

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 6, 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 approve: First Amendment to Agreement (R2009-1298) with the City of Pahokee for City Recreation Complex Improvements to increase funding from \$30,100 to \$36,100; to extend the project completion date from September 30, 2009, to December 30, 2009; and to provide a revised Exhibit A and cost estimate.

Summary: This Amendment increases the amount of funding for City Recreation Complex Improvements by \$6,000 for a total project amount not-to-exceed \$36,100 and extends the project completion date from September 30, 2009, to December 30, 2009. The Amendment also allows for the expansion of project elements to include air conditioning of the Recreation Center's gymnasium, includes a revised Exhibit A, and provides for an increase in the project cost estimate. All other terms of the Agreement remain the same. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

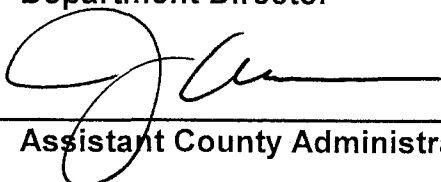
Background and Justification: This First Amendment to Agreement with the City of Pahokee is required in order to increase the amount of County funding for this City recreational project, allow more time for the City to complete the project and reimbursement process, and to accommodate expenditure dates for all project elements, including an additional air conditioning system for the Recreation Center gymnasium.

The additional air conditioner for the gymnasium increased total project cost from \$47,254 to \$62,254. This additional \$6,000 from District 6 RAP funding raises the County project contribution from \$30,100 to \$36,100 to help offset project expenses. The Amendment has been executed on behalf of the City of Pahokee, and now needs to be approved by the Board of County Commissioners.

Attachment: First Amendment to Agreement

Recommended by: 
Department Director

9-15-09
Date

Approved by: 
Assistant County Administrator

9/28/09
Date

FIRST AMENDMENT TO AGREEMENT (R-2009-1298) BETWEEN PALM BEACH COUNTY AND CITY OF PAHOKEE FOR FUNDING OF CITY RECREATION COMPLEX 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 Pahokee, a Florida Municipal Corporation, herein referred to as "Pahokee".

WITNESSETH:

WHEREAS, on August 18, 2009, County entered into an Agreement (R-2009-1298) with Pahokee, hereinafter referred to as the "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$30,100 to assist with the cost of City Recreation Complex improvements, hereinafter referred to as the "Project"; and

WHEREAS, Pahokee has requested that County increase the amount of funding for the Project by \$6,000 for a total amount of County funding of \$36,100; and

WHEREAS, additional funding for the Project in an amount not-to-exceed \$6,000 is available from the Recreation Assistance Program (RAP) – District 6; and

WHEREAS, it is necessary to amend the Agreement to extend the project completion date in order to allow for sufficient time for project completion and submission of reimbursement documentation to the County; and

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

NOW THEREFORE, the parties hereby agree as follows:

1. The second "Whereas" paragraph is amended to read, "**WHEREAS**, Pahokee is providing improvements to the City Recreation Complex to include constructing an audio/visual facility, purchasing audio/visual production equipment, providing landscape improvements, replacing the administrative complex and gymnasium air conditioning systems, replacing the main drainage, repairing the water line to the meter, and providing other miscellaneous improvements and repairs; and"
2. The sixth "Whereas" paragraph is amended to read, "**WHEREAS**, the total cost of improvements to the City Recreation Complex is anticipated to be approximately \$62,254 for building materials, labor, landscaping, audio/visual equipment purchase, air conditioning system purchases and installations, drainage and water lines, and other miscellaneous expenses; and"
3. The seventh "Whereas" paragraph is amended to read, "**WHEREAS**, Pahokee has requested that County provide \$36,100 to help offset expenses for City Recreation Complex Improvements; and"
4. The eighth "Whereas" paragraph is amended to read, "**WHEREAS**, County desires to provide Pahokee \$36,100 for improvements to the City Recreation Complex; and"
5. The ninth "Whereas" paragraph is amended to read, "**WHEREAS**, funding for improvements to the City Recreation Complex in an amount not-to-exceed \$36,100 is available from the Recreation Assistance Program (RAP) District 6; and"
6. Section 1 of the Agreement is amended to read: "County agrees to fund an amount not-to-exceed \$36,100 to Pahokee for Improvements to the City Recreation Complex for building materials, labor, landscaping, audio/visual equipment purchase, air conditioning system purchases and installations, drainage and water lines, and other miscellaneous expenses, as set forth in the revised Exhibit "A", attached hereto and incorporated herein, hereinafter referred to as the "Project".

