

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	(\$7,686)	(\$2,562)	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	(\$7,686)	(\$2,562)	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

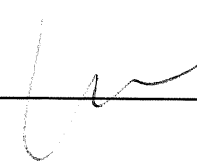
Is Item Included in Current Budget: Yes _____ No _____

Budget Account No: Fund 0001 Dept 800 Unit 8001 Object 6225
 Program _____

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

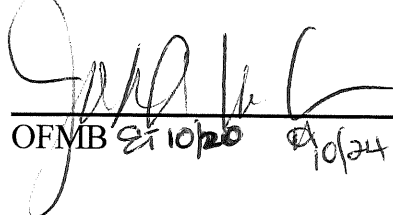
Fixed Assets Number: M09333

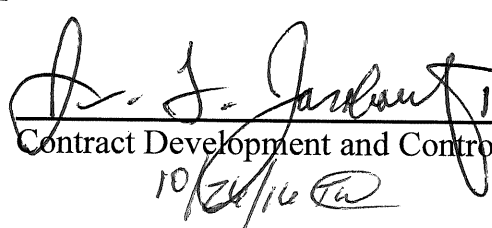
C. Departmental Fiscal Review: _____

10-13-16



III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:


 OFMB *10/20* *10/24*


 Contract Development and Control *10/26/16*
10/26/16

B. Legal Sufficiency:


 Assistant County Attorney *10/27/16*

C. Other Department Review:

 Department Director

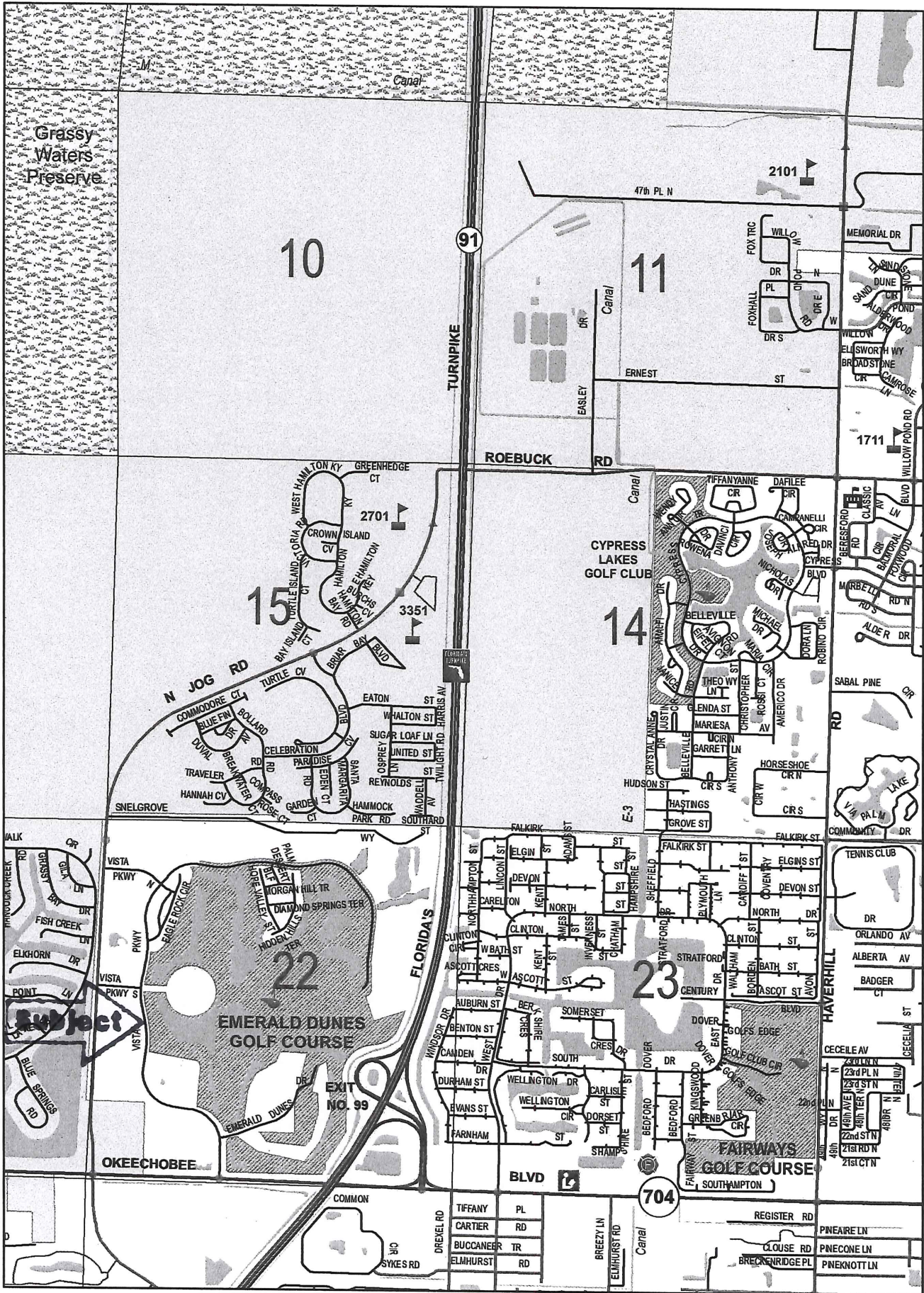
This summary is not to be used as a basis for payment.

