

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: December 7, 2010

Consent
 Workshop

Regular
 Public Hearing

Department:

Submitted By: Engineering & Public Works
Submitted For: Roadway Production Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution to approve the Local Agency Certification Qualification Agreement with the Florida Department of Transportation (FDOT) to complete Palm Beach County's (County) Local Agency Program (LAP) Recertification requirements.

SUMMARY: Adoption of the Agreement will allow the County to continue to participate in the FDOT LAP program which provides federal funding for roadway projects.

Countywide (MRE)

Background and Justification: The County routinely enters into funding agreements with FDOT. When federal dollars are involved, a LAP Agreement is required between FDOT and the County. Renewing the County's LAP Certification with FDOT will allow the County to receive and manage future LAP agreements. This Local Agency Certification Qualification Agreement is the final item necessary to complete the County's recertification. The other items necessary for renewal consisted of providing FDOT copies of the County Policies and Procedures Manual, the latest Single Audit, and employee training certificates of completion.

Attachments:

1. Agency Certification Qualification Agreement (7 originals)
2. Resolution (7 originals)

Recommended by: _____

Division Director

Date

Approved By: _____

County Engineer

Date

S. T. Webb

11/23/10

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.:

Fund Agency Organization Object

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

No fiscal impact.

C. Departmental Fiscal Review: *Whillhite*

III. REVIEW COMMENTS

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

[Signature] 11/24/10 *[Signature]* 11/30/10
 OFMB Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 12/2/10
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

LOCAL AGENCY Palm Beach County

The noted Local Agency hereby agrees to comply with the following requirements when developing all projects on and off the Federal-aid Highway System:

1. The *Local Agency Program (LAP) Manual* and all policies and guidelines promulgated by the State of Florida Department of Transportation (Department) which accomplish the policies and objectives set forth in Title 23, U.S.C., Highways and the Regulations issued pursuant thereto.

2. The overall approval authorities and conditions will be as follows:

a. The project design will be reviewed and approved by the following State of Florida registered Professional Engineer (s).

Director

Position Title (s) Only

b. The hearing's findings (if required) will be reviewed and approved by the following official(s).

Director

Position Title(s) Only

c. The contract plans, specifications, and estimate of cost will be reviewed and approved by the following State of Florida registered Professional Engineer (s).

Director

Position Title (s) Only

d. Agreements will be signed by the following responsible local official(s).

(1) Railroad

Board of County Commissioner's Chairperson

Position Title (s) Only

(2) Utility

Board of County Commissioner's Chairperson

Position Title (s) Only

(3) Consultant

Board of County Commissioner's Chairperson

Position Title (s) Only

(4) Technical Services

Board of County Commissioner's Chairperson

Position Title (s) Only

e. The award of contract will be signed by the following responsible official.

Board of County Commissioner's Chairperson

Position Title (s) Only

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

- f. The following person or persons will be the Disadvantage Business Enterprise (DBE) Liaison Officer, Title VI Officer, Equal Employment Opportunity(EEO)/Affirmative Action Officer, and Americans with Disabilities Act (ADA) Coordinator.
One person may serve in all four positions or a separate person in each position.

Brad Merriman / Asst. County Admin. - ADA Coordinator / (561) 355-2030 / bmerrima@pbcgov.org
Name Position Title Contact Information

Karen Thompson / Manager - EEO/AA Officer / (561) 616-6888 / kthomps@pbcgov.org
Name Position Title Contact Information

Allen F. Gray, Interim Director, OSBA / DBE-SBE Liaison / (561) 616-6840 / agray@pbcgov.org
Name Position Title Contact Information

Brad Merriman / Asst. County Admin - Title VI Officer / (561) 355-2030 / bmerrima@pbcgov.org
Name Position Title Contact Information

- g. All projects will be designed and constructed in accordance with the requirements of the *LAP Manual*.
- h. The Contract Administration will be supervised by the following State of Florida registered Professional Engineer.

Director
Position Title Only

- i. Construction Administration and Material Sampling and Testing will be accomplished in accordance with the requirements of the *LAP Manual*.

3. The Local Agency agrees that it has the means to provide adequate expertise and will have support staff available to perform the functions being subdelegated. The support staff may include consultant or State services.
4. The Local Agency agrees to submit the names of the approving authorities noted in Section 2 above with each project prospectus.
5. All projects under Local Agency Certification shall be available for review by the Federal Highway Administration (FHWA) and the Department at any time. All project documents shall be retained and available for inspection during the plan development and construction stages and for a three-year period following acceptance of the project by FHWA.
6. The Department's District LAP Administrator's approval of the Local Agency Certification may be rescinded at any time upon request by the Local Agency or if in the Department's District LAP Administrator's opinion, it is necessary to do so. The rescission may be applied to all or part of the functional areas or projects approved in the Local Agency Certification.
7. The Local Agency must receive a Recertification of Qualification after a period of three years of inactivity or at the discretion of the Department's District LAP Administrator. Failure to receive a Recertification of Qualification and/or unsatisfactory performance by the Local Agency will result in a Decertification of Qualification.

Mayor or Chairman or Designee

Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

SDS-010-03
PRODUCTION SUPPORT
07/09
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STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION

The Local Agency is certified in the following functional areas: Planning Environmental Documentation
 Design Consultant Selection Bid and Award Project Construction Administration
 Right of Way Documentation

Approved By: _____
District Secretary or Designee

Date

AGENCY
PALM BEACH COUNTY, FLORIDA
A Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

By: _____
Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By: _____
COUNTY ATTORNEY

APPROVED AS TO TERMS AND CONDITIONS

By:  _____

ATTEST:
SHARON R. BOCK

By: _____
CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

Date: _____

RESOLUTION NO. R-2010-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; APPROVING THE LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE LOCAL AGENCY PROGRAM RECERTIFICATION OF PALM BEACH COUNTY

WHEREAS, the Florida Department of Transportation (FDOT) has a Local Agency Program (LAP) through which they distribute federal grants to Palm Beach County; and

WHEREAS, the FDOT has requested that the County enter into a Local Agency Certification Qualification Agreement outlining the responsibilities of persons within the County; and

WHEREAS, through this agreement, the County will complete its LAP recertification which would continue its participation in the LAP program; and

WHEREAS, the Board of County Commissioners has determined execution of the Local Agency Certification Qualification Agreement to be in the best interest of the citizens and residents of Palm Beach County.

(Intentionally Left Blank)

NOW, THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the Chairman is hereby authorized to execute the Local Agency Certification Qualification Agreement with the Florida Department of Transportation.

1. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
2. This Resolution will take effect upon its adoption.

The foregoing resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

District 1:	Karen T. Marcus	-
District 2:	Paula Burdick	-
District 3:	Shelley Vana	-
District 4:	Steven L. Abrams	-
District 5:	Burt Aaronson	-
District 6:	Jess Santamaria	-
District 7:	Priscilla Taylor	-

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____ 2010.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA BY
ITS BOARD OF COUNTY

SHARON BOCK, CLERK AND
COMPTROLLER

By: _____
Assistant County Attorney

By: _____
Deputy Clerk