Agenda Item #: 3H-14

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	March 23, 2010	[X] Consent [] Workshop		gular blic Hearing				
Department: Facilities Development & Operations								
	: <u>l.</u>	EXECUTIVE BRIE	<u>F</u>					
property develop	oment evaluation ser	vices contract with C	otleur & He	nendment No. 3 to annua earing, Inc. (R-2008-0965 r General into the Contract				
regarding the a inclusion of the	is Amendment will a applicability of the I Inspector General Division) <u>Countywid</u>	nspector General C fee into future task	rdinance (the consultant's contrac ("IG Ordinance") and the the consultant. (Capita				
adopted Ordina Ordinance. The reports from, ar County. The co	nce No. 2009-049, e IG Ordinance autho nd receive access to	the Palm Beach (prizes the Inspector (the records of all	County Off General to consultants	l of County Commissioners fice of Inspector Genera conduct audits of, require s doing business with the orne by the imposition of a				
Attachments: Amendm	ent No. 3							
Recommended		A MM WOLF artment Director		2 21 10 Date				
Approved by:	M			7/1/2				
	Col	ınty Administrator		Date				

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Im	pact:					
Fiscal Years 2010 Capital Expenditures Operating Costs 0 External Revenues 0 Program Income (County) 0 In-Kind Match (County) 0 NET FISCAL IMPACT	2011 0 0 0 0 0	2012 0 0 0 0 0	2013 0 0 0 0 0	2014 0 0 0 0 0 0		
# ADDITIONAL FTE POSITIONS (Cumulative)		-		-		
Is Item Included in Current Budget? Budget Account No: Fund	Dept	No Unit ng Category _	•	_		
B. Recommended Sources of Funds/Summary of Fiscal Impact:						
III.	REVIEW CO	MMENTS:				
A. OFMB Fiscal and/or Contract Development and Control Comments: NO additional Fiscal impact, contract products not change.						
OFMB WARROW S	2/2/2		Contract According to the company of			
Assistant County Attorney	1/10					
C. Other Department Review:						
Department Director						

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

AMENDMENT TO CONTRACT FOR Annual Planning & Property Development Services

This Amendment No. 3 dated ________to the Contract (R-2008-0965) dated June 3, 2008, 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 Cotleur & Hearing, Inc., a corporation authorized to do business in the State of Florida, hereinafter referred to as the CONSULTANT.

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 287.055; and

WHEREAS, the parties hereto desire to amend the Contract to add the 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:

- 1. The following paragraph is added to Section 5 of the Contract:
 - **5.3.1** 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 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 (1/4) 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:County Attorney	By Director - FD&O			
WITNESS:	CONSULTANT:			
Carlene Ochaukawtick Signature	Signature			
DARLENE Schaukowitch Name (type or print) 1-26 10	DONBUDSON HEARING Name (type or print)			
	VP			
	Title			
	(Corporate Seal)			