Agenda Item #3.M.5.

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

Meeting Date: December 15, 2015

[X] Consent
[ ] Ordinance

[] Regular [] Public Hearing

Department: <u>Parks and Recreation</u>

Submitted By: <u>Parks and Recreation Department</u>

Submitted For: Parks and Recreation Department

First Amendment to Contract

### I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** First Amendment to Contract No. 800014/LS with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at Burt Aaronson South County Regional Park renewing the contract for one year to begin October 1, 2015, and to expire September 30, 2016.

**Summary:** On September 30, 2014, Palm Beach County entered into a Contract for consulting/professional services (R2014-1780) with Chet's, Inc., to provide a complete water skiing school program at Burt Aaronson South County Regional Park. The Contract provided an initial one year term, which expired on September 30, 2015, with four one year renewal options. This First Amendment renews the Agreement for the first option period of October 1, 2015, through September 30, 2016. The total annual revenue for this First Amendment is \$12,420. Article 31-Nondiscrimination, is also amended to update it with the current required language. All other terms of the contract remain the same. District 5 (AH)

**Background and Justification:** A Request for Proposal was issued in November of 1998 to provide commercial water ski lessons for a ski lake located in the undeveloped portion of Burt Aaronson South County Regional Park. Chet's, Inc., was selected as the vendor best able to provide the requested services. Chet Raley, the proposer, is one of the finest instructors in the world and has provided excellent service. Accordingly, a Request for Submittal was issued by the Parks and Recreation Department to competitively procure these services again in 2009 and in 2014. Chet's, Inc., was the only proposer and was selected based on the excellent service provided since 1999. Based on the satisfactory level of service provided, staff recommended exercising the first extension of the contract to provide for one (1) additional year of continued service. Three additional renewal options remain on the contract.

# Attachment:

#### **II. FISCAL IMPACT ANALYSIS**

Α.	Five	Year	Summary	of	Fiscal	Impact:
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Fiscal Years	2016	2017	2018	2019	2020			
Capital Expenditures Operating Costs External Revenues Program Income (County) In-Kind Match (County)	-0- -0- (12,420) -0- -0-	-0- -0- -0- -0- -0-	-0- -0- -0- -0- -0-	-0- -0- -0- -0- -0-	-0- -0- -0- -0- -0-			
NET FISCAL IMPACT (12,420)								
# ADDITIONAL FTE POSITIONS (Cumulative)0								
Is Item Included in Current Budget? Yes <u>/</u> No								
Budget Account No.: Fund <u>0001</u> Department <u>580</u> Unit <u>5237</u> Revenue Source <u>4729</u> Program <u>N/A</u>								
B. Recommended Sources of Funds/Summary of Fiscal Impact:								
FUND: General Fund UNIT: Aquatics								
Parks & Recreation Oth	er Fees	0001-580-5	237-4729	(\$12,420)				
C. Departmental Fiscal Review:								
III. REVIEW COMMENTS								

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

OFMB MIS

**B. Legal Sufficiency:** 

Contract Development and Con trol 12 7 5

-8-15 Assistant County Attorney

C. Other Department Review:

**Department Director** 

REVISED 10/95 ADM FORM 01

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

2

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#### FIRST AMENDMENT TO CONTRACT FOR SKI SCHOOL CONCESSION AT SOUTH COUNTY REGIONAL PARK (Contract No. 800014/LS)

THIS FIRST AMENDMENT, dated \_\_\_\_\_\_ 2015, to Contract No. 800014/LS, dated September 30, 2014 by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY", and CHET'S INC., located at 9075 Tresmore Court, Boynton Beach, Florida, a corporation authorized to do business in the State of Florida, hereinafter referred to as the "CONTRACTOR", whose Federal I.D. number is 65-0681333.

#### WITNESSETH:

WHEREAS, the parties have entered into that certain Contract dated September 30, 2014, hereinafter referred to as the "CONTRACT", whereby the CONTRACTOR is to provide professional water ski instruction to all levels of people, and to provide all necessary equipment; and

WHEREAS, the parties desire to renew the CONTRACT for the period October 1, 2015 through September 30, 2016 with three (3) one (1) year renewal options remaining; and

WHEREAS, entering into this amendment serves a public purpose.

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

1. <u>ARTICLE 3 – SCHEDULE</u> is hereby amended as follows:

The CONTRACTOR shall commence services on <u>October 1, 2015</u>, and complete all services by <u>September 30, 2016</u>, with three (3) one (1) year options for renewal remaining.

2. <u>ARTICLE 21- NONDISCRIMINATION</u> is hereby amended by adding the following:

CONTRACTOR has submitted to COUNTY a copy of its non-discrimination policy which is consistent with the above paragraph, as contained in Resolution R-2014-1421, as amended, or in the alternative, if the CONTRACTOR does not have a written non-discrimination policy or one that conforms to the County's policy, it has acknowledged through a signed statement provided to COUNTY that CONTRACTOR will conform to the COUNTY's non-discrimination policy as provided in R-2014-1421, as amended.

3. Except as provided herein, each and every other term of the CONTRACT shall remain in full force and effect and the CONTRACT is reaffirmed as modified herein.

