PALM BEACH COUNTY **BOARD OF C** AGENDA ITEM SUMMARY

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COUNTY COMMISSIONERS	
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Meeting Date: March 23, 2010

[X] Consent] Workshop ſ

] Regular] Public Hearing

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Amendment No. 3 to annual contract (R2007-1813) with Miller Legg & Associates, Inc. for professional design services to incorporate the requirements and fee for the Office of the Inspector General into the Contract.

This Amendment will add the necessary language to the consultant's contract Summary: regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)

Background and Justification: On December 15, 2009, the Board of County Commissioners adopted Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance. The IG Ordinance authorizes the Inspector General to conduct audits of, require reports from, and receive access to the records of all consultants doing business with the County. The cost for the Office of the Inspector General shall be borne by the imposition of a fee as specified in the IG Ordinance.

Attachments:

Amendment No. 3

Recommended by:	Department Director	↓11 1D Date	
Approved by:	MARIN	stale	
· · · · · · · · · · · · · · · · · · ·	County Administrator	Date	

Agenda Item #:

3H-10

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures		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)	Q	0	0	0	0
NET FISCAL IMPACT					
				<u></u>	
# ADDITIONAL FTE					
POSITIONS (Cumulative)					
				· <u> </u>	¥27-LLIAFE- 22
Is Item Included in Curren	t Budget?	Yes	No		
Budget Account No: Fun	d	Dept	Unit	Object	
		Reporting	g Category		

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

III. REVIEW COMMENTS:

A. OFMB Fiscal and/or Contract Development and Control Comments: * NO additional fiscal impact, contract price does not change

OFMB

B. Legal Sufficiency:

Mee. Assistant County Attorne

C. Other Department Review:

D С ontract dmini rator Jons 3/12/10

This amendment complies with our review requirements.

Department Director

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

AMENDMENT TO CONTRACT FOR Annual Parks and Recreation Consultant Services

to the Contract (R-2007-This Amendment No. 3 dated _____ 1813) dated October 16, 2007, 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 the COUNTY and Miller Legg & Associates, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the

CONSULTANT.

1.

WITNESSETH

WHEREAS, the parties have entered into a Contract under which the CONSULTANT provided certain professional services to the COUNTY for various projects in accordance with Consultants Competitive Negotiations Act (CCNA) FS

WHEREAS, the parties hereto desire to amend the Contract to add the 287.055; and

requirements of the Inspector General per Ordinance 2009-049. NOW, THEREFORE, in consideration of the premises and of the mutual

covenants hereinafter set forth and for such other good and valuable consideration, the receipt of which the parties hereto expressly acknowledge, the parties covenant and agree to the following terms and conditions:

The following paragraph is added to Section 5 of the Contract: Without changing the contract price, a fee of 0.25% will be deducted by the Owner from each Pay Application to defray costs of the 5.3.1 Inspector General's office in accordance with Ordinance 2009-049. Refer to Paragraph 7.24 for more information.

2. The following paragraphs are added to Section 7 of the Contract:

7.13

Notwithstanding any other provision in this Contract, all documents, records, reports and any other materials produced hereunder shall be subject to disclosure, inspection audit, pursuant to the Palm Beach County Office of Inspector General Ordinance 2009-049, as may be amended.

7.24 Inspector General Reviews

Palm Beach County has established the Office of the Inspector General Ordinance 2009-049, which is authorized and empowered to review past, present and proposed County contracts, transactions, accounts and records. All consultants and parties doing business with the County and receiving County funds shall fully cooperate with the Inspector General including receiving full and unrestricted access to records relating to this contract. The Inspector General has the power to subpoena witnesses, administer oaths, require the production of records, and audit, investigate, monitor, and inspect the activities of the consultant, its officers, agents, employees, and lobbyists in order to ensure compliance with contract specifications and detect corruption and fraud. The cost of the Inspector General's Office shall be incorporated into the contract price of all contracts and shall be one quarter (¼) of one (1) percent of the contract price.

3. Except as specifically modified above, the terms and conditions of the Contract are hereby confirmed and remain in full force and effect.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the COUNTY and CONSULTANT has hereunto set its hand the day and year above written.

ATTEST: SHARON R. BOCK, Clerk & Comptroller

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

By:

Deputy Clerk

By:_____

Burt Aaronson, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: Director - FD&D

WITNESS:

By: _

County Attorney

CONSULTANT:

Signature

rzale? Name (type or print

<u>Name (type or print)</u>

CH0

Title

(Corporate Seal)