

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2009 | 2010 | 2011 | 2012 | 2013 |
|---|------------------|------------|------------|------------|------------|
| Capital Expenditures | \$400,000 | -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 | \$400,000 | -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:

| | FY 2007 Allocations | Prior Expenditures | Fy 2009 Allocations | Potential Fiscal Impact |
|---------------|------------------------|-----------------------|------------------------|----------------------------|
| Road & Bridge | \$100,000 | \$84,623 | \$400,000 | \$415,377 |

Allocations are a not to exceed amount and can be expended from various accounting lines for various projects where budget is available.

C. Departmental Fiscal Review:

[Signature]

III. REVIEW COMMENTS

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

[Signature] 2/13/09
OFMB
2/13/09 SN 2/11/09 CN 2/10/09

[Signature] 2/13/09
Contract Dev. and Control
6. Jan 2/13/09

B. Approved as to Form and Legal Sufficiency:

[Signature] 2/17/09
Assistant County Attorney

This amendment complies with
our review requirements.

C. Other Department Review:

Department Director

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

**AMENDMENT TO THE ANNUAL OPEN GRADED ASPHALT
PAVEMENT CONTRACT NO. 2007054, DATED MAY 15,
2007 AND EXTENDED SEPTEMBER 9, 2008, BY AND
BETWEEN FLORIDA HIGHWAY PRODUCTS, INC. AND
PALM BEACH COUNTY**

THIS AMENDMENT to the Annual Open Graded Asphalt Pavement Contract, dated May 15, 2007 (R2007-0735) and extended September 9, 2008 (R2008-1411), hereinafter "CONTRACT", by and between Florida Highway Products, Inc., hereinafter "CONTRACTOR", and the BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter "COUNTY".

WITNESSETH

WHEREAS, on May 15, 2007, the CONTRACTOR and COUNTY entered into an Annual Open Graded Asphalt Pavement Contract for paving local roads throughout Palm Beach County; and

WHEREAS, on September 9, 2008, the CONTRACTOR and COUNTY agreed to extension of the contract period through September 30, 2009; and

WHEREAS, Section 40 of the contract provides that change orders to the contract shall be approved in accordance with existing COUNTY policy; and

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, the parties agree as follows:

1. The above recitations are true and correct and incorporated herein.
2. The CONTRACT, dated May 15, 2007 and extended, September 9, 2008, between the CONTRACTOR and the COUNTY is hereby amended to increase the Contract amount by \$400,000, to a total of \$500,000.
3. The CONTRACT, page C-1 dated May 15, 2007, between the CONTRACTOR and the COUNTY is hereby amended as follows:

WITNESSETH: The Contractor agrees with the County, for the consideration herein mentioned at his, its or their own proper cost and expense to do all the work and furnish all necessary labor, materials, equipment, machinery, tools, apparatus, services, state workmen's compensation and unemployment compensation taxes incurred in the performance of the contract, for the:

ANNUAL OPEN GRADED ASPHALT PAVEMENT CONTRACT,

PALM BEACH COUNTY PROJECT NO. 2007054

IN THE AMOUNTS specified in task orders which may be issued by the County under Section No. 23 and the other terms of the Contract Documents. The County is not required to issue any task orders hereunder. The maximum value of orders issued under the existing Contract, together with this Amendment and previous change orders,

shall not, in any case, exceed Five Hundred Thousand Dollars (\$500,000) (except as may be increased according to Section #40 of the Contract Specifications).

The Contract Documents relative hereto are made a part of this agreement as completely as if set forth herein to the satisfaction of the COUNTY or its' duly authorized representative.

4. It is the intent of the parties hereto that this Agreement shall not become binding until the date executed by the Board of County Commissioners of Palm Beach County.

5. All other provisions of the Annual Open Graded Asphalt Pavement Contract, dated May 15, 2007, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed and sealed this _____ day of _____, 2009.

FLORIDA HIGHWAY PRODUCTS, INC.

PALM BEACH COUNTY
ITS' BOARD OF COUNTY
COMMISSIONERS

By: 
Signature

By: _____
John F. Koons, Chairman

Robert H. Maggard, President
Print Name & Title

ATTEST:

ATTEST:
SHARON R. BOCK, CLERK &
COMPTROLLER

By: 
Signature

By: _____
Deputy Clerk

Controller
Print Name & Title

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: Charles Rich
Engineering