

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: January 12, 2010 ☒ Consent ☐ Regular
 ☐ Workshop ☐ Public Hearing

Department

Submitted By: Community Services

Submitted For: County Sponsored Programs

I. EXECUTIVE BRIEF


Motion and Title: Staff recommends motion to approve: Amendment No. 1 (R2009-0406) with Nonprofits First, Inc. for the period October 1, 2009, through September 30, 2010, in an amount of \$105,000, for training, education and technical assistance.

Summary: Nonprofits First developed and produced the 2007 Certification Assessment Tool, a self-assessment manual, and will offer an array of training, education and technical assistance resources and programming to Financially Assisted Agency (FAA) grantees. Department staff and Nonprofit First staff are working diligently to make sure the services will be delivered as contracted. This contract is funded under County Sponsored Programs and is separate from the FAA funding, but managed by the same program monitoring staff. Countywide (TKF)

Background and Justification: In providing for human services needs, Palm Beach County augments its own services mix by providing financial assistance to community-based organizations. This program was established in the early 1980s to overcome the adverse impact of reduced federal funding. More recent federal and state funding reductions emphasize the need for continuing county financial assistance to these organizations. Funded organizations are monitored by the Community Services Department to maintain strict fiscal integrity. Contracts include the following safeguards to protect the County: insurance coverage is mandatory and funds cannot be used to initiate or to pursue litigation against the County.

Attachments:

Amendment No. 1 Nonprofits First, Inc.

Recommended by:  12/16/07
Department Director Date

Approved by: B. Allen
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	<u>105,000</u>	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>105,000</u>	_____	_____	_____	_____
# ADDITIONAL FTE	_____	_____	_____	_____	_____
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No
Budget Account No.: Fund 0001 Dept 741 Unit 2517 Object 8201
Program

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

County Funds

C. Departmental Fiscal Review: Tauna Malhotra
12/16/09

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

Jim Burt 12-22-09
OFMB 12/22/09 12/21/09 PM 12-18-09

Dr. J. J. J. J. J.
Contract Dev. and Control 12/22/09

B. Legal Sufficiency:

for Tammy Fields
Assistant County Attorney 12/29/09

**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 FINANCIALLY ASSISTED AGENCIES
CONTRACT FOR PROVISION OF FINANCIAL ASSISTANCE**

THIS AMENDMENT TO THE FINANCIALLY ASSISTED AGENCIES CONTRACT (R2009-0406, March 17, 2009) made and entered into in Palm Beach County Florida, on this _____ day of _____ 2009 by and between PALM BEACH COUNTY, hereinafter referred to as "COUNTY" and **Nonprofits First, Inc.** hereinafter referred to as the AGENCY, a not-for-profit corporation, entitled to do business in the State of Florida, whose address is Nonprofits First, 2300 High Ridge Road, Suite 132, Boynton Beach, Florida 33426.

WITNESSETH:

WHEREAS, the parties entered in a contract on **March 17, 2009**, which provided for a one year extension.

WHEREAS, the parties desire to extend the contract for one additional year (FY'10) to September 30, 2010.

NOW THEREFORE, the above named parties hereby mutually agree that the Contract is hereby extended as follows:

- I. The contract is extended through September 30, 2010.
- II. A new Scope of Work & Outcomes Indicators Exhibit "A2" for FY '10 is attached hereto and made a part hereof showing new or revised outcomes and definition of service supersedes and replaces the original Scope of Work & Outcomes Indicators Exhibit "A" for the fiscal year 2010.
- III. A new Budget Exhibit "B2" showing the new total budget for funding and revised unit of service definition and/or costs for FY '10 is attached hereto and made a part hereof.
- IV. Article 3 of the contract is amended to reflect that the total not to exceed amount for FY '10 is **One Hundred Five Thousand Dollars(\$105,000.00).**

V. The following provision is hereby added to the contract as an additional requirement:

It is the policy of the COUNTY that all agencies receiving funding through the Financially Assisted Agencies Program must complete the Agency Certification process developed by Nonprofits First (NPF) or make significant progress towards achievement of certification standards if they received funding in 2009. To comply with this policy, AGENCY shall, by August 2, 2010, either provide proof of final certification under the 2007 standards or documentation that the AGENCY has completed at least one on-site review. AGENCY shall agree to timelines as established by NPF regarding 1:1 meetings, on-site reviews, submission of documents and any other areas relating to the certification process. Additionally, if NPF recommends that an agency attend a workshop in an area related to the certification process, the agency must attend. The on-site review will be based entirely on the self-assessment completed by the AGENCY in accordance with its 2008 contractual agreement with the COUNTY. An AGENCY may also show compliance with this requirement by providing documentation from NPF that AGENCY is making diligent progress toward receiving certification.

