

Agenda Item #3.M.2.

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 11, 2014

Consent  
 Ordinance

Regular  
 Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** Second Amendment to Interlocal Agreement with the City of Lake Worth for the funding of the Lake Worth Beach Redevelopment Project to extend the project completion date from August 31, 2013, to March 31, 2014, and to revise the Project Description to eliminate three non-essential project elements.

**Summary:** This Second Amendment to Agreement, R2010-0223, as amended by R2013-1037, extends the project completion date by approximately seven months in order to allow time for the completion of two outstanding project elements and the reimbursement process. The new Project completion date is March 31, 2014. The Amendment also revises the Project Description to eliminate three project elements deemed non-essential to the project in order to meet the full intent of the original Agreement. The three non-essential project elements removed from the project description include 1) a bus stop east of the Casino building (discussions with Palm Tran are ongoing for a suitable ADA compliant and maneuverable location for its buses); 2) a paver brick promenade spanning the entire beach frontage (only 200 linear feet are not paver brick); and 3) a paver block roadway replacing the existing multi-line roadway east of the Casino building (due to value engineering, asphaltic concrete was substituted). All other terms of the Agreement, including the funding amount of \$5,000,000, remain the same. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond referendum. District 7 (PK)

**Background and Justification:** The County entered into an Interlocal Agreement with the City of Lake Worth on February 2, 2010, for funding of public improvements for the Lake Worth Beach redevelopment project. The City was able to realize substantial completion by the original project completion date of February 1, 2013. On October 30, 2013, County staff conducted a final project inspection and five deficiencies were discovered. These five deficiencies have been addressed in this Amendment, and the reimbursement process can be finalized pending the approval of this Amendment. The Project compliance term of 30 years from approval of the funding Agreement, February 1, 2040, remains unchanged.

The Amendment has been executed on behalf of the City of Lake Worth, and now needs to be approved by the Board of County Commissioners.

**Attachments:**

1. Second Amendment to Interlocal Agreement
2. Letter from City of Lake Worth

Recommended by:   
Department Director

2/12/2014  
Date

Approved by:   
Assistant County Administrator

2/21/14  
Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<u>* 0</u>	<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

Is Item Included in Current Budget? Yes        No         
 Budget Account No.: Fund        Department        Unit         
 Object        Program N/A

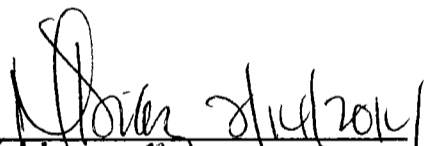
**B. Recommended Sources of Funds/Summary of Fiscal Impact:**


\* There is no additional fiscal impact created by this Amendment, as this Amendment is to extend the project completion date and revise the project description. The Interlocal Agreement is encumbered with document # KPO 581 PRCP030410\*3 (3020-581-P575-8101).

C. Departmental Fiscal Review: 

**III. REVIEW COMMENTS**

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

  
 OFMB 50 AK  
2/14 2/14/14

  
 Contract Development and Control  
2-20-14 E. P. Maclean

**B. Legal Sufficiency:**

 2/21/14  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

REVISED 10/95  
 ADM FORM 01

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

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN  
PALM BEACH COUNTY AND THE CITY OF LAKE WORTH FOR FUNDING OF PUBLIC  
IMPROVEMENTS FOR THE LAKE WORTH BEACH REDEVELOPMENT PROJECT**

**THIS SECOND AMENDMENT TO INTERLOCAL AGREEMENT** is entered into on \_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY", and the City of Lake Worth, a Florida municipal corporation, hereinafter referred to as "MUNICIPALITY".

