

Attachment A

Amendment

ITEM # 1

<u>Agreement No.</u> ITB 2017-049-WG	<u>Title</u> General Building, Engineering, and Specialty Trades			
<u>Contractor</u> Team Contracting, Inc.	<u>Initial Term</u> (Past) 2/5/2018 – 2/4/2021	<u>Renewal No. 1</u> (Past) 2/5/2021 – 2/4/2022	<u>Renewal No. 2</u> (Past) 2/5/2022 – 2/4/2023	<u>Month-to-Month (This Item)</u> 2/5/2023 - present
<u>Brief Scope:</u> <p>The specialty trade Agreements provided various general and specialty trade services to maintain City facilities. The Agreements established a pool of contractors with hourly rates and percentage markups for each Contractor. Under the Agreement with Team Contracting, Inc., the Public Works Department is working on the Terminal Isle project, an infrastructure initiative aimed at addressing structural and aesthetic deficiencies.</p>				
<u>Request:</u> <p>This item seeks approval from the Mayor and City Commission to retroactively amend the Agreement in Amendment No. 2 to incorporate federal compliance provisions into the existing Contract pursuant to Section 5.11 of the Agreement and further delegate authority to the Manager to execute the Amendment. The Amendment will ensure compliance with federal regulations by incorporating key provisions related to HUD-assisted projects. The Amendment does not extend the Contract term or modify its scope but formalizes the Parties' adherence to federal requirements during the Contract period.</p>				
<u>Estimated Fiscal Impact:</u> <p>This Amendment has no fiscal impact.</p>				
<u>Justification:</u> <p>On February 5, 2018, the City and Contractor executed the Contract pursuant to Invitation to Bid (ITB) No. 2017-049-WG building and specialty trade contractors for minor projects (the "ITB").</p> <p>On September 18, 2021, the City and Contractor executed Amendment No. 1 to the Agreement; said Amendment included the omitted "Contract Provisions for Non-Federal Entity Contracts Under the Federal Award," the "Byrd Anti-Lobbying Amendment Certification," the "Suspension and Debarment Certification," and other miscellaneous requirements of the City. Code and Florida law.</p> <p>On June 2, 2023, the City Manager executed Emergency Purchase Authorization (EPA) 2023-489-MP for repairs to the Terminal Isle Water Booster Pump Station, which had received a Department of Economic Opportunity (DEO) grant for hardening improvements. Consequently, Public Works engaged Team Contracting, Inc. to perform the necessary work under the EPA and pursuant to ITB 2017-049-WG for Building Special Trade Contracts for Minor Projects. To date, the Public Works Department has been working with Team Contracting, Inc., under this Agreement, on the Terminal Isle project. The Department is looking to have the project reimbursed by DEO. As such, DEO has asked that the "Agreement" with the vendor be revised to include specific provisions to fund the project.</p> <p>Under this Agreement, the scope of work includes providing temporary shoring support to the roof until permanent repairs are completed, cleaning and repairing corroded steel components using epoxy-based paint, and demolishing and replacing a knee wall with reinforced concrete. Additional improvements involve repairing exterior stucco with integrated flood-proofing measures on the building's southeast elevation, installing new HVHZ-rated louvers and storefront windows, replacing damaged window sealants, and applying new paint to match the existing stucco finish seamlessly.</p> <p>To secure reimbursement through DEO, the grantor has requested revisions to the Agreement with the vendor to include specific provisions aligning with funding requirements. These revisions ensure that the project scope, compliance elements, and performance standards are clearly defined and meet the criteria set forth by the funding agency.</p> <p>Amendment No. 2 to the Agreement will incorporate the federal compliance provisions into the existing Agreement. By incorporating key provisions related to HUD-assisted projects, it will ensure compliance with federal regulations. The Amendment will not extend the</p>				

Agreement term or modify its scope but formalize the parties' adherence to the federal requirements during this project, which was completed before the expiration of the Agreement on August 4, 2023.

The Proposed Amendment will retroactively include:

- Incorporation of the Section 3 Contract Clause, ensuring employment and economic opportunities generated by HUD-assisted projects benefit Section 3-eligible individuals and businesses;
- Inclusion of HUD Form 4010, providing Federal Labor Standards Provisions for HUD-assisted construction work, ensuring compliance with labor laws related to wages, hours, and safety standards; and
- Compliance with applicable building wage rates, specifically General Decision Number FL20230215.

Retroactively applying these provisions is necessary to align the Agreement with federal mandates. The Amendment will acknowledge that the original Agreement expired on August 4, 2023, but will only retroactively integrate the required federal provisions.