

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: **January 13, 2009**

Consent
 Ordinance

Regular
 Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: First Amendment to Agreement (R2007-1736) with the City of Lake Worth for funding of Northwest Park ballfield improvements.

Summary: This fully executed First Amendment to Agreement in an amount not-to-exceed \$37,000 amends the project time frame from August 1, 2007, through September 1, 2008, to February 1, 2007, through March 1, 2009, in order to accommodate dates of payment, allow additional time to complete the project, and accomplish completion of the reimbursement process. The Amendment is in accordance with Resolution R2005-1738 authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement, including the funding amount, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 3 Funds. District 3 (AH)

Background and Justification: Resolution R-2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

Attachment: First Amendment to Agreement

Recommended by: 

Department Director

12/17/08
Date

Approved by: 

Assistant County Administrator

1/15/09
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2009	2010	2011	2012	2013
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ Program _____

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

This Amendment is for a project time frame extension only, and has no additional fiscal impact to Palm Beach County. The budget account number for the original Agreement is 3600-583-R903-044-8101 (KPO 583 PRRP101507*4).

C. Departmental Fiscal Review: Chopelakis

III. REVIEW COMMENTS

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

<p><u> Jim D... </u> OFMB 12-24-08 Adv 12/22 ST 12/23/08</p>	<p><u> Dan J. ... </u> Contract Development & Control 12/24/08</p>
--	--

B. Legal Sufficiency:

 [Signature]
 Assistant County Attorney
 1-5-09

C. Other Department Review:

 Department Director

REVISED 10/95
 ADM FORM 01

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

FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF LAKE WORTH FOR FUNDING OF NORTHWEST PARK BALLFIELD IMPROVEMENTS

THIS AMENDMENT is entered into on _____, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and the City of Lake Worth, a Florida municipal corporation, herein referred to as "Lake Worth".

WITNESSETH:

WHEREAS, on October 2, 2007, County entered into an Agreement (R-2007-1736) with Lake Worth, hereinafter referred to as the "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$37,000 to assist with the funding of Northwest Park ballfield improvements, hereinafter referred to as the "Project"; and

WHEREAS, Lake Worth has requested that County amend the Project time frame from August 1, 2007, through September 1, 2008, to February 1, 2007, through March 1, 2009, in order to allow for the reimbursement of all eligible invoices and accommodate the necessary time for the reimbursement process; and

WHEREAS, the Project will benefit all citizens of Palm Beach County.

NOW THEREFORE, the parties hereby agree as follows:

- 1. The first sentence of Section 3 of the Agreement is amended to read, "Lake Worth incurred expenses for the Project beginning on February, 1, 2007. Those costs incurred by Lake Worth for the Project, approved and submitted accordingly by Lake Worth subsequent to February 1, 2007, are eligible for reimbursement by County pursuant to the terms and conditions hereof.
2. The first sentence of Section 10 of the Agreement is amended to read, "Lake Worth shall complete the project by March 1, 2009, and invoices and checks and/or proof of payments submitted for reimbursement must be dated within the Project time frame of February 1, 2007, through March 1, 2009."
3. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

WITNESSES:

Handwritten signatures for witnesses: Susan W. Y... and Vanessa Bennett

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

By: Dennis L. Eshleman, Director Parks and Recreation Department

ATTEST:

Crystal A. Hall and Pamela Lopez (witnesses)

CITY OF LAKE WORTH



Name (Type or Print) ... CLEMENS

Mayor

Signature

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: [Signature] County Attorney

By: Dennis L. Eshleman, Director Parks and Recreation Department