

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 20, 2010

Consent

Regular

Ordinance

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 (R2009-1803) with the City of Delray Beach for the 2009 Roots Cultural Festival to extend the project completion date from August 30, 2009, to November 30, 2009, and to extend the project term ending date from November 30, 2009, to April 30, 2010.

Summary: This fully executed First Amendment to Agreement extends the project completion date and project term end date by which the reimbursement request must be submitted in order to allow for continuation of the reimbursement process for this completed project. 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 \$5,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (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

3-25-10
Date

Approved by: 
Assistant County Administrator

4/5/10
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u> <i>see below</i>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ Program _____

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

* This Amendment is for time extensions only, and has no additional fiscal impact to Palm Beach County. The budget account number for the original Agreement is 3600-583-R917-044-8101 (KPO 583 PRRP112309*5).

C. Departmental Fiscal Review: ckopelakis

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

Funding for program approved on 5/19/2009

 [Signature] 4/1/2010
 OFMB *3/31/10 SW 3/31/10 4/1/10*

 [Signature] 4/2/10
 Contract Development & Control

B. Legal Sufficiency:

 [Signature] 4/15/10
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 10/95
 ADM FORM 01

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

FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH FOR THE 2009 ROOTS CULTURAL FESTIVAL

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 the City of Delray Beach, a Florida Municipal Corporation, herein referred to as "Delray Beach".

WITNESSETH:

WHEREAS, on September 17, 2009, County entered into an Agreement (R-2009-1803) with Delray Beach, hereinafter referred to as the "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not to exceed \$5,000 to assist with the 2009 Roots Cultural Festival, hereinafter referred to as the "Project"; and

WHEREAS, Delray Beach has requested that County change the completion date of the Agreement from August 30, 2009 to November 30, 2009, and the term of the Agreement to April 30, 2010, in order to allow additional project completion time and to accommodate the necessary time for the reimbursement process; and

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

NOW THEREFORE, the parties hereby agree as follows:

1. Section 7 of the Agreement is amended to read "The term of this Agreement shall be until April 30, 2010, commencing upon the date of execution by the parties hereto.

2. Section 10 of the Agreement is amended to read "Delray Beach shall complete the project by November 30, ^{2009/54} ~~2000~~, and invoices and checks and/or proof of payments submitted for reimbursement must be dated within the Project time frame of June 1, 2009, through November 30, 2009. Delray Beach shall provide its final reimbursement request(s), including a project completion statement and reimbursement documentation as indicated in Section 2 above on or before April 30, 2010."

3. 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. Ingram
Nancy Beale

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

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

ATTEST:

Charles D. Nubin
City Clerk

CITY OF DELRAY BEACH

By: Debra Smith
Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: Anne Adelstein
County Attorney

Approved as to form and legal sufficiency:

By: Jerrill R. [Signature]
Asst. City Attorney 2/24/10