

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	\$2,051,646	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$2,051,646)	-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 No **X**

Budget Acct No.: Fund 3503 Dept. 361 Unit 0784 6551/3404

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Zone 3
Sr 7/S Of Lw Rd-No Of Southern

The County's \$708,612.85 match was budgeted with the construction contract for this project. (R2012-0298)

C. Departmental Fiscal Review: Alii Koolamei

III. REVIEW COMMENTS

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

OFMB *[Signature]* 12/3/12
[Signature] 11/30/12
[Signature] 12/3/12
[Signature] 11/30/12
Contract Dev. and Control *[Signature]* 12/3/12

B. Approved as to Form and Legal Sufficiency:

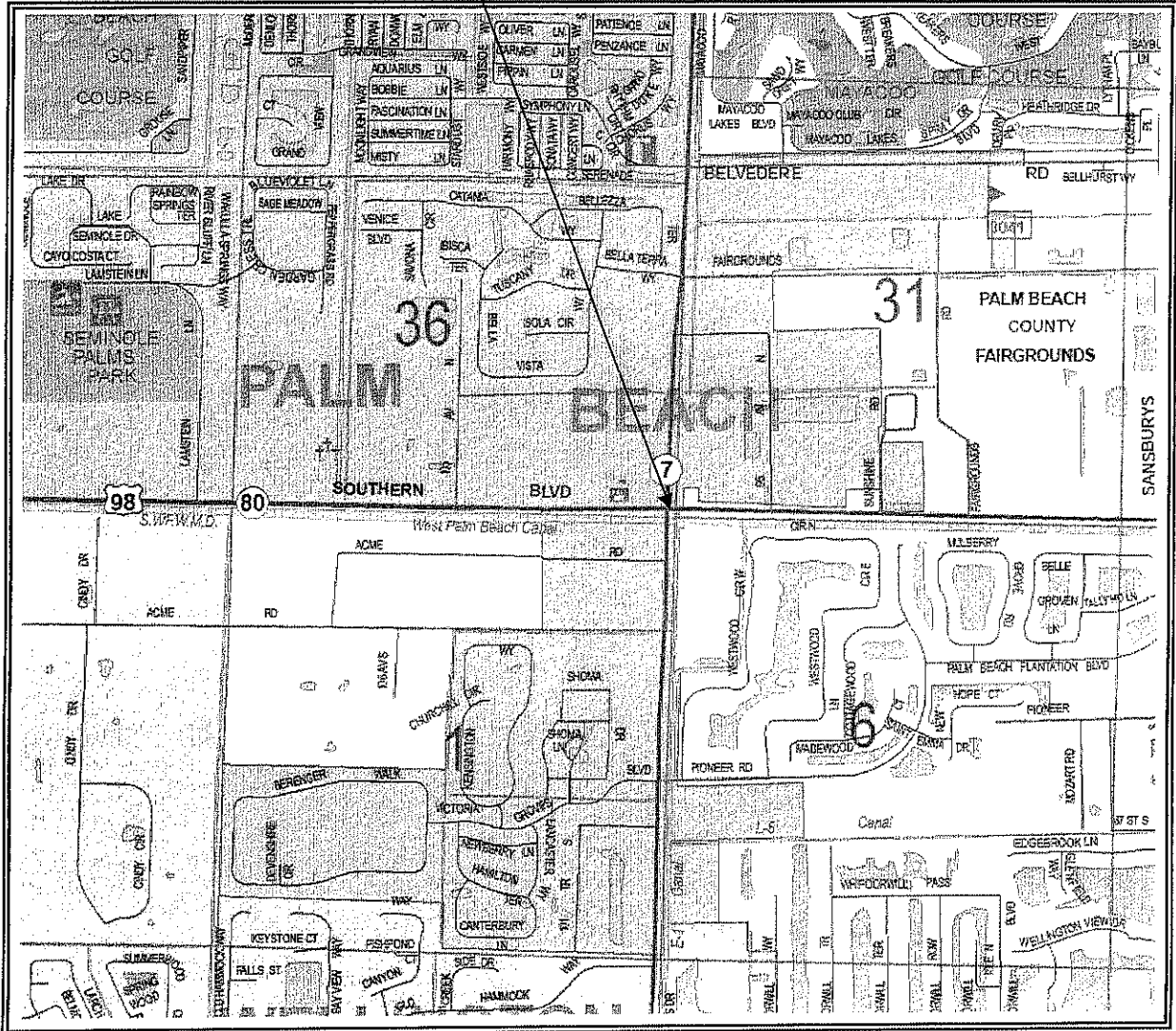
Assistant County Attorney *[Signature]*

C. Other Department Review:

Department Director

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

LOCATION MAP
SR-7 C-51 Canal Bridge Widening
PALM BEACH COUNTY
PROJECT #2001507B



LOCATION MAP

DUNS No.: 80-989-7102
CSFA No.: 55.026

Contract No.: AP-753
FM No: 422768-1-58-01
Vendor No: VF 596-000-785

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

THIS AMENDMENT, made and entered into this _____ day of _____, 20_____, 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 25, 2008 the parties entered into a Transportation Regional Incentive Program (TRIP) Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) No. 422768-1-58-01 for the Widening, Construction, and Construction Engineering Inspection (CEI) Services of C-51 Bridge at the SR7/SR80/Southern Blvd. Intersection, hereinafter referred to as the Project; and

WHEREAS, the parties amended the Agreement on May 12, 2009 (AMENDMENT NUMBER ONE), May 12, 2010 (AMENDMENT NUMBER TWO), December 30, 2010 (AMENDMENT NUMBER THREE); and June 3, 2011 (AMENDMENT NUMBER FOUR); 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 that certain Transportation Regional Incentive Program Agreement dated June 25, 