

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: October 18, 2011 Consent [X] Regular []
Public Hearing []

Submitted By: Water Utilities Department
Submitted For: Water Utilities Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: an Extension Agreement to the Interlocal Agreement with the School Board of Palm Beach County, Florida, for the Operation and Maintenance of Water and Wastewater Treatment Facilities.

Summary: On August 15, 2006, the Board of County Commissioners entered into an Interlocal Agreement (Agreement) (R2006-1461) with the School Board of Palm Beach County (School Board) to operate and maintain certain water and wastewater facilities currently associated with the School Board. This Extension Agreement extends the term of the Agreement with the School Board through November 14, 2011. The School Board agrees to pay the County \$51,500 for the extended time frame of services. This amount includes all labor costs for the operation and maintenance services to the facilities and the provision of required chemicals (excluding electricity) required for the operation and maintenance services during the extended term. It is mutually beneficial for the County and the School Board to extend the Agreement. Districts 1 & 6 (MJ)

Background and Justification: The Water Utilities Department currently provides contract operations and maintenance services for package water and wastewater treatment plants owned by the School Board. Water Utilities staff will make scheduled routine visits for operation and maintenance purposes, provide necessary chemicals, provide testing services, and prepare and submit the necessary operation reports to the regulatory agencies. The School Board approved the Extension Agreement on August 16, 2011.

Attachments:

- 1. Location Map
- 2. Two (2) Original Agreements

Recommended By:  9/22/11
Department Director Date

Approved By:  10/12/11
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Operating Expenditures	\$51,500.00	0	0	0	0
External Revenues	(\$51,500.00)	0	0	0	0
Program Income (County)	0	0	0	0	0
In-Kind Match County	0	0	0	0	0
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>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Budget Account Nos.: Fund 4001 Dept 720 Unit 2536 Object 4615

Is Item Included in Current Budget? Yes No

Reporting Category N/A

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

The School Board agrees to reimburse the County for the operations and maintenance costs incurred to operate and maintain the water and wastewater facilities currently associated with the School Board resulting in no net fiscal impact to the Department.

C. Department Fiscal Review: Delura M. West

III. REVIEW COMMENTS

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

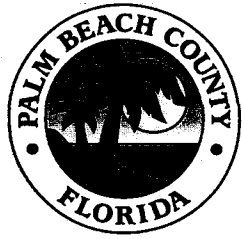
[Signature]
OFMB
10/4/11

[Signature] 10/4/11
Contract Development and Control
10-4-11 B. Wheel
This Extension is
retroactive in nature.

