Airport (PBI) for payment of rental in the amount of \$12,120.30 for the Initial Term. **SUMMARY:** FSM conducts aircraft fueling operations at PBI and is leasing space at 1300 Belvedere Rd., Unit 1304, in the Cargo Building at PBI. Delegation of authority for execution of the standard County agreement above was approved by the Board in R2010-1392. Countywide (AH)

3. Staff recommends motion to receive and file:

A) Non-Signatory Airline Agreement (Airline Agreement) with Breeze Aviation Group, Inc., d/b/a Breeze Airways (Breeze), commencing February 14, 2022, terminating September 30, 2022, and automatically renewing on an annual basis each October 1st to September 30th until canceled; to provide commercial air service at the Palm Beach International Airport (PBI), and to lease 192 square feet of office space;

B) Airline Service Incentive Program Participation Agreement with Breeze, for four routes (Incentive Agreement No. 1) providing for the waiver of landing, ticket counter and gate fees and office rental from February 19, 2022, through February 18, 2024, for flights from Akron/Canton, Ohio (CAK), Columbus, Ohio (CMH), Richmond, Virginia (RIC) and Norfolk, Virginia (ORF); and

C) Airline Service Incentive Program Participation Agreement with Breeze for two routes (Incentive Agreement No. 2), providing for the waiver of landing, ticket counter and gate fees from February 19, 2022, through August 19, 2022, for flights from Charleston, South Carolina (CHS) and New Orleans, Louisiana (MSY).

SUMMARY: The Airline Agreement permits Breeze to operate at PBI and to lease 192 square feet of airline ticket office space. Incentive Agreement No. 1 waives landing, ticket counter, gate fees and office rental associated with flights from four routes for two years. Incentive Agreement No. 2 waives landing, ticket counter and gate fees associated with flights from two routes for six months. Delegation of authority for execution of the standard form Non-signatory Airline Agreement was approved by the Board in R2019-1156. Delegation of authority for execution of the standard Airline Service Incentive Agreements was approved by the Board in R2014-0251. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve:

A) Change Order No. 6 to the contract with Stryker Electrical Contracting, Inc. (Stryker) decreasing the contract amount by \$282,342 and increasing the contract time by 102 calendar days for the Public Address (PA) System Replacement at Palm Beach International Airport (PBI); and

B) a budget transfer of \$282,342 in the Airport's Improvement and Development Fund to decrease budget for the project; including a transfer to Reserves in the amount of \$282,342.

