

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: September 14, 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 approve: First Amendment to Agreement with the City of Delray Beach for funding of the Delray Beach Miracle League Field to expand the project scope, reduce the amount of Delray Beach's required funding contribution for this completed project, and to extend the project completion date from September 10, 2010, to October 31, 2010.

Summary: This First Amendment to Agreement (R2007-1557) provides a revised Exhibit A (Project Description and Cost Estimate) and extends the Project completion date from September 10, 2010, to October 31, 2010, in order to accomplish reimbursement paperwork. It also expands the project scope to include construction of a modular concession/restroom/storage building as an additional project element, and decreases the amount of the City's match since the total project cost was less than the originally estimated amount. The modular concession/restroom/storage building is an integral part of the Miracle League Field. The Amendment reduces the amount of matching funding required to be spent by Delray Beach from \$310,750 to \$290,000, and the total project cost is reduced from \$560,750 to \$540,000. All other terms of the Agreement, including the funding amount of \$250,000, remain the same. District 4 (PK)

Background and Justification: The County entered into an Interlocal Agreement with the City of Delray Beach on September 11, 2007, for the construction of the Miracle League Field at Miller Park. This facility eliminates any barriers to wheelchair-bound or visually impaired players. The approved project elements in the Agreement included site preparation, field construction and surfacing, fencing, project administration, and other miscellaneous expenses associated with the project. The project is now complete, but because it cost less to construct than originally estimated, the City was able to also include the purchase and installation of a much needed concession/restroom/storage building at the site for less than the originally estimated total construction cost.

This Amendment decreases the amount of required City matching funding from \$310,750 to \$290,000 and allows for the inclusion of the modular building to the project scope without increasing the \$250,000 of County Bond funding allocated to this completed project. The Amendment also extends the Project completion date to allow for all Project expenditures to be within the approved reimbursement timeframe.

The Amendment has been executed on behalf of the City of Delray Beach, and now needs to be approved by the Board of County Commissioners.

Attachments:

1. First Amendment to Interlocal Agreement
2. Authorization by District 4 Commissioner

Recommended by: _____

Department Director

Approved by: _____

Assistant County Administrator

8-20-10

Date

8/27/10

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>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	<u>0</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Is Item Included in Current Budget? Yes ☒ No ☐
Budget Account No.: Fund 3019 Department 501 Unit 7660
Object 801 Program N/A

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

This Amendment is to expand the project scope, reduce the amount of the City's required match and to extend the project completion date, and has no additional fiscal impact to Palm Beach County. The budget account number for the Agreement is 3019-581-P650-8101 (KPO 581 PRCP092607*13).

C. Departmental Fiscal Review: ckopelakis

III. REVIEW COMMENTS

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

[Signature]
OFMB 8/25/10

[Signature] 8/26/10
Contract Development and Control
E. Jones 8/27/10

B. Legal Sufficiency:

Paul F. Jones 8/27/10
Assistant County Attorney

This amendment complies with
our review requirements.

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 FUNDING OF THE
DELRAY BEACH MIRACLE LEAGUE FIELD**

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, hereinafter referred to as "MUNICIPALITY".

WITNESSETH:

WHEREAS, on September 11, 2007, COUNTY entered into an Agreement with MUNICIPALITY (R-2007-1557) to provide funding in an amount not-to-exceed \$250,000 for construction of the Delray Beach Miracle League to be completed on or before September 10, 2010; and

WHEREAS, MUNICIPALITY has requested that COUNTY revise the scope of the completed Delray Beach Miracle League Field (the "Project") to include construction of a modular building to include a concession, stand, restrooms, and storage as a reimbursable project element and to provide an time extension until October 31, 2010; and

WHEREAS, MUNICIPALITY has provided a revised Exhibit "A" to the Agreement to include a revised 1) Project Description and Cost Estimate that includes the modular building in the Project Scope and reduces the total Project cost and a 2) Overall Site Plan that depicts the modular building within the Miracle League Field; and

WHEREAS, COUNTY desires to allow the revised scope and cost estimate changes as reflected in the revised Exhibit "A" and to extend the Project completion time; and

WHEREAS, both parties desire to amend the Agreement.

