

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: August 16, 2016	[X]	Consent	[]	Regular
Submitted By: Department of Airports				

I. EXECUTIVE BRIEF


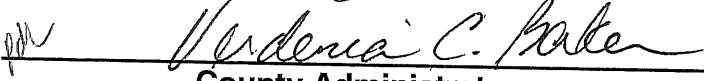
Motion and Title: Staff recommends motion to approve: Modification No. P00003 to the Other Transaction Agreement (OTA) No. HSTS04-11-H-CT1303 with the Department of Homeland Security/Transportation Security Administration (DHS/TSA) for changes to the language in the OTA regarding Retainage and Release of Claims, and to extend the Period of Performance to January 31, 2017, for Improvements to the Checked Baggage Screening System at Palm Beach International Airport (PBIA).

Summary: DHS/TSA provided an OTA in 2011 for funding participation of the project in the amount of \$26,736,942, which was executed through the delegation of authority that was approved by the Board on August 16, 2011 (Agenda Item 3F9). Subsequently, the OTA was approved as a Receive and File agenda item on October 18, 2011 (R-2011-1574). Modification No. P00001 approved by the Board on September 9, 2014 (R-2014-1297) extended the Period of Performance to September 30, 2016. Modification No. P00002 approved by the Board on July 21, 2015 (R-2015-0916) increased the base award by \$4,134,736 for a total funding participation of \$30,871,678 and corrected the Period of Performance from September 30, 2016 to July 1, 2016. Approval of Modification No. P00003 allows for the release of 5% of the retainage withheld to date on the project and waives the County’s ability to seek additional reimbursement from the TSA for this project beyond the current obligated amount, and extends the Period of Performance from July 1, 2016 to January 31, 2017. **Countywide (AH)**

Background and Justification: The purpose of this Modification (P00003) to the OTA is to provide for changes to the language in the OTA regarding Retainage and Release of Claims, and to extend the Period of Performance from July 1, 2016 to January 31, 2017.

Attachments:

- 1. Modification No. P00003 to OTA (HSTS04-11-H-CT1303) – 3 originals

Recommended By:		7/12/16
	Department Head	Date
Approved By:		7/14/16
	County Administrator	Date

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget? Yes _____ No _____

Budget Account No: Fund _____ Department _____ Unit _____ Object _____
Reporting Category _____

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

* No fiscal impact.

C. Departmental Fiscal Review: CM Sumner

III. REVIEW COMMENTS

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

[Signature] 7/11/16
OFMB 7/11/16

[Signature] 7/12/16
Contract Dev. and Control
7/12/16

B. Legal Sufficiency:

Anne Delmont 7/13/16
Assistant County Attorney

C. Other Department Review:

Department Director



Transportation
Security
Administration

OTHER TRANSACTION AGREEMENT

OTA NUMBER

REQUISITION NUMBER

OTA Number: HSTS04-11-H-CT1303
Modification Number: P00003

AA16STD129

ISSUED TO

ISSUED BY

County of Palm Beach
Palm Beach International Airport
846 Palm Beach International Airport
West Palm Beach, FL 33406-1470
DUNS: 078470481

Bonnie Evangelista, Contracting Officer
Transportation Security Administration
701 12th St, S
Arlington, VA 20598-6025
Email: bonnie.evangelista@tsa.dhs.gov

PROGRAM TITLE

Program Office: Office of Security Capabilities
Program: Electronic Baggage Screening Program
Period of Performance: 8/29/2011 – 7/1/2016

FISCAL DATA

PR Number: AA16STD129
Accounting Line: n/a
Obligation Amount: \$0

PURPOSE

In accordance with Article XIII *Changes and/or Modifications* of OTA Number HSTS04-11-H-CT1303, this modification acknowledges the following changes:

- (1) **Retainage.** TSA agrees to release 5% of the retainage withheld to date in accordance with Article X *Payment*. TSA also agrees to withhold 5% retainage for invoices received after the date of execution of this modification.
- (2) **Release of Claims.** The County of Palm Beach, for and in consideration of the 5% retainage TSA will release prior to project completion to the County of Palm Beach, expressly waives its ability to seek additional reimbursement from TSA for the OTA project beyond the \$30,871,678 obligated under the OTA.
- (3) **Period of Performance.** Article VI *Effective Date and Term* is revised to extend the period of performance through January 31, 2017.
- (4) All other terms and conditions remain unchanged.

--End of Modification--

AUTHORIZED SIGNATURES

IN WITNESS WHEREOF, the Parties have entered into this Agreement by their duly authorized officers.

<p>Participant's Signature _____ Date _____</p> <p><u>Mary Lou Berger, Mayor</u> PRINTED NAME AND TITLE</p>	<p>Contracting Officer's Signature _____ Date _____</p> <p><u>Bonnie Evangelista, TSA Contracting Officer</u> PRINTED NAME AND TITLE</p>
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SHARON R. BOCK
CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Anne Helgent
County Attorney

APPROVED AS TO TERMS
AND CONDITIONS

By: Sam Kelly
Director of Airports