

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 6, 2010

Consent
 Ordinance

Regular
 Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: First Amendment to Agreement (R2009-1103) with the Palms West Chamber of Commerce, Inc. for construction of a new facility to extend the project completion date from December 31, 2009, to September 30, 2010, and to extend the project term ending date from March 31, 2010, to December 30, 2010.

Summary: This fully executed First Amendment to Agreement extends the project completion date and project term end dates in order to allow additional time for project completion and submission of project reimbursement documentation. The project is anticipated to be complete sooner than those dates, but the Amendment will allow sufficient time for all reimbursement paperwork to be submitted in a timely fashion. The Amendment is in accordance with Resolution R2005-1738 authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement, including the funding amount of \$46,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

Background and Justification: Resolution R-2005-1738 was adopted by the Board on September 13, 2005, to streamline the RAP reimbursement process. It establishes terms and conditions for amending RAP projects and delegates authority for the execution of the amendments to the County Administrator or his designee, which is the Director of the Parks and Recreation Department. The criteria for delegated signature of amendments on behalf of the Board include:

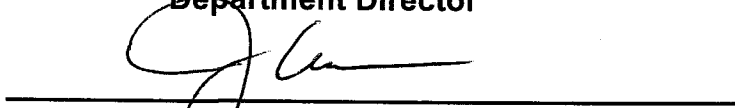
- Changes in project scope/elements within the intent of the approved RAP project;
- Adjustments in budgetary line items within the intent of the approved RAP Project which do not change the contractual amount;
- Changes to the approved project time frame including the initiation date and/or project completion date for periods of less than one year; and
- Other miscellaneous modifications approved by the awarding Commissioner within the overall intent of the approved RAP project.

This delegation of authority allows for more efficient and timely reimbursements for RAP projects by streamlining the existing RAP process for amendments to agreements. The attached Amendment meets criteria listed above, and was executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department.

Attachment: First Amendment to Agreement

Recommended by: 
Department Director

3-22-10
Date

Approved by: 
Assistant County Administrator

3/29/10
Date

FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND PALMS WEST CHAMBER OF COMMERCE, INC. FOR CONSTRUCTION OF A NEW CHAMBER OF COMMERCE FACILITY

THIS AMENDMENT is entered into on _____, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and Palms West Chamber of Commerce, Inc., a Florida not-for-profit corporation authorized to do business in the State of Florida, hereinafter referred to as "Chamber".

WITNESSETH:

WHEREAS, on July 7, 2009, County entered into an Agreement (R-2009-1103) with Chamber, hereinafter referred to as the "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$46,000 to help offset construction costs for the new Chamber of Commerce facility, hereinafter referred to as the "Project"; and

WHEREAS, it is necessary to amend the Agreement to extend the project completion date in order to allow for sufficient time for project completion and submission of reimbursement documentation to the County; and

WHEREAS, the Project will benefit all citizens of Palm Beach County.

NOW THEREFORE, the parties hereby agree as follows:

1. Section 11 of the Agreement is amended to read: "Chamber shall complete the Project by September 30, 2010, and invoices and checks or proof of payment submitted for reimbursement must be dated within the project time frame of January 1, 2009, through September 30, 2010. Chamber shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before December 30, 2010. Upon written notification to County at least ninety (90) days prior to that date Chamber may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny Chamber's request for said extension.
2. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

WITNESSES:

Susan W. Jorgin
Jenica Kinnett

PALM BEACH COUNTY, FLORIDA, ON BEHALF OF ITS BOARD OF COUNTY COMMISSIONERS

Dennis L. Eshleman
Dennis L. Eshleman, Director
Parks and Recreation Department

WITNESSES:

[Signature]
A Harmon

PALMS WEST CHAMBER OF COMMERCE, INC.

By: Jacene Miranda
Name (Type or Print)

CEO
Title
[Signature]
Signature

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Anne Delgado
County Attorney

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER**

BGEX 581 030810*940

FUND 3000 - 25M GO 99A, Recreation & Cultural

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 3/8/2010	REMAINING BALANCE
<u>Morikami Yamato-Kan Improvements FY2008</u>								
3000-581-P661-6520	Park Improvements	221,786	219,237		219,237	0	0	0
<u>Morikami Museum & Gardens Improvements</u>								
3000-581-P597-6520	Park Improvements	3,310	3,310	219,237		222,547	0	222,547
TOTAL				<u>219,237</u>	<u>219,237</u>			

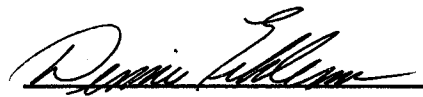
Signatures

Date

**Parks and Recreation Department
INITIATING DEPARTMENT/DIVISION**

Administration/Budget Department Approval

OFMB Department - Posted

 3-10-10

**By Board of County Commissioners
At Meeting of
April 6, 2010
Deputy Clerk to the Court**

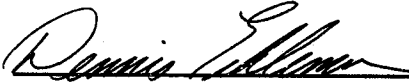
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

BGEX 581 030810*941

FUND 3020 - 25M GO 05, Parks & Cultural Imprvmts

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 3/8/2010	REMAINING BALANCE
Morikami Yamato-Kan Improvements FY2008								
3020-581-P661-6520	Park Improvements	98,880	98,428		98,428	0	0	0
Morikami Museum & Gardens Improvements								
3020-581-P597-6520	Park Improvements	0	0	98,428		98,428	0	98,428
TOTAL				98,428	98,428			

Parks and Recreation Department
INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures	Date
	3-10-10
_____	_____
_____	_____

By Board of County Commissioners
At Meeting of
April 6, 2010
Deputy Clerk to the Court

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

BGEX 581 030810*942

FUND 3603 - Park Impact Fees Z-3

ACCT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 3/8/2010	REMAINING BALANCE
<u>Morikami Pk Entrance Improve</u>								
3603-581-P461-6502	Building Construction - Cip	31,863	31,863		31,863	0	0	0
3603-581-P461-6505	Design/Eng/Mgmt- Cip Admin	6,805	3,535		750	2,785	2,785	0
3603-581-P461-6520	Park Improvements	52	52		52	0	0	0
<u>Morikami Rsrc Ctr & Infra Imp</u>								
3602-581-P463-6520	Park Improvements	1,310	1,310		1,310	0	0	0
<u>Morikami Museum Kiosk</u>								
3603-581-P545-6505	Design/Eng/Mgmt- Cip Admin	3,332	3,332		3,332	0	0	0
<u>Morikami Museum & Gardens Improvements</u>								
3020-581-P597-6520	Park Improvements	3,310	3,310	37,307		40,617	0	40,617
TOTAL				<u>37,307</u>	<u>37,307</u>			

Signatures

Date

By Board of County Commissioners

At Meeting of


April 6, 2010

Deputy Clerk to the Court

Parks and Recreation Department
INITIATING DEPARTMENT/DIVISION

Administration/Budget Department Approval

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 3-10-10
