

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: **December 4, 2007**

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: First Amendment to Agreement (R2006-2121) with The Friends of Sandoway House Nature Center, Inc. for the Shell Gallery Room addition.

**Summary:** This fully executed First Amendment to Agreement extends the project time frame from November 22, 2005, through February 22, 2008, to November 22, 2005, through August 22, 2008, in order to allow additional time to complete project construction and to provide reimbursement documentation. 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, including the funding amount of \$10,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 4 Funds. District 4 (AH)

**Background and Justification:** Resolution R-2005-1738 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:

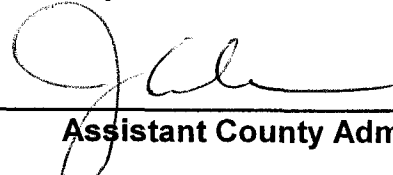
- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project 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:** First Amendment to Agreement

Recommended by:   
Department Director

11/1/07  
Date

Approved by:   
Assistant County Administrator

11/14/07  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2008	2009	2010	2011	2012
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>
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

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:**

This Amendment is for a time extension only, and has no additional fiscal impact to Palm Beach County.

C. Departmental Fiscal Review: ckopelakis

**III. REVIEW COMMENTS**

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

[Signature] 11-7-07  
 OFMB  
 11/7/07  
 CN 11/5/07

[Signature] 11/8/07  
 Contract Development & Control

**B. Legal Sufficiency:**

Anne Delgent 11-13-07  
 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

**FIRST AMENDMENT TO AGREEMENT WITH THE FRIENDS OF SANDOWAY HOUSE NATURE CENTER, INC. FOR THE SHELL GALLERY ROOM ADDITION**

**THIS FIRST 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 The Friends of Sandoway House Nature Center, Inc., a Florida not-for-profit corporation authorized to do business in the State of Florida, herein referred to as "Friends of Sandoway".

**WITNESSETH:**

**WHEREAS**, on October 3, 2006, County entered into an Agreement with Friends of Sandoway (R-2006-2121), hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$10,000 for the Shell Gallery Room Addition, hereinafter referred to as the "Project"; and

**WHEREAS**, the Agreement stated that the Project must be completed by November 22, 2007, and that the project completion statement and reimbursement documentation must be submitted to the County by February 22, 2008; and

**WHEREAS**, Friends of Sandoway has requested that County extend the project completion date to May 22, 2008, and the reimbursement submission date to August 22, 2008, to allow additional time for Project completion and submission of the Project reimbursement request; and

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

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

1. Section 11 of the Agreement is amended to state "Friends of Sandoway shall complete the Project by March 22, 2008, and invoices and checks submitted for reimbursement must be dated within the project time frame of November 22, 2005, and March 22, 2008. Friends of Sandoway shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before August 22, 2008.
2. 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:**

*Rosanne W. Young*  
*Veronica Kenneth*

**PALM BEACH COUNTY, FLORIDA, ON BEHALF OF ITS BOARD OF COUNTY COMMISSIONERS**

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

**WITNESSES:**

*Nicole Scales*  
*Peggy Abma*

**FRIENDS OF SANDOWAY HOUSE NATURE CENTER, INC.**

By: *Carolyn H. R. Patton*  
Name (Type or Print)  
Title: Treasurer / Reg. Agent

By: \_\_\_\_\_  
Signature

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney