

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: May 17, 2011

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: Second Amendment to Agreement with the City of Belle Glade for funding of Belle Glade Marina Improvements – Phase I to extend the project completion date from February 20, 2011, to February 20, 2012.

**Summary:** This Second Amendment to Agreement R2007-1362, as amended by R2010-1547, extends the project completion date from February 20, 2011, to February 10, 2012, in order for Belle Glade to complete project construction and accomplish reimbursement paperwork. All other terms of the Agreement, as amended, including the funding amount of \$2,463,600, remain the same. District 6 (PK)

**Background and Justification:** The County entered into an Interlocal Agreement with the City of Belle Glade on August 21, 2007, for funding of design and construction of Belle Glade Marina Project – Phase I. The Agreement was subsequently amended to expand the scope of the project and extend the project timeframe for six months in order for the City to complete the contracted work and additions to the project scope. Due to a delay in receiving project permits, however, the City is now requesting a second extension of the project completion date. The new project completion date is February 20, 2012.

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

**Attachment:** Second Amendment to Agreement

Recommended by:   
Department Director

4/19/2011  
Date

Approved by:   
Assistant County Administrator

5/4/11  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

| Fiscal Years                                   | 2011         | 2012       | 2013       | 2014       | 2015       |
|--|--------------|------------|------------|------------|------------|
| 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> |
| <b>NET FISCAL IMPACT</b>                       | * <u>-0-</u> | <u>-0-</u> | <u>-0-</u> | <u>-0-</u> | <u>-0-</u> |
| <b># ADDITIONAL FTE POSITIONS (Cumulative)</b> | _____        | _____      | _____      | _____      | _____      |

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:**

\* This Amendment is to extend the project completion date and has no additional fiscal impact to Palm Beach County.

The budget account number for the Agreement is 3038-581-P606-8101 (KPO 581 PRCP091207\*11 for \$2,463,600).

C. Departmental Fiscal Review:                     chapelakis                    

**III. REVIEW COMMENTS**

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

                    N. Diaz                    5/2/2011                      
 OFMB

                    Dr. J. Jacob                    5/3/11                      
 Contract Development and Control

**B. Legal Sufficiency:**

                    Paul F.                    5/4/11                      
 Assistant County Attorney

**This amendment complies with our review requirements.**

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN  
PALM BEACH COUNTY AND THE CITY OF BELLE GLADE FOR FUNDING OF THE  
BELLE GLADE MARINA PROJECT – PHASE I**

**THIS SECOND AMENDMENT TO AGREEMENT** 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 Belle Glade, a Florida municipal corporation, hereinafter referred to as "MUNICIPALITY".

**WITNESSETH:**

**WHEREAS**, on August 21, 2007, COUNTY entered into an Interlocal Agreement with MUNICIPALITY (R-2007-1362) to provide funding in an amount not-to-exceed \$2,463,600 for design and construction of Phase I improvements to the Belle Glade Marina (the "Project"); and

**WHEREAS**, on October 5, 2010, COUNTY approved a First Amendment to Agreement (R-2010-1547) to expand the scope of the project and to provide an extension to the Project completion date until February 20, 2011; and

**WHEREAS**, due to a delay in receiving necessary permits, MUNICIPALITY has requested a time extension until February 20, 2012, to allow for construction completion; and

**WHEREAS**, both parties desire to amend the Agreement.

**NOW THEREFORE**, the parties hereby agree as follows:

1. Section 2.06 of the Agreement, as amended, shall be amended to delete "MUNICIPALITY will use its best efforts to totally complete the Project and open same to the public for its intended use by February 20, 2011" and to insert "MUNICIPALITY will use its best efforts to totally complete the Project and open same to the public for its intended use by February 20, 2012".

2. 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**

By: \_\_\_\_\_  
Deputy Clerk

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

By: \_\_\_\_\_  
Karen T. Marcus, Chair

**CITY OF BELLE GLADE**

By: \_\_\_\_\_  
Mayor

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

By: \_\_\_\_\_  
Municipality Attorney

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY**

By: \_\_\_\_\_  
County Attorney

**APPROVED AS TO TERMS AND  
CONDITIONS**

By: \_\_\_\_\_  
Eric Call, Director  
Parks and Recreation Department

