



Broward County

Legislation Details (With Text)

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Status: Agenda Ready

In control: PORT EVERGLADES DEPARTMENT

On agenda: 9/22/2020 **Final action:** 9/22/2020

Title: MOTION TO APPROVE Ninth Amendment to the Agreement Between Broward County and G.F.C. Crane Consultants, Inc., for rail mounted container gantry crane maintenance and repair at Port Everglades, extending the agreement by 31 days commencing October 1, 2020, through October 31, 2020, with an option for an additional 30 days, with updated labor billing rates; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Ninth Amendment to GFC Agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Director's Office

Information

Requested Action

MOTION TO APPROVE Ninth Amendment to the Agreement Between Broward County and G.F.C. Crane Consultants, Inc., for rail mounted container gantry crane maintenance and repair at Port Everglades, extending the agreement by 31 days commencing October 1, 2020, through October 31, 2020, with an option for an additional 30 days, with updated labor billing rates; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Broward County Board of County Commissioners approval is required to execute an amendment to the Agreement.

What Action Accomplishes

Amends the existing Agreement to extend the term by 31 days, with an option for an additional 30 days, and provides updated labor billing rates that would apply during the term of the extension.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This action supports the Broward County Board of County Commissioners' ("Board") Value of "Ensuring economic opportunities for Broward's diverse population and businesses" and the Goal to "Increase the economic strength and impact of revenue-generating County enterprises balancing economic, environmental, and community needs."

G.F.C. Crane Consultants, Inc., ("GFC") has maintained the eight County-owned rail mounted container gantry cranes and one mobile harbor crane at Port Everglades for the last 26 years under a series of competitively solicited agreements and amendments. The most recent five-year extension to the Agreement was approved by the Board on September 1, 2015 (Item No. 4). On December 3, 2019 (Item No. 80), the Board directed staff to negotiate an extension to the current Agreement with GFC.

In preparation for negotiation of the extension, GFC was requested to furnish certain detailed financial information of costs incurred under the Agreement. Staff from the County Auditor's Office also reviewed this information and made recommendations to Port staff to address in this amendment. Negotiations involving representatives from GFC, the Port Everglades Department, the County Auditor's Office, and the Office of the County Attorney were held on August 20, 2020 and resulted in agreement on the business terms of the amendment.

Staff and representatives from GFC are still finalizing an amendment to the Agreement to incorporate the negotiated terms. The Ninth Amendment to Agreement will extend the term of the current agreement by 31 days to October 31, 2020, with an option for an additional 30-day extension at the sole discretion of the Port Everglades Chief Executive/Port Director, to allow sufficient time to finalize the amendment for Board approval at an upcoming meeting. In addition, the amendment includes new labor billing rates effective on October 1, 2020, to account for increases in labor costs reflected in agreements between GFC and three collective bargaining units representing the labor categories covered by the Agreement, and maximum not-to-exceed total labor billings for the periods of the extension. The new labor billing hourly rates are approximately 2% higher than the current rates for straight time hours, and a reduction of 0.7% for overtime hours. These rates are based on a 3% increase to the base wage rate for each labor category, and a reduction in the worker's compensation factor from 10% in the existing rates to 8.5% in the new rates. All other terms and conditions of the existing Agreement remain in effect for the period of the extension.

All other changes to the existing Agreement resulting from the negotiations addressing the five-year term of the extension, Management Cost Fee, Profit Fee, labor billing rates for the entire term of the extension, subcontractor services billing rates, and other miscellaneous provisions, will be brought to the Board for approval prior to the expiration of the extension period, with an effective date retroactive to October 1, 2020.

The Ninth Amendment to Agreement has been reviewed by the Office of the County Attorney. The amendment is pending execution by GFC, and receipt of signature pages and approval as to form by the Office of the County Attorney will be noted to the Board prior to the meeting.

Source of Additional Information

Glenn A. Wiltshire, Deputy Director, Port Everglades Department, 954-468-3504,
gwiltshire@broward.org

Fiscal Impact

Fiscal Impact/Cost Summary

The estimated cost of the period covered by the extension is a not-to-exceed amount of \$1,597,102. Funding for the extension is included in the Fiscal Year 2021 Port Everglades Operating budget.