

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

<b>Meeting Date:</b>	October 1, 2013	<input checked="" type="checkbox"/> <b>Consent</b>	<input type="checkbox"/> <b>Regular</b>
		<input type="checkbox"/> <b>Workshop</b>	<input type="checkbox"/> <b>Public Hearing</b>
<b>Department:</b>			
<b>Submitted By:</b>	Engineering and Public Works		
<b>Submitted For:</b>	Administrative Services Division		

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to approve:**

- A) A budget transfer in FY 2013 of \$98,593 from the Disaster Recovery Initiative Fund to the Capital Outlay Fund for the Limestone Creek Phase IIC project (Project); and
- B) A budget amendment in FY 2013 of \$98,593 in the Capital Outlay Fund to recognize the transfer from the Disaster Recovery Initiative Fund and appropriate it to the Project.

**SUMMARY:** The Limestone Creek Phase IIC Project is near completion. This budget transfer and amendment will provide the final funding for the construction contract as well as staff costs. The funding has been allocated by the Department of Economic Sustainability through a Disaster Recovery Initiative grant provided by the Florida Department of Economic Opportunity. Modification #8 to the subgrant agreement was received on August 19, 2013 which allocated additional funding for the Project.

District 1 (MRE)

**Background and Justification:** The Engineering and Public Works Department issued a contract to AKA Services, Inc. on May 15, 2012 for the Project R2012-0674. The Project is ready to be finalized. The budget transfer and amendment allow for the final costs associated with the Project to be processed in the Capital Outlay Fund. Since the improvements will belong to Palm Beach County, it is necessary for the costs to be captured in the Capital Outlay Fund to be properly categorized as depreciable assets.

**Attachments:**

- 1. Modification #8
- 2. Budget Transfer
- 3. Budget Amendment

**Recommended By:**

*Ann White*  
Division Director

9/3/13  
Date

**Approved By:**

*S. T. Webb*  
County Engineer

9/9/13  
Date

## II. FISCAL IMPACT ANALYSIS

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

<b>Fiscal Years</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>Capital Expenditures</b>	<b><u>\$98,593</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b>Operating Costs</b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b>External Revenues</b>	<b><u>(\$98,593)</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b>Program Income (County)</b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b>In-Kind Match (County)</b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b>NET FISCAL IMPACT</b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b># ADDITIONAL FTE</b>					
<b>POSITIONS (Cumulative)</b>					

[illegible]

**Budget Account No:**

Fund 3900 Dept 361 Unit 1374 Object 6551

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

Department of Economic Sustainability

## Disaster Recovery Initiative (DRI)

## Capital Outlay Fund

## Limestone Creek Phase IIC

C. Departmental Fiscal Review:                      *Amillente*

### III. REVIEW COMMENTS

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

9/13/2013  
OFMB 9/11 9/12

*Don. J. Jacobson* 9/16/13  
Contract Dev. and Control

**B. Approved as to Form and Legal Sufficiency:**

Marla R. Butt 9/16/13  
Assistant County Attorney

**C. Other Department Review:**

**Department Director**

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

**Rick Scott**  
GOVERNOR



**Jesse Panuccio**  
EXECUTIVE DIRECTOR

August 19, 2013

The Honorable Steven Abrams, Mayor  
Palm Beach County Board of Commissioners  
301 North Olive Avenue, 12<sup>th</sup> Floor  
West Palm Beach, Florida 33401

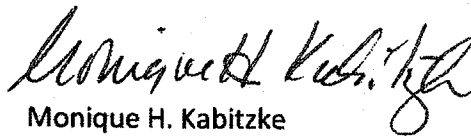
Re: Florida Community Development Block Grant Program  
Disaster Recovery Initiative (DRI) Contract No.: 10DB-K4-10-60-01-K29  
Palm Beach County Modification Number 8

Dear Mayor Abrams:

A review of the proposed Modification Number 8 to the referenced subgrant agreement, transmitted with your letter dated July 8, 2013, has been completed. The review indicates that the revised activity work plans, program budget, and scope of work appear to be in accordance with program requirements. An approved copy of the fully executed modification is enclosed with this letter. Please retain the modification in the official CDBG subgrant files.

If you any have questions regarding this matter, please contact Mona Wood via email at [mona.wood@deo.myflorida.com](mailto:mona.wood@deo.myflorida.com) or at (850) 717-8408.

