

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

Meeting Date: May 17, 2016	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Regular
	<input type="checkbox"/> Workshop	<input type="checkbox"/> 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:

- A) County Incentive Grant Program (CIGP) Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A funding agreement, R2013-1291, with Florida Department of Transportation (FDOT); and
- B) CIGP Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard funding agreement, R2012-1445, with FDOT.

SUMMARY: These receive and files will record executed Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A, R2013-1291, and executed Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard, R2012-1445, which extend the expiration dates for two existing funding agreements with FDOT. Resolution R2012-0035 allows the County Administrator to delegate to the County Engineer, Deputy County Engineer, and Assistant County Engineer, the authority to execute amendments with FDOT to extend expiration dates.

Dist. 1 (MRE)

Background and Justification: On October 1, 2013, the Board of County Commissioners (Board) approved a CIGP funding agreement with FDOT for the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A, R2013-1291. Amendment Number One extends the expiration date of this funding agreement to December 31, 2017. On October 2, 2012 the Board approved a CIGP funding agreement with FDOT for the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard, R2012-1445. Amendment Number Two extends the expiration date of this funding agreement to December 31, 2016. The Amendments were signed by the Deputy County Engineer on December 7, 2015, and by FDOT on December 17, 2015. Resolution R2012-0035 authorized the County Administrator and/or his designees to execute amendments with FDOT to extend their expiration dates. On February 21, 2012, the former County Administrator delegated this authority to the County Engineer, Deputy County Engineer and Assistant County Engineer. On December 21, 2015, the current County Administrator upheld the delegation of authority.

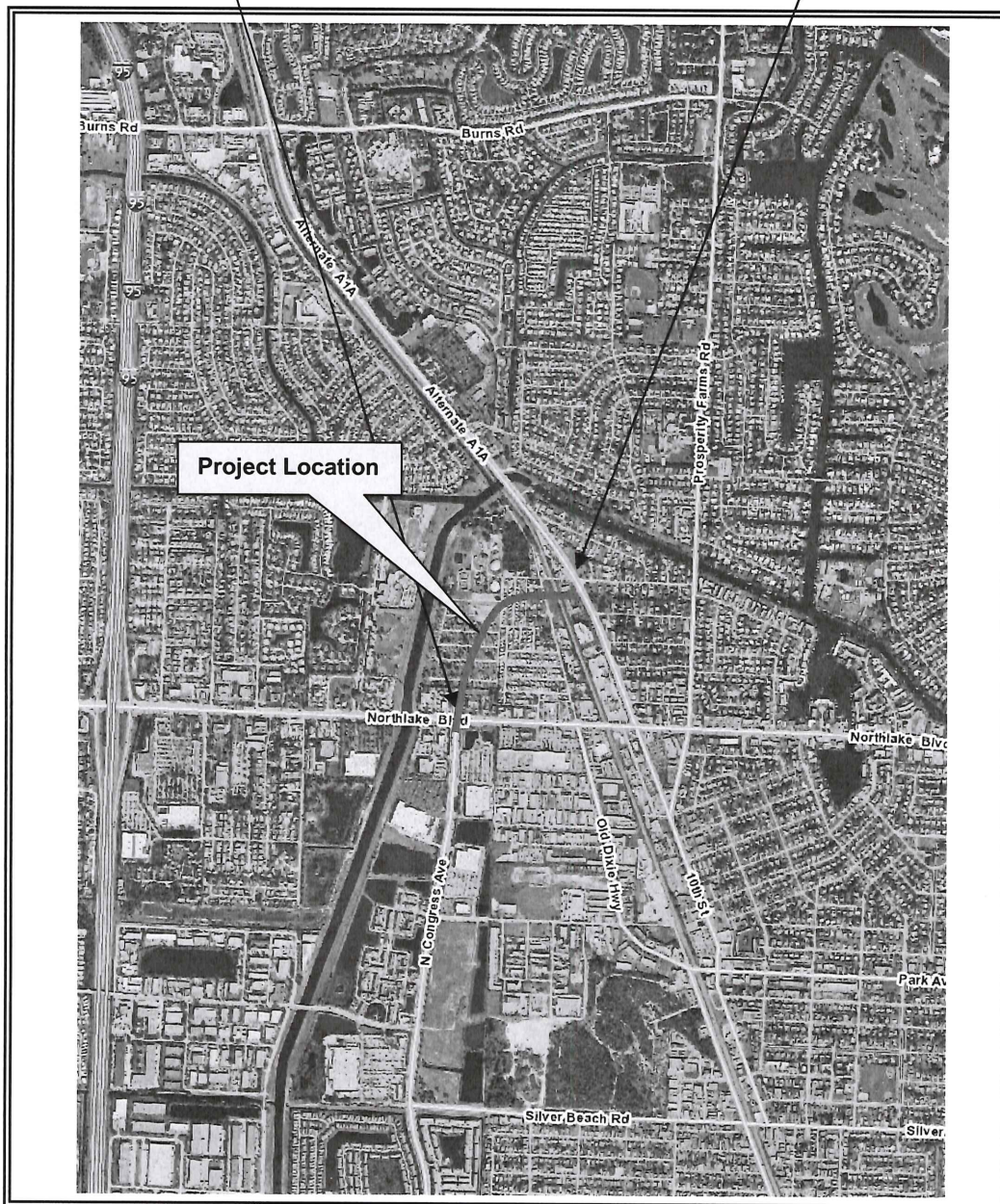
Attachments:

1. Location Maps
2. County Incentive Grant Program Amendment Number One for Congress Avenue
3. County Incentive Grant Program Amendment Number Two for Military Trail
4. Resolution R2012-0035
5. Weisman Authorization Letter
6. Baker Authorization Letter

Recommended by: <u>George T. Webb</u>	
<u>Donna G. Fernandez</u> Department Director	4/20/16 <u>[Signature]</u> Date

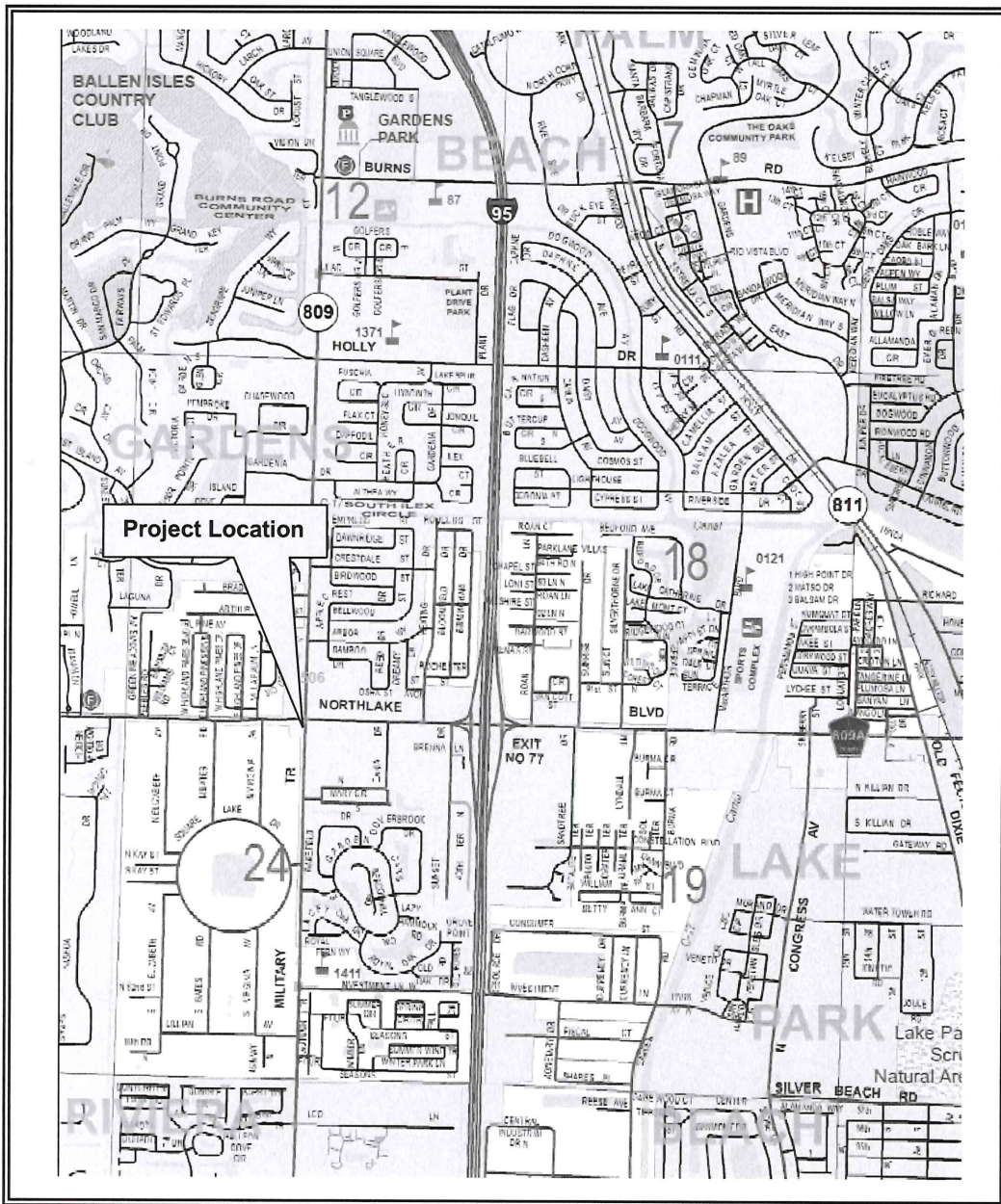
Approved By: <u>[Signature]</u>	
Assistant County Administrator	5/3/16 Date

