

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2012	2013	2014	2015	2016
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget? Yes X No

Budget Acct No.: Fund _____ Dept. _____ 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.

C. Departmental Fiscal Review: Alice Kovalainen

III. REVIEW COMMENTS

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

<p><u>J. W. [Signature]</u> 7/27/12 OFMB 7/26/12 CE 7/26/12 J. W. [Signature] 7/26/12 (SC)</p>	<p><u>Dr. J. Jacob</u> 7/31/12 Contract Dev. and Control 7-31-12 B. W. [Signature]</p>
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B. Approved as to Form and Legal Sufficiency:

Marlene R. [Signature] 8/2/2012
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

DUNS No.: 80-939-7102
CSFA No.: 55.008

Contract No.: APZ-11
FM No: 421786-1-58-01
Vendor No: VF 596-000-785

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
PALM BEACH COUNTY
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
AMENDMENT NUMBER TWO

THIS Amendment, made and entered into this 21st day of May, 2012, by and between the State Of Florida Department Of Transportation, an agency of the State of Florida, hereinafter called the DEPARTMENT, and Palm Beach County, 2300 North Jog Road, West Palm Beach, Florida 33411, hereinafter called the COUNTY.

WITNESSETH

WHEREAS, on June 30, 2010, the parties entered into a County Incentive Grant Program Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) No. 421786-1-58-01 for Construction and Construction Engineering Inspection (CEI) Services along Lyons Road from SR-804/Boynton Beach Boulevard to SR-806/Atlantic Avenue and hereinafter referred to as the Project; and

WHEREAS, the parties amended the AGREEMENT on June 3, 2011 (Amendment Number One); and

WHEREAS, the parties desire to further amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend the County Incentive Grant Program Agreement dated June 30, 2010, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. Paragraph 3A of the Agreement is amended as follows:

Except as otherwise set forth herein, this Agreement shall continue in effect and be binding to both the COUNTY and the DEPARTMENT until the Project is completed as evidenced by the written acceptance of the DEPARTMENT or June 30, 2013, whichever occurs first.

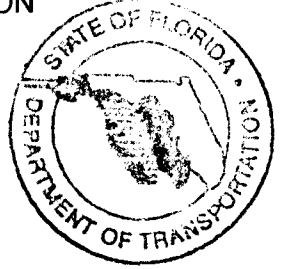
All provisions, covenants, terms and conditions of the AGREEMENT between the parties theretofore entered into of June 30, 2010 and amended on June 3, 2011, respectively, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this AMENDMENT to be executed by the parties below for the purposes specified herein. Authorization has been give to enter into and execute this Amendment by Resolution No.
N/A, hereto attached.

PALM BEACH COUNTY, Florida, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION



BY: [Signature]
NAME: Tanya N. McConnell
TITLE: CHAIRMAN, County Commission
Atta day of May, 2012

BY: [Signature]
GERRY O'REILLY, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

ATTEST:
SHARON R. BOCK

LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: [Signature]
OFFICE OF THE GENERAL COUNSEL

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED:

BY: _____
COUNTY ATTORNEY

BY: [Signature]
PROFESSIONAL SERVICES ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

[Signature] BY: [Signature]
Ornela A. Fernandez

SUPPLEMENTAL NO. TWO DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 229755-1-58-02 CONTRACT NO. APY-93
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The The Florida Department of Transportation and Palm Beach County _____ desires to supplement the original Agreement entered into and executed on 06/15/2010 as identified above. All provisions in the original 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

Name SR-704 Okeechobee Blvd Length 0.266 Miles

Termini from Australian Avenue to Tamarind Ave

Description of Work:

Project scope includes widening, milling and resurfacing, signing and pavement markings, signalization, roadway lighting and to add auxiliary turning lanes on both directions on SR-704 / Okeechobee Blvd from Australian Avenue to Tamarind Avenue.

Reasons for Supplement:

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

- This Supplemental Agreement amends the Original Agreement to extend the time for completion of services until June 30, 2012.