**WITNESSETH:**

**WHEREAS**, on February 2, 2010, COUNTY entered into an Interlocal Agreement with MUNICIPALITY (R2010-0223) as amended on August 13, 2013 (R2013-1037) to provide funding in an amount not-to-exceed \$5,000,000 for design and construction of public improvements for the Lake Worth Beach redevelopment project; and

**WHEREAS**, the project end date for the public improvements for the Lake Worth Beach redevelopment project, as approved in MUNICIPALITY's Interlocal Agreement as amended with COUNTY, was August 31, 2013; and

**WHEREAS**, on October 30, 2013, a final project inspection was completed by MUNICIPALITY and COUNTY staff to determine status of all project elements included in the Project Description, Conceptual Site Plan, and Cost Estimate (Exhibit A); and

**WHEREAS**, five deficiencies were detected during the final project inspection; and

**WHEREAS**, these five deficiencies are not deemed essential to the project in order to meet the full intent of the original Interlocal Agreement and were eliminated by MUNICIPALITY due to value engineering or operational issues; and

**WHEREAS**, MUNICIPALITY has requested that three of the five deficiencies be removed from the Project Description, Conceptual Site Plan, and Cost Estimate (Exhibit A); and

**WHEREAS**, MUNICIPALITY has requested that COUNTY extend the project end date from August 31, 2013 until March 31, 2014 in order to complete two of the five deficiencies on the Project Description, Conceptual Site Plan, and Cost Estimate (Exhibit A); and

**WHEREAS**, both parties desire to amend the Interlocal Agreement.

**NOW THEREFORE**, the parties hereby agree as follows:

1. Section 1.03 of the Interlocal Agreement shall be amended to delete "COUNTY will pay to MUNICIPALITY a total amount not to exceed \$5,000,000 for the design and construction of the Project as more fully described in the Project Description, Conceptual Site Plan, and Cost Estimate attached hereto and made a part hereof as Exhibit "A". and to insert "COUNTY will pay to MUNICIPALITY a total amount not to exceed \$5,000,000 for the design and construction of the Project as more fully

described in the Project Description, Conceptual Site Plan, and Cost Estimate attached hereto and made a part hereof as Exhibit "AA".

2. Section 2.01 of this Interlocal Agreement shall be amended to delete "MUNICIPALITY shall be responsible for the design and construction of the Project. MUNICIPALITY shall design and construct the Project in accordance with Exhibit "A", attached hereto and made a part hereof, and with all applicable federal, state and local laws, rules and regulations. MUNICIPALITY agrees to meet design and construction milestones in Article 2 and to complete the Project by August 31, 2013. MUNICIPALITY'S failure to meet design and construction milestones shall be deemed an event of non-compliance of this Interlocal Agreement, and COUNTY shall have any and all rights and remedies as set forth in Article 9 of this Interlocal Agreement.." and to insert "MUNICIPALITY shall be responsible for the design and construction of the Project. MUNICIPALITY shall design and construct the Project in accordance with Exhibit "AA", attached hereto and made a part hereof, and with all applicable federal, state and local laws, rules and regulations. MUNICIPALITY agrees to meet design and construction milestones in Article 2 and to complete the Project by March 31, 2014. MUNICIPALITY'S failure to meet design and construction milestones shall be deemed an event of non-compliance of this Interlocal Agreement, and COUNTY shall have any and all rights and remedies as set forth in Article 9 of this Interlocal Agreement.
3. Section 2.06 of this Interlocal Agreement shall be amended to delete "MUNICIPALITY shall totally complete the Project and open same to the public for its intended use by August 31, 2013." and to insert "MUNICIPALITY shall totally complete the Project and open same to the public for its intended use by March 31, 2014."
4. Article 8, Item 5. of this Interlocal Agreement shall be amended to delete "Failure to totally complete the Project and open same to the public for its intended use by August 31, 2013." and to insert "Failure to totally complete the Project and open same to the public for its intended use by March 31, 2014."
5. Exhibit "A" of the Interlocal Agreement shall be replaced with the attached Exhibit "AA" in order to reflect the revised Project Description, Conceptual Site Plan, and Cost Estimate, which includes the deletion of the following items:
  - a. Item 2. Bus stop areas east of the existing "casino building".

MUNICIPALITY has been involved in ongoing discussions with Palm Tran; however, Palm Tran has concerns regarding low ridership and determining a suitable location for a bus stop that will be ADA compliant and accommodate the maneuverability of its buses.
  - b. Item 12. A paver block promenade spanning the entire beach frontage.

The promenade walkway along the beach frontage is constructed of paver block except for approximately 200 linear feet of concrete pavement.

- c. Fourth bullet. A paver block roadway to replace the existing multi-lane roadway east of the "casino building".

Due to a change via value engineering, an asphaltic concrete multi-lane roadway was installed instead of a paver block roadway. There are paver block pedestrian walkways installed that cross over the roadway at various points.

