

AGENDA ITEM  
CONTAINS MORE THAN 50 PAGES  
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COUNTY ADMINISTRATION

Agenda Item No.:

3A-1

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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Meeting Date:	November 3, 2009	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Workshop	<input type="checkbox"/> Public Hearing
Department:	Administration		
Submitted By:	Economic Development Office		

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: A) Amendment No. 3 to the Business Development Board of Palm Beach County Inc. (BDB) five-year Agreement (R2006-1998) in accordance with Board direction reducing the annual grant amount by 5% from \$980,495 to \$931,470 for the remaining two year term of October 1, 2009 to September 30, 2011; and B) modification to The Scope of Services for FY 2010.

**Summary:** The Board of County Commissioners entered into an Agreement with the BDB to provide business recruitment assistance, business retention activities and business expansion services in Palm Beach County. Palm Beach County and the BDB entered into a public-private partnership to promote the County, attract new businesses and assist in creating new industries in the County. The Agreement period is from October 1, 2006 through September 30, 2011 and it is in the fourth year of the term. This reduction is required to bring the annual amount in the Agreement in line with the approved FY2009 – FY2010 budget. The Scope of Services modifications include: continue to organize and host the Aviation/Aerospace, Communications/IT, Life Science and Green Energy Task forces focused on nurturing the expansion and relocation of companies that fall within the "Industries of the Mind" clusters; participate in initiatives focused on economic development in the Glades region of Palm Beach County; and explore potential opportunities in the NASA program as they downsize and realign their Florida operations.  
**Countywide (DW)**

**Background and Policy Issues:** Since 1982 the Board of County Commissioners has partially funded activities of the Business Development Board of Palm Beach County, Inc., (BDB) that provides for business development activities. In 2008-2009, the BDB completed 21 expansion and relocation projects. The projected impact from these business projects are \$33.2 million in capital investment and \$100 million in overall impact on the economy.

**Attachments:**

Grant Agreement  
Amendments to Agreement  
Scope of Services (Exhibit "A")

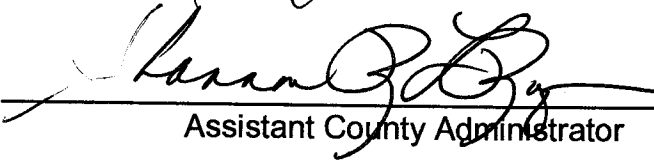
Recommended By:

  
Economic Development Director

Date

10/21/09

Approved By:

  
Assistant County Administrator

Date

10/27/09

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures					
Grant Expenditure	(49,025)	(49,025)			
Operating Revenues					
Program Income (PBC)					
In-Kind Match (PBC)					
NET FISCAL IMPACT	(49,025)	(49,025)			
# ADDITIONAL FTE POSITIONS					
(Cumulative)					

Is Item Included In Current Budget? Yes X No     

Fund 1539 Department 764 Unit 7150 Object 8201

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

The sources of funds for the \$931,470 are in the PBC Business Development Board line item.

C. Departmental Fiscal Review: *[Signature]* 9/28/09  
Economic Development

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Administration Comments:

*[Signature]* 10/6/09  
OFMB  
CN 9/30/09  
Back 10/15/09

*[Signature]* 10/26/09  
Contract Administration  
Done 10/23/09

### B. Legal Sufficiency:

This amendment complies with our review requirements.

\_\_\_\_\_  
Assistant County Attorney

### C. Other Department Review:

*[Signature]*  
Department Director

**AMENDMENT NO. 3 – TO CONTRACT (R 2006-1998)**  
**BETWEEN PALM BEACH COUNTY**  
**AND THE BUSINESS DEVELOPMENT BOARD OF PALM BEACH COUNTY, INC.**

THIS AMENDMENT NUMBER NO. 3, dated this \_\_\_\_\_ day of \_\_\_\_\_, 2009 to the Contract of September 12, 2006 by and between Palm Beach County, a political subdivision of the State of Florida, by and through its Board of Commissioners, hereinafter referred to as "COUNTY", and the BUSINESS DEVELOPMENT BOARD OF PALM BEACH COUNTY, INC., hereinafter referred to as the "BOARD."

WHEREAS, the parties entered into a Contract dated September 12, 2006 (R2006-1998) under which the BOARD is to provide general marketing and business recruitment activities, which include funding to focus on bio/life science clusters. Activities also include the recruiting, retaining and expanding of corporate headquarters and manufacturing facilities in Palm Beach County, providing a national advertising program for the County and promoting the County's Tax Exempt Bond Program.

WHEREAS, in accordance with Amendment No. 1 (R2008-2171) dated December 2, 2008 of the Contract, the COUNTY desires to decrease the funding for the remaining two years of the Contract from \$980,495 annually to \$931,470 annually for the period of October 1, 2009 through September 30, 2011;

WHEREAS, in accordance with Article 1 of the Contract the COUNTY desires to revise the Scope of Services (See Exhibit "A") for the period of October 1, 2009 through September 30, 2011;

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

1. The funding of the as set forth in Amendment No. 1 (R2008-2171) is reduced from \$980,495 annually to \$931,470 annually from October 1, 2009 through September 30, 2011.
2. The Scope of Services (see Exhibit "A") as set forth in Amendment No. 2 (R2008-2268) is revised for FY 2010.