B. Legal Sufficiency:
[Signature] 10/6/11
Assistant County Attorney

C. Other Department Reviews:








Department Director



**Palm Beach County
Water Utilities
Department
Service Area (SA) and
Major Facilities**

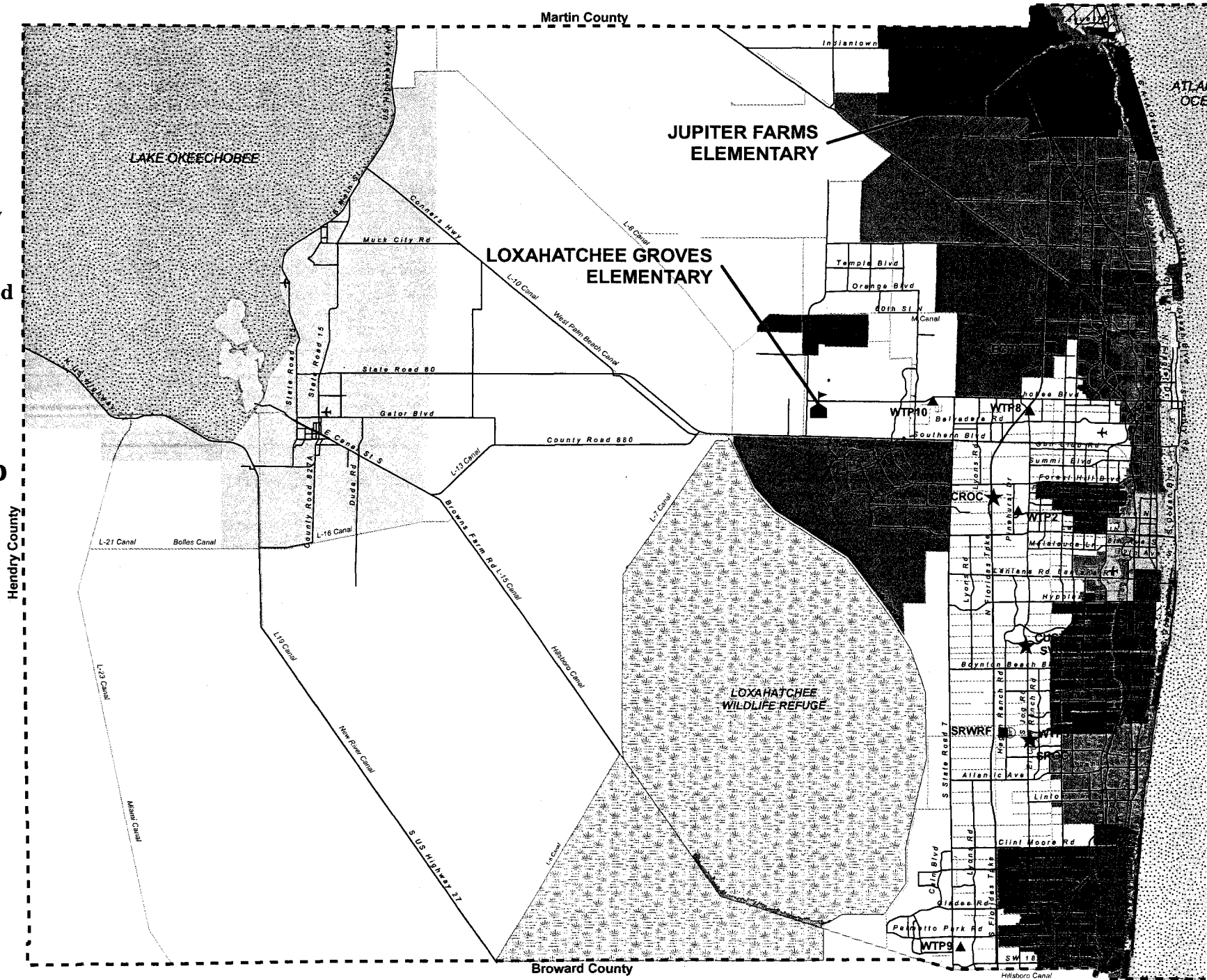
Location Map

Legend

-  School Locations
-  P.B.C.W.U.D. SA
-  Palm Beach County Limits
-  Administration
-  Water Reclamation Facility
-  Water Treatment Facility
-  Wetlands



NOT TO SCALE



Attachment 1

**EXTENSION AGREEMENT TO
INTERLOCAL AGREEMENT BETWEEN PALM BEACH
COUNTY THE SCHOOL BOARD OF PALM BEACH COUNTY
FOR THE OPERATION AND MAINTENANCE OF WATER
AND WASTEWATER TREATMENT FACILITIES**

THIS EXTENSION AGREEMENT ("Extension"), is entered into as of this _____ day of _____, 2011 by and between Palm Beach County, a political subdivision of the State of Florida ("County") and the School Board of Palm Beach County, Florida a corporate body politic of the state of Florida (the "School Board").

WITNESSETH:

WHEREAS, the School Board and County entered into that certain Interlocal Agreement for Operation and Maintenance of Water and Wastewater Treatment Facilities dated July 20, 2006 and effective August 15, 2006 (County Resolution No. R2006-1461) (hereinafter referred to as the "Agreement"); and

WHEREAS, the School Board and County desire to extend the term of the Agreement; and

WHEREAS, unless otherwise modified herein, the defined terms in this Extension shall have the same definitions as defined in the Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the parties agree as follows.

1. The foregoing recitals are true and correct and are hereby incorporated herein by reference.
2. Paragraph 3 of the Agreement is hereby modified and amended to provide as follows:

The parties agree to extend this Agreement an additional three (3) months (hereinafter the "Extended Term"). The Effective Date of the Extended Term shall be August 15, 2011, and shall continue for three (3) months until November 14, 2011. Either party may cancel this Agreement during the Extended Term by providing the other party with thirty (30) days written notice.

3. Paragraph 4 of the Agreement is hereby modified and amended to provide as follows:

The cost of the O & M Services to the Facilities by the County for the Extended Term shall be \$51,500.00. This amount includes all labor costs for the O & M Services to the Facilities and the provision of required chemicals (excluding electricity) required for O & M Services during the Extended Term. The County shall provide an invoice for the Extended Term following expiration of the

Extended Term, and the invoice shall be paid by the School Board within thirty (30) days of receipt of said invoice.

- 4. The remainder of the Agreement, as modified and extended herein, shall continue in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement herein on the day and year first above written.

THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA,

(SEAL)

By: Frank A. Barbieri, Jr., Esq., Chairman

Date: 8/16/11

ATTEST:

William F. Malone
William F. Malone, Superintendent

Reviewed & Approved:

By: Blair Smith 7/14/11
School Board Attorney

ATTEST

SHARON R. BOCK
CLERK AND COMPTROLLER

PALM BEACH COUNTY, BY ITS
BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Karen T. Marcus, Chair

(SEAL)

APPROVED AS TO FORM AND TO
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS

By: _____
County Attorney

By: Paul R. ...
Director of Water Utilities