



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	<u>(\$106,157)</u>	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
<b>NET FISCAL IMPACT</b>	<u><b>(\$106,157)</b></u>	_____	_____	_____	_____
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes \_\_\_\_\_ No X

Budget Account No: Fund 4100 Department 120 Unit 8430 Object 6999  
Reporting Category \_\_\_\_\_

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

The approval of this item provides for payment to Palm Beach County in the amount of \$106,157 for warranty claims.

C. Departmental Fiscal Review: *CM Swinney*

**III. REVIEW COMMENTS**

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

*John Weber* 2/28/12  
OFMB  
VA  
2/27/12  
2/22/12

*Joe J. [Signature]* 3/18/12  
Contract Dev. and Control  
3-8-12 [Signature]

**B. Legal Sufficiency:**

*James C. [Signature]* 3/8/12  
Assistant County Attorney

**C. Other Department Review:**

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

## CONTRACT CLOSE-OUT AGREEMENT

This Agreement is made and entered on \_\_\_\_\_, 2012 between **PALM BEACH COUNTY**, a political subdivision of the State of Florida, hereinafter referred to as the "OWNER" and **ThyssenKrupp Airport Systems, Inc.** hereinafter referred to as the "CONTRACTOR".

**WHEREAS**, Owner and Contractor entered into a construction contract dated October 17, 2006 (R-2006-2205) for the replacement of Passenger Loading Bridges at Palm Beach International Airport (the "Project), Project Number PB 06-2; and

**WHEREAS**, disputes arose on the Project, including claims related to warranty; and

**WHEREAS**, the parties to this agreement desire to amicably resolve all of their disputes, and avoid the expense of possible litigation.

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, the parties agree to abide by those items identified as "Owner's Obligations" and "Contractor's Obligations" as follows:

I. Owner's Obligations

- A. Owner agrees the execution of this mutual agreement will resolve any and all warranty claims related to Contractor's manufactured passenger loading bridges.

II Contractor's Obligations

- A. Contractor will pay to the Owner the sum of \$106,157.00 US dollars.

The parties hereto agree that this agreement contains all of the agreements of the parties regarding the resolution of warranty disputes between the parties.



IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida, has made and executed this Agreement on behalf of the said Owner and caused the seal of the said Owner to be affixed hereto, and the Contractor has hereunto set his hand and seal the day and year above written.

**ATTEST:**  
**SHARON R. BOCK**  
Clerk & Comptroller

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

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

By: \_\_\_\_\_  
Shelley Vana, Chair

(SEAL)

**APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND  
CONDITIONS**

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

By: *[Signature]*  
Director, Department of Airports

**ATTEST:**

**CONTRACTOR:**  
**ThyssenKrupp Airports Systems, Inc.**

By: Lucia J Finkelstein  
AST. Secretary (Please Print)  
*[Signature]*  
Signature

By: MARK D. JONES      Laura Suarez  
Name (Please Print)  
*[Signature]*      *[Signature]*  
Signature  
PRESIDENT      CFO  
Title

(CORPORATE SEAL)