

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 12, 2006

☒ Consent  
☐ Ordinance

☐ Regular  
☐ Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to receive and file: Second Amendment to Agreement (R2005-0472) with ASPIRA of Florida, Inc. for the Media Literacy and Me Project.

**Summary:** This fully executed Second Amendment to Agreement extends the project term and project completion date of the previously approved Agreement from February 28, 2006, to September 30, 2006. The First Amendment to Agreement (R2006-1310) approved by the Board on July 11, 2006, provided a revised page 3 to Exhibit "A" of the previously approved Agreement to more accurately reflect costs expended for the project and to reflect actual line item costs expended for the project within the approved scope of the project, but did not provide for the necessary extension to the project time frame in order for staff to submit the reimbursement request in a timely fashion. The Amendment is in accordance with Resolution R2005-1738, authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP). District 2 (AH)

**Background and Justification:** Resolution R2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

**Attachment:** Second Amendment to Agreement

Recommended by: \_\_\_\_\_

  
Department Director

8/16/06  
Date

Approved by: \_\_\_\_\_

  
Assistant County Administrator

8/23/06  
Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_  
Object \_\_\_\_\_ Program \_\_\_\_\_

### B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no additional financial impact created by this Amendment. Agreement is encumbered with document # KPO 583 PRRP032105\*66.

C. Departmental Fiscal Review: ckopelakis

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Development and Control Comments:

Elizabeth Bloesch 8/18/06  
OFMB  
ms 8/17/06  
pm 8/17/06  
Contract Development & Control 8/21/06  
8/21/06

### B. Legal Sufficiency:

Anne Helgent 8/23/06  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director

REVISED 10/95  
ADM FORM 01

This summary is not to be used as a basis for payment

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**SECOND AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND  
ASPIRA OF FLORIDA, INC. FOR THE MEDIA LITRACY AND ME PROJECT**

**THIS SECOND AMENDMENT TO AGREEMENT** is entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and ASPIRA of Florida, Inc., a Florida not-for-profit corporation, herein referred to as "ASPIRA".

**WITNESSETH:**

**WHEREAS**, on March 1, 2005, County entered into an Agreement with ASPIRA (R-2005-0472), hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$25,000 for the Media Literacy and Me Project, hereinafter referred to as the Project; and

**WHEREAS**, the first amendment dated July 11, 2006, amended Exhibit A, page 3 of 3 to more accurately reflect costs expended for the project; and

**WHEREAS**, ASPIRA has requested that County extend the project completion date for the Project until September 30, 2006; and

**WHEREAS**, the Project will benefit all citizens of Palm Beach County.

**NOW THEREFORE**, the parties hereby agree as follows:

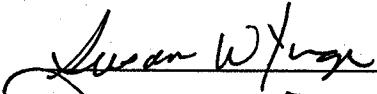
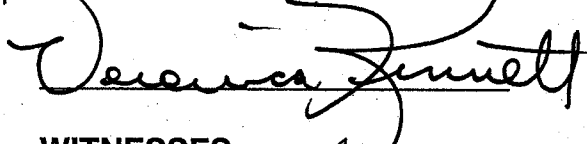
1. Section 8 of the Agreement shall be amended to state: "The term of this Agreement shall be until September 30, 2006, commencing upon the date of execution by the parties hereto."

2. Section 11 of the Agreement shall be amended to state: "ASPIRA shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on or before September 30, 2006."

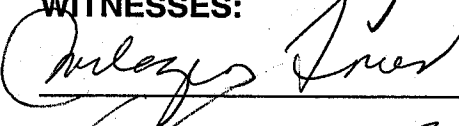

3. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

**IN WITNESS WHEREOF**, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

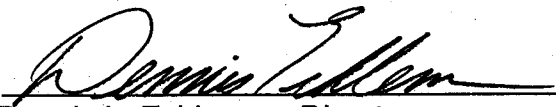
**WITNESSES:**

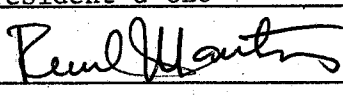
**WITNESSES:**

**PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS**

By:   
Dennis L. Eshleman, Director  
Parks and Recreation Department

**ASPIRA OF FLORIDA, INC.**

By: Raul Martínez  
Name (Type or Print)  
President & CEO  
Title   
Signature

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By:   
County Attorney