SUMMARY: The contract with Stryker in the amount of \$4,962,752 and 635 calendar days was approved by the Board on June 2, 2020 (R2020-0555). Change Orders 1-5 in the amount of \$68,775 and 17 calendar days were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 6 will primarily provide a credit to retrofit existing speakers rather than replacing them due to the constrained space or conflicts with above ceiling utilities. The retrofit includes installing new speakers and cables into the existing conduits and speaker boxes. In addition, it will compensate the contractor for changes in microphone and speaker locations and HVAC modifications to the communications room. The existing infrastructure is not sufficient to cool the room to the temperature needed to protect the additional PA equipment. Stryker has committed to a minimum of 15% participation for this contract. The DBE participation to date for this contract including this change order is 15.98%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an increase in the maximum dollar value of the annual for Heating, Ventilation and Air Conditioning (HVAC) contracts by \$5,000,000 for HVAC services on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Resolution</u>	<u>Status</u>
1) Air Handlers of the Palm Beaches, Inc.	Pending	Local/SBE
2) Air Mechanical & Service Corp	R2020-0229	Non-Local/Non-SBE
3) Bradley Heating & Air Conditioning, Inc.	R2021-0059	Local/SBE
4) Cedars Electro-Mechanical, Inc.	R2020-0019	Local/S/WBE
5) Commercial Cooling Concepts, Inc.	R2020-0230	Local/SBE
6) D.A.C. Air Conditioning Corp.	R2020-0231	Non-Local/Non-SBE
7) E. C. Stokes Mechanical Contractors, Inc.	R2020-0232	Local/Non-SBE
8) Farmer & Irwin Corp.	R2020-0020	Local/Non-SBE
9) Florida Mechanical LLC	R2020-0021	Local/Non-SBE
10) Johnson Controls, Inc.	R2021-1795	Non-Local/Non-SBE
11) Koldaire, Inc.	R2020-0233	Non-Local/Non-SBE
12) Page Mechanical Group, Inc.	R2021-1061	Local/Non-SBE
13) Precision Air System, Inc.	R2020-0022	Local/Non-SBE
14) Quantum Mechanical, LLC	R2020-0234	Local/S/MBE
15) Sailfish Mechanical	R2020-0235	Local/SBE
16) The Airtex Corporation	R2020-0236	Local/SBE
17) Thermal Concepts, Inc.	R2020-0237	Non-Local/Non-SBE
18) Thermo Air, Inc.	R2020-0023	Non-Local/Non-SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved annual HVAC contracts for HVAC services related to system and component installations, upgrades, replacements, modifications and repairs. During the first two years of the contract, the County awarded \$7,839,442.04 in work orders. Staff is requesting the cumulative limit be increased by \$5,000,000 for a total cumulative value of \$13,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on January 6, 2025. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 18 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 or 10% Small Business Enterprises (SBE) price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the HVAC annual contract is 31.77%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: an increase in the maximum dollar value of the annual minor construction contracts by \$5,000,000 for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Resolution</u>	<u>Status</u>
1) All-Site Construction, Inc.	R2020-0142	Local/S/MBE
2) Andrea Construction, Inc.	R2020-0143	Local/SBE
3) Anzco Inc.	R2020-0144	Local/SBE
4) Brothers Construction, Inc.	R2020-0562	Non-Local/Non-SBE
5) Clean Air Restoration, Inc. DBA Chandler Construction Company	R2020-0145	Local/Non-SBE
6) Close Construction, LLC	R2021-1718	Non-Local/Non-SBE
7) Cooper Construction Management and Consulting, Inc.	R2021-1719	Local/S/MBE
8) D.W. Recreation Services, Inc.	R2021-1490	Local/S/WBE
9) DCOTA Contracting, Inc.	R2020-0146	Local/Non-SBE
10) Docks & More Construction Co.	R2020-1686	Local/Non-SBE
11) E & F Florida Enterprises, Inc. dba Creative Contracting Group	R2020-1687	Local/Non-SBE
12) Engineered Comfort Solutions, Inc.	R2021-1236	Non-Local/Non-SBE
13) Florida Mechanical LLC	R2021-1720	Local/Non-SBE
14) Glades Roofing, LLC	Pending	Local/SBE
15) Greenview Construction LLC	R2020-0565	Local/SBE
16) Hatcher Construction & Development, Inc.	R2020-0147	Local/S/MBE
17) Hufcor, Inc.	R2020-0148	Non-Local/Non-SBE
18) I.Q. Construction, Inc.	R2021-1062	Local/S/M/WBE
19) J. Rawn Enterprises, Inc.	R2020-0149	Local/SBE
20) J.I.J Construction Corp.	R2021-0894	Local/S/M/WBE
21) Joe Schmidt Construction, Inc.	R2020-0150	Local/SBE
22) Kelly Brothers, Inc.	R2020-1344	Non-Local/Non-SBE
23) Lambert Bros, Inc.	R2020-0563	Non-Local/Non-SBE
24) One Call Florida, Inc.	R2020-0151	Local/SBE
25) Onel Construction LLC	R2021-0796	Local/Non-SBE
26) Parsa Corporation	R2020-1029	Local/Non-SBE
27) Poseidon Dredge & Marine, Inc.	R2020-0564	Local/S/MBE
28) Ralph Della-Pietra Inc.	R2020-1575	Local/SBE
29) Randolph Construction Group, Inc.	R2020-0566	Local/S/MBE
30) Regal Contractors, Inc.	R2021-1491	Non-Local/Non-SBE
31) Republic Construction Corp	R2020-1345	Local/SBE
32) West Construction, Inc.	R2021-1721	Local/Non-SBE

