

Agenda Item #: **3.M.4.**

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 17, 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 approve: Second Amendment to Agreement (R2004-1997) with Florida Atlantic University for design costs for an interpretive trail at Pine Jog Environmental Education Center.

Summary: This Second Amendment to Agreement extends the completion date, as amended, from September 30, 2006, to December 30, 2006, for the design of an interpretive trail to be constructed by Florida Atlantic University at Pine Jog Environmental Education Center. This time extension will provide additional time necessary for the completion of the project. Districts 2, 3, and 4 (AH)

Background and Justification: This Second Amendment to Agreement provides an additional three months to complete this design project and to submit reimbursement documentation to the County for the completed project. The new project completion date is December 30, 2006. All other terms of the Agreement remain the same.

Construction of the interpretive trail is anticipated to cost approximately \$1,000,000. Construction costs will be paid for with funds raised by Florida Atlantic University and Pine Jog Environmental Education Center. The proposed trail's theme is "A Walk Through Time" and the trail will feature seven stations to guide the public through changes in Florida and offer techniques leading toward a "sustainable future" in Florida. The trail will be used for scientific research and environmental education through the use of interpretive signs, interactive features, interpretive booklets/brochures, treetop observation tower, trained guides to lead walks, and various pavilions.

The Amendment has been executed on behalf of Florida Atlantic University's Board of Trustees, and now needs to be approved by the Board of County Commissioners.

Attachment: Second Amendment to Agreement

Recommended by: _____

Department Director

Date

Approved by: _____

Assistant County Administrator

Date

9/20/06

9-28-06

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2007	2008	2009	2010	2011
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 PRRP101504*11.

C. Departmental Fiscal Review: chopelakis

III. REVIEW COMMENTS

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

John D. 9-26-06
9/25/06 mg 9-22-06

Jim J. 9/27/06
Contract Development & Control
6 Jones 9/27/06

B. Legal Sufficiency:

Anne Delgant 9/28/06
Assistant County Attorney

**This amendment complies with
our review requirements.**

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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**SECON DAMENDMENT BETWEEN PALM BEACH COUNTY AND FLORIDA ATLANTIC
UNIVERSITY FOR DESIGN COSTS FOR AN INTERPRETIVE TRAIL AT PINE JOG
ENVIRONMENTAL EDUCATION CENTER**

THIS SECOND AMENDMENT is entered into on 9/5/06, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and Florida Atlantic University Acting for and on behalf of the Florida Atlantic University Board of Trustees, hereinafter referred to as "FAU".

WITNESSETH:

WHEREAS, on September 30, 2004, COUNTY entered into an Agreement with FAU (R-2004-1997), hereinafter referred to as "Agreement", to provide funding in an amount not to exceed \$25,000, for design costs for an Interpretive Trail at Pine Jog Environmental Education Center to be completed on or before September 30, 2005, hereinafter referred to as the Project; and

WHEREAS, the First Amendment, dated June 21, 2005, increased the not-to-exceed amount by \$75,000 to assist with the Project, for a total project amount not-to-exceed \$100,000 and extended the project completion date until September 30, 2006; and

WHEREAS, due to delays in planning and in actually starting the Project, FAU has requested that the Agreement be amended to allow for an extension of the project completion date until December 30, 2006; and

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

NOW THEREFORE, in consideration of the covenants and promises contained herein, the parties hereby agree as follows:

1. Paragraph 8 of the Agreement shall be amended by deleting "The term of the Agreement shall be until September 30, 2006, commencing upon the date of execution by the parties hereto." and inserting "The term of the Agreement shall be until December 30, 2006, commencing upon the date of execution by the parties hereto." in its place.

2. Paragraph 11 of the Agreement, as amended, shall be further amended by deleting "FAU 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." and inserting "FAU shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to the County for the completed Project on or before December 30, 2006." in its place.

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.

ATTEST:

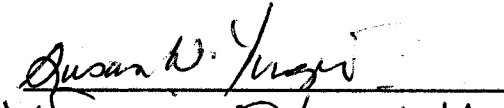
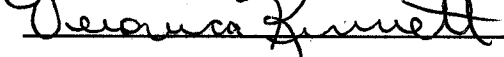
**SHARON R. BOCK, Clerk &
Comptroller**

By: _____
Deputy Clerk

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

By: _____
Tony Masilotti, Chairman

WITNESSES:

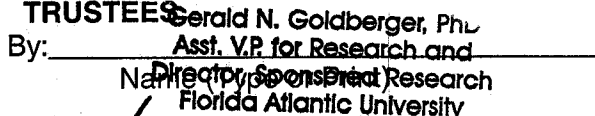



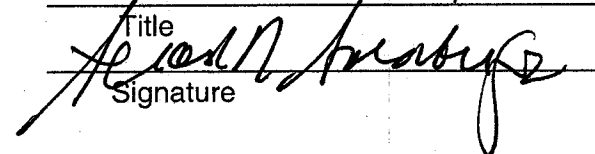
APPROVED AS TO FORM AND LEGALITY
General Counsel
Florida Atlantic University
9/5/06

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

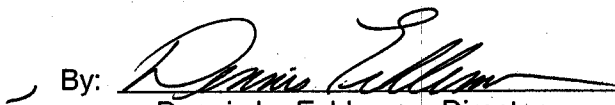
By: 
County Attorney

**FLORIDA ATLANTIC UNIVERSITY ACTING
FOR AND ON BEHALF OF THE FLORIDA
ATLANTIC UNIVERSITY BOARD OF
TRUSTEES**

By: 
Gerald N. Goldberger, Ph.D.
Asst. V.P. for Research and
Director, Sponsored Research
Florida Atlantic University

Title

Signature

APPROVED AS TO TERMS AND CONDITIONS

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