6. Except as provided herein, each and every other term of this Interlocal Agreement, as amended, shall remain in full force and effect and the Interlocal Agreement is reaffirmed as modified herein.

**REMAINDER OF PAGE LEFT INTENTIONALLY BLANK**

IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

ATTEST:  
SHARON R. BOCK, Clerk &  
Comptroller

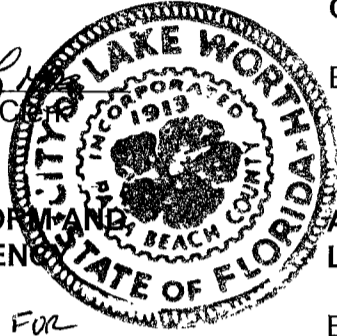
PALM BEACH COUNTY, FLORIDA, BY  
IT BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Priscilla A. Taylor, Mayor

ATTEST:  
By: \_\_\_\_\_  
MUNICIPALITY CLERK

CITY OF LAKE WORTH  
By: \_\_\_\_\_ 1/28/14  
Pam Triolo, Mayor



APPROVED AS TO FORM AND  
AND LEGAL SUFFICIENCY  
By: \_\_\_\_\_ FOR  
MUNICIPALITY Attorney

APPROVED AS TO FORM  
LEGAL SUFFICIENCY  
By: \_\_\_\_\_  
COUNTY Attorney

REVIEWED AND APPROVED FOR  
EXECUTION  
By: \_\_\_\_\_  
Michael Bornstein, City Manager

APPROVED AS TO TERMS  
AND CONDITIONS  
By: \_\_\_\_\_  
Eric Call, Director  
Parks and Recreation Department

EXHIBIT AA

PROJECT DESCRIPTION, CONCEPTUAL  
SITE PLAN, AND COST ESTIMATE

**Exhibit AA1**  
**Project Description**  
**Public Improvements for the Lake Worth Beach Redevelopment Project**

The City of Lake Worth is proposing the redevelopment of the Lake Worth Beach property to include improvements to the public parking facilities, pedestrian and vehicular circulation, beach access, public restrooms and pavilions, picnic areas, and other beachfront amenities.

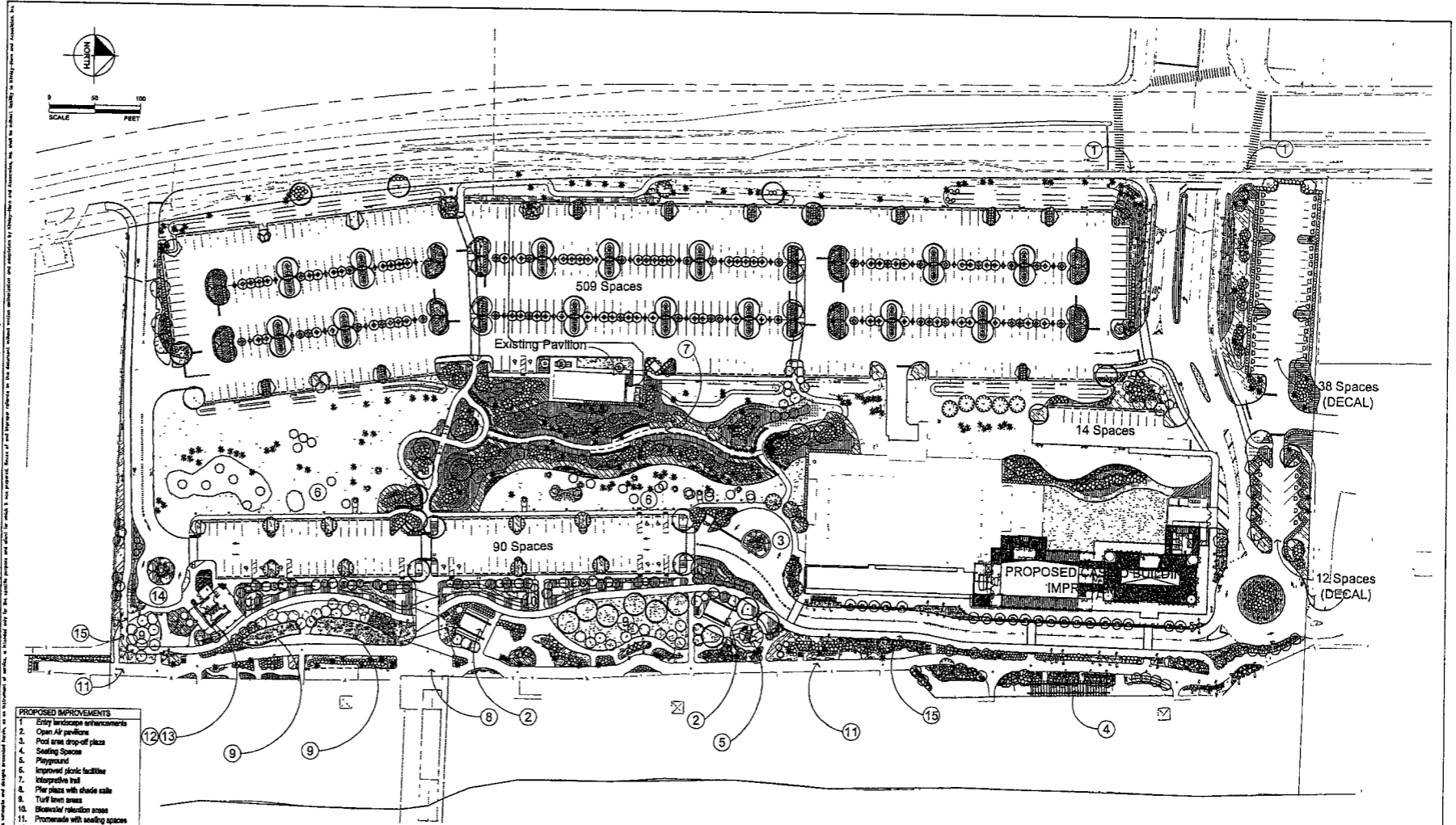
The public improvements (funded by the Palm Beach County Recreation and Cultural Facilities bond) include:

1. Enhancements to the landscaping at the main project entrance to include a combination of shade and palm trees.
2. Open air pavilions east of the existing "casino building".
3. A circular drop-off area located north of the upper dune parking surface lot.
4. Seating along the existing seawall in front of the "casino building" and accessible via a proposed paver block pedestrian promenade.
5. A "public art" playground located east of the upper dune surface parking lot.
6. New picnic facilities located west of the upper dune surface parking lot, including picnic tables with surrounding shade trees.
7. An accessible interpretive trail from the western surface parking lot to the top of dune with native vegetation, signage, and miscellaneous other features.
8. A paver block plaza with shade sails constructed between the pier and the upper dune surface parking lot.
9. Beachfront turf lawn areas.
10. Upper dune bio-swales planted with native vegetation for storm water retention.
11. A large pavilion with beach lockers located east of the upper dune surface parking lot.
12. A public restroom facility constructed adjacent to the beach locker pavilion.
13. Alternative power generation or energy saving systems.
14. A surfboard and kayak drop-off area.
15. A dedicated bicycle path from the south driveway to the top of dune with bicycle racks.

In addition to the numbered features on Exhibit AA2, the plan includes:

- reconfigured and new surface parking facilities with perimeter landscaping and landscape islands (613 parking areas on site available to the general public),
- shade trees and other landscape improvements throughout the site,
- native planting areas,
- pedestrian walks and improved pedestrian access from the surface parking lots to the beachfront,
- improvements to the existing drainage and utility infrastructure,
- undergrounding of upper dune electrical facilities,
- site lighting improvements (sea turtle friendly) along the beach front,
- other miscellaneous improvements.





