

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

Meeting Date: June 29, 2010

Consent

Regular

Workshop

Public Hearing

Department: Facilities Development and Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Modification No. 2 to Subgrant Agreement (R2008-0048) with the Florida Division of Emergency Management (DEM).

Summary: Following Hurricane Wilma in 2005, the United States Department of Homeland Security-Federal Emergency Management Agency (FEMA) made available Hazard Mitigation Grant Program funds for projects designed to mitigate the hazards of disaster events relative to critical governmental facilities. A grant was approved for the work relating to the purchase and installation of impact resistant glass on all windows and doors for the Governmental Center, State Attorney/Public Defender (SA/PD), and Main Courthouse which was subsequently revised to remove the Governmental Center from the project. The grant contained a completion date of June 30, 2010. Although work on the glass replacement began on October 21, 2009, due to previous delays in design and testing of window assemblies, the work cannot be completed within the original performance period. Modification to the agreement is necessary to extend the completion date to June 30, 2011. (Capital Improvements Division) Countywide/District 7 (JM)

Background and Justification: The SA/PD Building and Main Courthouse have been identified as critical buildings relative to the continued operations of government post-disaster event. These buildings have an enormous property value as well as being extremely critical from a service perspective to the citizens of Palm Beach County. The retrofit improvements will provide systems that will comply with current wind code requirements and consist of the replacement of existing glazing systems, skylights, exterior doors and frames, and overhead coiling doors. A modified agreement with DEM is necessary as the work cannot be completed within the allotted time.

Attachment:

1. Location Map
2. Modification No. 2

Recommended by: *Jan* *Armeny Wolf* *6/21/10*
 Department Director Date

Approved by: *Jan* *LC Baker* *6/22/2010*
 County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget? Yes No

Budget Account No: Fund _____ Dept _____ Unit _____ Object _____
Reporting Category _____

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

III. REVIEW COMMENTS:

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

No fiscal impact as modification is to extend the term of agreement to June 30, 2011. Amount received included in budget

[Signature]
OFMB
6/17/10
5/17/10

[Signature]
Contract Administrator
6/18/10

B. Legal Sufficiency:

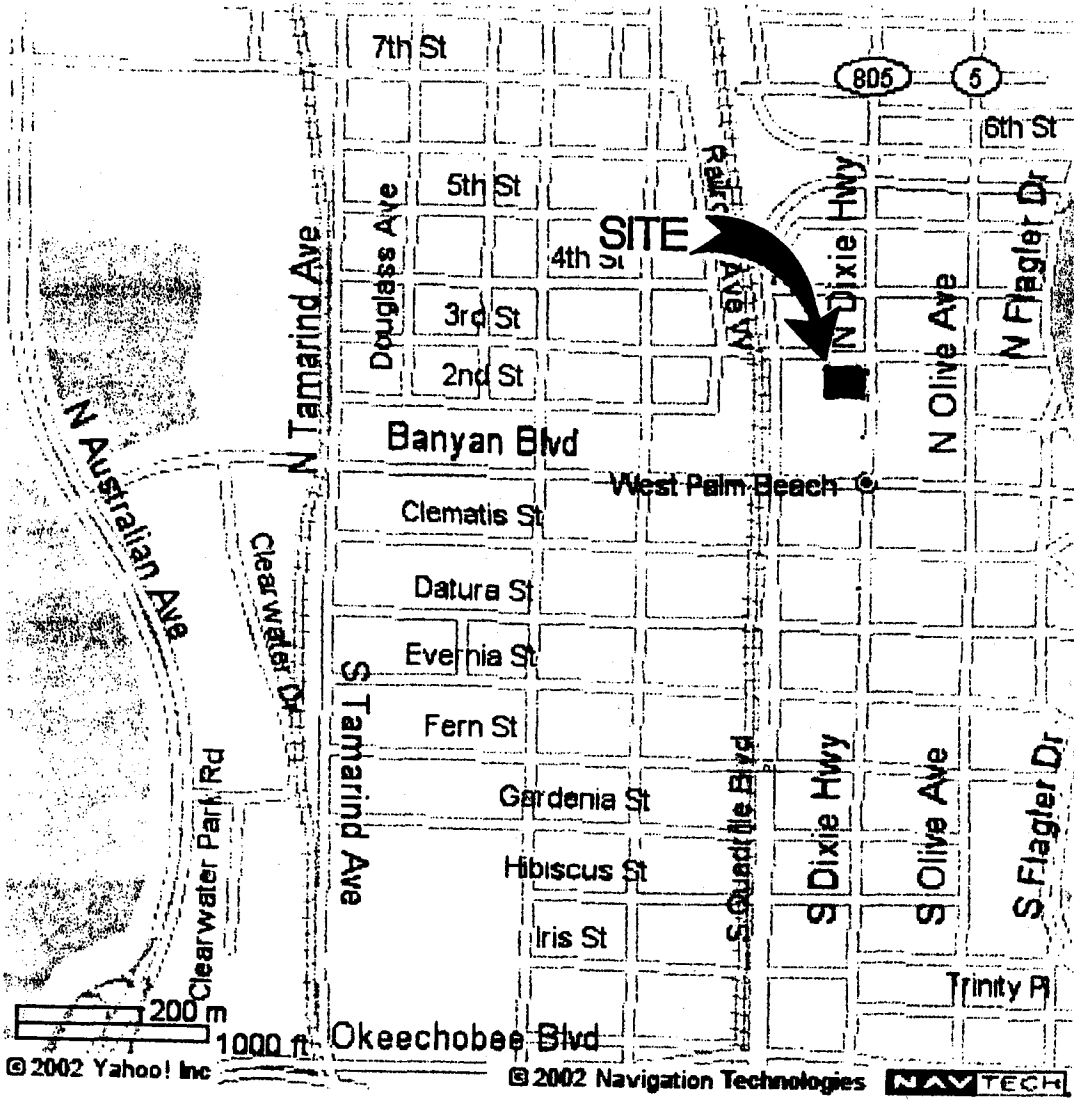
[Signature]
Assistant County Attorney

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.



LOCATION MAP

N.T.S.



MODIFICATION NUMBER TWO TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
PALM BEACH COUNTY

This Modification is made and entered into by and between the State of Florida, Division of Emergency Management, ("the Division"), and Palm Beach County, ("Recipient") to modify DCA Contract Number: 08HM-6G-10-60-01-020, which began September 20, 2007 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the Hazard Mitigation Grant Program of \$11,312,112.00; and

WHEREAS, the Agreement expired on June 30, 2010; and

WHEREAS, the Division and the Recipient desire to reinstate the Agreement and to extend the term of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin September 20, 2007 and shall end June 30, 2011 unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.
3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by their undersigned officials as duly authorized.

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

By: _____
David Halstead, Director

Date: _____

SHARON R. BOCK, CLERK &
COMPTROLLER

By: _____
Deputy Clerk

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

By: _____
Burt Aaronson, Chair

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: _____
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: *Army Wolf*
jae Director, Facilities Development &
Operations