## PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

#### **AGENDA ITEM SUMMARY**

Meeting Date: March 11, 2008 [X] Consent [ ] Regular [ ] Workshop [ ] Public Hearing				
Department: Submitted By: Engineering & Public Works Submitted For: Traffic Division				
I. EXECUTIVE BRIEF  Motion and Title: Staff recommends motion to adopt: A Resolution approving Amendment 1 of the Joint Participation Agreement (R-2007-620) (JPA) with the Florida Department of Transportation (FDOT) for the design and construction of small traffic related projects.				
<b>Summary:</b> The original Agreement provided \$500,000 annual funding for small projects from FY 2007/2008 through FY 2011/2012 for a total of \$2,500,000. The Amendment will reduce the funding to \$365,000 for FY 2008/2009 through FY 2011/2012 for a total of \$1,960,000. This JPA allows Palm Beach County to accomplish small traffic related projects for the FDOT, when requested, and to be reimbursed for the work. Funds will be established through the annual budget process.				
District: 7 (MRE)				
<b>Background and Justification:</b> The County's Traffic Division maintains all of the traffic signals on the State system in the County other than the Town of Palm Beach and the City of Boca Raton. The County has the staff and expertise to design, construct, install and modify traffic control devices. In addition, we can do pathway work and minor intersection improvements. Through this JPA, the County can accomplish small projects at the request of the State and be reimbursed for the work. The funding for the Agreement is being reduced due to budget constraints at FDOT.				
Attachments: 1. Resolutions 2. Joint Participation Agreement (JPA)				
======================================				
Recommended By: Van Veesby 02/01/2008  Division Director Date				
Approved By: County Engineer Date				

### II. FISCAL IMPACT ANALYSIS

## A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	0-	<u>-0-</u>
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	\$ -0-	-0-	-0-	0-	-0-
# ADDITIONAL FTE					
POSITIONS (Cumulative)				-	
Is Item Included in Current	Budget?	Yes		No .	
Budget Acct No.: Fund	Dept	UnitOb	ject		
Progr	ram				

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

This item has no additional fiscal impact.

The reduced funding will be implemented during the budget process for FY 2009.

C.	Departmental Fiscal Review:	. R. DWard 1(31/08	
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## III. REVIEW COMMENTS

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

<del>•••</del> •,,	2.13.08 2.13.08 2.13.08 2.13.08 2.13.08 2.13.08	Contract Dev. and Control
B.	Approved as to Form	This amendment complies with our review requirements.

Approved as to Form and Legal Sufficiency:

**Assistant County Attorney** 

C. Other Department Review:

**Department Director** 

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

I:\WP\AgendaPage2\Agnpgtwo2008\00150.Traff.fdot.jpa.No Impact

#### **RESOLUTION NO. R-2008 -**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING AMENDMENT ONE OF A JOINT PARTICIPATION AGREEMENT FOR PALM BEACH COUNTY CONCERNING THE DESIGN AND CONSTRUCTION OF SMALL PROJECTS THROUGHOUT PALM BEACH COUNTY

WHEREAS, the State of Florida Department of Transportation and Palm Beach County desire to amend the Joint Participation Agreement (JPA) to fund small roadway improvement projects, entered into by both parties on July 17, 2007, and

WHEREAS, this Amendment to the Agreement involvers Florida Department of Transportation funding small roadway improvement projects that would be implemented by Palm Beach County, and

WHEREAS, the State of Florida has requested Palm Beach County to execute and deliver to the State of Florida Department of Transportation the First Amendment to the Joint Participation Agreement, and

WHEREAS, The State of Florida reduce the annual funds for the Agreement from \$500,000 to \$365,000 for FY 2008/2009 through FY 2011/2012.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the Chairperson is hereby authorized to execute, and deliver to the State of Florida, Department of Transportation, the First Amendment to the aforementioned Joint Participation Agreement.

- 1. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
- This Resolution will take effect upon its adoption.

