PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

| Meeting Date: | August 19, 2008 | [X] Consent [] Ordinance | [] Regular [] Public Hearing | |
|--|---|--|--|--|
| Department: Submitted By: Submitted For: | Engineering & Public V | Works Department | | |
| | I. EXEC | UTIVE BRIEF | | |
| with Boca 54 North for the State of Floroadway improvements. Summary: This An roadway improvement North LLC and Palm | LLC extending the terminal orida Office of Tourism, cents associated with the new mendment will allow additional required for the Office on Beach County (County) | nation date from August Trade, and Economic D w Office Depot Headqua onal time for Boca 54 No Depot Headquarters and to process reimbursement | nent No. 1 to the agreement 1, 2008 to February 1, 2009 Development funded off-site arters. The LLC to complete off-site 1 additional time for Boca 54 to the improvements. The oment Transportation Funds. | |
| District 4 (MRE) | | | | |
| Boca 54 North LLC to \$2,000,000 for of funds provided by Pa Funds from the State | and the County by Resolut f-site roadway improveme alm Beach County will be r e of Florida Office of Tou | tion R2007-1065. The agents required for the Office eimbursed by Economic larism, Trade, and Economic larism, and Economic laris | ement was approved between greement provides funds of up to Depot Headquarters. The Development Transportation in Development. The time site roadway improvements. | |
| Attachments: | | | | |
| Location Amendm | Map ent No. 1 (3) | | | |
| Recommended by: | | | | |
| | Division Direct | or | Date | |
| Approved by: | 5, 1, WJ | ble e | 3/04/08 | |
| | J County Engine | er | 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--0-**External Revenues** -0--0--0--0--0-**Program Income (County)** -0-<u>-0-</u> -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. C. Departmental Fiscal Review: III. REVIEW COMMENTS A. OFMB Fiscal and/or Contract Dev. and Control Comments: Contract Dev. and Control The "braff" Americant complies with our New Will Meggenements. atwillhite 8

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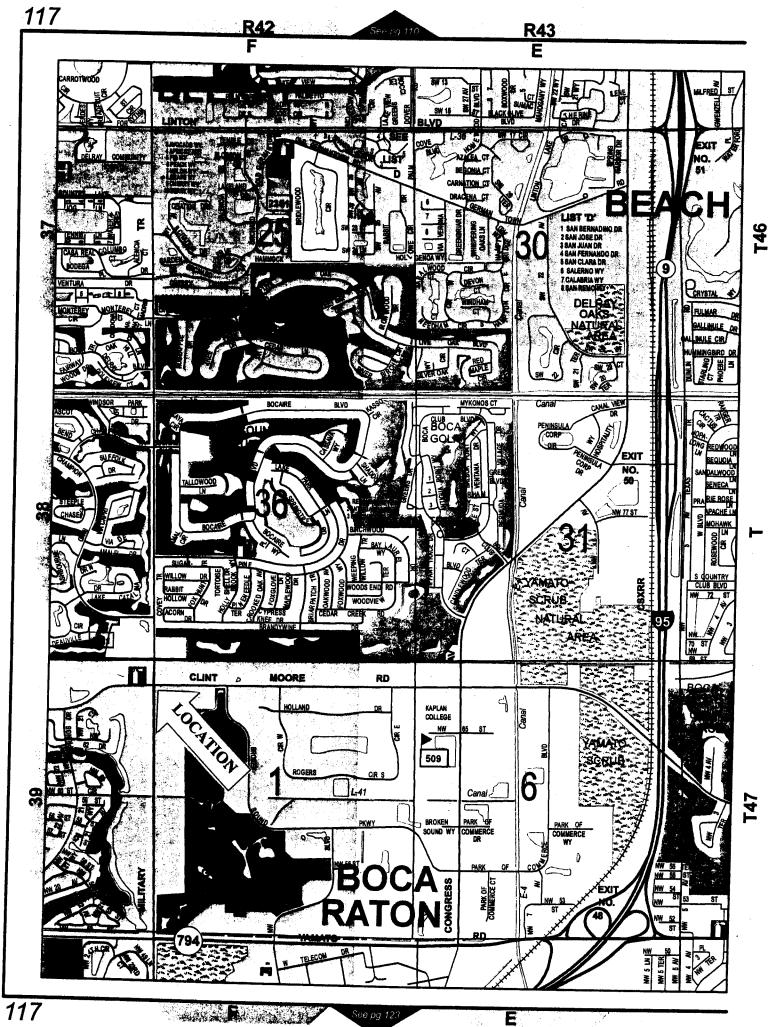
Approved as to Form and Legal Sufficiency:

