PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: Janu	ary 24, 2012	[x] []	Consent Workshop	[]	Regular Public Hearing
Department:			-		0
Submitted By:	Engineering & 1	Public Wo	rks Departmer	ıt	

Engineering & Public Works Department Office of the County Engineer

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends Motion to:

- A) ratify a Local Agency Program Supplemental Agreement (LAP) with the Florida Department of Transportation (FDOT) to extend the expiration date for Palm Beach County's (County) Congress Avenue Intermodal Center project to June 30, 2012 and to add E-Verify language; and
- **B)** adopt a new Resolution to replace Resolution R2010-1969, authorizing the County Administrator or his designee to approve amendments to existing funding agreements with FDOT that involve time extensions and/or the addition of the E-Verify language, which is now required by FDOT.

SUMMARY: Ratification of this LAP extends the completion date for the project from December 31, 2011 to June 30, 2012 and also adds the E-Verify language now required by FDOT. Adoption of the new Resolution will allow the County Administrator or designee to approve amendments or supplemental agreements to existing FDOT agreements that involve time extensions and/or the addition of the E-Verify language.

Countywide (MRE)

Submitted For:

Background and Justification: The LAP was executed by the County Administrator to keep the agreement valid through the end of 2011, per Resolution R2010-1969. However, FDOT now requires that E-Verify language be added to all such agreements and approval of this is not currently authorized under the Resolution. This language requires verification of employment eligibility for workers on FDOT funded projects. The Board of County Commissioners previously approved several such agreement modifications. As it will now be a standard part of any agreement extension where it does not already exist, staff recommends extending the authority of the County Administrator or his designee to include the approval of adding the E-Verify language.

Attachments:

- 1. Local Agency Program Supplemental Agreement
- 2. Resolution (7 originals)
- 3. Resolution R2010-1969

Recommended B	y:	
	Division Director	Date
Approved By:	S.J. WM	1/ n/12
•	J County Engineer	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	<u>\$ -0-</u>		-0-	-0-	<u>-0-</u>
Operating Costs	-0-	-0-	-0-		-0-
External Revenues	-0-	-0-	-0-		<u>-0-</u>
Program Income (County)	-0-	-0-	-0-	0	<u>-0-</u>
In-Kind Match (County)	-0-	-0-	-0-	-0-	<u>-0-</u>
NET FISCAL IMPACT *	<u>\$ -0-</u>	_0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					
, i i		······································			
Is Item Included in Co	irrent Bu	ldget?	Yes X	No	
Budget Acct No.: Fund	De	pt	Unit	Object	

Recommended Sources of Funds/Summary of Fiscal Impact:

★This item has a no fiscal impact. The agenda items extend the eligible time frame for grants. The funds are currently budgeted.

lichovala C. Departmental Fiscal Review:

III. REVIEW COMMENTS

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

1AIN2 OFMB ود ce

B. Approved as to Form and Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

117/2

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

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Attachment 1.

PRODUCTION SUI	PPORT 12/01
Pene	1 of 2

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1			
	SUPPLEMENTAL NO.	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	FPN
Ì	1 (one)	LOCAL AGENCY PROGRAM	420356-1-58-01
ł	DUNS NO	SUPPLEMENTAL	CONTRACT NO
Į	80-939-7102	AGREEMENT	APY-46

The Palm Beach County

desires to supplement the as identified above. All provisions in the original original Agreement entered into and executed on 06/09/2010 Agreement and supplements, if any, remain in effect except as expressly modified by this supplement

The changes to the Agreement and supplements, if any, are described as follows,

PROJECT DESCRIPTION

Length 0.170 Miles

Name Congress Avenue at Intermodal Center

Termini East and West of South County Government Complex

Description of Work. Construction of a new mast arm signal

Reasons for Supplement.

