

## **AGENDA ITEM SUMMARY**

**[ X ] Consent      [ ] Regular**  
**[ ] Workshop      [ ] Public Hearing**

**Submitted By: Department of Airports**

## I. EXECUTIVE BRIEF

**Summary:** On April 10, 2007, the Board approved the Lease with DJJ (R2007-0482). The Lease expires September 30, 2011. The Modification extends the term of the Lease on a month-to-month basis for the monthly rental payment of \$24,100.83. The Modification incorporates an addendum whereby the County agrees to enroll and participate in the Employment Eligibility Verification Program (E-Verify) pursuant to State of Florida Executive Order 11-116. **Countywide (HJF)**

**Attachments:**

- ### 1. Agreement for Modification (4)

**Department Director**

Date \_\_\_\_\_

**County Administrator**

Date \_\_\_\_\_

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures					
Operating Costs					
Operating Revenues	(24,101)				
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	(24,101)	0	0	0	0
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in <sup>Proposed</sup> Budget? Yes <u>X</u> No <u>    </u>					
Budget Account No: Fund <u>4100</u> Department <u>120</u> Unit <u>8452</u> Rsource <u>4413</u>					
Reporting Category <u>                    </u>					

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

Approval of the Agreement for Modification will result in month-to-month revenues of \$24,100.83.  
One month is budgeted in FY2012, however, the total fiscal impact is indeterminable at this time.

C. Departmental Fiscal Review: CM Sumner

III. REVIEW COMMENTS

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

[Signature]  
OFMB VA  
7/25/11 2/22/11

[Signature]  
Contract Dev. and Control  
8-2-11 B.W.

B. Legal Sufficiency:

[Signature] 8/3/11  
Assistant County Attorney

C. Other Department Review:

                                      
Department Director



STATE OF FLORIDA  
Agreement for Modification  
Department of Management Services Form 4040



Lease Number: 8 0 0 0 3 4 5

Modification Number: 1

WHEREAS, the Department of Juvenile Justice, as Lessee, has previously entered into Lease Number 8 0 0 0 3 4 5, on April <sup>th</sup> 26th, 2 0 0 7 which became effective October 1st, 2 0 0 7 and consists of 28,921 square feet; the current Lessor being Palm Beach County, FL; and

WHEREAS, the current description of the leased premises is:

28,921 square feet

3400 Belvedere Road, West Palm Beach, Florida 33406

and the covenants and conditions contained in the original State of Florida, Department of Management Services' Lease Agreement, as amended by the below modification(s) are hereby readopted and incorporated herein.

1. ☐ Agreement for Lease Renewal

Lessor and Lessee agree that, pursuant to Article \_\_\_\_\_ of the Lease Agreement described above, the Lessee hereby exercises the option to renew Lease for a period of \_\_\_\_\_ year(s) beginning \_\_\_\_\_ 1st \_\_\_\_\_, \_\_\_\_\_ and ending \_\_\_\_\_ 1st \_\_\_\_\_, \_\_\_\_\_.

2. ☒ Restructure the Rental Rate:

Commencing October 1st, 2 0 1 1, the Lease referenced above is amended to increase ☒ or decrease ☐ the rental rate per square foot per year paid to the Lessor by the Lessee to the amounts as specified in Article 6 of this agreement.

3. ☐ Increase or Decrease Square Footage:

Commencing \_\_\_\_\_ 1st \_\_\_\_\_, \_\_\_\_\_, the Lease referenced above is amended to increase ☐ or decrease ☐ the square footage leased under this Lease by \_\_\_\_\_ square feet from \_\_\_\_\_ square feet to \_\_\_\_\_ square feet.

The description of added or deleted square footage is: \_\_\_\_\_ and the rental rates, pursuant to this change, shall be as specified in article 6 of this Agreement.

4. ☐ Change the Renewal Option Terms:

Commencing \_\_\_\_\_ 1st \_\_\_\_\_, \_\_\_\_\_, the Lease is hereby amended to change the renewal option periods from \_\_\_\_\_, \_\_\_\_\_ year periods to \_\_\_\_\_, \_\_\_\_\_ year periods.



