

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

Meeting Date: **October 7, 2014** ☒ **Consent** ☐ **Regular**
 ☐ **Ordinance** ☐ **Public Hearing**

Department: Facilities Development & Operations

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: a notice of exercise of the third extension option of Concessionaire Service Agreement (R2010-1408) (Agreement) with DH2, Inc. for the operation of food and beverage services at Osprey Point Golf Course in Burt Aaronson South County Regional Park for \$7,019.15 per year.

Summary: On September 14, 2010, the Board approved the Agreement with DH2, Inc. for the use of a 183 SF snack bar and a portion of the exterior patio area at the clubhouse, and the operation of mobile food and beverage carts on the golf course at Osprey Point Golf Course located in Burt Aaronson South County Regional Park. The minimum guaranteed annual rent is \$7,019.15 per year with a per round fee of \$0.20 for each round of golf played during the preceding 12 months that exceeds 60,000 rounds. The Osprey Point Golf Course opened in November of 2010, with 51,000 to 85,000 rounds played annually over the past four years. The course has matured and is popular with the public. Use during this 12 month extension period is anticipated to exceed the 60,000 round threshold by 30,000 rounds. DH2, Inc. is exercising the third and final option for the period of November 5, 2014, to November 4, 2015. The Parks and Recreation Department is satisfied with DH2, Inc.'s performance. Pursuant to the Agreement, DH2, Inc. has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. **(PREM) District 5 (HJF)**

Background and Justification: On September 14, 2010, the Board approved the Agreement with DH2, Inc. The initial term of the Agreement was for two (2) years, and included three (3) one (1) year extension options. On October 16, 2012, (R2012-1528), the first option was exercised and on August 13, 2013, (R2013-1009), the second option was exercised. This third extension option was exercised via letter received on June 13, 2014, from Todd Weiss, President, DH2, Inc. Exercise of this third and final extension option will extend the term through November 4, 2015. A Request for Proposals is expected to be issued in August of 2015 to provide continued food and beverage concession services. The Disclosure of Beneficial Interests obtained when the Agreement was entered in September 2010 indicates that Todd Weiss holds 100% of the interest in DH2, Inc. Since there has been no change in the ownership of DH2, Inc., Staff did not request a new Disclosure. Parks and Recreation is responsible for administering this Agreement.

Attachments:

1. Location Map
2. Extension option request letter
3. Parks and Recreation Department 7.9.14 e-mail
4. Budget Availability Statement

Recommended By: Anthony Wolf 9/10/14
Department Director Date

Approved By:  9/23/14
County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$6,434)	(\$6,585)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$6,434)	(\$6,585)	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget: Yes X No

Budget Account No: Fund 1384 Dept 580 Unit 5258 Object 4729
Sub Obj: 03

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

Income provided above includes the minimum guaranteed annual rent of \$7,019.15 and 30,000 rounds @ \$0.20 per round in excess of the 60,000 round threshold during this extension period \$6,000 (\$13,019.15)

*Fiscal info provided by the Parks Department.