The terms of the original agreement, referenced above, are hereby amended as follows:

- This Supplemental Agreement amends paragraph 2.02 (Expiration of Agreement) of the Original Agreement to extend the completion of services until June 30, 2012.
- This Supplemental Agreement also amends the Original Agreement to include Paragraph 13.18 E-VERIFY as follows

13.16 E-VERIFY

The Agency:

- 1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Agency during the term of the contract; and
- 2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

	·	Page 2 of 2
SUPPLEMENTAL NO.	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION	FPN
1 (one)	LOCAL AGENCY PROGRAM SUPPLEMENTAL	420366-1-58-01
DUNS NO.	AGREEMENT	CONTRACT NO
80-939-7102		APY-46

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written

AGENCY PALM BEACH COUNTY STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION By By. Name: AOBERT Tille: CONNTY P.E. Name GERRY O'RPILLY, P E Title Director of Transportation Development SEISMON ADMINI TUM Attest Attest onnell Name C 1 Title Title Engineer th Counti DEC 2011 9 ł Date: Date. As to form.

Legal Review. Of of the General Counsel

O

525-010-32 RODUCTION SUPPORT 12/09

P. Attomey

RESOLUTION NO. R-2012-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA;

AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE AMENDMENTS TO EXISTING FUNDING AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORATION CONCERNING THE EXTENSION OF THEIR EXPIRATION DATES AND THE ADDITION OF E-VERIFY LANGUAGE

WHEREAS, the Florida Department of Transportation (FDOT) routinely awards Grants to the County to help fund roadway improvements; and

WHEREAS, the FDOT requires that the County enter into a Joint Participation Funding Agreement outlining the responsibilities of each party with respect to the Grants; and

WHEREAS, through these Funding Agreements, the County will accomplish the projects including design, right-of-way acquisition, construction and construction engineering inspection; and

WHEREAS, these Funding Agreements often require an extension of time to complete the project and receive the Grant Funds; and

WHEREAS, these time extensions now also require that E-Verify language be added if it was not in the original Funding Agreement whereby the County and its contractors attest to the employment eligibility of all those working on the project; and

WHEREAS, the Board of County Commissioners has determined that the delegation of authority to the County Administrator or his designee to execute amendments to the Funding Agreements for extensions of time and addition of E-Verify language is necessary for the efficient and timely processing of time extensions and to be in the best interest of the citizens and residents of Palm Beach County.

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NOW, THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the County Administrator or his designee is hereby authorized to execute Amendments to Funding Agreements with the Florida Department of Transportation to extend expiration deadlines and add E-Verify language.

- 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:

Commissioner Shelley Vana, Chair	-
Commissioner Steven L. Abrams, Vice Chairman	-
Commissioner Karen T. Marcus	-
Commissioner Paulette Burdick	-
Commissioner Burt Aaronson	-
Commissioner Jess R. Santamaria	-
Commissioner Priscilla A. Taylor	

APPROVED AS TO FORM AND LEGAL SUFFICIENCY COMMISSIONERS

Assistant County Attorney

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY

SHARON BOCK, CLERK AND COMPTROLLER

By:_

By: _

Deputy Clerk

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RESOLUTION NO. R-2010- 1969

Attachment3 Bge 10f2

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA;

AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO EXECUTE AMENDMENTS TO EXISTING FUNDING AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORATION CONCERNING THE EXTENSION OF THEIR EXPIRATION DATES

WHEREAS, the Florida Department of Transportation (FDOT) routinely awards Grants to the County to help fund roadway improvements; and

WHEREAS, the FDOT requires that the County enter into a Joint Participation Funding Agreement outlining the responsibilities of each party with respect to the Grants; and

WHEREAS, through these Funding Agreements, the County will accomplish the projects including design, right-of-way acquisition, construction and construction engineering inspection; and

WHEREAS, these Funding Agreements often require an extension of time to complete the project and receive the Grant Funds; and

WHEREAS, the Board of County Commissioners has determined that the delegation of authority to the County Administrator or his designee to execute amendments to the Funding Agreements for extensions of time is necessary for the efficient and timely processing of time extensions and to be in the best interest of the citizens and residents of Palm Beach County.

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Attachment3 Page 20f2

NOW, THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the County Administrator or his designee is hereby authorized to execute Amendments to Funding Agreements with the Florida Department of Transportation to extend expiration deadlines.

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 <u>Aaronson</u> who moved its adoption. The motion was seconded by Commissioner <u>Vana</u> and upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	-	Aye
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams		Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	+	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chair thereupon declared the Resolution duly passed and adopted this ^{7th} day of <u>December</u> 2010.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY COMMISSIONERS

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY

By:

Assistant County Attorney MSL

SHARON BOCK, CLER COMPTROLLER

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