IN WITNESS WHEREOF, the parties hereto have hereunto executed this instrument for the purpose herein expressed, the \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

ANY MODIFICATION OF A LEASE AGREEMENT SHALL NOT BECOME LEGALLY EFFECTIVE UNTIL APPROVED/ACCEPTED BY THE DEPARTMENT OF MANAGEMENT SERVICES.

ORIGINAL SIGNATURES REQUESTED ON ALL COPIES

As to Lessor – Lessor, or authorized representative and two witnesses must sign, print name and enter date.

SEE LESSOR SIGNATURE AT BOTTOM OF THIS PAGE		
X _____ Lessor or Authorized Representative	_____ Printed Name	_____ Date
X _____ Witness #1	_____ Printed Name	_____ Date
X _____ Witness #2	_____ Printed Name	_____ Date

As to Lessee Agency – Agency head, or authorized delegate, and representative of Agency Office of General Counsel must sign, print name and enter date.

X <u>Richard Haire</u> Agency Head or Authorized Delegate	<u>Richard Haire</u> Printed Name	<u>7-1-11</u> Date
X <u>Tony W Mathews</u> Agency Office of General Counsel	<u>Tony W Mathews</u> Printed Name	<u>7-1-11</u> Date

As to the Department of Management Services – Chief Real Property Administrator, or authorized delegate, Secretary, or authorized delegate and representative of DMS Office of General Counsel must sign, print name and enter date.

X _____ Chief Real Property Administrator	_____ Printed Name	_____ Date
X _____ Secretary or Authorized	_____ Printed Name	_____ Date
X _____ DMS Office of General Counsel	_____ Printed Name	_____ Date

LESSOR:

ATTEST:  
SHARON R. BOCK,  
CLERK AND COMPTROLLER

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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

PALM BEACH COUNTY, A POLITICAL SUBDIVISION  
OF THE STATE OF FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

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

APPROVED AS TO TERMS  
AND CONDITIONS

By: [Signature]  
Director, Department of Airports



STATE OF FLORIDA  
DEPARTMENT OF MANAGEMENT SERVICES

ADDENDUM "A"

LEASE NUMBER: 800:0345

Employment Eligibility Verification

Pursuant to Executive Order #11-02 (as Superseded by 11-116), Lessor agrees that it will enroll and participate in the Employment Eligibility Verification Program ("E-Verify Program") administered by the U.S. Department of Homeland Security ("DHS"), under the terms provided in the "Memorandum of Understanding" with DHS governing the program, to verify the employment eligibility of all persons it employs under the lease term to perform duties in Florida. Lessor further agrees to provide to the Lessee, as part of the leasing documents, documentation of such enrollment in the form of a copy of the "Edit Company Profile" page in E-Verify, which contains proof of enrollment in the E-Verify Program. (This page can be accessed from the "Edit Company Profile" link on the left navigation menu of the E-Verify employer's homepage.) Information regarding "E-Verify" is available at the following website: [http://www.dhs.gov/files/programs/gc\\_1185221678150.shtm#1](http://www.dhs.gov/files/programs/gc_1185221678150.shtm#1)).

Lessor further agrees that it will require each subcontractor that performs work under this lease to verify the employment eligibility of its employees hired during the term of this contract by enrolling and participating in the E-Verify Program within ninety days of the effective date of this lease or within ninety days of the effective date of the contract between the Lessor and the subcontractor, whichever is later. The Lessor shall obtain from the subcontractor(s) a copy of the "Edit Company Profile" screen indicating enrollment in the E-Verify Program and make such record(s) available to the Agency and other authorized state officials upon request.

Lessor further agrees to maintain records of its participation and compliance with the provisions of the E-Verify Program, including participation by its subcontractors as provided above, and to make such records available to the Agency and other authorized state officials upon request.

Compliance with the terms of this Employment Eligibility Verification provision (including compliance with the terms of the "Memorandum of Understanding" with DHS) is hereby made an express condition of this lease.

Richard Hane  
Lessee  
7/13/2011  
Date

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE  
STATE OF FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

Karen T. Marcus, Chair

ATTEST:  
SHARON R. BOCK, CLERK AND COMPTROLLER

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

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

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

APPROVED AS TO TERMS  
AND CONDITIONS

By: [Signature]  
Director of Airports

FM 4054K (R06/11)