2008, Amendment Number One, and Amendment Number Four as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. This Amendment reduces the DEPARTMENT's share of TRIP funding originally in the amount of NINE HUNDRED TWENTY SIX THOUSAND DOLLARS (\$926,000.00) to be paid to the COUNTY. The reason for the reduction in funding is due to the final accepted bid being a sum less than the original estimated amount. As a result, the DEPARTMENT's and the COUNTY's share of TRIP funding is reduced by TWO HUNDRED SEVENTEEN THOUSAND THREE HUNDRED EIGHTY SEVEN DOLLARS AND FIFTEEN CENTS (\$217,387.15), which will make the total DEPARTMENT's share of TRIP funding SEVEN HUNDRED EIGHT THOUSAND SIX HUNDRED TWELVE DOLLARS AND EIGHTY

FIVE CENTS (\$708,612.85) for all services required to complete the Project. The COUNTY's share of TRIP funding in the amount of SEVEN HUNDRED EIGHT THOUSAND SIX HUNDRED TWELVE DOLLARS AND EIGHTY FIVE CENTS (\$708,612.85) is the minimum contribution from the COUNTY and does not include any additional costs that are the sole responsibility of the COUNTY.

3. The Agreement and Amendment Number One are amended to provide for an increased payment by the DEPARTMENT in the amount of FOUR HUNDRED FORTY THREE THOUSAND THIRTY THREE DOLLARS AND THREE CENTS (\$443,033.03), thus making the total DEPARTMENT share of state funding ONE MILLION THREE HUNDRED FORTY THREE THOUSAND THIRTY THREE DOLLARS AND THREE CENTS (\$1,343,033.03).

In the event the costs of the Project exceeds the DEPARTMENT's share of ONE MILLION THREE HUNDRED FORTY THREE THOUSAND THIRTY THREE DOLLARS AND THREE CENTS (\$1,343,033.03), any additional cost shall be the sole responsibility of the COUNTY.

- i. All costs charged to the Project shall be supported by properly executed payrolls, time records, invoices, contracts, and/or vouchers evidencing in detail the nature and propriety of the charges. The COUNTY will be reimbursed only for actual expenses incurred during the Agreement time period that is directly related to the Project.