NOW THEREFORE, the parties hereby agree as follows:

1. The attached revised Exhibit "A" attachments provide a change in the Project Description to include the construction of a modular concession/restroom/storage building as a Project element and to reduce the amount of the total cost for the completed project, and shall replace the original Exhibit "A" Cost Estimate.

2. Section 1.04 of the Agreement shall be amended to state, "MUNICIPALITY agrees to provide funding in an amount of \$290,000 or greater to complete the Project. The parties agree that the COUNTY shall provide its portion of the funding only after MUNICIPALITY has expended \$290,000.

3. Section 2.06 of the Agreement shall be amended to state, "MUNICIPALITY agrees to totally complete the Project and open same to the public for its intended use by October 31, 2010.

4. 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.

ATTEST:


SHARON R. BOCK, Clerk &
Comptroller

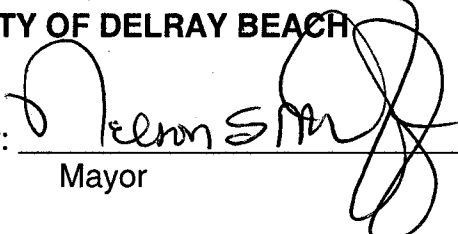
PALM BEACH COUNTY, FLORIDA, BY
ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Burt Aaronson, Chairman

ATTEST:


City Clerk

CITY OF DELRAY BEACH
By: 
Mayor

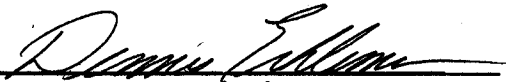
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

