

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 14, 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: fully executed Amendment No. 1 to Agreement (R2008-2232) for the Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program (FBIP) Grant #08083 for the DuBois Park docks and shoreline stabilization project extending the project completion date for one year from June 15, 2010, to June 15, 2011.

Summary: On July 8, 2008, the Board authorized the County Administrator or his designee to execute the funding Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement for the FFWCC FBIP grant for Dubois park dock construction and shoreline stabilization (R2008-1210). The grant was awarded and the Director of the Parks and Recreation Department executed the Grant Agreement on behalf of the County. The Grant Agreement was submitted to the Board on December 2, 2008, to receive and file. Due to environmental permitting delays, the County requested a one year extension to complete the project. A fully executed Amendment No. 1 to Agreement is now being submitted to the Board to receive and file. District 1 (AH)

Background and Justification: The FFWCC offers grants to local governments through its FBIP for public recreation projects directly related to the waterways. On July 20, 2010, the Palm Beach County Board of County Commissioners awarded the construction contract for demolition of existing structures, installation of bulkheads and a seawall, dredging, and construction of an artificial reef and docking facilities at DuBois Park. The requested time extension was granted and has been executed on behalf of the Board in accordance with the delegation of authority for signature authorized by the Board on July 8, 2008.

Attachment: Amendment No. 1 to Agreement

Recommended by:


Department Director

8-20-10
Date

Approved by:


Assistant County Administrator

8/31/10
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)	_____	_____	_____	_____	_____

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

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

There is no fiscal impact associated with this item as the Amendment is for a time extension only.

C. Departmental Fiscal Review: chopelakis

III. REVIEW COMMENTS

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

[Signature]
OFMB

[Signature] 8/30/10
Contract Development and Control
E. Jones 8/26/10

B. Legal Sufficiency:

Anne Delgado 8/30/10
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 9/2003
ADM FORM 01

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

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AMENDMENT NO. 1 TO AGREEMENT

This AMENDMENT TO AGREEMENT is entered into by and between the FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION ("COMMISSION") and the PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS ("GRANTEE"), and amends that Agreement entered into between the COMMISSION and the GRANTEE dated October 20, 2008, and hereinafter referred to as the "ORIGINAL AGREEMENT".

IN CONSIDERATION of the mutual covenants and conditions set forth herein and in the ORIGINAL AGREEMENT, the parties agree to amend the ORIGINAL AGREEMENT as follows, which amendments shall govern to the exclusion of any provision of the ORIGINAL AGREEMENT to the contrary:

1. Paragraph 22 of the ORIGINAL AGREEMENT is hereby amended to read as follows:

TERM OF AGREEMENT: This Agreement shall begin upon execution by both parties and end **June 15, 2031**, inclusive. **However, the GRANTEE shall complete all Phase I project services on or before June 15, 2011.** The GRANTEE shall not be eligible for reimbursement for services rendered prior to the execution date of this Agreement nor after the termination date of the Agreement.

2. Attachment B, Project Progress Report, of the ORIGINAL AGREEMENT is hereby replaced in its entirety with Attachment B-1, attached hereto and made a part of the Agreement.
3. No funds in addition to those provided for in the ORIGINAL AGREEMENT are authorized or allocated by this AMENDMENT TO AGREEMENT.


All provisions of the ORIGINAL AGREEMENT not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT TO AGREEMENT on the date and year last written below.

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION


Chairman, or designee

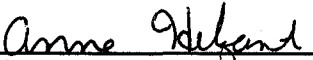

Executive Director, or designee

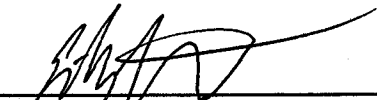
5-14-10
Date

5/24/10
Date

Approved as to form and legality:

Approved as to form and legality:


Grantee Attorney


FWC Attorney