Agenda Item #:

3H-3

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

<b>Meeting Date:</b>	December 2, 2014	[X] Consent [ ] Ordinand	[ ] Regular ce [ ] Public Hearing	5
Department:	t: Facilities Development & Operations			
	I. EXE	CUTIVE BRIEF		
Motion and Title: (R2009-2132) with	<b>Staff recommends motion to</b> the City of Pahokee (City) to provide the	approve: a First Amerovide fuel management	ndment to the Interlocal Ag services.	reement
2014. The Agreeme extend the term of the First Amendment resof the Inspector Gentlemann provisions on third provisions on third provisions.	reement under which the Count nt provides for one (1) – five ( he Agreement to December 14 news the term, and incorporate eneral. In addition, the First A party beneficiaries, non-discrim- other terms remain the same. (Figure 1)	5) year renewal option. 4, 2019 and the renewal s County Code Section 2 Amendment updates the ination and independent	The City has approved a ren now requires Board approved 1-421 - 2-440 establishing the Agreement by including s contractors. Other than the contractors.	newal to val. The e Office standard
management service. The cost of fuel is cup to be set annu departments. Count	es from the Facilities Develops alculated by adding the actual cally by County, which shall y does not require any addition an amount based on the amount	ment & Operations Depa cost of fuel, the applicable be the same administral al staffing or equipment	artment/Fleet Management D le taxes and the administrative rative mark-up charged to t to provide this service resu	Division.  ye mark- County
Attachments:				
First Amendment				
Recommended By:	Department	Wb F Director	Date	
Approved By:	County Adm	inistrator	C C C C C C C C C C C C C C C C C C C	

## II. FISCAL IMPACT ANALYSIS

### Five Year Summary of Fiscal Impact: A. **Fiscal Years** 2015 2016 2017 2018 2019 **Capital Expenditures** 46,421 46,421 46,421 46,421 46,421 **Operating Costs External Revenues** (48,671) (150,34) (48.07D) (15031) (48 071) **Program Income** (County) In-Kind Match (County **NET FISCAL IMPACT** (\$1,650) (\$1,650) (\$1,650)\_ (\$1,650) (\$1,650) # ADDITIONAL FTE **POSITIONS** (Cumulative) Is Item Included in Current Budget: Yes \_\_X\_\_\_ No \_\_\_\_ **Budget Account** No: Fund Dept 410 Unit 7100 Revenue Source 910 Unit \_\_\_\_\_ Revenue Source \_\_\_\_ Fund Dept В. Recommended Sources of Funds/Summary of Fiscal Impact: Revenue is based on FY 2014 fuel purchases and will vary based on amount of fuel purchased each year. C. Departmental Fiscal Review: III. REVIEW COMMENTS OFMB(Fiscal and/or Contract Development Comments: A. Contract Development and Contro B Wheeled 11-14-14 В. Legal Sufficiency: ssistant County Attorn C. Other Department Review:

Department Director

#### FIRST AMENDMENT TO INTERLOCAL AGREEMENT

THIS FIRST AMENDMENT to Interlocal Agreement R2009-2132, dated December 15, 2009, is made as of \_\_\_\_\_\_\_, by and between Palm Beach County, a political subdivision of the State of Florida (hereinafter referred to as "County"), and the City of Pahokee, a municipal corporation (hereinafter referred to as "City").

In consideration of the mutual promises contained herein, the County and the City agree as follows:

- 1. The term of Agreement R2009-2132, expires on December 14, 2014, and shall be extended to December 14, 2019.
- 2. Attachment I to the Agreement is hereby deleted in its entirety and is hereby replaced by Attachment I, attached hereto and made a part hereof.
- 3. The Agreement is hereby modified to add the following:

#### **SECTION 14: NONDISCRIMINATION**

The City assures and certifies that it shall comply with Title VII of the Civil Rights Act of 1964, as amended, and Palm Beach County Resolution No. R92-13, and shall not discriminate against any individual on the basis of their race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, disability, gender identity and expression, or genetic information.

4. The Agreement is hereby modified to add the following:

#### **SECTION 15: INSPECTOR GENERAL**

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the City, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud. Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

5. The Agreement is hereby modified to add the following:

# SECTION 16: NO THIRD PARTY BENEFICIARY

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employee of the County and/or City.

6. The Agreement is hereby modified to add the following:

#### SECTION 17: INDEPENDENT CONTRACTORS

The relationship between the City and the County is that of independent contractors, and neither shall be considered a joint venture, partner, employee, agent, representative or other relationship of the other for any purpose expressly or by implication.

7. All other terms of Agreement R2009-2132 remains unmodified and in full force and effect.

THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK

**IN WITNESS WHEREOF,** the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment on behalf of the County and the City has hereunto set its hand the day and year above written.

ATTEST:	
SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By:
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  By: County Attorney	APPROVED AS TO TERMS AND CONDITIONS:  By:  Audrey Wolf, Director Facilities Development & Operations
By: Ank Sincher Print Witness Name	By: Signature of Mayor  Colin Walkes  Printed Name of Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  By: City Attorney	

# ATTACHMENT 1 Palm Beach County Facilities Development & Operations Fleet Management Division Fueling Sites

Location	Fuel Type	Hours of Operation	
Fleet Management 2633 Vista Parkway, WPB	Unleaded Diesel	24 Hours	
PBIA 3700 Belvedere Road, WPB	Unleaded Diesel	24 Hours	
Criminial Justice Complex 3228 Gun Club Road, WPB	Unleaded	24 Hours	
Sheriff Substation 17901 SR#7, Boca Raton	Unleaded	24 Hours	
PBSO – Park Vista High School 7894 Jog Road, Lake Worth	Unleaded	24 Hours	
South County Courthouse 345 S. Congress, Delray Beach	Unleaded Diesel	24 Hours	
North County Complex 8130 Jog Road, WPB	Unleaded Diesel	24 Hours	
Pahokee 580 State Market Rd, Pahokee	Unleaded Diesel	24 Hours	
Mosquito Control 9011 Lantana Road, Lake Worth	Unleaded	24 Hours	
South Region Utilities 13026 Jog Road, Delray Beach	Unleaded Diesel	24 Hours	
West County Gov't 38951 James Wheeler Way, Belle Glade	Unleaded Diesel	24 Hours	
John Prince Park 5020 S Congress Ave, Lake Worth	Unleaded Diesel	7:00 am – 4:00 pm Weekdays	
Jupiter (@SWA) 14185 N Military Trail	Unleaded	7:00 am – 5:00 pm Weekdays	
Central Water Utilities 8100 Forest Hill Blvd., Greenacres	Unleaded Diesel	7:00 am – 5:00 pm Weekdays	