- PROPOSED IMPROVEMENTS**
1. Entry landscape enhancements
  2. Open Air pavilions
  3. Pool area drop-off plaza
  4. Seating Spaces
  5. Playground
  6. Improved picnic facilities
  7. Interpretive trail
  8. Play plaza with shade sails
  9. Turf lawn areas
  10. Boatwaler/recreation areas
  11. Promenade with seating spaces
  12. Pavilion with beach factors
  13. South restroom facility
  14. Surf board and Kayak drop-off area
  15. Bike Path, SW

DECAL PARKING AND CASINO BUILDING  
EXCLUDED FROM P.B.C. FUNDING

**LEGEND**  
D DECAL PARKING SPACES (50 TOTAL)  
613 PUBLIC PARKING SPACES TOTAL (14 H/C)

No.	REVISIONS	DATE	BY

SCALE AS NOTED  
DESIGNED BY SS  
DRAWN BY SS  
CHECKED BY MDS

**Kimley-Horn and Associates, Inc.**  
© 2011 KIMLEY-HORN AND ASSOCIATES, INC.  
1800 S. CONGRESS AVE., STE. 100 DELRAY BEACH, FL 33445  
PHONE (561) 330-2245 FAX (561) 330-2245  
WWW.KIMLEY-HORN.COM CA 0000096

DATE  
JAN 2014  
PROJECT NO  
042236006

LAKE WORTH, FLORIDA

DESIGN ENGINEER  
MICHAEL D SPRUCE  
FLORIDA REGISTRATION NUMBER  
52776

FINAL SITE PLAN  
EXHIBIT AA2

SHEET NUMBER  
EX-AA2  
1 of 1

**Exhibit AA3  
Cost Estimate  
Public Improvements to the Lake Worth Beach Redevelopment Project**

Project elements for the public improvements for the Lake Worth Beach Redevelopment Project include:

1. Enhancements to the landscaping at the main project entrance to include a combination of shade and palm trees.
2. Open air pavilions east of the existing "casino building".
3. A circular drop-off area located north of the upper dune parking surface lot.
4. Seating along the existing seawall in front of the "casino building" and accessible via a proposed paver block pedestrian promenade.
5. A "public art" playground located east of the upper dune surface parking lot.
6. New picnic facilities located west of the upper dune surface parking lot, including picnic tables with surrounding shade trees.
7. An accessible interpretive trail from the western surface parking lot to the top of dune with native vegetation, signage, and miscellaneous other features.
8. A paver block plaza with shade sails constructed between the pier and the upper dune surface parking lot.
9. Beachfront turf lawn areas.
10. Upper dune bio-swales planted with native vegetation for storm water retention.
11. A large pavilion with beach lockers located east of the upper dune surface parking lot.
12. A public restroom facility constructed adjacent to the beach locker pavilion.
13. Alternative power generation or energy saving systems.
14. A surfboard and kayak drop-off area.
15. A dedicated bicycle path from the south driveway to the top of dune with bicycle racks.

In addition to the numbered features on Exhibit AA2, the plan includes:

- reconfigured and new surface parking facilities with perimeter landscaping and landscape islands (613 parking areas on site available to the general public),
- shade trees and other landscape improvements throughout the site,
- native planting areas,
- pedestrian walks and improved pedestrian access from the surface parking lots to the beachfront,
- improvements to the existing drainage and utility infrastructure,
- undergrounding of upper dune electrical facilities,
- site lighting improvements (sea turtle friendly) along the beach front,
- other miscellaneous improvements.

**ESTIMATED COSTS: \$4,545,500**

**ESTIMATED DESIGN COSTS: \$454,500**

**ESTIMATED TOTAL COST: \$5,000,000**

**CERTIFICATE OF COVERAGE**

ISSUED ON: 2/4/2014

COVERAGE PROVIDED BY: **PREFERRED GOVERNMENTAL INSURANCE TRUST**

PACKAGE AGREEMENT NUMBER: PX FL1 0502013 13-04

COVERAGE PERIOD: 10/1/2013 TO 10/1/2014 12:01 AM

**COVERAGES:** This is to certify that the agreement below has been issued to the designated member for the coverage period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded by the agreement described herein subject to all the terms, exclusions and conditions of such agreement.

Mail to: Certificate Holder  
**Palm Beach County Board of County Commissioners**  
 301 North Olive Avenue  
 West Palm Beach, FL 33401

*Designated Member*  
**City of Lake Worth**  
 7 North Dixie Hwy.  
 Lake Worth, FL 33460

**LIABILITY COVERAGE**  
**X Comprehensive General Liability, Bodily Injury, Property Damage and Personal Injury**  
 Limit \$1,000,000 \$100,000 SIR  
**Public Officials Liability**  
 Limit  
**Employment Practices Liability**  
 Limit  
**X Employee Benefits Liability**  
 Limit \$1,000,000 \$100,000 SIR  
**Law Enforcement Liability**  
 Limit