Sincerely,

  
Monique H. Kabitzke  
Planning Manager

MHK/mw

Enclosure

cc: Ms. Shannon LaRocque-Baas, Assistant County Administrator, Palm Beach County  
Mr. Bud Cheney, Department of Economic Sustainability, Palm Beach County  
Ms. LaToya Ricketts, Department of Economic Sustainability, Palm Beach County

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399  
866.FLA.2345 | 850.245.7105 | 850.921.3223 Fax  
[www.floridajobs.org](http://www.floridajobs.org) | [www.twitter.com/FLDEO](https://twitter.com/FLDEO) | [www.facebook.com/FLDEO](https://www.facebook.com/FLDEO)

Department of Economic Opportunity – Disaster Recovery Initiative  
**Modification to Subgrant Agreement**

**MODIFICATION NUMBER 8 TO SUBGRANT AGREEMENT BETWEEN  
THE DEPARTMENT OF ECONOMIC OPPORTUNITY AND  
PALM BEACH COUNTY**

This Modification is made and entered into by and between the State of Florida, Department of Economic Opportunity, ("the Department"), and Palm Beach County, ("the Recipient"), to modify DEO/DCA Contract Number 10-DB-K4-10-60-01-K29, award dated June 14, 2010 ("the Agreement").

**WHEREAS**, the Department and the Recipient entered into the Agreement, pursuant to which the Department provided a subgrant of \$6,533,405 to Recipient under the Disaster Recovery Initiative Program ("DRI") as set forth in the Agreement;

**WHEREAS**, the Department and the Recipient desire to modify the Agreement;

**WHEREAS**, pursuant to the provisions of Chapter 2011-142, Laws of Florida, the DCA Division of Housing and Community Development was transferred to the Department of Economic Opportunity effective October 1, 2011; and the parties wish to reflect the new name.

**NOW, THEREFORE**, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

☒ **Reinstate Agreement**

1. The Agreement is hereby reinstated as though it had not expired.

☐ **Extend Agreement**

2. Paragraph 3, Period of Agreement is hereby revised to reflect an ending date of \_\_\_\_\_.

☒ **Revise Activity Work Plan**

3. The Attachment B, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment B, Activity Work Plan section, which is attached hereto and incorporated herein by reference.

☒ **Revise Program Budget and Scope of Work**

4. The Attachment A, Program Budget section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget, which is attached hereto and incorporated herein by reference.

Department of Economic Opportunity – Disaster Recovery In  
**Modification to Subgrant Agreement**

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**Modification Number: 8**

**DEO/DCA Contract Number: 10-DB-K4-10-60-01-K29**

**Recipient: Palm Beach County**

**Page 2**

☐ **Change in Participating Parties**

5. The Attachment A, Program Budget section, is hereby modified to delete all references to "N/A," as the Participating Party, and replace them with "N/A" as the Participating Party with the understanding that the Recipient and the new Participating Party will enter into a Participating Party Agreement containing provisions and caveats that meet or exceed the conditions agreed to in the Participating Party Agreement between the Recipient and the original Participating Party.

☐ **Inclusion of an Unmet Need as Addressed in the Original Application**

6. The Attachment A, Program Budget section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget, which is attached hereto and incorporated herein by reference.
7. The Attachment A, Activity Work Plan section of the Agreement is hereby deleted and is replaced by the revised Attachment A, Activity Work Plan section, which is attached hereto and incorporated herein by reference.

☐ **Change in Number of Accomplishments and/or Beneficiaries**

8. The Attachment A, Program Budget section of the Agreement is hereby deleted and is replaced by the revised Attachment A, the Program Budget, which is attached hereto and incorporated herein by reference.

☐ **Reflect Change in Agency from DCA to DEO**

9. This modification to the Subgrant Agreement hereby replaces "Department of Community Affairs" with "Department of Economic Opportunity" where appropriate in context.

Department of Economic Opportunity – Disaster Recovery Initi  
**Modification to Subgrant Agreement**

**Modification Number: 8**

**DEO/DCA Contract Number: 10-DB-K4-10-60-01-K29**

**Recipient: Palm Beach County**

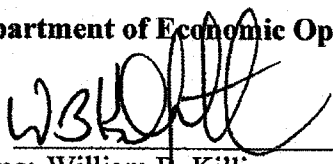
**Page 3**

All provisions of the Agreement and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform to this Modification, effective as of the date of the execution of this Modification by both parties.

All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this document as of the dates set herein.