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Page 1 of 3

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

#### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

	Ву:
	Mayor
WITNESSES:	CONTRACTOR
andrawall	Chet's Inc.
Andrea Walst	Company Name
Name (type or print)	Signature
WITNESSES:	
Sture (Abert	Chet Raley
Signature	Typed name
	Dresident
BORNICE LAMBERT	<b>President</b>
Name (type or print)	i nie
APPROVED AS TO FORM AND	
LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND
D.::	CONDITIONS
By:	
County Attorney	By: Currell
	Eric Call, Director

Parks and Recreation Department

Page 2 of 3

					DATE	(IIII/DD0000	
CERTIFICATE OF LI					DATE (MM/DD/YYYY) 10/22/2015		
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.							
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the the terms and conditions of the policy, certain policies may require an certificate holder in lieu of such endorsement(s).	he policy n endorse	(ies) must b ement. A sta	e endorsed. atement on t	If SUBROGATION IS his certificate does not	WAIVED confer i	, subject to rights to the	
PRODUCER	CONT	ACT COROTO	1 Current	-			
Global Marine Insurance Agency, Inc. 12935 S. West Bayshore Dr.	CONTACT NAME:         General         Support           PHONE (A/C, No, Ext):         (800) 748-0224         FAX (A/C, No):         (231) 947-4407           E-MAIL ADDRESS:         CA/C, No):         (231) 947-4407						
	ADDRI		SURER(S) AFFO	RDING COVERAGE		NAIC #	
Traverse City MI 49684	INSURER A: New Hampshire Ins Co						
INSURED Chet's Inc, DBA: Palm Beach Training Center							
9075 Tresmore Ct	INSUR	ERD:					
Boynton Beach FL 33472	INSURI	ERE:					
Boynton Beach         FL         33472           COVERAGES         CERTIFICATE NUMBER:CL151022		ERF:					
THIS IS TO CERTIFY THAT THE POLICIES OF INSUBANCE LISTED BELOW H				REVISION NUMBER:			
CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFOR EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAN		Y CONTRACT	OR OTHER	DOCUMENT WITH RESP			
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X Y CML014350776		4/1/2015	4/1/2016	MED EXP (Any one person)	\$	5,000	
GEN'L AGGREGATE LIMIT APPLIES PER:				PERSONAL & ADV INJURY	\$	1,000,000	
X POLICY PRO- JECT LOC				GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	\$	2,000,000	
OTHER:				THODOCIS-COMPIOP AGG	\$	1,000,000	
				COMBINED SINGLE LIMIT (Ea accident)	\$		
ANY AUTO ALL OWNED SCHEDULED				BODILY INJURY (Per person)	\$		
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DED RETENTION \$					\$		
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OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$		
(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below				E.L. DISEASE - EA EMPLOYE			
				E.L. DISEASE - POLICY LIMIT	\$		
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Scher	dule, may b	e attached if mor	e space is requir	ed)			
Waterski/Wakeboard Instruction operation located at	11200	Park Acco	ess Rd, B	oca Raton, FL 3	3498.		
Certificate Holder is included as additional insured	l with	respect i	to the ab	ove captioned co	nomo 1		
liability per terms/conditions of actual policy.				ere captioned ge	uerar		
Waiver of Subrogation Endorsement applies.							
CERTIFICATE HOLDER CANCELLATION							
Palm Beach County, Board of County Commiss a Politcal Subdivision of the State of Fl	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.						
it's Officer's, Employees and Agents. c\o Parks and Rec Department 2700 Sixth Ave South	AUTHORIZED REPRESENTATIVE						
Lake Worth, FL 33461	C Spangler/CASS Cassalyn-Kores				and		
© 1988-2014 ACORD CORPORATION. All rights reserved. INS025 (2014/01) The ACORD name and logo are registered marks of ACORD							

## **Additional Named Insureds**

Other Named Insureds

Palm Beach Training Center

Doing Business As

OFAPPINF (02/2007)

COPYRIGHT 2007, AMS SERVICES INC

CERTIFICATE OF I THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AM BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONS REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDI							
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PRODUCER							
Global Marine Insurance Agency, Inc.	NAME	ACT Genera	1 Support				
Global Marine Insurance Agency, Inc.         PHONE (A/C, No, Ext):         (800)748-0224         FAX (A/C, No):         (231)947-4407           12935 S. West Bayshore Dr.         ADDRESS:         ADDRESS:         ADDRESS:							
Traverse City MI 49684 INSURER(S) AFFORDING COVERAGE NAIC#							
NSURED		INSURER A: New Hampshire Ins Co					
Chet's Inc, DBA: Palm Beach Training Center	INSUR						
9075 Tresmore Ct	INSUR			•			
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Boynton Beach FL 33472	INSUR	•					
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				GENERAL AGGREGATE	\$	2,000,00	
				PRODUCTS - COMP/OP AGO	<b>\$</b>	1,000,00	
AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT	\$		
ANY AUTO				(Ea accident)	\$		
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ANY PROPRIETOR/PARTNER/EXECUTIVE							
OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	\$		
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