C. Other Department Review:

Department Director

I:\WP\AgendaPage2\Agnpgtwo2008\.no impact

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



AMENDMENT TO JOINT PROJECT AGREEMENT BETWEEN PALM BEACH COUNTY AND BOCA 54 NORTH LLC FOR OFF-SITE ROADWAY IMPROVEMENTS

| | THIS AMENDMENT made and entered into this day of, 2008, by and |
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| betw | een THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, a political |
| subd | ivision of the State of Florida, hereinafter referred to as the "COUNTY" and BOCA 54 NORTH LLC, a |
| limite | ed liability company existing under the laws of the State of Delaware and authorized to transact |
| busin | ess in the State of Florida, hereinafter referred to as the "BOCA 54". |
| | WITNESSETH |
| | WHEREAS, onthe BOCA 54 and the COUNTY entered into an |
| Agree | ement (R) hereinafter, "Agreement" to provide Please fill in the |
| | ose and the funding amount, if applicable for original agreement ; and |
| | WHEREAS, the BOCA 54 has requested modification of the Agreement extending the |
| time o | of completion from, 2008 to, 2009; and |
| | WHEREAS, the COUNTY and BOCA 54 desire to amend the Agreement and agree that |
| this A | amendment shall relate back to the Agreement dated, 200_ (R) and |
| | nued without interruption nor lapse; and |
| | NOW, THEREFORE, in consideration of mutual covenants, promises, and agreements |
| contai | ned herein, the parties agree as follows: |
| 1. | The COUNTY and BOCA 54 agree that the amendment shall relate back to the |
| | Agreement dated, 200_, by and between the COUNTY and BOCA 54 and shall |
| | continue in full force and effect, without interruption or lapse. |
| 2. | The Agreement is hereby amended to revise paragraph as follows: |
| | BOCA 54 shall use its commercially reasonable efforts to complete construction of the IMPROVEMENTS prior to, 2008. Should construction not be completed prior to that date, this Agreement will terminate unless extended by the parties. |

| 3. | It is the intent of the parties hereto that this Amendment shall not become binding until | | | |
|----|---|--|--|--|
| | the date executed by the Board of County Commissioners of Palm Beach County. | | | |
| 4. | All other provisions of the Inter-local Agreement (R) dated, 2008 not | | | |
| | specifically amended herein shall remain in full force and effect. | | | |
| | | | | |
| | IN WITNESS WHEREOF, the parties have executed this Amendment and it is effective | | | |
| | on the date first above written. | | | |
| | | | | |
| | | | | |

(REMAINDER OF PAGE LEFT BLANK)

| Ву: | Ву: | |
|-------------------------|-----------------------------|--|
| | Addie L. Greene Chairperson | |
| | | |
| | | |
| ATTEST: | ATTEST: | |
| | SHARON R. BOCK, CLERK | |
| By: | Ву: | |
| Secretary | Deputy Clerk | |
| | | |
| | | |
| APPROVED AS TO FORM AND | APPROVED AS TO FORM AND | |
| LEGAL SUFFICIENCY | LEGAL SUFFICIENCY | |
| | | |
| | | |
| Ву: | Ву: | |
| BOCA 54 Attorney | Assistant County Attorney | |

| Jale: | Date: |
|-------|----------------------|
| | |
| | |
| | APPROVED AS TO TERMS |
| | AND CONDITIONS |
| | Ву: |
| | Date: |

Date: _