**Department of Economic Opportunity**

By:   
Name: William H. Killingsworth  
Title: Director, Division of Community Development

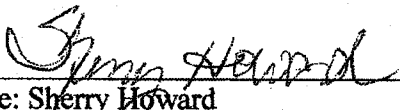
Date: 14 AUG 13

**Recipient: Palm Beach County**


By:   
Name: Shannon R. LaRocque-Bras, P.E.  
Title: Assistant County Administrator

Date: 7-12-13

**Approved as to Terms and Conditions  
Dept. of Economic Sustainability**

By:   
Name: Sherry Howard  
Title: Deputy Director, DES

**Approved as to Form and Legal Sufficiency**

By:   
Name: Tammy K. Fields  
Title: Chief Assistant County Attorney

### ATTACHMENT A - PROGRAM BUDGET AND SCOPE OF WORK SUMMARY

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
<b>ADMINISTRATION</b> TO 2.5% OF TOTAL (ION)	21A	<b>ADMINISTRATION:</b> Activity #11- Administration costs of DRI program	N/A	N/A	N/A		N/A	163,355.00		
<b>ENGINEERING</b>	21B	<b>ENGINEERING:</b> Activity #3, #8, #9	N/A	N/A	N/A		N/A	179,193.00		
<b>SUBTOTAL</b>			N/A	N/A	N/A		N/A	342,548.00		
<b>DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING</b>										
Rehab, multi-unit residential	14B	Activity #10-LMI housing	HU	45	45		45	740,744.00		
Street improvements, flood & drainage	03K	Activity #1, #2-LMI housing	SF	144,150	213		213	703,098.00		
<b>SUBTOTAL</b>			HU	45	258		258	\$1,443,842.00		
			SF	144,150						
<b>ALL OTHER RECOVERY ACTIVITIES</b>										
Flood & drainage, Storm Drains	03I	Activity #4, #5, #6, #7, #8, #9 LMI area benefit	Unit	4	2,252		4,123	\$4,073,667.67	\$355,000	(#8) DRI2
Pump/lift stations, Improvement of Water & Sewer Lines	03J	Activity #4 LMI area benefit	Unit	1*	2953*		4147*	\$327,553.33		
Public Facilities & Improvements	03	Activity #3- LMI area benefit	Unit	7	829		1294	\$345,794.00		
<b>SUBTOTAL</b>			Unit	11	3,081		5,417	\$4,747,015	\$355,000	
<b>TOTALS</b>				45 HU 11 Units 144,150 SF	3,339		9,822	\$6,533,405.00	\$355,000	
							9,822			

\*= Duplicate beneficiaries

## ATTACHMENT A.1 - PROGRAM BUDGET AND SCOPE OF WORK BY SERVICE AREA

**SERVICE AREA:**

**#4 -- WESTGATE/BELVEDERE HOMES CRA--DRAINAGE AND SANITARY SEWER IMPROVEMENTS**

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ADMINISTRATION LIMITED TO 2.5% OF TOTAL LOCATION)	21A	ADMINISTRATION								
ENGINEERING	21B	ENGINEERING						\$0		
DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING										
SUBTOTAL										
ALL OTHER RECOVERY ACTIVITIES										
Construction of drainage and sanitary sewer infrastructure.	03I	Belvedere Homes Drainage & Sewer Improvement Project -- replacement and installation of sanitary sewer system	Unit	1	2953		4147	2,901,407.00		
	03J	Belvedere Homes Drainage & Sewer Improvement Project -- replacement and installation of sanitary sewer system	Unit	1*	2953*		4147*	\$327,553.33		
SUBTOTAL			Unit	1	2953		4147	3,228,960.33		
TOTALS			Unit	1	2953		4147	3,228,960.33		
TOTAL UNDUPLICATED BENEFICIARIES (THIS SERVICE AREA)					4147	TOTAL LMI BENEFICIARIES (THIS SERVICE AREA)			2953	

\*=Duplicate Beneficiary



## ATTACHMENT A.1 - PROGRAM BUDGET AND SCOPE OF WORK BY SERVICE AREA

**SERVICE AREA:** #9 PBC ENGINEERING -- LIMESTONE CREEK DRAINAGE IMPROVEMENT

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ADMINISTRATION LIMITED TO 2.5% OF TOTAL (LOCATION)	21A	ADMINISTRATION								
ENGINEERING	21B	ENGINEERING						\$115,024		
<b>DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING</b>										
<b>SUBTOTAL</b>										
<b>ALL OTHER RECOVERY ACTIVITIES</b>										
Flood & drainage, storm drains	03I	Construction of a storm drainage system on Mitchell Street	Unit	1	260		399	\$812,129		
<b>SUBTOTAL</b>			Unit	1	260		399	\$927,153		
<b>TOTALS</b>			Unit	1	260		399	\$927,153		
<b>TOTAL UNDUPLICATED BENEFICIARIES (THIS SERVICE AREA)</b>					811	<b>TOTAL LMI BENEFICIARIES (THIS SERVICE AREA)</b>			157	

DEPARTMENT OF ECONOMIC OPPORTUNITY  
DISASTER RECOVER INITIATIVE PROGRAM  
ACTIVITY WORK PLAN

RECIPIENT  
CONTRACT NO.  
SERVICE AREA

PALM BEACH COUNTY  
10DB-K4-10-60-01-K29  
Service Area (Activity #4)