AGENCY understands that these requirements are considered necessary if additional funding is provided to AGENCY under a COUNTY contract. AGENCY will be expected to continue the certification process and to satisfy any related provisions agreed upon in this contract amendment.

OTHER PROVISIONS

All provisions in the Contract or exhibits to the Contract in conflict with this Amendment to the Contract shall be and are hereby changed to conform to this Amendment.

All provisions not in conflict with this Amendment remain in full force and effect and are to be performed at the same level as specified in the Contract.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their officials thereupon duly authorized.

ATTEST:

Sharon R. Bock, Clerk & Comptroller

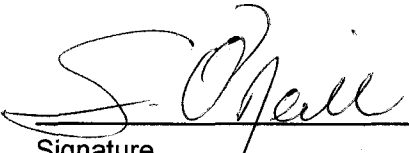
PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of
Florida

BOARD OF COUNTY COMMISSIONERS

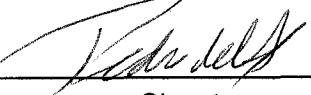
BY: _____
Clerk & Comptroller

BY: _____
Burt Aaronson, Chair

WITNESS:


Signature
Sharon O'Neill
Name Typed
26-3189428
Agency's Federal ID Number


AGENCY:

Nonprofits First, Inc.
Agency's Name Typed
BY 
Signature
Pedro del Sol
Agency's Signatory Name Typed
President and CEO
Agency's Signatory Title Typed

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS
Department of Community Services

By: 
Channell Wilkins, Director

ACORD CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 12/07/2009
PRODUCER (561)278-0448 FAX (561)278-2391 Weekes & Callaway, Inc. 3945 West Atlantic Avenue Delray Beach, FL 33445-3902 Rose A. McEwen, CIC		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 Nonprofits First, Inc. 2300 High Ridge Road Suite 132 Boynton Beach, FL 33426		INSURERS AFFORDING COVERAGE INSURER A: ARCH Insurance Co INSURER B: Axis Surplus Insurance Co INSURER C: INSURER D: INSURER E:
		NAIC #

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	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY	NCPKG0091801	10/01/2009	10/01/2010	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
		<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				MED EXP (Any one person)	\$ 10,000
		<input checked="" type="checkbox"/> Abuse/Molestation				PERSONAL & ADV INJURY	\$ 1,000,000
		<input checked="" type="checkbox"/> Employee Benefits				GENERAL AGGREGATE	\$ 2,000,000
		GEN'L AGGREGATE LIMIT APPLIES PER:				PRODUCTS - COMPIOP AGG	\$ 2,000,000
		<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
A		AUTOMOBILE LIABILITY	NCAUT0091801	10/01/2009	10/01/2010	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
		<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person)	\$
		<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident)	\$
		<input checked="" type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	\$
		<input checked="" type="checkbox"/> HIRED AUTOS					
<input checked="" type="checkbox"/> NON-OWNED AUTOS							
<input checked="" type="checkbox"/> Hired Car							
		Physical Dam.					
A		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$
		<input type="checkbox"/> ANY AUTO				OTHER THAN EA ACC AGG	\$
A		EXCESS/UMBRELLA LIABILITY	NCUMB0091801	10/01/2009	10/01/2010	EACH OCCURRENCE	\$ 1,000,000
		<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE				AGGREGATE	\$ 1,000,000
		<input type="checkbox"/> DEDUCTIBLE					\$
		<input checked="" type="checkbox"/> RETENTION \$ 10,000					\$
							\$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				WC STATU-TORY LIMITS	OTH-ER
		ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E L EACH ACCIDENT	\$
		If yes, describe under SPECIAL PROVISIONS below				E L DISEASE - EA EMPLOYEE	\$
						E L DISEASE - POLICY LIMIT	\$
B		OTHER Professional Liability	ECN641687	03/14/2009	03/14/2010	\$1,000,000 Limit of Insurance \$10,000 Deductible Retro Date: 3/14/07	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
Ten (10) Days Notice of Cancellation in the Event of Non Payment of Premium.

CERTIFICATE HOLDER	CANCELLATION
Palm Beach County c/o Community Services Department 810 Datura Street West Palm Beach, FL 33401	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE Rose McEwen, CIC/SAYERJ <i>Rose Ann McEwen</i>

Certificate of Insurance

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 described herein.

