

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date: April 15, 2008		onsent /orkshop	[] Regular [] Public Hearing	
Department:		•	-	
Submitted By: Department of Airp	oorts			
Submitted For:				
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<u>i. EXE</u>	CUTIVE I	BRIEF		
Motion and Title: Staff recommends in Traveler Services Center Concession A (PBIA) with Apolodor Corporation, ex September 30, 2008.	greemer	nt at Palm	Beach International Air	port
Summary: On December 17, 2002, the Board approved a Traveler Services Center Concession Agreement (R2002-2260) with Apolodor Corporation. Under the current Concession Agreement, Apolodor Corporation provides traveler services for the passengers at the Airport, including Florida Lottery ticket sales, postage, foreign currency exchange and automated teller machines (ATMs). The Amendment provides for the extension of the term of the Concession Agreement to September 30, 2008, and payment of a month privilege fee of \$1,064 to the County. The Department is recommending extension of the Concession Agreement to provide additional time to prepare a separate ATM Request for Submittal. Countywide (AH) .				
Background and Justification: The Concession Agreement is being extended pursuant to Section 2-54(b) of the Purchasing Code, which authorizes an extension of the term of certain contracts when it is beneficial to the interest of the County. On November 6, 2007, the Board approved a Retail Concession Agreement (R2007-2052) with Paradies-Palm Beach, LLC, which includes the provision of traveler services upon request of the County. The Department intends to prepare a separate competitive solicitation for ATM services and a contract amendment to the Retail Concession Agreement to require Paradies to provide traveler services consistent with its retail operations.				
Attachment: 1. First Amendment to Traveler Services Center Concession Agreement (2)				
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Recommended By:	//2	Uz_	3/17/08	_
Depa	rtment-D	rector	Date	

Approved By: _

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fisc	cal Impact:					
Fiscal Years	2008	2009	<u>2010</u>	<u>2011</u>	<u>2012</u>	
Capital Expenditures Operating Costs Operating Revenues Program Income (County) In-Kind Match (County)	(5,323)					
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)	(5,323)	0			0	
Is Item Included in Current Bu Budget Account No: Fund	4100 Depa	s No rtment <u>120</u> orting Catego		_ R Source	e <u>4469</u>	
B. Recommended Sources of	Funds/Sumi	mary of Fisca	l Impact:			
Approval of the amendmen	nt will provide	additional reve	enues of \$5,32	23.		
C. Departmental Fiscal Revie	w:	mill S	June	<u>-</u>		
III. REVIEW COMMENTS						
A. OFMB Fiscal and/or Contra The original term of the extend the agreement OFMB & 10 3/0/108 03/19	agreement Hhrough Septe -	is May 1, 20 mber 30, 2005 Con	tract Dey. an	ts: por 1 30,2008. facolitication d. Control 6. Jan. 3/24/2	The amendment will 3124/05	
B. Legal Sufficiency: Once Odelant 3/3 Assistant County Attorney	<u>110</u> 8	1 0	his amendment cour review require	omplies with ments.		
C. Other Department Review:						
Department Director						
REVISED 9/03 ADM FORM 01 (THIS SUMMARY IS NOT TO BE USE	D AS A BASIS I	FOR PAYMENT)				

FIRST AMENDMENT TO TRAVELER SERVICES CENTER CONCESSION AGREEMENT

THIS FIRST AMENDMENT TO TRAVELER SERVICES CENTER

CONCESSION AGREEMENT (this "Amendment") is made and entered into this <u>27</u> day of <u>FEB</u>, 2008, by and between Palm Beach County, a political subdivision of the State of Florida ("COUNTY"), and Apolodor Corporation, a Florida corporation, located at 1000 Palm Beach International Airport, Suite 103, West Palm Beach, FL 33406 ("CONCESSIONAIRE").

WITNESSETH:

WHEREAS, COUNTY, by and through its Department of Airports (the "Department") owns and operates Palm Beach International Airport (the "Airport") located in Palm Beach County, Florida; and

WHEREAS, COUNTY and CONCESSIONAIRE entered into that certain Traveler Services Center Concession Agreement dated December 17, 2002, (the "Agreement") (R2002-2260), whereby CONCESSIONAIRE agreed to operate and manage the Traveler Services Center Concession at the Airport; and

WHEREAS, the parties desire to amend the Agreement to extend the term of the Agreement to ensure that certain services remain available for use by passengers and the public at the Airport; and

WHEREAS, the Palm Beach County Board of County Commissioners hereby determines that the extension of term of the Agreement is beneficial to the interest of COUNTY.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained and for such other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

- 1. The recitals set forth above are true and correct and incorporated herein by this reference. Terms not defined herein shall have the meaning ascribed to them in the Agreement.
- 2. Article 2.03 of the Agreement is hereby deleted in its entirety and replaced with the following:

The term of this Agreement shall commence on May 1, 2003 ("Commencement Date"), and terminate on September 30, 2008 ("Term), unless sooner terminated as provided herein.

3. Article 4.01(B) of the Agreement is hereby deleted in its entirety and replaced with the following:

<u>Privilege Fees During the Term.</u> Effective upon the Commencement Date and throughout the Term of this Agreement, CONCESSIONAIRE shall pay to COUNTY the following Privilege Fees payable in advance, without demand, in equal monthly installments set forth below on or before the first day of each and every month with the first such installment being due on May 1, 2003:

May 1, 2003 through April 30, 2004	\$10,020.00
May 1, 2004 through April 30, 2005	\$10,521.00
May 1, 2005 through April 30, 2006	\$10,321.00
May 1, 2006 through April 30, 2007	-
May 1, 2007 through April 30, 2008	\$11,589.48
May 1, 2008 through September 20, 2008	\$12,168.96
1, 2008 unough September 20, 2008	\$5,323,92

- 4. Except as specifically modified herein, all terms and conditions of the Agreement shall remain in full force and effect and are hereby ratified and confirmed by the parties hereto.
- 5. This Amendment shall be considered effective when signed by all parties and approved by the Palm Beach County Board of County Commissioners.

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on the day and year first written above.

ATTEST: Sharon R. Bock, Clerk and Controller	PALM BEACH COUNTY, a political subdivision of the State of Florida, by its Board of County Commissioners
By: Deputy Clerk	By:Addie L. Greene, Chairperson
(SEAL)	
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS
By:County Attorney	By: Director - Department of Airports
ATTEST: Signed, sealed and delivered in the Presence of two witnesses:	CONCESSIONAIRE: APOLODOR CORPORATION
Signature) B	
Name (type or print) A SAVOY Mame (type or print)	LADISLAY PATAUT Name (type or print) PRESIDENT
(Signature) Name (type or print)	Title

(SEAL)