The allocation of funding as set forth above is additionally set forth in the table below:

	Department's Share		County's Share		Total Project Cost
	TRIP funding	State funding	TRIP funding	State funding	
Agreement	\$926,000.00	-	\$926,000.00	-	\$1,852,000.00
Amendment No. 1	-	\$900,000.00	-	-	\$900,000.00
Amendment No. 2	-	-	-	-	\$0.00
Amendment No. 3	-	-	-	-	\$0.00
Amendment No. 4	-	-	-	-	\$0.00
Amendment No. 5	(\$217,387.15)	\$443,033.03	(\$217,387.15)	-	\$8,258.73
Amend No. 5 Subtotal	\$225,645.38		\$708,612.85 -		
Subtotals	\$708,612.85	\$1,343,033.03	\$708,612.85	-	
TOTAL	\$2,051,645.88		\$708,612.85		\$2,760,258.73

4. Paragraph Two of Amendment Number Four is amended to read 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 on June 25, 2008 and amended on May 12, 2009, May 12, 2010, December 30, 2010, and 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.

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. _____ 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: _____
NAME: _____
TITLE: CHAIR
_____ day of _____, 20__

BY: _____
GERRY O'REILLY, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

ATTEST:
SHARON R. BOCK

LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: _____
OFFICE OF THE GENERAL COUNSEL

APPROVED AS TO FORM

APPROVED:

BY: _____
COUNTY ATTORNEY

BY: _____
PROFESSIONAL SERVICES ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

BY: ^{2/14} Donna A. Farnham

RESOLUTION NO. R-2012-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE CHAIRMAN TO EXECUTE AMENDMENT NUMBER FIVE TO THE TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE C-51 CANAL BRIDGE AT THE INTERSECTION OF SR-7 AND SR-80 (SOUTHERN BOULEVARD)

WHEREAS, the Florida Department of Transportation (FDOT) has awarded Amendment Number Two to the Transportation Regional Incentive Program Grant to help finance improvements to the C-51 Bridge at the intersection of SR-7 and SR-80; and

WHEREAS, the FDOT has requested that the County enter into a Joint Participation Agreement outlining the responsibilities of each party with respect to the Transportation Regional Incentive Program for the C-51 Bridge project; and

WHEREAS, through this amendment, the County will accomplish the project including construction and construction engineering inspection; and

WHEREAS, the Board of County Commissioners has determined execution of Amendment Number Five to the Transportation Regional Incentive Program Agreement 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 Chairman is hereby authorized to execute Amendment Number Five to the Transportation Regional Incentive Program Agreement.

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 Steven L. Abrams, Chairman	-
Commissioner Priscilla A. Taylor, Vice Chair	-
Commissioner Hal R. Valeche	-
Commissioner Paulette Burdick	-
Commissioner Shelley Vana	-
Commissioner Mary Lou Berger	-
Commissioner Jess R. Santamaria	-

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____ 2012.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY
ITS BOARD OF COUNTY
COMMISSIONERS

SHARON BOCK, CLERK AND
COMPTROLLER

By: _____

By: _____

Assistant County Attorney

Deputy Clerk

**BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
BUDGET Amendment**

FUND Road Impact Fee – Zone 3

BGRV 110112-80
BGEX 110112-315

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 11/29/12	REMAINING BALANCE
<u>REVENUES</u>								
<u>SR 7/S OF LW RD-N OF SOUTHERN</u>								
3503-361-0784-3404	State Grant Capital - Transport	0	0	2,051,646	0	2,051,646		
TOTAL RECEIPTS & BALANCES		36,515,146	35,126,564	2,051,646	0	37,178,210		
<u>EXPENDITURES</u>								
<u>SR 7/S OF LW RD-N OF SOUTHERN</u>								
3503-361-0784-6551	Road & Street Improvement	3,121,232	2,150,216	2,051,646	0	4,201,862	1,806,278	2,395,584
TOTAL APPROPRIATIONS & EXPENDITURES		36,515,146	35,126,564	2,051,646	0	37,178,210		

SIGNATURE

DATE

By Board of County Commissioners
At Meeting of 12/04/12

Alicia Kovalainen

11/29/12

Engineering & Public Works

Administration / Budget Approval

OFMB Department – Posted

Deputy Clerk to the
Board of County Commissioners