



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$6,720,000	\$4,053,000	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$6,720,000	\$4,053,000	-0-	-0-	-0-
 # ADDITIONAL FTE	 -0-	 -0-	 -0-	 -0-	 -0-
POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included In Current Budget? Yes  No

**Budget Account No.:** Fund Department Unit Object

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

<u>USER DEPT/DIV</u>	<u>CURRENT</u>	<u>EXTENSION</u>	<u>TOTAL</u>
Road and Bridge	\$ 500,000	\$ 750,000	\$1,250,000
Streetscape	\$ 200,000	N/A	\$ 200,000
Water Utilities	\$ 750,000	\$1,200,000	\$1,950,000
Parks and Recreation	\$2,312,000	\$ 420,000	\$2,732,000
Traffic	\$2,600,000	\$1,500,000	\$4,100,000
Facilities Dev. & Ops.	\$ 50,000	\$ N/A	\$ 50,000
Airports	\$ 120,000	\$ 30,000	\$ 150,000
ERM	\$ 188,000	\$ 150,000	\$ 338,000
Coop. Ext. Service	-0-	\$ 3,000	\$ 3,000
 Total	 \$6,720,000	 \$4,053,000	 \$10,773,000

\*N/A indicates no response received

**C. Departmental Fiscal Review:** R. J. Ward 12/11/07

**III. REVIEW COMMENTS**

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

<u><i>[Signature]</i> 1-7-08</u> OFMB <i>1-7-08</i> <i>SW 1/7/08</i> <i>VO 01/04</i>	<u><i>[Signature]</i> 1/8/08</u> Contract Dev. and Control <i>1/8/08</i>
---	---

**B. Legal Sufficiency:**

*[Signature]* 1/10/08  
**Assistant County Attorney**

This amendment complies with our review requirements.

**C. Other Department Review:**

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

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

N:\ENG\_SER\2007052-Pathway\AIS-Ext.doc

**AMENDMENT TO THE ANNUAL PATHWAY & MINOR CONSTRUCTION  
CONTRACT NO. 2007052 DATED JANUARY 9, 2007 BY AND BETWEEN  
CHARLES S. WHITESIDE, INC. AND PALM BEACH COUNTY**

THIS AMENDMENT to the Annual Pathway & Minor Construction Contract dated January 9, 2007 (R2007-0013), as also amended January 9, 2007 (R2007-0014), hereinafter "CONTRACT" by and between Charles S. Whiteside, Inc., hereinafter "CONTRACTOR" and the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, hereinafter, "COUNTY".

W I T N E S E T H

WHEREAS, on January 9, 2007, the CONTRACTOR and COUNTY entered into a CONTRACT, in the amount of \$6,470,000, for the construction of pathways and various minor construction projects throughout Palm Beach County; and

WHEREAS, also on January 9, 2007, the CONTRACTOR and COUNTY amended the Annual Pathway & Minor Construction Contract, which increased the Contract amount by \$250,000 to a total of \$6,720,000; and

WHEREAS, Section 33 of the CONTRACT provides that the contract may be extended, at the COUNTY'S option for a defined period of time, not to exceed a total of thirty-six months, if the CONTRACTOR and the COUNTY agree; and

WHEREAS, by this AMENDMENT, the CONTRACTOR and the COUNTY mutually agree to extend the CONTRACT for ten months to expire on October 1, 2008, with all original terms, conditions and unit prices adhered to.

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

1. The above recitations are true and correct and incorporated herein. The CONTRACT, dated January 9, 2007, and also amended January 9, 2007, between the CONTRACTOR and the COUNTY is hereby amended to:
  - a. extend the expiration date of the CONTRACT to October 1, 2008.
  - b. increase the CONTRACT amount by \$4,053,000 to a total of \$10,773,000.
2. The CONTRACT, Page C-1, dated January 9, 2007 between the CONTRACTOR and the COUNTY is hereby amended as follows:

The CONTRACTOR agrees with the COUNTY, for the consideration herein mentioned at his, its or their own proper cost and expense to do all

the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the CONTRACT, for the: ANNUAL PATHWAY & MINOR CONSTRUCTION CONTRACT, PALM BEACH COUNTY PROJECT NO. 2007052

IN THE AMOUNTS specified in task orders which may be issued by the COUNTY under Section 23 and the other terms of the Contract Documents. The COUNTY is not required to issue any task orders hereunder. The maximum value of orders issued under the existing CONTRACT, together with this AMENDMENT, shall not, in any case, exceed TEN MILLION SEVEN HUNDRED SEVENTY-THREE THOUSAND AND 00/100 DOLLARS (\$10,773,000) (except as may be increased according to Section 40 of the Contract Specifications). The Contract Documents relative hereto are made a part of this agreement as completely as if set forth herein to the satisfaction of the COUNTY or its' duly authorized representative.

3. It is the intent of the parties hereto that this AMENDMENT shall not become binding until the date executed by the COUNTY.
4. All other provisions of the Annual Pathway & Minor Construction Contract dated January 9, 2007 shall remain in full force and effect.

ATTEST:

SHARON R. BOCK, Clerk and Comptroller

PALM BEACH COUNTY, a Political  
Subdivision of the State of Florida

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

\_\_\_\_\_  
County Attorney

ATTEST:

Eather D. Collins  
Secretary or Asst. Secretary

(Seal)

By: \_\_\_\_\_  
~~Addie L. Greene, Chairperson~~  
Addie L. Greene, Chairperson

APPROVED AS TO TERMS  
AND CONDITIONS

Charles Rich  
Engineering

CHARLES S. WHITESIDE, INC.  
Contractor

By: \_\_\_\_\_  
Name and Title  
**JOHN M. EVERETT**  
**PRESIDENT**