# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

### **AGENDA ITEM SUMMARY**

\_\_\_\_\_\_

Meeting Date: Marc	[X] Consent [ ] Ordinance		[ ]	Regula			
Department Submitted By: Submitted For:	Community Service Division of Senior S	<u>es</u>		[	]	Public	Hearing
	I. EXE	CUTIV	======= <u>E BRIEF</u>		THE PERSON NAMED IN COLUMN NAM	=======================================	
Motion and Title: St Contract No. Y4119 of Florida, Departm deletions to perman	(R2013-1543) for Æ ent of Elder Affairs	4dult C	are Food Pro	gra	m (	ACFP) ۱	with the State
Summary: This are retention requirement paragraph requiring participated in the Records. Amendment 1677) were approved internal DoEA budge Palm Beach County No. 4 is not provide projected allocation ACFP targets low Supplemental Secur providers for servicing snack per day to accomparticipant's quality of the service of	ents, revises and reg a statement listing past seven years, ents No. 1 (R2014-ed by the Board of Coget amendment income ded to the grantee and the come persons rity Income (SSI). Acong eligible adult day dult day care clients	eplace: ng the , and -1024), county reasing for ap receiv CFP pr / care p	s the Indemre publicly fundeletes section No. 2 (R201 Commissione of the projected in the proval since by contract larging Medical porticipants. In effort to many participants of the proval since of the pro	nific ndecion 4-1 rs. et it pri it d, eim ACF	atio 18. 18. 025 Am or refle age bur For ain	n claus rograms .3 Publ. ) and Nendmen ount of months. ects the sements or or improvides or improvides	e, adds new DOSS has Caccess to Caccess to Caccess to Caccess to Caccess to Caccess to Cacces and Cacces to Cacces and Cacces to Cacces and Cacces the Cacces to Cacce
Background and Just Adult Care Food Pr (USDA) and adminis	ogram, operated na	ationall	y by the U.S	fec	dera epa	ally fund rtment o	ed Child and of Agriculture
Attachments: 1. Amendment 005 2. Change of Inform		ract No	. <b>Y</b> 4119				
Recommended By:	Chill 1	I had					
	Department Directo	or	•			Date	
Approved By:					7	2/24/1	
Assistant/County Administrator Date							

## II. FISCAL IMPACT ANALYSIS

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

Capital Expend		2015	2016	2017	2018	2019
Capital Expelle	ditures					
Operating Cos	ts					
External Rever	nue					
Program Incon	ne					
In-Kind Match	(County)					
NET FISCAL II	MPACT	-0-				
# ADDITIONAL POSITIONS (C	1					
ls Item Include	ed in Current F	Rudaet?	Yes X	No		
	<b>nended Sour</b> al Impact	ces of Funds	/Summary o	f Fiscal Impa	ct:	
C. Departm	nental Fiscal I		TYY) aruna-Malhot	ra Director	Financial 8	Support Sv
				ia, Director,	i illalicial &	oupport ov
			EW COMMEI		i illaliciai &	oupport ov
A. OFMB F	Fiscal and/or (	III. REVIE	EW COMMEI	NTS		oupport ov
A. OFMB F	Fiscal and/or (	III. REVIE	relopment an	NTS	omments: Jarebi	outa
OFMB	Fiscal and/or (	III. REVIE	relopment an	NTS d Control Co	omments: Jarebi	outa
OFMB &	MA Syro	III. REVIE Contract Dev	relopment an	NTS d Control Co	omments: Jarebi	outa

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

This AMENDMENT entered into by the State of Florida, Department of Elder Affairs (Department) and Palm Beach County Board of County Commissioners (Contractor) amends contract Y4119.

The purpose of this amendment is to (1) revise and replace paragraph 3.2; (2) add new paragraph 7.3 and renumber accordingly; (3) revise and replace section 11.0, and (4) delete section 18.3.

 Line denotes completion of above summary	
 mie demotes compression of doore summary	

#### **STANDARD CONTRACT:**

(1) Paragraph 3.2 is hereby revised and reads as follows:

The Department may unilaterally cancel this contract, notwithstanding any other provisions of this contract, for refusal by the Contractor to comply with Section 3.0 of this contract by not allowing public access to all documents, papers, letters, or other material made or received by the Contractor in conjunction with the contract, unless the records are exempt from Section 24(a) of Article I of the State Constitution and s. 119.07(1), F.S.

