### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: December 3, 2013		{X} Consent { } Workshop	{ } Regular { } Public Hearing
Department:		•	
Submitted By:	Engineering & I	Public Works	
<b>Submitted For:</b>	Roadway Produ	ction Division	

#### I. EXECUTIVE BRIEF

#### Motion and Title: Staff recommends motion to:

- A) Adopt a resolution to approve Amendment Number Seven to the Transportation Regional Incentive Program (TRIP) Agreement R2008-0939 (Agreement) with the State of Florida Department of Transportation (FDOT), approved on June 3, 2008, to increase both the FDOT TRIP funding and the State funding for construction and construction engineering inspection of the C-51 Bridge at the SR7/SR80 Intersection project (Project) and extend the expiration date to June 30, 2014; and
- B) Approve a budget amendment of \$211,803 in the Road Impact Fee Fund Zone 3 to recognize the TRIP agreement with FDOT and appropriate the funds to the Project.

**SUMMARY**: Adoption of the resolution to approve the Agreement will increase the FDOT TRIP funding and also the State funding for the Project. It will also extend the expiration date of the TRIP agreement to June 30, 2014. Approval of the budget amendment will program the funds for the Project.

#### District 6 (MRE)

Background and Justification: On June 3, 2008, the Board of County Commissioners (Board) approved a TRIP Agreement R2008-0939 with FDOT. The Agreement was approved by FDOT on June 25, 2008. This Agreement provides Palm Beach County with financial assistance for construction and construction engineering inspection of the Project (FDOT TRIP 50% funding of \$926,000). Amendment number one R2009-0625 was approved by the Board on April 21, 2009, to fully fund (FDOT non-TRIP (State) 100% funding of \$900,000) the addition of a northbound right turn lane and modifications to the eastbound and westbound SR 80 exits from single lanes to dual lanes. Amendments number two, three, and four extended the Agreement's expiration date. Amendment number five adjusted the FDOT TRIP funding to \$708,612.85 and increased the FDOT State funding by \$443,033.03 to match the awarded construction contract amount and extended the expiration date to June 30, 2013. Amendment number six extended the Agreement's expiration date. Amendment number seven will extend the expiration date to June 30, 2014 and increase both the TRIP and State funding by a total of \$211,803.

#### Attachments:

- 1. Location Sketch
- 2. TRIP Amendment Seven (7 originals)
- 3. Resolution (7 originals)
- 4. Budget Amendment

Recommended by: 484 Onels G. France Division Director	J Date
Approved By: Say County Engineer	1//8/13 Date

#### II. FISCAL IMPACT ANALYSIS

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

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	\$273,330	0			0-
Operating Costs	-0-	-0-	-0-	-0-	
<b>External Revenues</b>	(\$211,803)	-0-		-0-	
Program Income (County)	-0-	-0-			
In-Kind Match (County)		-0-			
NET FISCAL IMPACT	\$ 61,527	-0-	-0-	-0-	
# ADDITIONAL FTE					
<b>POSITIONS (Cumulative)</b>					

Is Item Included in Current Budget? Yes No X

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

Recommended Sources of Funds/Summary of Fiscal Impact:

Road Impact Fee Fund - Zone 3 SR7/S of Lake Worth Rd-N of Southern

The match of \$61,526.33 is funded by Zone 3 Impact Fees.

C. Departmental Fiscal Review:

#### III. REVIEW COMMENTS

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OFMB 1/18 SC JO St Contract Dev. and	d Control \\ helle

B. Approved as to Form and Legal Sufficiency:

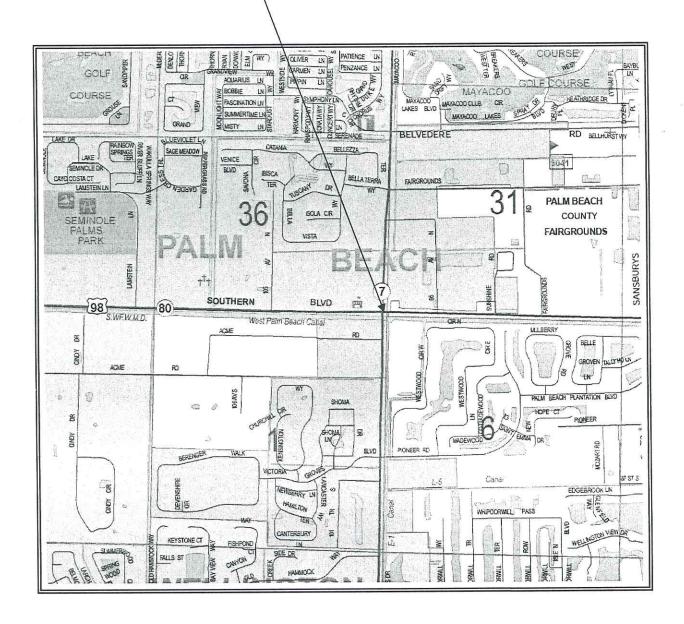
Assistant County Attorney

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.: <u>80-989-7102</u> CSFA No.: <u>55.026</u> 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 SEVEN

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 2	300 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 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), June 3, 2011 (Amendment Number Four), December 18, 2012 (Amendment Number Five), and May 3, 2013 (Amendment Number Six); 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 Agreement, Amendment Number One, Amendment Number Four, Amendment Number Five, and Amendment Number Six as follows:

- 1. The recitals set forth above are true and correct and are deemed incorporated herein.
- 2. Paragraph Two of Amendment Number Six 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, 2014 whichever occurs first.
- 3. The Agreement, Amendment Number One, and Amendment Number Five are amended to provide an increased payment by the DEPARTMENT in the amount of TWO HUNDRED ELEVEN THOUSAND EIGHT HUNDRED TWO DOLLARS AND NINETY EIGHT CENTS (\$211,802.98), which includes SIXTY ONE THOUSAND FIVE HUNDRED TWENTY SIX DOLLARS AND THIRTY THREE CENTS (\$61,526.33) of TRIP funding and ONE HUNDRED FIFTY THOUSAND TWO HUNDRED SEVENTY SIX DOLLARS AND SIXTY FIVE CENTS (\$150,276.65) of State funding.

