

Agenda Item #3.M.1.

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 21, 2015

Consent
 Ordinance

Regular
 Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: the following original executed First Amendment to Independent Contractor Agreement:

Derek Jones, US Diving Coach, North County Aquatic Complex, for the period January 1, 2015, through September 30, 2015.

Summary: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and is now being submitted to the Board to receive and file. District 1 (AH)


Background and Justification: A resolution providing authority to execute Independent Contractor Agreements with recreation instructors and sports officials (Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409 and 2012-0168) was adopted by the Board to streamline the hiring process. The Board granted the Director/Assistant Director of Parks and Recreation authority to execute Independent Contractor Agreements and Amendments with recreation instructors and sports officials up to \$10,000, with contracts of \$10,000 or more requiring the County Administrator's approval.

The Agreement attached has been executed on behalf of the Board by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with the authority delegated by the Board, and is now being submitted to the Board to receive and file.

Attachment: First Amendment to Independent Contractor Agreement

Recommended by: 
Department Director

3-25-2015
Date

Approved by: 
Assistant County Administrator

4-1-15
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	* -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	0				

Is Item Included in Current Budget? Yes X No _____
 Budget Account No.: Fund 0001 Department 580 Unit 5305
 Object 3422/Revenue Source 4724 Program N/A

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

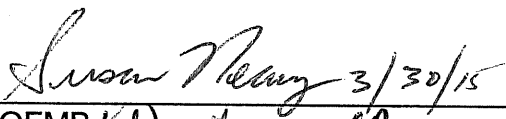
Contractor	Revenue	Expense
Derek Jones	\$0	\$0
Totals	\$0	\$0

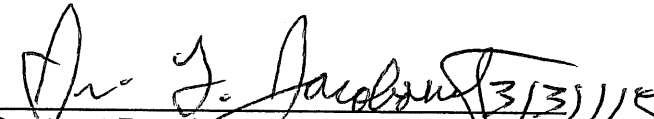
* No additional fiscal impact is associated with this amendment as it is for an increase in the maximum amount allowable for participant fees only.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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

 3/30/15
 OFMB KD 3/27 3/30 SB 3/30

 3/31/15
 Contract Development and Control 3-31-15 B. Wheeler

B. Legal Sufficiency:

 4-1-15
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

**FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN PALM BEACH COUNTY AND
DEREK JONES**

THIS FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT is made and entered into on 03/05/2015, by and between the Board of County Commissioners of Palm Beach County, Florida, hereinafter referred to as "COUNTY" and Derek Jones, hereinafter referred to as "CONTRACTOR".

WITNESSETH:

WHEREAS, on December 31, 2014, COUNTY and CONTRACTOR entered into an Agreement (R2015-0214) for the provision of a US Diving program at North County Aquatic Complex, hereinafter referred to as the "Agreement"; and

WHEREAS, under the Agreement the COUNTY is to provide funding in an amount not to exceed Fifty Thousand Dollars (\$50,000) for all services and materials for the US Diving coach's services, hereinafter referred to as the "Program"; and

WHEREAS, CONTRACTOR's fee is the sum of 80% of the paid enrollment fees for the Program; and

WHEREAS, CONTRACTOR would like to increase the total time for some program activities, and increase the maximum participant fee from \$155 per month to \$200 per month; and

WHEREAS, the Program benefits all citizens of Palm Beach County.

WHEREAS, both parties desire to amend the Agreement.

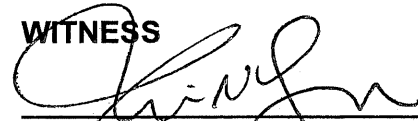
NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, COUNTY and CONTRACTOR hereby agree as follows:

1. The first sentence of Section 2. of the Agreement is hereby deleted in its entirety and replaced with the following: "The fee charged to participate in this activity is \$60.00-\$200.00 per month."
2. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

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IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

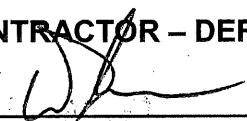
WITNESS



Signature
Philip Gallano

Name (Please Type or Print)

CONTRACTOR – DEREK JONES



Contractor Signature
Derek Jones

Name (Please Type or Print)
Head Diving Coach

Title (Please Type or Print)

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**



County Administrator

**APPROVED AS TO TERMS AND
CONDITIONS**



Director/Assistant Director
Palm Beach County Parks and Recreation Department

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**



County Attorney