



June 13, 2018

Terracon Consultants, Inc.
1225 Omar Road
West Palm Beach, Florida 33405
Attn: Mr. Michael J. O'Connor, P.E., Principal

**RE: CONSTRUCTION MATERIALS TESTING, GEOTECHNICAL
ENGINEERING AND INSPECTION SERVICES
CONTRACT ON AN ANNUAL WORK TASK ORDER BASIS
RESOLUTION NO.: R2017-1660
CONTRACT DATED: NOVEMBER 7, 2017**

**Department of Engineering
and Public Works**

P.O. Box 21229
West Palm Beach, FL 33416-1229
(561) 684-4000
FAX: (561) 684-4050
www.pbcgov.com

Dear Mr. O'Connor:

This letter serves as your **"Notice to Proceed"** with the above referenced Annual Service Amendment, which was approved by the Board of County Commissioners (Board) on June 5, 2018 (R2018-0814).

The County User Departments will be in touch with you when your services are required.

If you have any questions, please feel free to contact me, at 561-684-4122.

Sincerely,

Holly B. Knight, P.E.
Contracts Section Manager

HBK:jd

Attachment

- pc: Administrative Services, Fiscal (NTP)
CCNA File (w/original)
Roadway Project File
- ec: April Smith, Contract Development & Control
Allen F. Gray, Office of Small Business Assistance
Angela Smith, Office of Small Business Assistance
Sabrina L. Hoffman, Grants, Contracts, and Compliance, Finance Department
Tracy L. Ramsey, Grants, Contracts, and Compliance, Finance Department
Mark Tomlinson, Director, Construction Coordination
John Chesher, Director, Capital Improvements
James Stiles, Director, Water Utilities
Deborah L. Drum, Director, E.R.M
Bruce Pelly, Director, Department of Airports
Bill Grieve, Environmental Services Department, City of Delray Beach
Omelio A. Fernandez, P.E., Director, Roadway Production Division
Morton L. Rose, P.E., Assistant Director, Roadway Production Division
Holly B. Knight, P.E., Contracts Section Manager, Roadway Production Division
Vanessa Jagoo, TA III, Roadway Production Division
JaeAnn Dean, TA II, Roadway Production Division

**Palm Beach County
Board of County
Commissioners**

- Melissa McKinlay, Mayor
- Mack Bernard, Vice Mayor
- Hal R. Valeche
- Paulette Burdick
- Dave Kerner
- Steven L. Abrams
- Mary Lou Berger

County Administrator

Verdenia C. Baker

"An Equal Opportunity
Affirmative Action Employer"

P. 2018-08-14

JUN 05 2018

**FIRST AMENDMENT TO THE ANNUAL CONSTRUCTION MATERIALS TESTING,
GEOTECHNICAL ENGINEERING AND INSPECTION SERVICES
CONTRACT NO. R2017-1660
DATED NOVEMBER 7, 2017, BY AND BETWEEN
TERRACON CONSULTANTS, INC., AND PALM BEACH COUNTY**

THIS FIRST AMENDMENT to the Annual Construction Materials Testing, Geotechnical Engineering and Inspection (Testing Lab) Services Contract dated November 7, 2017, (R2017-1660), hereinafter "CONTRACT" by and between Terracon Consultants, Inc., hereinafter "CONSULTANT" and the Board of County Commissioners of Palm Beach County, a political subdivision of the state of Florida, hereinafter, "COUNTY".

W I T N E S S E T H

WHEREAS, on November 7, 2017, the CONSULTANT and COUNTY entered into a twelve month Annual Testing Lab Services CONTRACT for engineering services and other related tasks throughout Palm Beach County; and

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. Add the following: SECTION 22 – **ADDITIONAL REPORTING**

COUNTY requires CONSULTANT to track during the CONTRACT, and report at the end of the CONTRACT, the county of residence of the Consultant's employees and its subconsultants' employees. CONSULTANT agrees to prepare and provide the required report with its request for final payment.

- 3. It is the intent of the parties hereto that this Amendment shall not become binding until the date executed by the COUNTY.
- 4. Except as provided herein, all other provisions of the Annual Testing Lab Services CONTRACT dated November 7, 2017, (R2017-1660), hereby confirmed shall remain in full force and effect.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

IN WITNESS WHEREOF, the parties have caused this First Amendment to the Annual Testing Lab Services Contract (R2017-1660) to be executed and sealed this JUN 05 2018 day of _____, 2018.

OWNER: **R-2018-0814**
Palm Beach County, Florida, a
Political Subdivision of the
State of Florida

CONSULTANT:
Terracon Consultants, Inc.
a Delaware Corporation

BOARD OF COUNTY COMMISSIONERS

BY: *Melissa McKinley*
Melissa McKinley, Mayor

BY: *M J Yost*
Michael J. Yost, Corporate Secretary

SEAL

CORPORATE SEAL

ATTEST:
Sharon R. Bock, Clerk & Comptroller
Circuit Court

ATTEST WITNESS:



Cindy J. Cornell

BY: _____
(Print Name)

BY: *Tracey Powell*
(Print Name)
Tracey Powell
(Signature)
Deputy Clerk

Cindy J. Cornell
(Signature)

Barbara L. Boerner

BY: _____
(Print Name)

Barbara L Boerner
(Signature)

APPROVED AS TO TERMS
AND CONDITIONS:

BY: *Omelio A Fernandez*
Omelio A. Fernandez, P.E.
Director of Roadway Production

APPROVED AS TO FORM &
LEGAL SUFFICIENCY:

BY: *YB Herman*
Yelizaveta B. Herman,
Assistant County Attorney



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/1/2019

4/9/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies 444 W. 47th Street, Suite 900 Kansas City MO 64112-1906 (816) 960-9000	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A:	Lexington Insurance Company	19437
INSURER B:	Travelers Property Casualty Co of America	25674
INSURER C:	The Travelers Indemnity Company	25658
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES TERCO01 **CERTIFICATE NUMBER:** 12404216 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIAB <input checked="" type="checkbox"/> XCU COVERAGE GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N	N	TC2J-GLSA-1118L293	1/1/2018	1/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 25,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	TC2J-CAP-131J3858 TJBAP131J3895	1/1/2018 1/1/2018	1/1/2019 1/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB DED RETENTION \$	N	N	ZUP-91M46583 (EXCLUDES PROF. LIAB.)	1/1/2018	1/1/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$ XXXXXXXX
B C C	<input checked="" type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	TC2JUB131J374218 (AOS) TC2JUB131J374218 (CA) TRKUB131J384618 (AZ,MA,WI)	1/1/2018 1/1/2018 1/1/2018	1/1/2019 1/1/2019 1/1/2019	<input checked="" type="checkbox"/> PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A	<input checked="" type="checkbox"/> PROFESSIONAL LIABILITY	N	N	26030216	1/1/2018	1/1/2019	\$2,000,000 EACH CLAIM & \$3,000,000 IN THE ANNUAL AGGREGATE

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
Re: Construction Materials Testing, Geotechnical Engineering & Inspection Annual Services Agreement on a Task Order Basis; For All Projects With Palm Beach County. Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its Officers, Employees & Agents are named as Additional Insureds on the above referenced liability policies with the exception of workers compensation & professional liability where required by written contract. Professional Liability Retroactive Date: Full Prior Acts.

CERTIFICATE HOLDER**CANCELLATION**

12404216
PALM BEACH COUNTY
C/O INSURANCE TRACKING SERVICES, INC. (ITS)
P.O. BOX 20270
LONG BEACH CA 90801

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joseph M. Agnello

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