**WORKERS' COMPENSATION COVERAGE**  
**X Self Insured Workers' Compensation**  
 \$500,000 Self Insured Retention  
**X Statutory Workers' Compensation**  
**X Employers Liability**  
 \$1,000,000 Each Accident  
 \$1,000,000 By Disease  
 \$1,000,000 Aggregate Disease

**PROPERTY COVERAGE**  
**X Buildings & Personal Property**  
 Per schedule on file with \$25,000 Deductible  
 Trust Limit  
*Note: See coverage agreement for details on wind, flood, and other deductibles.*  
**X Rented, Borrowed and Leased Equipment**  
 Limit \$100,000 TIV See Schedule for Deductible  
**X All other Inland Marine**  
 Limit \$1,193,404 TIV See Schedule for Deductible

**AUTOMOBILE COVERAGE**  
**Automobile Liability**  
 Limit \$1,000,000 \$100,000 SIR  
**X All Owned**  
 Specifically Described Autos  
**X Hired Autos**  
**X Non-Owned Autos**  
**Automobile Physical Damage**  
 Comprehensive  
 Collision  
 Hired Auto with limit of  
**Garage Keepers**  
 Liability Limit  
 Liability Deductible  
 Comprehensive Deductible  
 Collision Deductible

NOTE: The most we will pay is further limited by the limitations set forth in Section 768.28(5), Florida Statutes (2010) or the equivalent limitations of successor law which are applicable at the time of the loss.

Description of Operations/ Locations/ Vehicles/Special items:

Certificate issued with respect to the Beach Redevelopment Project.

*This section completed by member's agent, who bears complete responsibility and liability for its accuracy.*

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the agreement above.

Administrator  
**Public Risk Underwriters®**  
 P. O. Box 958455  
 Lake Mary, FL 32795-8455

Producer  
**Public Risk Insurance Agency**  
 P. O. Box 2416  
 Daytona Beach, FL 32115

**CANCELLATIONS**  
 SHOULD ANY PART OF THE ABOVE DESCRIBED AGREEMENT BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, PREFERRED GOVERNMENTAL INSURANCE TRUST WILL ENDEAVOR TO MAIL 60 DAYS WRITTEN NOTICE, OR 10 DAYS WRITTEN NOTICE FOR NON-PAYMENT OF PREMIUM, TO THE CERTIFICATE HOLDER NAMED ABOVE, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE PROGRAM, ITS AGENTS OR REPRESENTATIVES

*[Handwritten Signature]*

AUTHORIZED REPRESENTATIVE



**CITY OF LAKE WORTH  
OFFICE OF THE CITY MANAGER**

7 North Dixie Highway · Lake Worth, Florida 33460 · Phone: 561-586-1689 · Fax: 561-586-1750

January 14, 2013

Eric Call, Director  
Palm Beach County Parks and Recreation Department  
2700 Sixth Avenue South  
West Palm Beach, FL 33461

RE: R2010-0223 - Interlocal Agreement between Palm Beach County and the City of Lake Worth for the Lake Worth Beach Redevelopment Project

Dear Mr. Call:

On February 2, 2010, the Interlocal Agreement between Palm Beach County and the City of Lake Worth for funding of the Lake Worth Beach Redevelopment Project was fully executed. A total of \$5,000,000 was awarded under the \$50 Million Recreation and Cultural Facilities Bond for the design and construction of the Project.

Under the terms of this Interlocal Agreement, the City was to complete the design and construction of the Project within thirty-six months from the date of execution, or by February 1, 2013. Although substantial completion of the Project was realized by that date, several punch list items had not been resolved. As a result, the First Amendment to the Interlocal Agreement was executed to extend the original project date of February 1, 2013, to August 31, 2013, in order to accommodate completion of the punch list items and successful close out the Project.

On October ~~29~~<sup>30</sup>, 2013, staff from Palm Beach County Parks and Recreation Department and the City of Lake Worth performed an inspection of the project site to determine the status of all items contained in the scope of public improvements to be performed for the Project under the terms of the Interlocal Agreement, as amended. Five of these items were determined to be deficient as a result of this inspection.

