

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>	<u><u>\$-0-</u></u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included in Current Budget? Yes X No _____
 Budget Account No: Fund 4100 Department 120 Unit 8430 RSource 4414
 Reporting Category _____

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

Nolinor's First Amendment reduces their leasehold for the summer months. The leasehold will be reinstated when Nolinor resumes operations in the Fall of 2016. This is standard practice.

C. Departmental Fiscal Review: CM Simon

III. REVIEW COMMENTS

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

Sherry Br
 5/19/16
 OFMB 5/19

Dr. J. Jacobson 5/20/16
 Contract Dev. and Control
 5/20/16

B. Legal Sufficiency:

Anne Tellefont 5/24/16
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 9/03
 ADM FORM 01
 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

**FIRST AMENDMENT TO NON-SIGNATORY AIRLINE AGREEMENT BETWEEN
PALM BEACH COUNTY AND LES INVESTMENTS NOLINOR INC.**

THIS FIRST AMENDMENT TO NON-SIGNATORY AIRLINE AGREEMENT (this "Amendment") is made and entered into this **APR 28 2016**, 2016, by and between Palm Beach County, a political subdivision of the State of Florida ("County"), and Les Investissements Nolinor Inc., a Quebec Corporation, having its office and principal place of business at 11600 rue Louis-Bisson, Mirabel, QC J7N 1G9, Canada ("Airline").

WITNESSETH:

WHEREAS, COUNTY, by and through its Department of Airports (the "Department"), owns and operates the Palm Beach International Airport, located in Palm Beach County, Florida; and

WHEREAS, pursuant to the Non-Signatory Airline Agreement between COUNTY and AIRLINE dated January 19, 2016 (R-2016-0337) (the "Agreement"), as amended, AIRLINE leases various Airport Terminal facilities and equipment in connection with its operations as a commercial air carrier; and

WHEREAS, the Director of the Department has been delegated the authority to execute certain amendments to the Agreement pursuant to County Resolution No. 2014-1575; and

WHEREAS, the parties desire to amend the Agreement as provided for herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. The foregoing recitals are true and correct and are hereby incorporated herein by reference and made a part hereof. Terms not defined herein shall have the meaning ascribed to them in the Agreement.

2. The parties agree that effective April 11, 2016, Exhibit "B" to the Agreement shall be deleted in its entirety and replaced with Exhibit "B" attached to this Amendment.

3. Exhibits attached hereto and referenced herein shall be deemed to be incorporated in this Amendment by such reference.

4. Except as specifically modified herein, all of the terms and conditions of the Agreement shall remain unmodified and in full force and effect and are hereby ratified and confirmed by the parties hereto.

5. This Amendment shall become effective when signed by both the parties hereto and approved by the Palm Beach County Board of County Commissioners.

(Remainder of page intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment as of the day and year first above written

Signed, sealed and delivered in the presence of two (2) witnesses for COUNTY:

Jeffrey S. Bolton
Signature

Print Name Jeffrey S. Bolton

Debra Reese
Signature

Print Name Debra Reese

PALM BEACH COUNTY, a political subdivision of the State of Florida

By: [Signature]
Director, Department of Airports

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

Anne Delgant
County Attorney

Signed, sealed and delivered in the presence of two (2) witnesses for AIRLINE:

[Signature]
Signature

Print Name Jules Bergeron

[Signature]
Signature

Print Name Sophie Turgeon

AIRLINE: Les Investments Nolinor Inc.

By: [Signature]
RENE ST PIERRE
Typed or printed name of Corporate Officer

Title: DIRECTOR COMMERCIAL OPERATION

(Seal)

EXHIBIT "B" - Preferential Use Premises (Terminal Areas)

First Level Plan – Palm Beach International Airport

No first level space

EXHIBIT "B" - Preferential Use Premises (Terminal Areas)

Second Level Plan – Palm Beach International Airport

No second level space

EXHIBIT "B" - Preferential Use Premises (Terminal Areas)

Third Level Plan – Palm Beach International Airport

No third level space

[Simple View](#)

Summary of Certificates

This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient. Click on the Insured Name to update contact information.

Monday, April 25, 2016

[Images](#)

[Contracts](#)

Insured: Les Investissements Nolinor, Inc.

Insured ID: PBI-NO-15-01

Status: Compliant (with overrides)

ITS Account Number: PLC1855

Project(s): Palm Beach County - Airport Properties

Insurance Policy	Required	Provided	Override
<u>General Liability</u>			
Expiration: 11/1/2016			
General Aggregate:	\$100,000,000	\$106,500,000	
Products - Completed Operations Aggregate:	\$100,000,000	\$106,500,000	
Personal And Advertising Injury:	\$25,000,000	\$25,000,000	
Each Occurrence:	\$100,000,000	\$106,500,000	
Fire Damage:	\$0	\$0	
Medical Expense:	\$0	\$0	
<u>Automobile Liability</u>			
Expiration: 11/1/2016			
All Owned Autos		not provided	X
Hired Autos		not provided	X
Non-Owned Autos		Non-Owned Autos	
Combined Single Limit:	\$1,000,000	\$700,000	X
<u>Workers Compensation/Employers Liability</u>			
Expiration: 11/1/2016			
WC Stat. Limits		not provided	X
Each Accident:	\$1,000,000	\$25,000,000	
Disease - Policy Limit:	\$1,000,000	\$25,000,000	
Disease - Each Employee:	\$1,000,000	\$25,000,000	
<u>Aircraft Liability Insurance</u>			
Expiration: 11/1/2016			
Each Occurrence:	\$100,000,000	\$106,500,000	
Aggregate Limit:	\$100,000,000	\$106,500,000	

Notifications

There were no deficiency letters issued.

Do you have an updated Certificate? Click the button below to submit a Certificate.

C E R T I F I C A T E
(Corporation)

The undersigned hereby certifies that the following are true and correct statements:

1. That Rene St-Pierre is the Director of Commercial Operation of Nolinor Aviation Inc., a corporation organized and existing in good standing under the laws of the Province of Quebec, hereinafter referred to as the "Corporation", and that the following Resolutions are true and correct copies of certain Resolutions adopted by the Board of Directors of the Corporation as of the 08th day of April, 2016, in accordance with the laws of the Province of Quebec, the Articles of Incorporation and the By-laws of the Corporation:

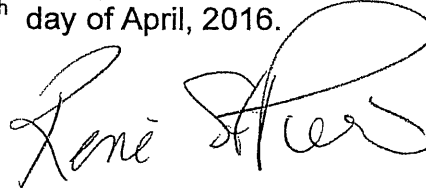
RESOLVED, that the Corporation shall enter into that certain Non-Signatory Airline Agreement and Amendments between Palm Beach County, a political subdivision of the State of Florida and the Corporation (the "Agreement"), a copy of which is attached hereto; and be it

FURTHER RESOLVED, that Rene St-Pierre, the Director of Commercial Operation of the Corporation, is hereby authorized and instructed to execute such Agreement and such other instruments as may be necessary and appropriate for the Corporation to fulfill its obligations under the Agreement.

2. That the foregoing resolutions have not been modified, amended, rescinded, revoked or otherwise changed and remain in full force and effect as of the date hereof.

3. That the Corporation is in good standing under the laws of the State of Florida, and has qualified, if legally required, to do business in the State of Florida and has the full power and authority to enter into such Agreement.

IN WITNESS WHEREOF, the undersigned has set his hand and affixed the Corporate Seal of the Corporation the 8th day of April, 2016.



René St-Pierre
Director of Commercial Operation
Nolinor Aviation inc.