Fixed Asset Number: n/a

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFMB

Contract Development and Control

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

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

TWP 47

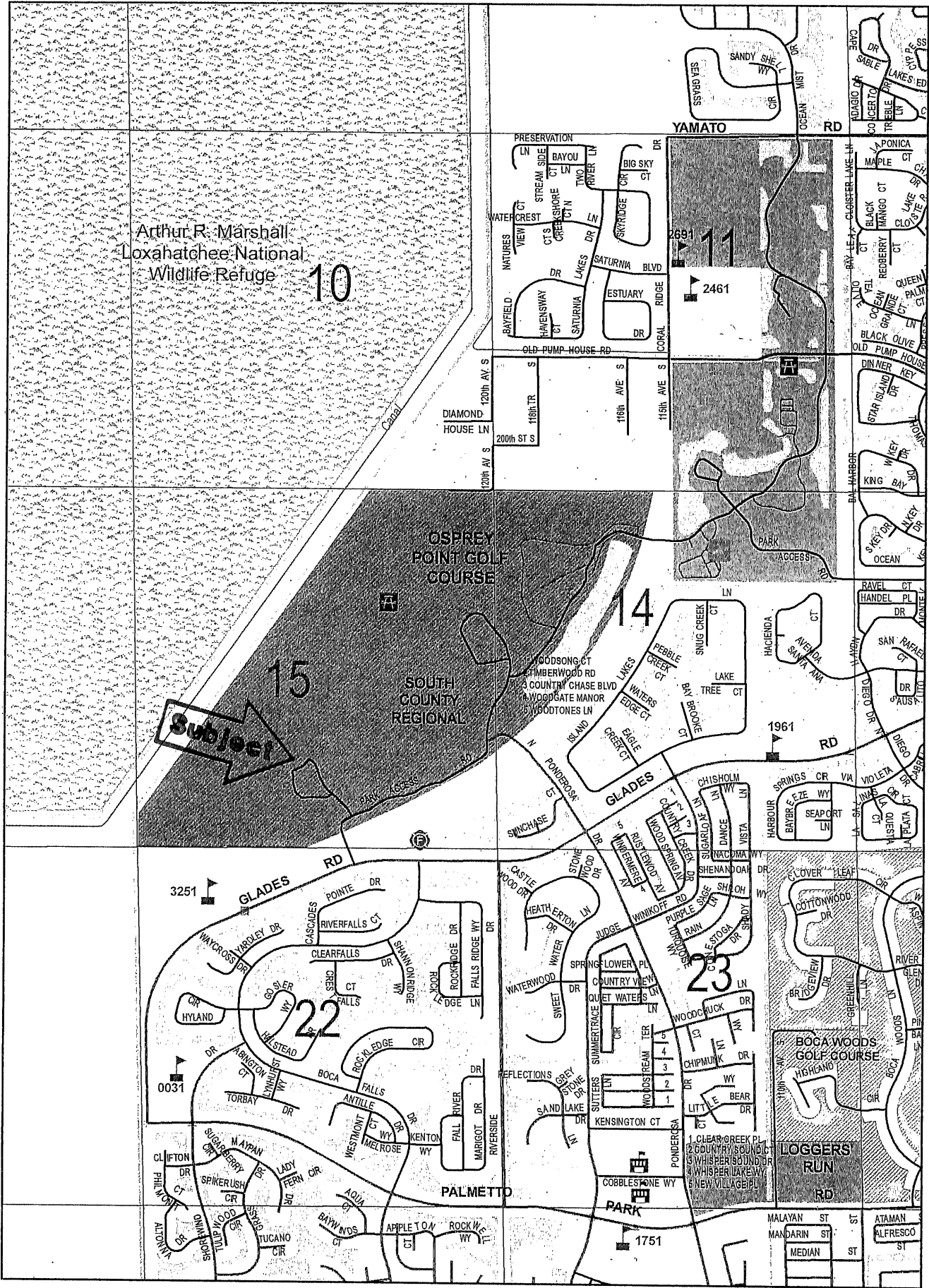
TWP 47

TWP 47

40

41

42



RNG 41

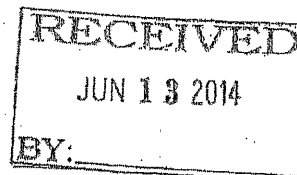
See pg 127

RNG 41



Todd Weiss
DH2 inc
9858 Glades Road
#119
Boca Raton, Fl 33434
June 12, 2014

Parks and Recreation Department
Attn: Director Parks Financial and Support Services
John Prince Park
2700 Sixth Avenue South
Lake Worth, Fl 33461
Fax 561-242-6930



To: Palm Beach County

Dh2 has decided to exercise the third option to renew for an additional year to provide food and beverage service at Osprey Point Golf Course.

According to the terms of the contract I am sending this letter to the appropriate addresses as stated in section 18.03.

The staff and I look forward to another great year at Osprey Point Golf Course.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Weiss", written over a horizontal line.

Todd Weiss
President
DH2 inc.

Richard Bogatin

From: Paul Connell
Sent: Wednesday, July 09, 2014 9:14 AM
To: Ross Hering
Cc: Richard Bogatin; Jon Herrick; Rebecca Pine; Bethany King; John Wildner; Reid Raymond
Subject: Osprey Point Golf Course Food Service Renewal

Ross,

Per section 1.05 of the Concessionaire Service Agreement for the operation of food and beverage at Osprey Point Golf Course, DH2, Inc., the contractor has requested that we exercise the third of three renewal options available in the agreement. The Parks and Recreation Department is in support of this one year extension and confirms that the contractor is in good standing and no events of default have been experienced. For these reasons please process the third of three renewal options for this contract. If you have any questions or require additional information, please advise.

Paul Connell
Golf Operations Supervisor
Palm Beach County
(561) 966-6627
www.pbcgolf.com

BUDGET AVAILABILITY STATEMENT

REQUEST DATE: 7/09/2014 REQUESTED BY: Richard C. Bogatin PHONE: 561.233.0214
FAX: 561.233.0210

PROJECT TITLE: Osprey Point Concessionaire DH2 Inc., OPT 3 of 3 PROJECT NO.: 2014-5.0__

Fiscal Years	2014	2015	2016	2017	2018
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	(6,434.23)	(6,584.93)	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	(6,434.23)	(6,584.93)	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

*** By signing this BAS your department agrees to these staff costs and your account will be charged upon receipt of this BAS by FD&O. Unless there is a change in the scope of work, no additional staff charges will be billed.*

BUDGET ACCOUNT NUMBER

FUND: 1384 DEPT: 580 UNIT: 5258 OBJ: 4729
SUB OBJ: 03


IS ITEM INCLUDED IN CURRENT BUDGET: YES X NO _____

IDENTIFY FUNDING SOURCE FOR EACH ACCOUNT: (check all that apply)

Ad Valorem (source/type: _____)
Non-Ad Valorem (source/type: _____)
Grant (source/type: _____)
Park Improvement Fund (source/type: _____)
General Fund _____ Operating Budget _____ Federal/Davis Bacon _____

SUBJECT TO IG FEE? YES NO

Department: Parks and Recreation

BAS APPROVED BY:  DATE: 07/09/14

ENCUMBRANCE NUMBER: _____