7. Section 7 of the Agreement is amended to read: "The term of this Agreement shall be until December 30, 2009, commencing upon the date of execution by the parties hereto".
8. Section 10 of the Agreement is amended to read: "Pahokee shall complete the Project by September 30, 2009, and invoices and checks or proof of payment submitted for reimbursement must be dated within the project time frame of October 1, 2008, through September 30, 2009. Pahokee shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before December 30, 2009. Upon written notification to County at least ninety (90) days prior to that date Pahokee may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny Pahokee's request for said extension.
9. 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.

ATTEST:

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

Sharon R. Bock, Clerk & Comptroller

Commissioner John F. Koons, Chairman

ATTEST:

CITY OF PAHOKEE

By: 
City Clerk

By: 
Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

APPROVED AS TO TERMS AND CONDITIONS

By: _____
County Attorney

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

**Recreation Assistance Program (RAP)
Exhibit "A" to Agreement**

Name of Municipality: City of Pahokee

Mailing Address: 171 North Lake Avenue, Pahokee, Florida 33476

Name of Mayor: Wayne Whitaker

Name of City Manager: Matthew Brock

Project Liaison Information:

Name: Herbert Crawford

Telephone #: (561) 924-2972 ext 223

Fax #: (561) 924-7645

e-mail: hjcrawford@cityofpahokee.com

PROJECT INFORMATION

1. Name of Project: *City Recreation Complex Audio/Visual Production Equipment purchase, Facility construction, and other miscellaneous City Recreation Complex improvements and air conditioning system purchase*
2. Project Description
- General (Project Scope): This project will create an audio/facility where both the children and elders can enjoy aspects of multi-media technology and experience twenty-first century audio visual and visual production equipment. *The project also includes miscellaneous City Recreation Complex improvements including air condition purchase and installation and waterline/ drainage repairs*
 - Public Purpose: This facility will allow the children participating in the after school program and the elders that participate in our senior's program hands on experience with this equipment. They will have an opportunity to learn audio and video production. *The air conditioning of the gymnasium will allow for more comfortable play.*
 - Location: Parks & Recreation Center located at 360 East Main Street, Pahokee, FL: *- i.e. City Recreation Complex (includes administrative offices and gymnasium).*
 - Anticipated Number of Participants/Users: The after school program has a daily attendance of approximately 150 children and about 60 senior citizens three times a week.

3. Project Elements: List anticipated broad categories of Expenditure Items such as capital outlay, contractual services, personnel costs, operational expenses, equipment, and "Other Miscellaneous Project expenses". Do not include expenditure line item budget/amounts.

Building Material
Labor/ Installations
Landscaping
Equipment - *Audio/Visual, Air Conditioners, Drainage and WATER LINES*
Miscellaneous expenses

4. Estimated Lump Sum for Project: **\$62,254**

5. Project Initiation date (date of first invoice for which reimbursement will be Requested) and anticipated End date (date which project will be completed and all invoices paid). October 1, 2008 to: September 30, 2009

Note: Invoices and copies of proof of payment documents will be required for Project/Program reimbursement after the RAP Agreement is approved by the Board of County Commissioners. Do not submit reimbursement documentation at this time. After the Agreement is approved, and the reimbursement request is submitted, all invoices and checks must be dated within the stated project time frame AND Categories for Project Elements must be listed in Section 3 above in order to be eligible for RAP reimbursement.

6. Required Attachments:
Certificate of Insurance (see attached)
Amount of Recreation Assistance Program Funding awarded

\$ 36,100

District 6
(filled in by County)