

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

**Meeting Date:** January 13, 2015

☒ **Consent**  
☐ **Workshop**

☐ **Regular**  
☐ **Public Hearing**

**Department:**

**Submitted By:** Engineering & Public Works

**Submitted For:** Roadway Production Division

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to receive and file: County Incentive Grant Program (CIGP) Amendment Number One to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard funding agreement, R2012-1446, with the Florida Department of Transportation (FDOT), extending the CIGP expiration date to December 31, 2015.

**SUMMARY:** This receive and file will record Amendment Number One for a time extension to the existing funding agreement with FDOT for a project currently underway. This amendment was signed by the Deputy County Engineer and then executed by FDOT. On January 24, 2012, the Board of County Commissioners granted the County Administrator or his designee authority to sign amendments to existing funding agreements with FDOT to provide for time extensions and to add e-verify language, under Resolution No. R2012-0035. On February 21, 2012 the County Administrator wrote a memorandum delegating this authority to the County Engineer, the Deputy County Engineer, and the Assistant County Engineer.

Countywide (MRE)

**Background and Justification:** This receive and file records CIGP Amendment Number One for a project currently underway which was signed by the Deputy County Engineer and then executed by FDOT to extend its contract time to December 31, 2015.

**Attachments:**

1. CIGP Amendment No. One
2. Resolution R2012-0035
3. Letter from County Administrator

**Recommended by:**

Ormelis A. Fernandez  
Division Director

Date

12/15/14

**Approved By:**

S. T. Webb  
County Engineer

Date

12/15/14

## II. FISCAL IMPACT ANALYSIS

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

<b>Fiscal Years</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Capital Expenditures</b>	<u>\$ -0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>Operating Costs</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>External Revenues</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>Program Income (County)</b>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>In-Kind Match (County)</b>	<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</b>					
<b>POSITIONS (Cumulative)</b>					

Is Item Included in Current Budget?	Yes	No
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**Budget Acct No.: Fund\_\_ Dept.\_\_ Unit\_\_ Object**  
**Program**

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

This item has no fiscal impact. The agenda item extends the eligible time frame for the grant. The funds are currently budgeted.

### C. Departmental Fiscal Review:

### III. REVIEW COMMENTS

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

Susan Neary 12/16/14  
KIN SC RD OFMB  
12/16 12/16 JS

Dr. J. J. Jacobs 12/18/14  
Contract Dev. and Control

**B. Approved as to Form  
and Legal Sufficiency:**

Martin R. Carroll 12/22/14  
Assistant County Attorney

### C. Other Department Review:

**Department Director**

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

DUNS No.: 80-989-7102  
CSFA No.: 55.008

Contract No.: AQT-31  
FM No: 431645-1-38-01  
Vendor No: VF 596-000-785

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
AND  
PALM BEACH COUNTY  
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT  
AMENDMENT NUMBER ONE

THIS AMENDMENT, made and entered into this 31<sup>st</sup> day of October, 2014,  
by and between the State of Florida Department of Transportation, hereinafter called the DEPARTMENT,  
and Palm Beach County, located at 2300 North Jog Road, West Palm Beach, Florida 33411, hereinafter called  
the COUNTY.

WITNESSETH

WHEREAS, on October 24, 2012 the parties entered into a County Incentive Grant Program  
Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain  
improvements in connection with Financial Management (FM) No. 431645-1-38-01 for the Consultant design  
of intersection improvements at the intersection of SR-809/Military Trail and Northlake Blvd. in Palm Beach  
County, Florida hereinafter referred to as the “Project”; and

WHEREAS, the parties desire to 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 as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. This Amendment extends the term of this Agreement. Paragraph 3A is amended 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 December 31, 2015, whichever occurs first.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore  
entered on October 24, 2012, 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.

SPACE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this Amendment is executed by the parties below for the purposes specified herein. Authorization has been give to enter into and execute this Amendment by Resolution No. B-2010-1969, hereto attached.

PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA  
BOARD OF COUNTY COMMISSIONERS

ATTEST:  
SHARON R. BOCK

BY: [Signature]  
NAME: Duffan N. McConnell  
TITLE: Deputy County Engineer  
25th day of October 2014

CLERK & COMPTROLLER (SEAL)  
CIRCUIT COURT

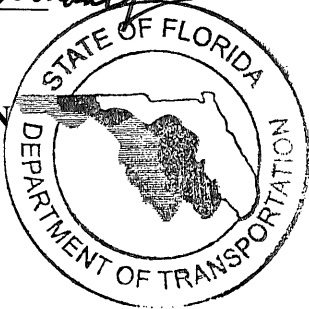
APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND  
CONDITIONS:

BY: [Signature]  
COUNTY ATTORNEY

BY: [Signature]

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION



ATTEST: [Signature] (SEAL)  
EXECUTIVE SECRETARY

BY: [Signature]  
GERRY O'REILLY, P.E.  
DIRECTOR OF TRANSPORTATION DEVELOPMENT

NAME: Maria Gutierrez

DISTRICT 4

Availability of Funds Approval:

LEGAL REVIEW:

N/A  
(Date)

[Signature]  
OFFICE OF THE GENERAL COUNSEL

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM  
BEACH COUNTY, FLORIDA;**

**AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO  
EXECUTE AMENDMENTS TO EXISTING FUNDING AGREEMENTS WITH  
THE FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE  
EXTENSION OF THEIR EXPIRATION DATES AND THE ADDITION OF  
E-VERIFY LANGUAGE**

**WHEREAS**, the Florida Department of Transportation (FDOT) routinely awards  
Grants to the County to help fund roadway improvements; and

**WHEREAS**, the FDOT requires that the County enter into a Joint Participation  
Funding Agreement outlining the responsibilities of each party with respect to the  
Grants; and

**WHEREAS**, through these Funding Agreements, the County will accomplish the  
projects including design, right-of-way acquisition, construction and construction  
engineering inspection; and

**WHEREAS**, these Funding Agreements often require an extension of time to  
complete the project and receive the Grant Funds; and

**WHEREAS**, these time extensions now also require that E-Verify language be  
added if it was not in the original Funding Agreement whereby the County and its  
contractors attest to the employment eligibility of all those working on the project; and

**WHEREAS**, the Board of County Commissioners has determined that the  
delegation of authority to the County Administrator or his designee to execute  
amendments to the Funding Agreements for extensions of time and addition of E-Verify  
language is necessary for the efficient and timely processing of time extensions and 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 County Administrator or his designee is hereby authorized to execute Amendments to Funding Agreements with the Florida Department of Transportation to extend expiration deadlines and add E-Verify language.

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 Marcus who moved its adoption. The motion was seconded by Commissioner Aaronson and upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair	-	Aye
Commissioner Steven L. Abrams, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chair thereupon declared the Resolution duly passed and adopted this 24th day of January 2012.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY  
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA BY  
ITS BOARD OF COUNTY

SHARON BOCK, CLERK AND  
COMPTROLLER

By:   
Assistant County Attorney

By:   
Deputy Clerk



February 21, 2012

On January 24, 2012, the Board of County Commissioners adopted a resolution authorizing the County Administrator or his designee to approve amendments and to add the e-verify requirement to existing funding agreements with the Florida Department of Transportation.

As the County Administrator, I delegate this authority to the County Engineer, the Deputy County Engineer and the Assistant County Engineer.

A handwritten signature in black ink, appearing to read "Robert Weisman", is written over a horizontal line.

Robert Weisman, PE  
County Administrator