(2) Section 7.0 is hereby revised and reads as follows:

#### 7.0 SUBMIT DOCUMENTS TO THE DEPARTMENT

- 7.1 In addition to any documents required to be submitted to the Department in compliance with state and federal law, the Contractor agrees to submit any receipts, invoices, documentation, or other evidence that the Department in its sole discretion deems necessary to evaluate the validity of any and all claims for reimbursement submitted by the Contractor. Such requirement for documentation may also require the Contractor to submit documentation prior to payment of any claim; any claim or portion thereof that is not supported by documents requested by the Department in writing shall be disallowed.
- 7.2 The Contractor shall provide any and all information requested by the Department which the Department deems necessary in its sole discretion to evaluate an application to participate in the ACFP or an application to renew its participation in the ACFP or to evaluate a Contractor's performance in the ACFP, including but not limited to, documents which the Department determines are necessary to evaluate the applicant's or the Contractor's financial viability, administrative capability and program accountability.
- 7.3 The Contractor must submit:
- 1) A statement listing the publicly funded programs in which the Contractor and its principals have participated in the past seven years; and
- 2) A certification that, during the past seven years, neither the Contractor nor any of its principals have been declared ineligible to participate in any other publicly funded program by reason of violating that program's requirements; or
- 3) In lieu of the certification, documentation that the Contractor or the principal previously declared ineligible was later fully reinstated in, or determined eligible for, the program, including the payment of any debts owed.
- 7.4 The Contractor shall provide written notice to the Department within five business days of:
- 1) Any change to the Contractor's official mailing address to which all legal notices and other correspondence shall be directed. The Contractor shall be bound by all records mailed to that address for purposes of enforcement proceedings regarding this Contract;

- 2) Any change to the Contractor's street address (physical location) where ACFP services are being provided;
- 3) Any change in the Contractor's Federal Employer Identification Number (FEIN) or legal name or doing-business as (DBA) name;
- 4) Any change in the Contractor's responsible principals and responsible individuals' certification. This written notice shall include:
- (a) Notification of any change in a previously identified principal's or individual's status that would render that person unqualified to continue to serve.
- (b) Notification of any convictions of a Contractor's responsible principals or responsible individuals (any person who holds a management position with the Contractor, owners, officers or members of the board of directors) for crimes indicating a lack of business integrity. Such designated crimes shall include fraud, antitrust violations, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice, tax evasion, tax fraud, failing to file tax returns, passing worthless checks, submission of false or fraudulent information to a state or federal agency, and perjury or any other activity indicating a lack of business integrity; and
- (c) The Contractor's proposed personnel change to remove or otherwise disqualify the principal(s) and/or responsible individual(s) from participation in the ACFP.
- 5) For the purpose of annual certification of continued participation in the Program, the Contractor shall:
- (a) Submit to the Department information required pursuant to ACFP regulations;
- (b) Submit to the Department, upon request, additional records and information the Department deems necessary to substantiate the Contractor's continued eligibility to participate in the ACFP for the coming year or;
- (c) If the Contractor chooses not to comply with the annual certification requirements, voluntarily withdraw from the ACFP by the date specified by the Department unless currently under a Notice of Serious Deficiency. Failure to comply with annual certification requirements or voluntarily withdraw from the ACFP will result in non-punitive termination of this Contract without appeal, unless currently under a Notice of Serious Deficiency.
- (3) Section 11.0 is hereby revised and reads as follows:

#### 11.0 Indemnification:

- 11.1 The Contractor shall indemnify, save, defend, and hold harmless the Department and its agents and employees from any and all claims, demands, actions, causes of action of whatever nature or character, arising out of or by reason of the execution of this agreement or performance of the services provided for herein. It is understood and agreed that the Contractor is not required to indemnify the Department for claims, demands, actions or causes of action arising solely out of the Departments negligence.
- 11.2 Except to the extent permitted by s. 768.28, F.S., or other Florida law, this section 11 is not applicable to contracts executed between the Department and state agencies or subdivisions defined in s. 768.28(2), F.S.
- (4) Section 18.3 is hereby deleted.

This amendment shall be effective on the last date that the amendment has been signed by both parties.

All provisions in the agreement and any attachments thereto in conflict with this amendment shall be and are hereby changed to conform to this amendment.

All provisions not in conflict with this amendment are still in effect and are to be performed at the level specified in the agreement.

This amendment and all of its attachments are hereby made a part of this agreement.

Assistant County Attorney

IN WITNESS WHEREOF, the Parties hereto have caused this three (3) page amendment to be executed by their officials there unto duly authorized.

