

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

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|---------------------------------|---|---|
| Meeting Date: September 9, 2014 | <input checked="" type="checkbox"/> Consent | <input type="checkbox"/> Regular |
| | <input type="checkbox"/> Workshop | <input type="checkbox"/> Public Hearing |

Submitted By: Department of Airports

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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: Modification No. P00001 to the Other Transaction Agreement (OTA) No. HSTS04-11-H-CT1303 with the Department of Homeland Security/Transportation Security Administration (DHS/TSA), to extend the Period of Performance to September 30, 2016 for Improvements to the Checked Baggage Screening System at Palm Beach International Airport (PBI).



Summary: The Department of Airports is currently in the design and bidding phase of the Improvements to the Baggage Handling System at PBI. DHS/TSA provided an OTA in 2011 for funding participation of the project in the amount of \$26,736,942, which was executed through the delegation of authority that was approved by the BCC on August 16, 2011 (Agenda Item 3F9). Subsequently, the OTA was approved as a Receive and File agenda item on October 18, 2011 (R-2011-1574). Due to delays beyond the control of the County in the design phase, it is now necessary to extend the Period of Performance for this OTA in order to provide funding for the construction of the improvements. **Countywide (AH)**

Background and Justification: Due to the age of the existing baggage handling system at PBI, the Department of Airports has initiated a project to replace the various components of the system in an effort to increase the safety and operating efficiency of the system. DHS/TSA provided an OTA in 2011 for funding participation of the project with an original Period of Performance set to expire on September 30, 2014. Approval of this item will extend the Period of Performance to September 30, 2016 to allow for the successful completion of the project.

Attachments:

- 1. Three (3) originals – Modification No. P00001 to OTA (HSTS04-11-H-CT1303)

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|-----------------|---|---------|
| Recommended By: |  | 8/14/14 |
| | Department Head | Date |
| Approved By: |  | 8/14/14 |
| | County Administrator | Date |

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2014 | 2015 | 2016 | 2017 | 2018 |
|---|---------------|------|------|------|------|
| Capital Expenditures | | | | | |
| Operating Costs | | | | | |
| Operating Revenues | | | | | |
| External Revenues (Grants) | | | | | |
| Program Income (County) | | | | | |
| In-Kind Match (County) | | | | | |
| NET FISCAL IMPACT | -0- See below | | | | |
| # ADDITIONAL FTE POSITIONS (Cumulative) | | | | | |
| Is Item Included in Current Budget? | Yes | X | No | | |

Budget Account No: Fund 4111 Department 121 Unit A304 Object 6504
Reporting Category

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

There is no Fiscal Impact for this item.

C. Departmental Fiscal Review: CM Simon

III. REVIEW COMMENTS

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

Susan Neary 8/19/14
OFMB AM
8/18

D. J. Jacobson 8/20/14
Contract Dev. and Control
8-20-14 Beshah

B. Legal Sufficiency:

Anne Welgert 8/22/14
Assistant County Attorney

C. Other Department Review:

Department Director

WHEREAS, the Transportation Security Administration ("TSA") awarded an Other Transaction Agreement ("OTA") on August 29, 2011 to Palm Beach County – Department of Airports ("the AIRPORT AUTHORITY") relating to Palm Beach International Airport ("the Airport") for modifications to the Airport Terminal infrastructure and baggage conveyor system in order to develop and install an in-line Checked Baggage Inspection System ("CBIS"). The OTA provided scope for design, engineering and construction related services to be completed in accordance with the TSA's Planning Guidelines and Design Standards Version 3.0.

WHEREAS, the OTA's period of performance end date is September 30, 2014.

WHEREAS, the design planning phase of the OTA took a total of two years to complete – much longer than anticipated upon award of the OTA. Delays occurred between initial receipt of 30% design review for the CBIS and TSA approval due to inadequate documentation provided with the package submitted on December 21, 2012. The AIRPORT AUTHORITY resubmitted an updated and completed 30% design package on September 13, 2013, which TSA approved on January 28, 2014. TSA received and approved the 70% design for the CBIS on May 5, 2014 and May 13, 2014, respectively. TSA received and approved the 100% design for the CBIS on July 7, 2014 and July 28, 2014, respectively.

WHEREAS, the AIRPORT AUTHORITY submitted an updated project schedule July 18, 2014, showing a projected project completion date of September 30, 2016 based on updated information.

WHEREAS, project execution is critical to mission success of the TSA and termination of the OTA is not in the best interest of the Government.

WHEREAS, funding in the amount of \$25,327,643.79 is still available on the OTA.

TSA agrees to modify the period of performance in Article VI – "Effective Date and Term" from September 30, 2014 to September 30, 2016 at no additional cost to the Government. The OTA funding ceiling remains unchanged at \$26,736,942.

The AIRPORT AUTHORITY acknowledges through this modification that funds obligated in this OTA will be canceled as of **September 30, 2016** per 31 U.S.C. § 1552(a), and as such, will not be available to pay for expenditures invoiced after this date. Therefore all invoices must be submitted by July 1, 2016, to allow sufficient time for invoice review and payment processing. TSA agrees to work with the AIRPORT AUTHORITY to expedite final invoice processing and payment for all allowable, allocable, and reasonable expenses submitted to TSA on or before July 1, 2016. The AIRPORT AUTHORITY shall be responsible for all expenses incurred under this OTA and not submitted for invoicing on or before July 1, 2016.

All other terms and conditions remain unchanged.

END MODIFICATION P00001