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **(Cont'd) SUMMARY:** On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contracts for construction services associated with repairs, improvements and renovations to County properties. During the first two years of the contract, the County awarded \$9,571,270.02 in work orders. Staff is requesting the cumulative limit be increased by \$5,000,000 for a total cumulative value of \$15,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on February 10, 2025. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 32 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. This minor construction annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) sheltered market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the minor annual contract is 81.83%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 22-003 to the annual painting and weatherproofing contract with WGM Quality Painting, Inc. (Contractor) (R2018-0396) for the Fleet and Roads & Bridges – Weatherproofing project in the amount of \$561,530.25 for a period of 90 calendar days from notice to proceed. **SUMMARY:** On April 10, 2018, the Board of County Commissioners (Board) approved the annual contract with the Contractor for painting and weatherproofing services on an as needed basis. Work Order No. 22-003 authorizes the Contractor to furnish and provide all labor, equipment, devices, tools, materials, and all miscellaneous requirements to pressure clean, seal and paint the exterior of the fleet building and the roads and bridges building. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 90 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. On January 2, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or greater. Since this project is over \$100,000, the applicable API is the latter. The Contractor is an SBE and committed to 100% SBE participation on this work order. To date, the overall SBE participation on the annual painting and weatherproofing contract is 70.11%. The Contractor is a local business. Funding for this project is from the Public Building Improvement fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Work Order No. 22-006 to the annual Heating, Ventilation, and Air Conditioning (HVAC) contract with Cedars Electro-Mechanical, Inc. (Contractor) (R2020-0019) for the South County Administration HVAC Replacement Re-bid project in the amount of \$488,357 for a period of 120 calendar days from equipment delivery. **SUMMARY:** On January 7, 2020, the Board of County Commissioners (Board) approved the annual contract with the Contractor for HVAC services related to system and component installations, upgrades, replacements, modifications and repairs on an as needed basis. The existing HVAC units at the South County Administration building are at least 16 years old, are in poor condition and at the end of their useful life. Work Order No. 22-006 authorizes the removal and replacement of the existing HVAC units. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 120 calendar days from the equipment delivery date to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. Typically, the time to achieve substantial completion is established as a function of the issuance of the Notice to Proceed. However, current market conditions resulting from the pandemic reflect a prevalent delay on equipment lead times. As a result, Staff modified the substantial completion condition to be measured from the equipment delivery date rather than from the issuance of the Notice to Proceed. On August 21, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) price preference for projects \$100,000 or greater. Since this project is over \$100,000, the applicable API is the latter. The Contractor is an SBE and committed to 88.74% SBE participation on this work order. To date, the overall SBE participation on the annual HVAC contract is 32.36%. The Contractor is a local business. **The funding sources for this project include the Public Building Improvement fund and Infrastructure Sales Tax fund.** (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to receive and file: Change Order No. 13 to Amendment No. 9 (R2020-1870) of the continuing construction management contract with The Weitz Company, LLC (R2016-0763) increasing the Guaranteed Maximum Price (GMP) in the amount of \$46,888.12 for additional work required for the Lantana Library Renovation project. **SUMMARY:** On June 21, 2016, the Board of County Commissioners (Board) approved the continuing Construction Manager (CM) contract with The Weitz Company, LLC for construction management services for capital projects. On December 12, 2020, the Board authorized Amendment No. 9 (R2020-1870) in the amount of \$2,097,146, which consisted of painting and weatherproofing, new flooring, renovating the restrooms, re-configuring and constructing new interior spaces, and relocating the public computer workstations along with the associated power and data supply. Change Order No. 13, which was requested by the Library Department, authorized the procurement and installation of chair rails, acoustical wall panels, electrical modifications and testing and balancing the heating ventilation and air conditioning system. The total costs of the additional work associated with Change Order No. 13 is \$66,784.53, of which \$19,896.41 is funded from the construction manager's GMP contingency allowance resulting in a net increase to the GMP contract price in the amount of \$46,888.12. In accordance with Policies and Procedure Memoranda (PPM) CW-F-050, when the cumulative value for additional work exceeds the greater of 5% or \$250,000 of the original contract value an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of additive change orders, including Change Order No. 13, totals \$287,201.20. This agenda item is being submitted to notify the Board that Change Order No. 13 puts the cumulative value of changes or additional work in excess of the \$250,000 threshold amount established by PPM CW-F-050. The CM was selected under the Small Business Enterprise (SBE) Ordinance in place at the time. The continuing CM contract was awarded pursuant to the SBE ordinance but this GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity ordinance. The Construction Manager is not an SBE. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative of 20% SBE participation was applied to the contract. There is 14.67% SBE participation for Change Order No. 13 to Amendment No. 9. The Weitz Company, LLC is a local business. The funding source for this project is from the Library Expansion Program (Ad Valorem) fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Work Order No. 22-010 to the annual minor construction contract with D. W. Recreation Services, Inc. (Contractor) (R2021-1490) for the Multiple Parks Playground Equipment Replacement Rebid project in the amount of \$1,067,000 for a period of 120 calendar days from permit issuance. **SUMMARY:** On October 19, 2021, the Board of County Commissioners (Board) approved the annual minor construction contract with the Contractor for repairs, improvements and renovations to County properties. The playground equipment is outdated, parts are difficult to find, maintenance is costly, and the equipment has surpassed its life expectancy. Work Order No. 22-010 authorizes the demolition of the existing playground, procurement and installation of new playground equipment, installation of new curbing and new playground surfacing at the Jupiter Farms Park, Dubois Park, Ocean Cay Park and Carlin Park, respectively. This project aims to replace the older playground equipment at the four aforementioned County-owned parks as part of the approved Infrastructure Surtax Project Plan. Additionally, the project allows for each park to comply with the current design standards of the Americans with Disabilities Act and the Consumer Product Safety Commission that provide guidelines for playground equipment based on age groups. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 120 calendar days from permit issuance to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. On August 21, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects \$100,000 and over. Since this is a multi-trade project over \$100,000, the applicable API is a mandatory subcontracting goal of 25% SBE participation. The Contractor is an SBE and committed to 95.5% SBE participation on this work order. To date, the overall SBE participation on the annual minor construction contract is 83.61%. The Contractor is a local business. **Funding for this project is from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 13 with Currie Sowards Aguila Architects, Inc. (R2020-1045) (Consultant) to provide architectural and engineering services for the Fire Rescue Comprehensive Fire Station Capital Improvements Program for the Fire Rescue Station No. 49 – Main Building project in the amount of \$671,373. **SUMMARY:** On August 25, 2020, the Board of County Commissioners (Board) approved the design contract with the Consultant to develop and implement a comprehensive capital improvements program for County-owned and managed fire stations. CSA No. 13 authorizes professional services including design, bidding, permitting assistance and construction administration services necessary for a new 18,000 square feet fire station, Fire Station No. 49. The County has decided to construct a new fire station on a 2.75-acre civic tract located at the southwest corner of Lyons Road and Flavor Pict Road. The new fire station will ultimately serve to improve response times in the developing area. The solicitation for design professionals was advertised on December 15, 2019 according to the Equal Business Opportunity Program, with the final selection taking place on June 26, 2020. The project was presented to the Goal Setting Committee on December 4, 2019 which established an affirmative procurement initiative requiring a minimum mandatory goal of 25% Small Business Enterprise (SBE) participation and awarded 15 points evaluation preference for SBE participation. The prime consultant has committed to a 52% SBE participation goal for this contract and 71.1% SBE participation for this CSA. To date, the overall SBE participation on this contract, including CSA No. 13, is 71.71%. The consultant is a local firm and a SBE. This project will be funded from the Fire Rescue Improvement fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to receive and file: Contingency Use Directive (CUD) Change Order No. 31 to Amendment No. 1 (R2018-2062) documenting a decrease to the contingency fund of the construction management (CM) contract with James B. Pirtle Construction Company, Inc. d/b/a Pirtle Construction Company (R2015-0852) in the amount of \$164,128.92 for additional work required for the Palm Beach Sheriff Office (PBSO) Forensic Sciences & Technology Facility project. **SUMMARY:** On July 7, 2015, the Board of County Commissioners (Board) approved the contract with James B. Pirtle Construction Company, Inc. for the PBSO Forensic Sciences & Technology Facility project in the amount of \$107,507. On December 18, 2018, the Board approved Amendment No. 1 (R2018-2062) establishing a Guaranteed Maximum Price (GMP) for construction of an approximately 87,000 square feet secure lab/office/warehouse facility along with a vehicle impound lot in the amount of \$26,305,228. CUD Change Order No. 31 authorized the labor and materials required to provide and install additional generator exhaust piping in the amount of \$164,128.92. The additional generator exhaust piping mitigates the potential for exhaust fumes from the emergency generator being pulled into the building's heating ventilation and air conditioning intake, which is located on the opposing wall from the generator's location. The requested change is the result of errors/omissions during the design phase of the project, which has an estimated value in the amount of \$82,064. The error/omission has been evaluated against Policy and Procedure Memorandum (PPM) CW-F-067, Evaluating, Recovering and Recording Errors/Omission by a Design Professional, and was found to be within the design professional's contractual standard of care. The decrease to the project contingency offsets the cost for CUD Change Order No. 31 in the amount of \$164,128.92, which is transferred in accordance with the CM contract requirements resulting in a zero dollar change to the contract price. Therefore, consistent with PPM CW-F-050, the Director of the Facilities Development and Operations Department executed CUD Change Order No. 31. For transparency and informational purposes, staff submits CUD Change Order No. 31 to the Board as a receive and file item, so that the Board is aware of transfers within line items of the GMP from the project contingency fund even though said transfer results in a \$0 change order and has no effect on the Board approved contract price. The construction manager was selected under the Small Business Enterprise (SBE) Ordinance in place at the time. The original SBE participation on this project was 21.41 %. There is no SBE participation for this change. To date, the overall SBE participation on this project is 21.65%. The CM is not a Palm Beach County Business. (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Change Order No. 3 to Amendment No. 3 (R2021-0345) of the construction management (CM) at risk contract with Kast Construction Company LLC (R2020-0249.1) increasing the Guaranteed Maximum Price (GMP) in the amount of \$2,692,416.62 for the Palm Beach Sheriff's Office Headquarters (PBSO HQ) Renovation Project. **SUMMARY:** On March 9, 2021, the Board of County Commissioners (Board) approved Amendment No. 3 (R2021-0345) to the CM contract with Kast Construction Company LLC (R2020-0249.1) for the PBSO HQ Renovation project establishing a GMP in the amount of \$33,653,791. Amendment No. 3 authorized interior and exterior work including, but not limited to, hardening the existing exterior wall and window systems including new wall cladding to be installed for hurricane protection; adding new reinforced concrete walls; replacement of the existing roofing system; replacement and upgrades to the heating, ventilation and air conditioning system (HVAC); renovation of the fire suppression and lighting systems; and renovations to the interior of all three levels of the facility to accommodate additional offices, workstations and conference spaces. Change Order No. 3 includes the cost of materials, equipment, additional work, as well as credits due to buyout savings. The additional work includes, but is not limited to, additional repairs to the sanitary lines, roofing system, fire alarm and card access system; additional renovations to the elevator electronic systems; installation of new drinking fountains, vinyl flooring, ballistic glass and exterior lights; electrical repairs; cleaning of the remaining HVAC ducts; and removing non-code compliant electrical wiring from the ceiling. The additional work is a result of unforeseen conditions uncovered during construction, additional requests made by PBSO and the need to better address select system upgrades and interior departmental layouts that were not originally anticipated or included in the project scope. The CM contract with Kast Construction Company LLC was awarded pursuant to the Small Business Enterprise (SBE) Ordinance but this GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity Ordinance. Kast Construction Company LLC is not an SBE, but has partnered with All-Site Construction, Inc., an SBE CM. In September 2020, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative to the construction subcontracts of 25% SBE participation, of which 5% must be a Minority Business Enterprise (MBE) African American or Hispanic American. The original SBE participation on Amendment No. 3 was 41.349% of which 7.64% was MBE participation. The SBE participation for Change Order No. 3 is 12.54%. To date, including Change Order No. 3 to Amendment No. 3, Kast Construction Company LLC has achieved 32.50% SBE subcontracting participation of which 6.82% is MBE participation. Kast Construction Company LLC is a Palm Beach County business. **The funding source for this project is from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 3 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services with Florida Atlantic University for an amount not-to-exceed \$5,034.38, providing for a three-year period of sediment analysis and beach profiling related to the North County Comprehensive Shoreline Stabilization Project (NCCSSP), beginning upon execution of this contract and expiring April 30, 2025; and

