

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-	-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	\$ -0-	-0-	-0-	-0-	-0-

ADDITIONAL FTE

POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____

No _____

Budget Acct No.: Fund _____ Dept. _____ Unit _____ Object _____
Program _____

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. D. Ward 1/31/08

III. REVIEW COMMENTS

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

[Signature] 2-13-08
OFMB
2/12/08
2/13/08
2/17/08

[Signature] 2/14/08
Contract Dev. and Control

This amendment complies with
our review requirements.

B. Approved as to Form and Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

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

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 involves 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.

2. 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, CHAIRPERSON -
- JOHN F. KOONS, VICE CHAIR -
- KAREN T. MARCUS -
- ROBJERT J. KANJIAN -
- MARY McCARTY -
- BURT AARONSON -
- JESS R. SANTAMARIA -

The Chairperson thereupon declared the Resolution duly passed and adopted
this ____ day of _____, 2008.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

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

SHARON R. BOCK, CLERK &
COMPTROLLER
PALM BEACH COUNTY

By: _____
County Attorney

By: _____
Clerk

**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 **July 17, 2007**, 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 **July 17, 2007**, 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:

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 July 17, 2007, 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 AMENDMENT to be executed by the parties below for the purposes specified herein. Authorization has been give to enter into and execute this Amendment by Resolution No. _____, hereto attached.

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: **CHAIRPERSON**
_____ day 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: _____
COUNTY ATTORNEY

BY: _____
PROFESSIONAL SERVICES ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

BY: *Dan Nesbitt*