4 4 N N I I I I A 4 I I A N I A	PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS	STATE OF FLORIDA, DEPARTMENT OF ELDER AFFAIRS		
SIGNED BY:		SIGNED BY:		
NAME: Shelle	y Vana	NAME: <u>RICHARD PRUDOM</u>		
TITLE: Mayor		TITLE: DEPUTY SECRETARY/CHIEF OF STAFF		
DATE:		DATE:		
FEDERAL ID NUMBI Origi	ER: 59-6000785  nating R#: R2013-1543	APPROVED AS TO TERMS AND CONDITIONS		
ATTEST: SHARON R. BOCK CLERK AND COMI		BY: DEPARTMENT HEAD		
Ву:	·			
Deputy Cl	erk			
Approved As To And Legal Suffi				

### **Attestation Statement**

Agreement/Contract Number ¥4119	
Amendment Number005	
I, Shelley Vana, Mayor (Recipient/Contractor representative)	, attest that no changes or revisions have been made to
content of the above referenced agreement/contract or and	amendment between the Department of Elder Affairs
Palm Beach County Board of County Commissioners (Recipient/Contractor name)	and the second of the second o
The only exception to this statement would be for chan electronic data processing media, which has no affect o	ges in page formatting, due to the differences in n the agreement/contract content.
Signature of Recipient/Contractor representative Shelley Vana, Mayor	Date
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	ATTEST: Sharon R. Bock Clerk and Comptroller
Assistant County Attorney	Deputy Clerk
DOEA Contract Manager to initial and date indicating for DOEA Secretary/designee signature	signatures/initials appropriate on all documents; ready
initial date	
Revised August 2007	

#### **CHANGE OF INFORMATION**

Note: Any change of information to current Provider Application package not listed below will be submitted by: Mailing a copy of current Application and/or Schedule A to the ACFP office with changes denoted in *red link*.

Instructions: Complete section #1 and any/all appropriate sections that reflect changes to current contract, obtain authorizing signature and mail.

	1. PROVIDER INFORMATION Effective date of change: 02/02/2015 ACFP Contract # Y4119				
	2. POINT OF CONTACT (POC) INFORMATION Current POC name with ACFP: New authorized POC's name: New mailing address for POC: POC's date of birth: New street address for POC: New Telephone number for POC: New Fax number for POC: New E-mail address for POC:	: Yvette Coursey Susan Koester 810 Datura St, West Palm Beach, FL 33401 05/27/1956 810 Datura St, West Palm Beach, FL 33401 (561) 355-4757 (561) 355-3222 skoester@pbcgov.org			
ATTEST: SHARON R. BOCK CLERK AND COMPTROLLER	3. INSTITUTION INFORMATION Current Institution name with ACFP:  New legal name of Institution: New mailing address of Institution: New street address of Institution: New Telephone number of Institution: New Fax number of Institution: New F.E.I.D. number of Institution: Please submit a copy of legal documentation Tax exempt status. Describe:	Palm Beach County Board of County Commissioners Division of Senior Services  ZIP  ( ) ( ) of name and/or F.E.I.D. number change.			
	4. BOARD PRESIDENT OR AUTHORIZED DES Name of new Board President or Authorized Des Address of new Board President or Authorized Des Tele: (561) 355-2203 Fax: (561) 355-6344	ignee: Shelley Vana, Mayor esignee: 301 North Olive Ave, 12th West Palm Beach, FL_ZIP 33401			
	5. CENTER/SITE INFORMATION: Note: To add a new center/site, call ACFP office (850) 414-2059 or (850) 414-2122, if deleting a center, complete the following: Name of center as appears on Schedule A: New name of this center/site: New mailing address of this center/site:				
	New street address of this center/site:	pacity: New/renewed license expiration date: "approval letter from AHCA" until official certificate is received.			
	6. METHOD OF CLAIM SUBMISSION Change to: Fax or Mail				
Approved And Legal	7. SIGNATURE AUTHORITY INFORMATION The following person(s) <u>no longer</u> have signature <u>Yvette Coursey</u>	authority: (Please print or type)			
d As	The following person(s) are granted signature authority: (Please print or type)				
ıffic To	Elijah Hall/ Fiscal Specialist III Name/Position Title	X monthly claim vouchers X vendor contracts other (list)			
Form lency	Susan Koester/Nutrition Coordinator Name/Position Title	X monthly claim vouchers X vendor contracts other (list)			
,	:				
	Signature of Institution's current Board	Shelley Vana  Mayor  Title			

**Authorized Designee** Internal Management Document used by DOEA staff, contractors and subcontractors M:\ \ACFP\rioms\2009 Change Of Information

Rev. 12/27/2012

Assistant County Attorney