**PROJECT LOCATION
CONGRESS AVENUE
FROM NORTHLAKE BLVD TO ALT. A-1-A
EXTENSION
PALM BEACH COUNTY PROJECT #2012517**



LOCATION MAP

PROJECT LOCATION
MILITARY TRAIL AT NORTHLAKE BOULEVARD
INTERSECTION IMPROVEMENTS
PALM BEACH COUNTY PROJECT #2011501



LOCATION MAP

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

Contract No.: AR-747
FM No: 433064-1-38-01
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 17th day of DECEMBER, 2015, 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, 2013 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. 433064-1-38-01 for the Design of a three lane roadway on Congress Avenue Extension from Northlake Boulevard to Alt A-1-A/Richard Road 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, 2017, whichever occurs first.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered on October 24, 2013, 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.

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. R2002-0035, 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: Anna N. Malonnell
TITLE: MAYOR Deputy County Signer
7th day of December, 2015

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

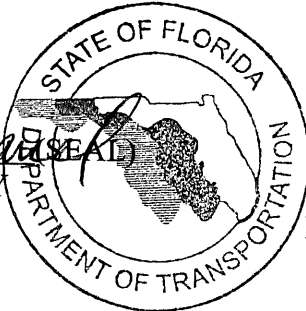
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS:

BY: _____
COUNTY ATTORNEY

BY: [Signature]

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION



ATTEST: [Signature]
EXECUTIVE SECRETARY

BY: [Signature]
STACY L. MILLER, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

NAME: Alia E. Chanel

DISTRICT 4

Availability of Funds Approval:

LEGAL REVIEW:

N/A
(Date)

[Signature]
OFFICE OF THE GENERAL COUNSEL

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 TWO

THIS AMENDMENT, made and entered into this 17th day of DECEMBER, 2015, 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 amended the AGREEMENT on October 31, 2014 (AMENDMENT NUMBER ONE); and

WHEREAS, the parties desire to further 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 2 of Amendment No. 1 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, 2016, whichever occurs first.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered on October 24, 2012 and amended on October 31, 2014, 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.

IN WITNESS WHEREOF, this Amendment is executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Amendment by Resolution No. R2012-0035, 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: Tanya W. McDonnell
TITLE: MAYOR Deputy County signed
7th day of December, 2015

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

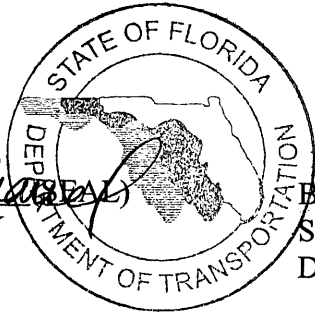
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS:

BY: _____
COUNTY ATTORNEY

BY: [Signature]

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION



ATTEST: [Signature]
EXECUTIVE SECRETARY

BY: [Signature]
STACY L. MILLER, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

NAME: Alia E. Chanel

DISTRICT 4

Availability of Funds Approval:

LEGAL REVIEW:

n/a
(Date)

[Signature]
OFFICE OF THE GENERAL COUNSEL

RESOLUTION NO. R-2012- 0035

**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

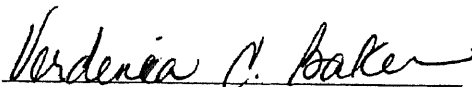


December 21, 2015

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.

On February 21, 2012, Robert Weisman, PE, the County Administrator at the time delegated this authority to the County Engineer, the Deputy County Engineer, and the Assistant County Engineer.

As the County Administrator, I uphold the previous delegation, and reiterate the delegation to the County Engineer, the Deputy County Engineer, and the Assistant County Engineer.


Verdenia C. Baker
County Administrator