As a result of the increase in funding, the DEPARTMENT's total share of TRIP funding is an amount not to exceed SEVEN HUNDRED SEVENTY THOUSAND ONE HUNDRED THIRTY NINE DOLLARS AND EIGHTEEN CENTS (\$770,139.18) for all services required to complete the Project. The COUNTY's share of TRIP funding in the amount of SIXTY ONE THOUSAND FIVE HUNDRED TWENTY SIX DOLLARS AND THIRTY THREE CENTS (\$61,526.33) is the minimum contribution from the COUNTY and does not include any additional costs that are the sole responsibility of the COUNTY.

The increase of state funding in the amount ONE HUNDRED FIFTY THOUSAND TWO HUNDRED SEVENTY SIX DOLLARS AND SIXTY FIVE CENTS (\$150,276.65), shall result in a total DEPARTMENT share of state funding in an amount not to exceed ONE MILLION FOUR HUNDRED NINETY THREE THOUSAND THREE HUNDRED NINE DOLLARS AND SIXTY EIGHT CENTS (\$1,493,309.68). In the event the costs of the Project exceeds the DEPARTMENT's share of ONE MILLION FOUR HUNDRED NINETY THREE THOUSAND THREE HUNDRED NINE DOLLARS AND SIXTY EIGHT CENTS (\$1,493,309.68), any additional cost shall be the sole responsibility of the COUNTY.

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

		Depar	Department's Share County's Share				
TRIP funding		State Funding	TRIP funding	State Funding			
Ag	reement	\$926,000.00	=	\$926,000.00	Ī	\$1,852,000.00	
An	nendment No. 1	-	\$900,000.00	-	ľ	\$900,000.00	
An	nendment No. 2	-	-	-	-1	\$0.00	
An	nendment No. 3	a -	-	-	-	\$0.00	
Amendment No. 4		-	-			\$0.00	
Amendment No. 5		(\$217,387.15)	\$443,033.03	(\$217,387.15)	(\$217,387.15) -		
Amendment No. 6		-	-	-	-	\$0.00	
Amendment No. 7		\$61,526.33	\$150,276.65	\$61,526.33	-	\$273,329.31	
	Amend. No. 7 Subtotal \$211,802.98		\$61,5	26.33			
	Subtotals	\$770,139.18	\$1,493,309.68	\$770,139.18	-		
TOTAL		\$2,26	53,448.86	\$770,	139.18	\$3,033,588.04	

All provisions, covenants, terms and conditions of the AGREEMENT between the parties theretofore entered on June 25, 2008 and amended on May 12, 2009, May 12, 2010, December 30, 2010, June 3, 2011, December 18, 2012, and May 3, 2013 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 AMENDS specified herein. Authorization has been give to enter on on	MENT to be executed by the parties below for the purposes into and execute this Amendment by Resolution No, 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:	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: DISTRICT PROGRAM MANAGEMENT ENGINEER
APPROVED AS TO TERMS AND CONDITIO	ONS:
BY: NO Double G Firmons	4

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#### **RESOLUTION NO. R-2013-**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; AUTHORIZING THE CHAIR TO EXECUTE AMENDMENT NUMBER SEVEN TO THE TRANSPORTATION REGIONAL INCENTIVE PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORATION 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 Seven 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 Palm Beach 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, Palm Beach County will accomplish the project including construction and construction engineering inspection; and

WHEREAS, the Board of County Commissioners has determined execution of Amendment Number Seven 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 Chair is hereby authorized to execute Amendment Number Seven 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 Hal R. Valeche Commissioner Paulette Burdick Commissioner Shelley Vana Commissioner Steven L. Abrams Commissioner Mary Lou Berger Commissioner Jess R. Santamaria Commissioner Priscilla A. Taylor The Chair thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of 2013. APPROVED AS TO FORM PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY AND LEGAL SUFFICIENCY COMMISSIONERS SHARON BOCK, CLERK AND COMPTROLLER By:\_\_\_\_\_\_ By:\_\_\_\_

Assistant County Attorney

Deputy Clerk

2014-	

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## BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY BUDGET Amendment

FUND Road Impact Fee - Zone 3

BGRV 110713-116 BGEX 110713-330

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 11/07/13	REMAINING BALANCE
REVENUES  SR 7/S of Lake Worth Rd-N 3503-361-0784-3404 State C TOTAL RECEIPTS & BALA	Grant Capital-Trans	1,027,550 29,873,466	1,027,550 27,615,368	<u>211,803</u> 211,803	<u>0</u> 0	<u>1,239,353</u> 27,827,171		
EXPENDITURES  SR 7/S of Lake Worth Rd-N 3503-361-0784-6551 Road & TOTAL APPROPRIATIONS	& Street Improvements	<u>2,536,014</u> 29,873,466	<u>2,382,410</u> 27,615,368	<u>211,803</u> 211,803	<u> </u>	<u>2,594,213</u> 27,827,171	641,888	3,236,101
Engineering & Public W Administration / Budget OFMB Department – Po	Approval	SIGNATURE, Much	valaeuen	DATE /// 8/1	3	At Meeti  Deputy	l of County Commising of12/03/13  Clerk to the f County Commission	