Except as expressly modified above, the Contract is hereby confirmed and remains in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment No. 3 on behalf of the COUNTY and the Business Development Board of Palm Beach County, Inc. has hereunto set its hand the day and year above written.

ATTEST:

SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
John F. Koons, Chairman

WITNESS:

BUSINESS DEVELOPMENT BOARD OF  
PALM BEACH COUNTY, INC.

By: Munroe Harlan  
Signature

By: Kelly Smallwood  
President/CEO

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney

APPROVED AS TO  
TERMS AND CONDITIONS

[Signature]  
Department Director

**EXHIBIT "A" Scope of Services  
October 1, 2009 – September 30, 2010**



**BDB Economic Development Programs**

**Proposed Scope of Services  
October 1, 2009-September 30, 2010**

<b>2009-10 Economic Development Deliverables</b>	<b>Contract Requirements 2009-10</b>	<b>ACCOMPLISHED YTD</b>
Number of new businesses recruited to Palm Beach County	7	
Number of Expansion/Retention Projects	12	
Number of new Bio/Life Science Projects Recruited to Palm Beach County	2	
New Capital Investment to Palm Beach County from Relocations and Expansions	\$18 million	
Develop new interactive website promoting Palm Beach County to site selection consultants and CEOs looking to relocate or expand their business.	1	
Develop Shovel Ready Site Program for Palm Beach County to inventory all commercial land in Palm Beach County available for economic development opportunities.	1	
Produce collateral materials for the Shovel Ready Site Program and the Global Corporate Headquarters Program.	1	
Organize Palm Beach County Familiarization tour for selected national/international site consultants March 3-5, 2010	1	
Conduct an economic analysis report for official use by Palm Beach County's AAA bond rating	1	
Facilitate inbound visits by representatives of international diplomatic corps to promote international activity in Palm Beach County	4	
Promote, facilitate and review applications for the Industrial Revenue Bond Program.	2	
Raise private revenue to fund county economic development programs	\$932,000	
Participate in National/International Trade Shows to market Palm Beach County as a site for relocation		
Strategically promote Palm Beach County's business environment through advertising via national/international mediums	\$33,000	
Conduct local business climate survey and compile results for business, education and government entities to use as resource	1	
Participation in Educational/Workforce initiatives to align workforce needs of local industry with the educational providers	4	
Visit local companies through a structured Business Retention Program to assess needs.	100	
Participate in regional marketing initiatives related to economic development in eight county area.	4	
Production of research reports outlining local Industry Labor market trends, income/wage studies, new economy trends, etc.	Quarterly	

**EXHIBIT "A" Scope of Services  
October 1, 2009 – September 30, 2010.**

Represent Palm Beach County's economic development interest at city, county, regional and state level.	10	
Translate South Florida Regional Economic Development brochure into 4 languages for international audiences: Spanish, Italian, French and German	1	
Conduct market briefings for Enterprise Florida's international field offices to educate them on PBC's business assets.	3	
Continue to organize and host the Aviation/Aerospace, Business/Financial Services, Communications/IT, Life Science and Green Energy Task forces focused on nurturing the expansion and relocation of companies that fall within these targeted industry clusters	Yes	
Produce annual magazine called <i>Profile</i> which highlights Palm Beach County as a globally competitive business environment for expanding and relocating companies.	1	
Participate in initiatives focused on economic development in the Glades region of Palm Beach County.	4	
Explore potential opportunities in the NASA program as they downsize and realign their Florida operations.	Yes	

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

RECEIVED MAY 29 2009

DATE (MM/DD/YYYY)  
06/01/2009

PRODUCER

Doug Jones c/o AJG Risk Management Services, Inc.  
8800 E. Chaparral Rd, Suite 230  
Scottsdale, AZ 85250

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED

Oasis Acquisition, Inc et al Alt. Emp: BUSINESS DEVELOP BOARD OF  
PALM BEACH COUNTY, INC.  
2054 Vista Parkway Suite 300  
West Palm Beach, FL 33411

INSURERS AFFORDING COVERAGE

NAIC #

INSURER A: Zurich-American Insurance Company

INSURER B:

INSURER C:

INSURER D:

INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	<b>GENERAL LIABILITY</b> <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$  BODILY INJURY (Per person) \$  BODILY INJURY (Per accident) \$  PROPERTY DAMAGE (Per accident) \$
	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$  OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
	<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
<b>A</b>	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER	WC 29-38-687-07	06/01/2009	06/01/2010	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
		<b>Location Coverage Period:</b>	06/01/2009	06/01/2010	<b>Certificate#:</b> 09FL075731819 <b>Client#:</b> 1324-MAIN

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Coverage is provided for only those employees leased to but not subcontractors of:

BUSINESS DEVELOP BOARD OF PALM BEACH COUNTY, INC.  
310 EVERNIA ST.  
WEST PALM BEACH, FL 33401

CERTIFICATE HOLDER

pALM bEACH cOUNTY  
cOUNTY aDMINISTRATION aTTN: vERDENIA bAKER  
301 n. oLIVE aVENUE, rOOM 1101-3  
WEST pALM bEACH, FL 33401

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HQLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

