

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 5/21/2013

Consent Regular

Public Hearing

Department

Submitted By: COUNTY ATTORNEY

Submitted For:

I. EXECUTIVE BRIEF

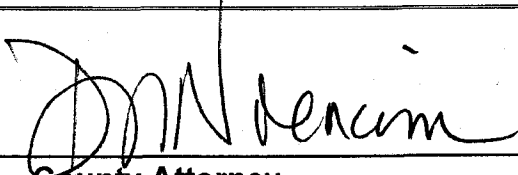
Motion and Title: Staff recommends motion to approve: Amendment No. 3 to the Agreement (R-2010-1324) with the law firm of Edwards Wildman Palmer LLP (formerly known as Edwards Angell Palmer & Dodge LLP) ("Attorney"), to provide bond counsel and related legal services for the not to exceed \$13.5 Million grant for the Max Planck Project.

Summary: The Attorney was selected as bond counsel for the above financing by the County Financing Committee at the April 12, 2013 meeting. This Amendment No. 3 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. This Amendment also extends the Agreement's term through September 30, 2016 as provided for in the Agreement. Countywide (PFK)

Background and Justification: Legal services are required by the County from the Attorney firm for the above-referenced financing. The extension of the Agreement through this Amendment will avoid another amendment for Board approval of that extension.

Attachments:

- 1. Amendment No. 3 to Agreement (R-2010-1324)

Recommended by:  4/16/13
County Attorney Date

Approved by: N/A
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2013	2014	2015	2016	2017
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* -0-	_____	_____	_____	_____
	*See below				
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

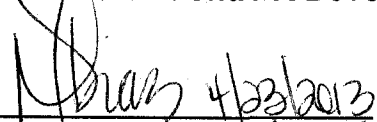
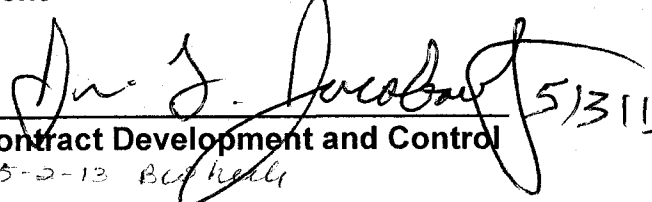
Reporting Category _____

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

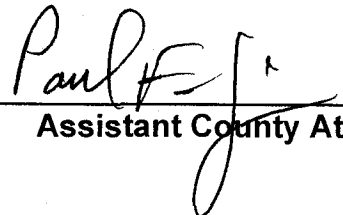
C. ^{*} Departmental Fiscal Review: *Attorneys fees and costs will paid from the proceeds of the sale of the bonds and cannot be estimated at this time.

III. REVIEW COMMENTS

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


M. Drury 4/23/2013
 OFMB 4/22/13 4/22/13 4/19/13

Dr. J. Jacobson 5/3/13
 Contract Development and Control
 5-2-13 BCP/Kelly

B. Legal Sufficiency:


Paul F. Jr. 4/16/13
 Assistant County Attorney

C. Other Department Review:

 Department Director

THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.

**AMENDMENT NO. 3
TO AGREEMENT BETWEEN PALM BEACH COUNTY
AND EDWARDS WILDMAN PALMER LLP
(formerly known as EDWARDS ANGELL PALMER & DODGE LLP)
FOR BOND COUNSEL AND RELATED LEGAL SERVICES**

This Amendment No. 3, dated _____, amends Agreement R-2010-1324 dated August 17, 2010 ("Agreement"), as amended by Amendment No. 1 (R2011-0865), dated June 21, 2011, and further amended by Amendment No. 2 (R2012-0416), dated March 20, 2012, by and between PALM BEACH COUNTY ("County") and EDWARDS WILDMAN PALMER LLP (formerly known as EDWARDS ANGELL PALMER & DODGE LLP) ("Attorney"), as follows:

1. Notwithstanding anything to the contrary in the Agreement, Attorney shall serve as Bond Counsel for the not to exceed \$13.5 Million grant for the Max Planck Project. Attorney shall be compensated as provided for in the Agreement.
2. This Amendment shall take effect as of April 12, 2013.
3. The Agreement's term is extended through September 30, 2016.
4. Except as provided above, the Agreement, as amended, remains in full force and effect.

ATTEST:

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

Sharon R. Bock, Clerk & Comptroller

By: _____
Deputy Clerk

By: _____
Steven L. Abrams, Mayor

WITNESS:

ATTORNEY:
EDWARDS WILDMAN PALMER LLP

Hertensia M. Williams
(Signature)

HERTENSIA M. WILLIAMS
Name (Type or Print)

By: *Richard J. Miller, PA*

RICHARD J. MILLER, PA
Name (Type or Print)

PARTNER
Title

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *Paul F. J.*
County Attorney