B) authorize the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with this contract, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of this contract.

SUMMARY: This contract will provide critical sediment analysis and beach profile data to answer questions addressed in the recent permitting process for the NCCSSP. This data will be correlated to sea turtle nesting data and analyzed to provide an overall assessment of the project and sand source. This contract is funded by Beach Management Funds allocated to the NCCSSP. The contract contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviation, taking in to consideration the County's need to conduct the monitoring work, the County's current performance of such monitoring work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following two executed Entertainment Contractor Agreements:

A) Peter Sarfati in an amount not to exceed \$1,600 for the Solid Brass concert at Seabreeze Amphitheater, on February 14, 2022; and

B) Richard Benjamin in an amount not to exceed \$500 for the Fabulons Concert at Canyon Amphitheater, on February 19, 2022.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$500 from Nostalgic America offset the expenses of the event at the Canyon Amphitheater. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

2. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement for Sanderford Sound, Inc. in an amount not to exceed \$2,285 for the Solid Brass Concert at Seabreeze Amphitheater, on February 14, 2022. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

3. Staff recommends motion to receive and file: an executed Independent Contractor Agreement for M. Regina Rodrigues, low impact and gentle exercise programs at Therapeutic Recreation Complex, for the period of January 18, 2022 through September 30, 2022 in an amount not to exceed \$2,700. **SUMMARY:** This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168, 2017-0822 and 2021-2049. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 3 (AH)

4. Staff recommends motion to receive and file: an executed Special Events Rental Agreement for CC Leisure, LLC for the Big Bounce America event at Burt Aaronson South County Regional Park, for the period January 18, 2022 through January 25, 2022. **SUMMARY:** This Special Events Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution R2021-1552. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve and ratify: the Collective Bargaining Agreement between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., for the period October 1, 2021 through September 30, 2024, only with respect to the Battalion Chiefs' Supervisory Bargaining Unit certified by PERC (PERC RA-93-004), with certain compensation enumerated in Article 43 (Duration of Agreement) being retroactive to February 12, 2022. **SUMMARY:** On February 5, 2019, the Board approved a Collective Bargaining Agreement (CBA) with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (R2019-0234) for the period of October 1, 2018 through September 30, 2021. The County has continued to operate under the terms and conditions of the prior CBA pending ratification of this new CBA. This new agreement was ratified by the Battalion Chiefs Bargaining Unit, as reflected in the Letter of Union Ratification. The three-year cumulative cost of this agreement is estimated to be \$1.254 million (representing a 9% increase in annual personnel services costs) over the expired CBA, and includes across-the-board salary increases as follows:

FY 2022	Effective February 12, 2022	3%
FY 2023	Effective the pay period which includes October 1, 2022	3%
FY 2024	Effective the pay period which includes October 1, 2023	3%

Funding for fiscal year 2022 can be accommodated in the approved FY 2022 budget. The major elements of this agreement are included in Attachment 3 to this agenda item. Countywide (MM)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: an increase of \$50 from a rate of \$300 to \$350 for forensic nurses to be paid when a forensic rape exam is performed as approved by Section 960.28, Florida Statutes. **SUMMARY:** On June 3, 2014, the Board of County Commissioners approved a forensic rape exam rate of up to \$300 per exam for forensic nurses. Over the last several years, there have been additional requirements of the Public Safety Department's Division of Victim Services (DVS) forensic nurses when performing forensic rape exams including utilization of specialized equipment to assist in their examinations, prophylaxis assessments and strangulation assessments. Forensic nurses respond 24 hours a day, 7 days a week. The additional funds will be used to support the increased duties that the forensic nurses are routinely performing during the forensic exam. Furthermore, with the recent impact on the healthcare industry due to COVID, the rate increase will help retain forensic nurses. The increase in the exam fee will not require additional funds to be added to the DVS budget as the forensic rape exams are 100% funded under Section 960.28, Florida Statutes. Countywide (JW)
2. Staff recommends motion to approve: one "At Large" appointment to the Emergency Medical Services Advisory Council (EMS Council) to complete the unexpired term ending September 30, 2023.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
George Rizzuto	20	PBC Tenet Hospital CEO	Tenet Palm Beach Group

