

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: 12/15/09 Consent Regular
 Workshop Public Hearing

Department
Submitted By: County Administration

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment #3 to Agreement (2007-1627), as amended, with Aramark Sports and Entertainment Services, Inc. to continue the provision of food and beverage operations services at the Palm Beach County Convention Center for six (6) months beginning January 1, 2010 through June 30, 2010.


Summary: This proposed amendment extends the existing agreement for food and beverage operations services for the Convention Center beginning January 1, 2010 through June 30, 2010. All other terms and conditions of the 2007-1627 agreement, as amended, remain in effect. The extension is required to re-issue an RFP for food and beverage operations services for the Convention Center. Countywide (MC)

Background and Policy Issues: Aramark Sports And Entertainment Services, Inc. (Aramark) was selected in a competitive process to provide food and beverage operations services for the Palm Beach County Convention Center by Discover Palm Beach County (CVB). Palm Beach County assumed the assignment of the agreement from CVB in 2007. The term of the existing agreement will terminate on December 31, 2009. Earlier this year, the County issued an RFP for food and beverage operations services, however, the contract has been cancelled due to irregularities. The County is in the process of re-issuing an RFP for food and beverage services. This proposed amendment provides for Aramark to continue under the terms of the 2007-1627 agreement, as amended, for six months (January 1, 2010-June 30, 2010) to allow sufficient time to complete the RFP process.

Attachments:

- A. Amendment 003 to Agreement R2007-1627

Recommended by: _____ Department Director _____ Date

Approved By:  Deputy County Administrator 12/11/09 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	\$50,000*	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
	\$50,000*	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====

*Vendor earns 8% of profit on annual basis.

ADDITIONAL FTE
POSITIONS (Cumulative _____)

Is Item Included In Current Budget? Yes _____ No. _____

Budget Account No. Fund 1450 Agency 800 Org. 7420 Object _____
Reporting Category _____

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

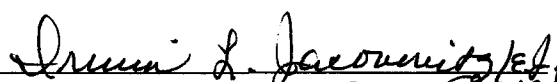
C. Department Fiscal Review: _____

III. REVIEW COMMENTS


A. OFMB Fiscal and/or Contract Administration Comments:



OFMB


Contract Dev. and Control 12/11/09

B. Legal Sufficiency:



Assistant County Attorney

At the time of CDC review, Amendment No. 3 had not been executed. Also, insurance and bond requirements need to be updated.

C. Other Department Review:

Department Director

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

AMENDMENT NO. 3 TO
FOOD AND BEVERAGE SERVICES AGREEMENT
WITH
ARAMARK SPORTS AND ENTERTAINMENT SERVICES, LLC

This Amendment No. 3 (the "Amendment") is made this ____ day of _____, 2009, to the Food and Beverage Services Agreement, Palm Beach County Convention Center hereinafter "Agreement" (2007-1627) dated October 1, 2007, as amended, by and between the Board of County Commissioners of Palm Beach County, a political subdivision of the State of Florida, hereinafter "County", and Aramark Sports and Entertainment Services, LLC, a limited liability company organized under the laws of the State of Delaware and authorized to do business in the State of Florida, a successor by conversion of Aramark Sports and Entertainment Services, Inc., hereinafter referred to as "Contractor" whose Federal Employer Identification Number is 23-1664232.

RECITALS

WHEREAS, the County entered into an Agreement and subsequent amendments with Contractor whereby Contractor would provide food and beverage services for the Palm Beach County Convention Center in West Palm Beach, Florida, which Agreement is scheduled to terminate on December 31, 2009; and

WHEREAS, the County had undertaken a competitive process for the selection of a contractor to provide future food and beverage services in the Convention Center; and

WHEREAS, the County declared it necessary to cancel the RFP#2009-CC for the solicitation of Food and Beverage Operations Services at the Convention Center; and

WHEREAS, the County will again solicit bids for Food and Beverage Operations Services at the Convention Center; and

WHEREAS, the County and Contractor wish to extend the term of the Agreement for six months (January through June, 2010) to provide for Aramark to continue providing food and beverage services until the County has completed the selection process.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, and intending to be legally bound, the parties agree that the Agreement dated October 1, 2007, as amended, by and between the County and Contractor shall be further amended as follows:

1. Article 2, TERM, of the Agreement is deleted in its entirety and replaced with the following amended Article 2:

The term of this Agreement ("Term") shall continue on for six months beginning on January 1, 2010 until June 30, 2010.

2. Any and all provisions of the Agreement as amended shall remain in full force and effect.
(Signatures begin on following page.)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first above written

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

PALM BEACH COUNTY, FLORIDA
By and through its BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Burt Aaronson, Chair

[Seal]

Approved as to terms
and condition:

Approved as to form
and legal sufficiency:

County Administrator

Legal Counsel

ATTEST:

ARAMARK SPORTS AND ENTERTAINMENT SERVICES, LLC

By: _____
Name: _____
Title: _____