Named Insured(s):

TriNet HR Corporation
Gevity HR, Inc and all its affiliates & subsidiaries*
Executive Services Corps of Southeast Florida Inc (Endorsed as alternate employer)

9000 Town Center Parkway
Bradenton, FL 34202

Insurer Affording Coverage

- (A) Commerce & Industry Ins Co
- (B) Illinois National Ins Co
- (C) Ins Co of the State of Pennsylvania
- (D) National Union Fire Ins Co of Pittsburgh PA
- (E) New Hampshire Ins Co

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 the 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.

Type of Insurance	Insurer	Policy Number	State	Effective Date	Expiration Date	Limits <input checked="" type="checkbox"/> WC Statutory Limits
Works' Compensation	(A)	023259191	FL	07-01-2009	07-01-2010	Employers Liability
						Bodily Injury By Accident \$ 2,000,000 Each Accident
						Bodily Injury By Disease \$ 2,000,000 Policy Limit
						Bodily Injury By Disease \$ 2,000,000 Each Person

Other: Client Number 72427

The above referenced workers' compensation policies provide statutory benefits only to the employees of the Named Insured(s) on such policies, not to the employees of any other employer.

* Gevity HR, Inc; Gevity HR, LP; Gevity HR II, LP; Gevity HR III, LP; Gevity HR IV, LP; Gevity HR V, LP; Gevity HR VI, LP; Gevity HR VII, LP; Gevity HR VIII, LP; Gevity HR IX, LP; Gevity HR X, LP; Gevity HR XI, LLC; Gevity HR XII Corp.; Gevity XIV, LLC

Cancellation: Should any of the above described policies be cancelled before the expiration date thereof, the insurer affording coverage will endeavor to mail 30 days written notice to the certificate holder named herein, but failure to mail such notice shall impose no obligation or liability of any kind upon the insurer affording coverage, its agents or representatives.

Certificate Holder

Executive Services Corps of Southeast Florida Inc
2300 High Ridge Rd Ste 132
Boynton Beach, FL 33426-8795

AON Risk Services Northeast, Inc.

AON Risk Services Northeast, Inc.
Authorized Representative of AON Risk Services

(866) 443-8489
Phone

09/16/2009
Date Issued

EXHIBIT A

SCOPE OF WORK & DELIVERABLES FINANCIAL ASSISTANCE CONTRACT

Agency Name: Nonprofits First

Agency Certification

In addition to the specific deliverables noted below, Nonprofits First, Inc., will offer an array of services to FAA grantees and provide feedback on a quarterly basis regarding FAA grantee attendance / participation in the following: CAT workshop, core competency/other subject area training, workshops, special programs, Volunteer Mentoring, Consulting, FMS support, additional 1:1 meetings, etc.

This feedback to the Palm Beach County Board of County Commissioners supports the new solutions-based initiative at Nonprofits First to provide services to an agency utilizing all of its internal resources to produce better capacity building outcomes for FAA grantees. This also supports the philosophy of Nonprofits First to provide each agency with the resources necessary for continuous improvement.

Deliverables:

Deliverable 1: Work with all FAA grantees to achieve Certification status

Demonstration: Documentation of 1:1 visits, on-site reviews, training, and Volunteer Mentoring engagements to include those in attendance for approximately 6 agencies.

Deliverable 2: Work with already certified agencies to ensure compliance with Certification standards through the Certification Renewal Process. Conduct Annual Desktop Financial Reviews for all certified agencies

Demonstration: Documentation of Desktop Reviews and Certification renewal certificates for approximately 16 agencies.

Deliverable 3: Certify/Renew Certification for a minimum of 16 agencies

Demonstration: Documentation of successful certification through a certification certificate for each agency completed for approximately 16 agencies.

All deliverables are to be completed no later than September 15th, 2010. A final report, due not later than September 20, 2010, describing and documenting how each deliverable was met will be submitted with the September request for payment.

EXHIBIT "B1"

**SCHEDULE FOR PAYMENT FY 2010
SCHEDULE FOR PAYMENT AND BUDGET DATA
OTHER COUNTY SPONSORED CONTRACT**

Service/Program: Agency Certification

<u>MONTH OF</u>	<u>BILLING RATE</u>
JANUARY, 2010	\$ 30,000
APRIL, 2010	\$ 25,000
JULY, 2010	\$ 25,000
SEPTEMBER, 2010	\$ 25,000

MAXIMUM AMOUNT AUTHORIZED \$ 105,000.00

The AGENCY will provide a final report of performance related to the deliverables outlined in Exhibit A. Final payment will not be processed until this report has been received and reviewed by Community Services staff.
of physical injury or conditions).