  The foregoing Resolution was offered by Commissioner

  who moved its adoption. The motion was seconded by Commissioner

  , and upon being put to a vote, was as follows:

ADDIE L. GREENE, CHAIRPER	SON -
JOHN F. KOONS, VICE CHAIR	<del>-</del>
KAREN T. MARCUS	
ROBJERT J. KANJIAN	
MARY McCARTY	- · · · · · · · · · · · · · · · · · · ·
BURT AARONSON	
JESS R. SANTAMARIA	-
The Chairperson thereupon declar	red the Resolution duly passed and adopted
this, 2008.	
	PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS
APPROVED AS TO FORM AND LEGAL SUFFICIENTY	SHARON R. BOCK, CLERK & COMPTROLLER PALM BEACH COUNTY
By:	By:
LOUBLY AHOTHEV	( 'letk

Contract No.: AOU-43 FM No: 229765-2-54-01 Vendor No: VF 596-000-785

# STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND PALM BEACH COUNTY JOINT PARTICIPATION AGREEMENT AMENDMENT NUMBER ONE

THIS AMENDMENT, made and entered into this \_\_\_\_day of\_\_\_\_\_, 200\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter called the DEPARTMENT, and PALM BEACH COUNTY, located at 2300 NORTH JOG ROAD, WEST PALM BEACH, FLORIDA 33411, hereinafter called the COUNTY.

#### WITNESSETH

WHEREAS, on <u>July 17, 2007</u>, the parties entered into a Joint Participation Agreement, hereinafter referred to as the AGREEMENT, wherein the COUNTY agreed to provide certain improvements in connection with the Design, Construction, Installation, Fabrication, and Modification of certain traffic control devices within Palm Beach County, Florida for FM# 229765-2-54-01 and hereinafter referred to as the **PROJECT**, and,

WHEREAS, the parties desire to amend the AGREEMENT; and

WHEREAS, the parties hereto mutually agree that this amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend that certain Joint Participation Agreement dated <u>July 17, 2007</u>, as follows:

- 1. The recitals set forth above are true and correct and are deemed incorporated herein.
- 2. This Amendment reduces the funding by the **DEPARTMENT** to the **COUNTY** needed to support the design, construction, installation, fabrication, and modification of certain traffic control devices in Palm Beach County in the amount of **FIVE HUNDRED FORTY THOUSAND DOLLARS** (\$540,000.00). The total compensation to the **COUNTY** shall be in the amount of **ONE MILLION NINE HUNDRED SIXTY THOUSAND DOLLARS** (\$1,960,000.00) for all services required under the Agreement. The **DEPARTMENT'S** obligation to pay is contingent upon an annual appropriation by the Florida Legislature.
- 3. The table shown in paragraph 9 of the Agreement is amended to read as follows:

Pages 1

Fiscal Year	Original Agreement	Amendment No. 1	Total Department Contribution
2007/2008	\$500,000.00	\$0.00	\$500,000.00
2008/2009	\$500,000.00	(\$135,000.00)	\$365,000.00
2009/2010	\$500,000.00	(\$135,000.00)	\$365,000.00
2010/2011	\$500,000.00	(\$135,000.00)	\$365,000.00
2011/2012	\$500,000.00	(\$135,000.00)	\$365,000.00
Total	\$2,500,000.00	(\$540,000.00)	\$1,960,000.00

All provisions, covenants, terms and conditions of the AGREEMENT between the parties theretofore entered into of <u>July 17, 2007</u>, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

IN WITNESS WHEREOF, this a purposes specified herein. Authorization has Resolution No, hereto atta	AMENDMENT to be executed by the parties below for the been give to enter into and execute this Amendment by ached.
PALM BEACH COUNTY, Florida, A Political Subdivision of the State of Florida BOARD OF COUNTY COMMISSIONERS	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
BY:NAME: ADDIE L. GREENE, TITLE: CHAIRPERSONday of, 20	BY: ROSIELYN QUIROZ DIRECTOR OF TRANSPORTATION SUPPORT
ATTEST: SHARON R. BOCK	APPROVED: (AS TO FORM)
CLERK & COMPTROLLER (SEAL) CIRCUIT COURT	BY: DISTRICT GENERAL COUNSEL

# APPROVED AS TO FORM AND LEGAL SUFFICIENCY

**APPROVED:** 

BY:	BY:
COUNTY ATTORNEY	PROFESSIONAL SERVICES ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

BY: Dan Kusbey