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. The previous occupant of this seat resigned January 27, 2022. A letter was received from the Tenet Palm Beach Group requesting a new nominee. The one nominee is a Caucasian male who will complete the former member's Council term. With the appointment to this seat, the EMS Council will have 20 seats filled. The EMS Council will have a diversity count as follows: Caucasian: 19 (95%) and African American: 1 (5%). The gender ratio (male: female) will be 14:6. Countywide (SB)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: a contract for Professional Services with Emily Deming, a Postdoctoral Psychology Fellow (Fellow), to complete a requirement of 2,000 hours of clinical work that will provide training and experience in family and youth counseling, in the amount of \$40,440, for the period August 1, 2022, through July 28, 2023. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, and other related fields. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. The Division is offering its program as a location to obtain this training. Each Fellow, at a minimum, is assigned and completes the workload equivalent to a Licensed Therapist. The base hourly rate of a Licensed Therapist is \$27.07 versus the hourly fellowship contract rate of \$19.97. Additionally, the Fellow will receive a \$500 stipend for health insurance. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator or designee to execute future postdoctoral psychology resident (n/k/a Fellow) contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contract spans two fiscal years. Sufficient funding is included in the current budget and in the proposed FY 2023 budget to meet county obligations. The Contract was executed early to allow the selected Fellows to make necessary plans following graduation. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to:
 - A) **accept** on behalf of the Palm Beach County Sheriff's Office, a donation from the Great American Life Insurance Company in the amount of \$4,201.01; and
 - B) **approve** a budget amendment of \$4,202 in the Sheriff's Grant Fund.

SUMMARY: On January 25, 2022, the Palm Beach County Sheriff's Office was issued a check in the amount of \$4,201.01 as the designated beneficiary in a former employee's Great American Life Insurance Policy. The donation will be transferred to the employee welfare organization 501(c)(4). **There is no match requirement associated with this donation.** Countywide (LDC)

APRIL 5, 2022

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY2021-2022 Coach Aaron Feis Guardian Program from the Florida Department of Education for the period of July 1, 2021 through June 30, 2022;

B) approve a budget amendment of \$100,000 in the Sheriff's Grants Fund.

SUMMARY: On February 8, 2022, the Palm Beach County Sheriff's Office received a grant award in the amount of \$100,000 for the Coach Aaron Feis Guardian Program to continue the Safe Schools Security Guard Training Program (SSSGTP). The SSSGTP is a partnership with the Palm Beach County School District to ensure all charter schools in Palm Beach County are equipped with a Safe-School Officer in compliance with Section 1006.12, Florida Statutes. These funds will be used for overtime and personnel costs to provide training by qualified sworn deputies/instructors certified by the Criminal Justice Standards and Training Commission and to provide program supervision/oversight. The contract agreement number is 97K-90210-2D001. The CFSA# is 48.14. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2021 Grant Agreements managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Championship Tournaments, LLC, for the promotion of the Development Player League Winter Showcase, held from January 6 - 9, 2022, for the term July 6, 2021 – April 9, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$50,000;

B) Eiger Marketing Group, LLC, for the promotion of the Gainbridge LPGA at Boca Rio, held from January 24 – 30, 2022, for the term July 24, 2021 – April 30, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$30,000; and

C) American Bicycle Association Company, for the promotion of the USA BMX Sunshine State Nationals, held from January 14-16, 2022, for the term July 14, 2021 – April 16, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$25,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/ agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Combined, these agreements generated a total of 10,288 room nights, and also funded events which promoted sports tourism in Palm Beach County. Districts 1, 2, 4 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (Cont'd)

2. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2021 Grant Agreements managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council (TDC) with:

A) Legendary Sports Group, LLC, for the promotion of the Eye of the Hurricane, held from January 15 - 16, 2022, for the term July 15, 2021 – April 16, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$15,000;

B) American Youth Soccer Organization, Inc., for the promotion of the AYSO Florida State Games, held from January 15 – 17, 2022, for the term September 15, 2021 – April 17, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$6,000; and

C) Foster Events Group, LLC, for the promotion of the Association of Professional Pickleball Professionals Boca Raton International Masters, held from January 18 - 23, 2022, for the term July 18, 2021 – April 23, 2022. This grantee was approved by the TDC on October 6, 2021, in the amount of \$25,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/ agreements/grants must be submitted by the initiating Department as a receive and file agenda item. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Combined, these agreements generated a total of 3,229 room nights, and also funded events which promoted sports tourism in Palm Beach County. Districts 1, 2 & 4 (YBH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to approve:

A) expenditure of \$27,600 for the repair of flood and drainage mitigation facilities in the Country Club Acres (CCA) Countywide Community Revitalization Team (CCRT) area;

B) a budget transfer of \$27,600 to the Capital Outlay Fund from the Office of Community Revitalization CCRT Recoup Funding Account to repair flood and drainage facilities in CCA.