By: 
Att. Municipality Attorney 7/9/10

By: _____
County Attorney

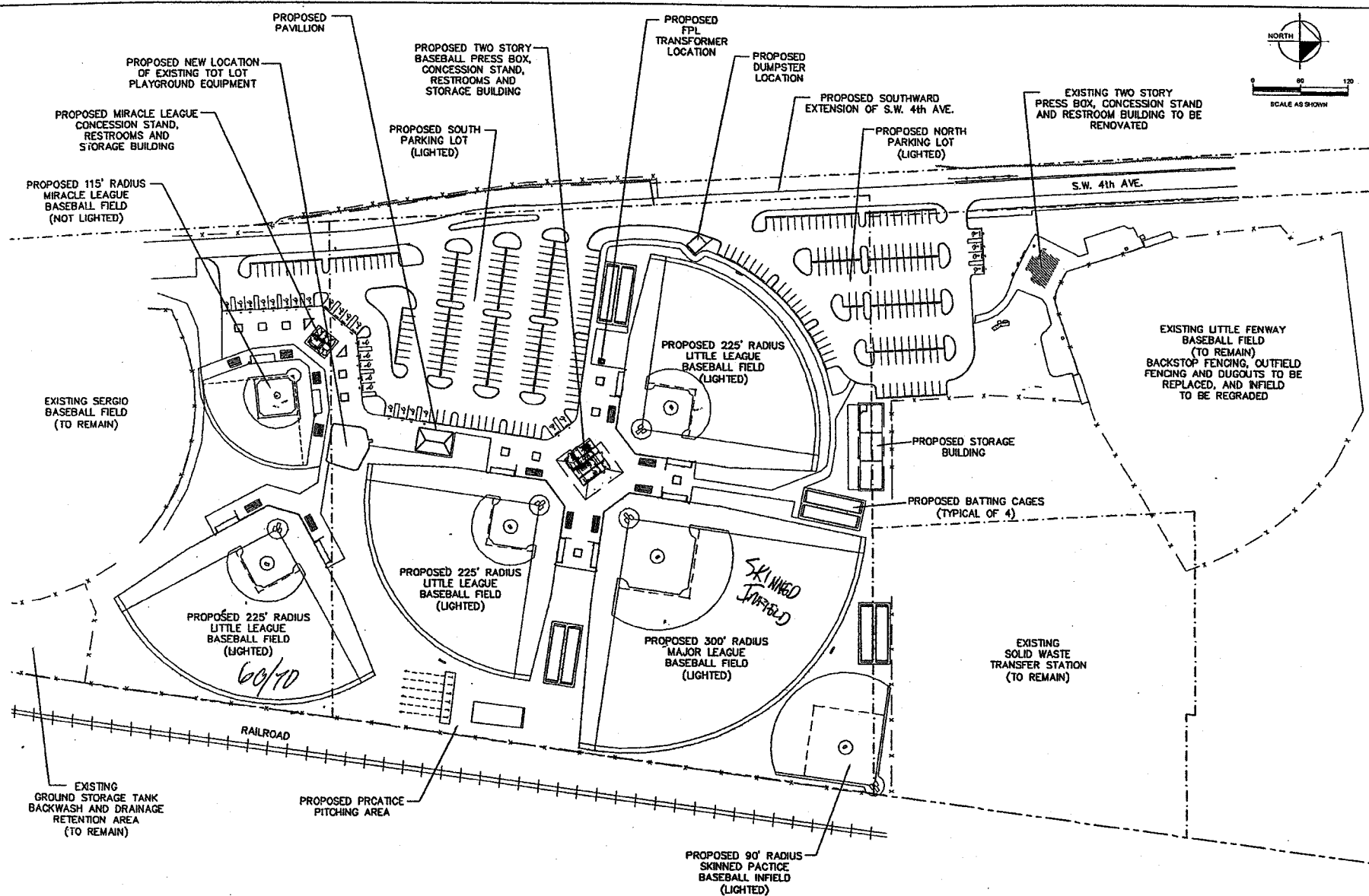
APPROVED AS TO TERMS AND CONDITIONS


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

**Revised Project Description and Cost Estimate
Delray Beach Miracle League Field
City of Delray Beach**

The first and only Miracle League Field in Palm Beach County will be located among the little league fields at Delray Beach's Miller Park, located at 1905 S.W. 4th Avenue. The field will be complete with a cushioned synthetic surface to help prevent injuries, wheelchair accessible dugouts, and a completely flat surface to eliminate any barriers to wheelchair-bound or visually impaired players.

Project elements include site preparation, project administration, field construction and surfacing, fencing, dugouts, and construction of a modular building to include concession, restroom, and storage areas. The construction cost of Miracle League baseball field is \$540,000.



MILLER PARK FOR CITY OF DELRAY BEACH PROJECT NO. 2008-002		DATE MARCH 2007 PROJECT NO. 044300009		SHEET NUMBER C-4	
OVERALL SITE PLAN		SCALE AS NOTED		DESIGN ENGINEER LYNDON MCKEE, CARR FLORIDA REGISTRATION NUMBER 35487	
KINGSTON BNY ASSOCIATES, INC.  2007 WILLY-MORRIS AND ASSOCIATES, INC. 1000 W. UNIVERSITY AVENUE, SUITE 100 PALM BEACH, FL 33480 PHONE (561) 844-1881 FAX (561) 844-9773		DESIGNED BY SS		CHECKED BY SS	

Susan Yinger

From: Kate Scott
Sent: Monday, August 09, 2010 9:10 AM
To: Susan Yinger
Cc: Steven Abrams; Kate Scott
Subject: FW: Amendment for the Miracle Field in Delray Beach

From: Kate Scott
Sent: Thursday, June 24, 2010 5:18 PM
To: Susan Yinger
Cc: Steven Abrams
Subject: Amendment for the Miracle Field in Delray Beach

Hi Susan,

Commissioner Abrams has approved an amendment to be made for the additional element of the modular building to be included in the project at the Delray Beach Miracle Field and to extend the completion date as needed to accommodate administrative paper work.

Please do not hesitate to contact me for any further information. Thank you.

Kindest regards,
Kate (Freddie) Scott, Administrative Assistant to
Commissioner Steven L. Abrams, District 4
Office: 276-1220; Fax: 279-1297
email: kfscott@pbcgov.org