SUPPLEMENTAL NO. TWO DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 229755-1-58-02 CONTRACT NO. APY-93
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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY PALM BEACH COUNTY

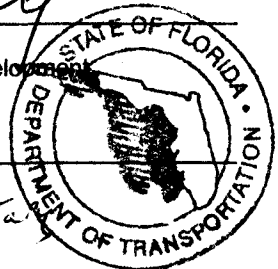
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: *[Signature]*
 Name: TANYA N. MCCONNELL
 Title: DEPUTY COUNTY ENGINEER

By: *[Signature]*
 Name: GERRY O'REILLY, P.E.
 Title: Director of Transportation Development

Attest: _____
 Name: _____
 Title: _____

Attest: *[Signature]*
 Name: Nancy S. Ugo
 Title: EXECUTIVE SECRETARY



Date: _____

Date: 12-16-11

As to form: _____
[Signature]
 Attorney

Legal Review: _____
[Signature]
 Office of the General Counsel

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
PALM BEACH COUNTY
TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT
AMENDMENT NUMBER TWO

THIS AMENDMENT, made and entered into this 21st day of May, 2012, by and between the State of Florida Department of Transportation, hereinafter called the DEPARTMENT, and Palm Beach County, located at 2300 North Jog Road, West Palm Beach, Florida 33411, hereinafter called the COUNTY.

WITNESSETH

WHEREAS, on June 13, 2008 the parties entered into a Transportation Regional Incentive Program Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) No. 422769-2-58-01 for the Construction and Construction Engineering Inspection (CEI) Services for Intersection improvements on Jog Road at 45th Street and hereinafter referred to as the Project; and

WHEREAS, the parties amended the AGREEMENT on June 3, 2011 (Amendment Number One); and

WHEREAS, the parties desire to further amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend the Transportation Regional Incentive Program Agreement dated June 13, 2008, and Amendment Number One dated June 3, 2011 as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. Paragraph 2 of Amendment Number One is amended as follows:
Except as otherwise set forth herein, this AGREEMENT shall continue in effect and be binding to both the COUNTY and the DEPARTMENT until the Project is completed as evidenced by the written acceptance of the DEPARTMENT or October 31, 2012, whichever occurs first.

All provisions, covenants, terms and conditions of the AGREEMENT between the parties theretofore entered into on June 13, 2008 and amended on June 3, 2011, respectively, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

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IN WITNESS WHEREOF, this AMENDMENT to be executed by the parties below for the purposes specified herein. Authorization has been give to enter into and execute this Amendment by Resolution No. _____
N/A on _____, 20____, hereto attached

PALM BEACH COUNTY, Florida, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: [Signature]
NAME: Tanya N. McConnell
TITLE: CHAIR Deputy County Engineer
9th day of May, 2012

BY: [Signature]
GERRY O'REILLY, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

ATTEST:
SHARON R. BOCK

LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: [Signature]
OFFICE OF THE GENERAL COUNSEL

APPROVED AS TO FORM

APPROVED:

BY: _____
COUNTY ATTORNEY

BY: [Signature]
PROFESSIONAL SERVICES ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

[Signature]
BY: [Signature]

**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 TRANSPORTATION 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.

(Intentionally Left Blank)

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 Aaronson who moved its adoption. The motion was seconded by Commissioner Vana 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 December, 2010.

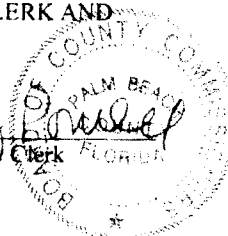
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA BY
ITS BOARD OF COUNTY

SHARON BOCK, CLERK AND
COMPTROLLER

By: Marlene R. Everett
Assistant County Attorney *MRE*

By: Sharon Bock
Deputy Clerk





County Administration

P.O. Box 1989
West Palm Beach, FL 33402-1989
(561) 355-2030
FAX: (561) 355-3982
www.pbcgov.com



**Palm Beach County
Board of County
Commissioners**

Karen T. Marcus, Chair
Shelley Vana, Vice Chair

Paulette Burdick
Steven L. Abrams

Burt Aaronson
Jess R. Santamaria
Priscilla A. Taylor

County Administrator

Robert Weisman

*"An Equal Opportunity
Affirmative Action Employer"*

 printed on recycled paper

December 8, 2010

On December 7, 2010, the Board of County Commissioners adopted a resolution authorizing the County Administrator or his designee to approve amendments to existing funding agreements with the Florida Department of Transportation.

As the County Administrator, I delegate this authority to the County Engineer, the Deputy County Engineer and the Assistant County Engineer.

A handwritten signature in black ink, appearing to read "Robert Weisman".

Robert Weisman,
County Administrator