The City's response to these deficient items is provided as follows:

- **Item 2. Bus stop areas east of the existing Casino building**

The City has been involved with on-going discussions with Palm Tran about the provision of extended bus service to the Beach complex. Sunday-only service has been the only option offered and it has been discontinued due to the construction. Currently, no buses are routed to the Beach. Palm Tran has expressed concerns about low ridership and determining a suitable location for a stop at the Casino building that will be ADA compliant and accommodate the maneuverability of its buses. Additional concerns have been expressed about possible scheduling problems resulting from the increased time and distance for an additional stop if it were to extend a weekday and Saturday route to provide such service to the site on a daily basis.

The City requests that the County remove this requirement from the scope of public improvements for the Project. Regardless, the City will continue to work with Palm

Tran to provide adequate service with a suitable and accessible stop at the Casino building. In all likelihood, any such service would be provided on a limited schedule.

- **Item 8. An accessible interpretive trail from the western surface parking lot to the top of the dune with native vegetation, signage and miscellaneous other features**

The City has completed development of the trail, including the removal of invasive vegetation and planting native flora along the trail. The City is currently constructing interpretive signage for the trail that will highlight energy efficient and sustainable features incorporated into the site improvements, and provide details of the native flora and fauna inhabiting the area.

The City requests an additional sixty days from this date to complete construction and installation of this interpretive signage.

- **Item 12. A paver block promenade spanning the entire beach frontage**

The promenade main walkway along the beach frontage is constructed of paver block that is interrupted by approximately 200 linear feet of concrete pavement. The balance of the promenade walkway (approximately 85%) is comprised of paver block.

The City requests that the County revise its specifications mandating paver block for the entire length to instead allow for the section of the promenade walkway that is constructed of concrete pavement to remain in place. The full set of final construction drawings prepared by Kimley-Horn and Associates, Inc. ("KHA") that was submitted to and accepted by Palm Beach County Parks and Recreation Department on April 12, 2012, included this modified design of the promenade main walkway as the base bid item. All revisions incorporated into the final bid documents and construction drawings, including installation of the concrete section, resulted from value engineering that was necessary to bring the scope of work in line with the available budget for the project. To install paver block in this section, an alternate bid item in the revised bid documents, would be cost prohibitive at this time.

- **Item 13. A large pavilion with beach lockers located east of the upper dune surface parking lot**

The pavilion has been constructed and the City has placed the beach lockers on order.

The City requests an additional thirty days from this date to complete installation of the beach lockers.

- **Additional Requirement. A paver block roadway to replace the existing multi-lane roadway east of the "casino building"**

The multi-lane roadway installed at the beach complex is comprised of asphaltic concrete. There are pedestrian walkways that have been constructed of paver blocks that interrupt the asphalt roadway at various locations along its span.

The City requests that the County remove its requirement for a paver block roadway and accept the roadway in its existing form. As reflected in the final bid documents and construction plans submitted by KHA (please see item 12 above) and as a result of the aforementioned value engineering undertaken for the design of this project, it was

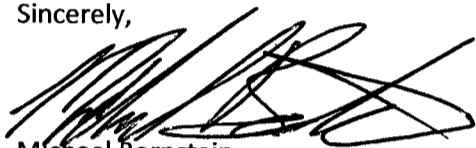
determined that the construction of a paver block roadway, revised as an alternate bid item in the final bid documents, would have been cost prohibitive. This assessment thereby necessitated the use of alternative materials as the base bid item in order to bring the scope of work in line with the available budget for the project.

The City of Lake Worth respectfully requests that the Interlocal Agreement, as amended, be further amended to incorporate the proposed revisions to the scope of public improvements as described above. It is further requested that the current project completion date of August 31, 2013, be extended to March 31, 2014. This action will provide the time necessary to complete the public improvements and project close-out.

As you are aware, the completion of this project is of great significance to area residents who have expressed overwhelming support of these improvements. These improvements could not have been provided without this financial assistance from Palm Beach County.

Should you have any questions or require additional information, please do not hesitate to contact Jerry Kelly, Grants Analyst, at 561.533.7358. The City will respond in a timely manner. As always, thank you for your continued cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Bornstein', written over a horizontal line.

Michael Bornstein  
City Manager

cc: Carrie-Ann Kopelakis, Financial Analyst III, PBC Parks and Recreation Department