SUMMARY: The requested funding is needed to replace and up size an existing culvert, replace existing corrugated metal piping, and reconstruct an embankment adjacent to the failed culvert. Palm Beach County Engineering has reviewed and agreed that this requested project is vital and needed in order to safeguard and improve drainage facilities in CCA. The requested budget transfer of \$27,600 is needed to fund the increased costs of project implementation. District 5 (HH)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring April 5, 2022 as Helen Vogt Greene Day in Palm Beach County (District 2)
- B)** Proclamation declaring April 24, 2022 as Annette Andre Day in Palm Beach County (District 3)
- C)** Proclamation declaring April 2022 as Child Abuse Prevention Month in Palm Beach County (District 2)
- D)** Proclamation recognizing the 95th Anniversary of Lesser, Lesser, Landy & Smith, PLLC, Attorneys at Law (District 3)
- E)** Proclamation declaring April 2022 as Second Chance Month in Palm Beach County (District 4)
- F)** Proclamation declaring April 2, 2022 as Flash Syringe Service Programs Day in Palm Beach County (District 6)
- G)** Proclamation declaring April 10-16, 2022 as Palm Beach County Public Safety Telecommunicators Week in Palm Beach County (District 4)
- H)** Proclamation declaring April 2022 as National Government Month in Palm Beach County (District 6)
- I)** Proclamation declaring April 22, 2022 as Earth Day in Palm Beach County (District 1)
- J)** Proclamation declaring April 18-22, 2022 as National Community Development Week in Palm Beach County (District 7)
- K)** Proclamation declaring April 4-10, 2022 as Norton Museum of Art Week in Palm Beach County (District 5)
- L)** Certificate of Recognition presented to Andy Thomson (District 4)

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5. REGULAR AGENDA

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) adopt a resolution approving a Special Lighting Maintenance Memorandum of Agreement (SLMMOA) with the Florida Department of Transportation (FDOT) for the maintenance of a new conventional roadway lighting system, approximately 1,000 lights, along State Road 80/Southern Boulevard from State Road 15 to County Road 880 (Project); and

B) approve the SLMMOA with the FDOT for the Project.

SUMMARY: Adoption of this resolution and approval of the SLMMOA will support the FDOT's construction of the Project, and require Palm Beach County (County) to maintain the Project. FDOT will compensate the County for the maintenance of the Project lights at the same rate included in the existing State Highway Lighting Maintenance and Compensation Agreement (R2004-0439) (SHLMCA). In the event the County terminates the SHLMCA without replacement, the County would be obligated to fund the Project maintenance without reimbursement. The annual costs the County may not be compensated for is estimated at \$236,801.40, based on the current Florida Power and Light (FP&L) tariff. Also, the SLMMOA does not include typical language relieving the County of its obligations if the relevant annual appropriation budget is not provided by the Board of County Commissioners, which omission deviates from CW-F-049 regarding annual appropriations contract provision. The Project will be installed by FP&L within FDOT rights-of-way. Project design and construction shall be funded by the Palm Beach Transportation Planning Agency at an estimated cost of \$14,637,000. The County will have no financial obligations for design and construction of the Project. District 6 (YBH)

5. REGULAR AGENDA

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. **Staff recommends motion to approve:** the first amendment to the contract for audit services with RSM US LLP (RSM), a two year renewal for \$1,725,632 for services to be completed by July 31, 2025. The total contract for the five years will be \$4,314,080. **SUMMARY:** On June 2, 2020, the Board of County Commissioners (BCC) approved a contract with RSM for three years with two, two-year renewal options for a potential seven year contract. Staff was directed to bring the item back to the BCC to be considered for a renewal option or to issue a new RFP. The contract includes a 25% SBE participation of which 10% is with eligible M/WBE firms. The M/WBE firms are Ward & Company, P.A. and Mark Escoffery, P.A. The current three year contract will expire with the completion of the FY 2022 audit. Including the current three year contract, RSM will be the County's external auditor for 17 years. The agreement contains nonstandard indemnification language, which requires RSM US LLP to indemnify the County for RSM US LLP's negligent acts or omissions. This is the same language that was included in the agreement with RSM US LLP, formerly McGladrey, LLP in 2013. Countywide (DB)

C. ADMINISTRATION

1. **Staff recommends motion to receive and file:** the 2022 Legislative Session Report. **SUMMARY:** County staff will present the 2022 Legislative Session Report for the Board of County Commissioners, including a review of the County's 2022 legislative and appropriation based priorities. Members of the County's professional contract lobbying team will also be present to review legislation affecting Palm Beach County. Topics covered will include, but are not limited to: state budget highlights; Palm Beach County appropriations; statewide legislation; statewide local government preemptions; and local bills affecting Palm Beach County. Countywide (RM)