DATE PREPARED  
ACTIVITY BUDGET \$  
SUBRECIPIENT

July 1, 2013  
\$3,228,960.33 (Revised)  
PBC Water Utilities

Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be submitted by "Date End"	# Units to be completed by "Date End"	Proposed \$\$ to be Requested by "Date End"	Proposed Administration \$\$ to be Requested by "Date End"
<b>ACTIVITY #4: WESTGATE/BELVEDERE HOMES CRA- BELVEDERE HOMES DRAINAGE &amp; SANITARY SEWER IMPROVEMENT</b>					
<b>July 2013</b>		<u>Status:</u> Construction complete. Final Payment to contractor being processed by WUD			
June 2013	July 2013	Activity is complete; Engineer's Certificate of Completion issued to DES; Final Payment to contractor: \$179,619.33	1	\$179,619.33	

Note: More than one Activity may be included per form.

(Rev. February 2012)

DEPARTMENT OF ECONOMIC OPPORTUNITY  
DISASTER RECOVER INITIATIVE PROGRAM  
ACTIVITY WORK PLAN

RECIPIENT **PALM BEACH COUNTY**      DATE PREPARED **July 1, 2013**  
 CONTRACT NO. **10DB-K4-10-60-01-K29**      ACTIVITY BUDGET \$ **\$927,153 (Revised)**  
 SERVICE AREA **Service Area (Activity #9)**      SUBRECIPIENT **PBC ENGINEERING SERVICES**

Date Start (month & year)	Date End (month & year)	Describe Proposed Action to be Undertaken or Contract Special Condition Clearance Documentation to be submitted by "Date End"	# Units to be completed by "Date End"	Proposed \$\$ to be Requested by "Date End"	Proposed Administration \$\$ to be Requested by "Date End"
<b>ACTIVITY #9: PBC ENGINEERING SERVICES--LIMESTONE CREEK DRAINAGE IMPROVEMENTS</b>					
July 2013		<b>Status: Under Construction (Activity also utilizes funding from DRI 2 - Z Grant); DRI 4 (K Grant) Expended: \$554,327</b>			
June 2013	July 2013	Construction Continues; Activity monitoring continues for construction progress and Davis-Bacon compliance via site visits, employee interviews and payroll reviews; Draw Request: \$300,000		\$300,000	
August 2013	Sept 2013	Activity is complete; Engineer's Certificate of Completion issued to DES; Final Payment to contractor: \$72,826		\$72,826	

Note: More than one Activity may be included per form.

(Rev. February 2012)

13-

**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET TRANSFER**

Page 1 of 1  
BGEX-143-0830130000000001980

Use this form to provide budget for items not anticipated in the budget.

FUND 1106 - Disaster Recovery Initiative

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED	REMAINING BALANCE
<b>EXPENDITURES</b>								
820-1427-9207	Transfer to Capital Outly Fund 3900	0	696,853	98,593	0	795,446		
143-1427-8201	Contributions Non-Govt Agency	5,359,615	3,814,198	0	98,593	3,715,605	0	3,715,605
<b>TOTAL EXPENDITURES</b>		0	0	98,593	98,593	0		

Department of Economic Sustainability  
INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Signatures

*[Signature]*

Date

*8-30-13*

By Board of County Commissioners  
At Meeting of :  
October 1, 2013  
Deputy Clerk to the  
Board of County Commissioners

2013-\_\_\_\_\_

Page 1 of 1

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

FUND Capital Outlay

BGRV-360-040413\*553  
BGEX-360-040413\*1365

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 08/30/13	REMAINING BALANCE
<b><u>REVENUES</u></b>								
<b><u>Transfers</u></b>								
3900-800-1374-8319	Tr Fr Disaster Recovery Initiative	0	1,149,303	98,593	0	1,247,896		
<b>TOTAL RECEIPTS &amp; BALANCES</b>		17,094,189	16,634,846	98,593	0	16,733,439		
<b><u>EXPENDITURES</u></b>								
<b><u>Limestone Creek Drainage – Phase IIC</u></b>								
3900-361-1374-6551	Road & Street Improvements	1,437,902	1,128,623	98,593	0	1,218,763	1,128,199	90,564
<b>TOTAL APPROPRIATIONS &amp; EXPENDITURES</b>		17,094,189	16,634,846	98,593	0	16,733,439		

Engineering & Public Works

Administration / Budget Approval

OFMB Department – Posted

SIGNATURE

Atwillhite

DATE

8/30/13

By Board of County Commissioners  
At Meeting of 10/01/13

Deputy Clerk to the  
Board of County Commissioners