5. REGULAR AGENDA

D. COMMUNITY SERVICES

1. ~~DELETED: Staff recommends motion to approve:~~ Subrecipient Agreement with United Way of Palm Beach County, Inc. (UWPBC), for the period April 1, 2022 through September 30, 2026, in an amount not to exceed \$4,529,858 under the American Rescue Plan Act (ARPA), to provide funding assistance for the relocation to a new facility in order to increase food bank capacity. **SUMMARY:** UWPBC will provide Hunger Relief services to residents of Palm Beach County. UWPBC will use ARPA funding for Task I of the capacity building project. UWPBC will work with various non-profit agencies whose current facilities are no longer able to sustain current operations, nor support expected growth. Task I will increase food bank capacity with expansion and enhancements to the current food distribution programs. UWPBC will secure additional warehouse space to expand food bank storage capacity. The additional warehouse space will have an enhanced volunteer center and space for additional programs such as senior food programs. Office space will be used to house wraparound programs. Lower cost office space will be available for rent by other community partners and small community non-profits. The renting of office space will provide an income stream. Additional equipment, such as forklifts, pallet jacks, and scales will be purchased to ensure that the facility is fully functional. UWPBC will also provide \$4,000,000 as a financial support through the MacKenzie Scott Strategic Plan for Task II and other strategies listed in the Hunger Strategic plan for capacity building project. The non-profit agencies awarded funding will be responsible for securing additional funds through federal, state, or local grants, private funding, or other means. Task II will allow for the building out of the warehouse space to include a commercial kitchen and processing facility. The following capacity expansion and enhancements will include space to process fresh produce through freezing, drying, or other means as appropriate, an area for food preparation, and a commercial teaching kitchen to be used as a space for job training programming, nutrition education classes, and fundraising events with local chefs. Building partnerships with local small business owners and entrepreneurs that own and operate food-related cottage industry businesses who are in need of kitchen space. These businesses could potentially rent the kitchen when not in use, which would benefit small businesses by providing a lower cost space to grow their business and provide an additional income stream. Treasury guidelines allows recipients to transfer funds to subrecipients in several ways, including advance payments. As such, this agreement includes a one-time advance payment for start-up costs in the amount of \$1,000,000. **No County match is required.** (Administration) Countywide (HH)

5. REGULAR AGENDA

E. PALM TRAN

1. Staff recommends motion to approve:

A) an amendment to Contract No. 14-041/SC; R 2014-1541; R2019-0242, the contract for Palm Tran Connection Services Run Package B, dated October 7, 2014 by and between Palm Beach County and First Transit, Inc., and First Group America, Inc. (First Transit) and approve an increase of the rates and contract ceiling; and

B) an amendment to Contract No. 14-041/SC; R 2014-1540; R2019-0243, the contract for Palm Tran Connection Services Run Package A, dated October 7, 2014, by and between Palm Beach County, and MV Transportation, Inc., and MV Contract Transportation, Inc. (MV Transportation) and approve an increase of the rates and contract ceiling.

SUMMARY: This fifth amendment to the contract is intended to maintain critical paratransit services until a new contract can be awarded. A new solicitation for paratransit services was delayed due to the COVID 19 pandemic and was advertised on January 12, 2022. The solicitation is scheduled to have a service start date of October 1, 2022. As a result of economic pressures created by the pandemic, costs have risen due to an increase in market conditions for operating and labor costs. There are two primary costing factors for these services; fixed and variable. Fixed costs include, but are not limited to, administrative, facility and equipment costs. Variable costs include, but are not limited to, personnel such as drivers, maintenance and supervision staff. First Transit and MV Transportation have differing fixed and variable costs. Their total contracts are similar in overall costs and reflect the proportion of the total service they are providing. This amendment will increase starting driver rates from \$13.34 to \$15.50 per hour. These contract amendments will have a net fiscal impact of \$16,761,102 and will not result in an increase in the transfer from the General Fund to Palm Tran. First Transit's actual vehicle hour (AVH) rate for variable costs will increase from \$33.27 to \$39.42 for the 160,000 estimated vehicle hours for a total of \$6,307,200. The weekly fixed cost will increase from \$31,909 to \$40,374.96 for a total of \$1,049,749 over the six-month extension. The total fixed and variable costs are estimated at \$7,356,949. Due to unused contractual amounts in prior years, these changes will increase the contract ceiling by only \$5,335,385 from a not to exceed amount of \$89,756,729 to a not exceed amount of \$95,092,114 over the life of the contract from February 1, 2015 through September 30, 2022. MV Transportation's AVH rate for variable costs will increase from \$35.35 to \$42.20 for the 179,000 estimated vehicle hours for an estimated total of \$7,553,800. The weekly fixed cost will increase from \$16,652 to \$20,000 for a total of \$520,000 over the six-month extension. The total fixed and variable costs are estimated at \$8,073,800. Included in the contract ceiling is fuel reimbursement to the vendor, which is estimated at \$2,060,688. These changes will increase the contract ceiling by \$10,134,153 from a not to exceed amount of \$87,366,053 to a not to exceed \$97,500,206 over the life of the contract February 1, 2015 through September 30, 2022. A lapse in providing these contracted services would be detrimental to the interests, health, safety or welfare of the County by reducing transportation services to vulnerable citizens. An emergency amendment is necessary to continue to provide paratransit services within Palm Beach County. Countywide (MM)

APRIL 5, 2022

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

APRIL 5, 2022

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. [Staff recommends motion to receive and file:](#) the updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes: **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an on-going basis. Countywide (LDC)

B. COUNTY ATTORNEY

APRIL 5, 2022

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Request for off-site Proclamation declaring May 2022 as Mental Health Awareness and Trauma-Informed Care Month in Palm Beach County

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

APRIL 5, 2022

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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APRIL 5, 2022

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."