Background and Justification (cont'd): On September 10, 2013, the Board approved a Third Amendment (R2013-1224) extending the term of the Lease Agreement for one (1) year through December 31, 2014, and added three (3) additional one (1) year extensions due to economic conditions negatively impacting food and beverage sales, which reduced the expected return on Sub Division's initial investment. Sub Division's first option was approved on December 16, 2014, (R2014-1980), the second option was approved on December 1, 2015 (R2015-1705), extending the term through December 31, 2016. Exercise of this third and final extension option will extend the term of the Lease Agreement through December 31, 2017. Staff expects to issue an RFP in the summer of 2017 to avoid any lapse in food service at 2300 Vista Center. Mr. Weatherbee has indicated he may retire and has offered to sell his kitchen equipment at a fixed cost to the selected respondent of the RFP. Staff supports Mr. Weatherbee's offer as it may eliminate a gap in providing food services to the building guests and users. Florida Statutes does not require a Disclosure of Beneficial Interests be obtained. Sub Division has affirmed that its non-discrimination policy is consistent with the County's policy.

TWP 43

TWP 43

TWP 43



RNG 42

See pg 69

RNG 42

Page 57

LOCATION MAP

Attachment 1

10/1



Attachment 2
Board Extension Consent Letter
(1 page)



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

November 1, 2016

Facilities Development & Operations Department

Property & Real Estate Management Division

2633 Vista Parkway

West Palm Beach, FL 33411

Telephone - (561) 233-0217

Facsimile (561) 233-0210

www.pbcgov.com/fdo



Palm Beach County Board of County Commissioners

Mary Lou Berger, Mayor

Hal R. Valeche, Vice Mayor

Paulette Burdick

Shelley Vana

Steven L. Abrams

Melissa McKinlay

Priscilla A. Taylor

County Administrator

Verdenia C. Baker

Robert Weatherbee
d/b/a The Sub-Division
5255 Whitewood Cove South
Lake Worth, FL 33467

Re: Exercise of Option 3 of 3 to Renew Lease Agreement, as Amended, dated January 10, 2006 (R2006-0077)

Dear Mr. Weatherbee:

Pursuant to the provisions of Section 1.07 of the above referenced Lease Agreement, as amended, Palm Beach County hereby accepts your exercise of option 3 to extend the term of the Lease for one (1) year through December 31, 2017.

ATTEST:

SHARON R. BOCK
CLERK & COMPTROLLER

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

By: _____
Deputy Clerk

By: _____
Mary Lou Berger, Mayor

APPROVED AS TO FORM
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: 
Assistant County Attorney

By: 
Department Director

G:\PREM\PM\In Lease\Vista Center Food Service\Opt 3 of 3 per Amd #3 2016\BCC Extension Ltr. hf app 8-15-2016.docx

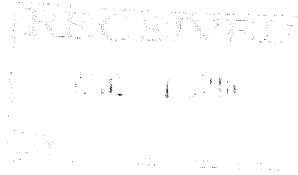
*"An Equal Opportunity
Affirmative Action Employer"*

The Sub Division
Robert Weatherbee, sole proprietor
5255 Whitewood Cove
Lake Worth, Florida 33467
561-681-4700

Hand Delivered

August 5, 2016

Palm Beach County
Property and Real Estate Management Division
Attention Ross C. Hering, Director
2633 Vista Parkway
West Palm Beach, FL 33411



RE: Request Exercise of third of three one-year options pursuant to the Third Amendment (R2013-1225) approved September 10, 2013, to Lease Agreement (R2006-0077), dated January 10, 2006 between Palm Beach County and Robert Weatherbee d/b/a the Sub Division, a sole proprietor.

Dear Mr. Hering:

Pursuant to Section 1.07 as amended, of the above referenced lease agreement please accept this as my request to exercise my third and final one-year extension option.

Sincerely,

Robert Weatherbee
D/B/A the Sub Division

Cc: County Attorney's Office, Palm Beach County
Richard C. Bogatin, Property Specialist

Attachment 3
1 page

Summary of Certificates

This report displays detailed Certificate of Insurance information for a selected Insured. Any items shown in red are deficient.

Tuesday, September 20, 2016

[Simple View](#) [Certificate Images](#) [Contracts](#)

Insured: **Robert Weatherbee**

Insured ID: R2006-0077

Status: **Compliant (with overrides)**

ITS Account Number: **PLC1380**

Project(s): **Palm Beach County - Facilities PREM**

Insurance Policy	Required	Provided	<u>Override</u>
<u>General Liability</u>			
Expiration: 5/4/2017			
General Aggregate:	\$2,000,000	\$2,000,000	
Products - Completed Operations Aggregate:	\$1,000,000	\$1,000,000	
Personal And Advertising Injury:	\$1,000,000	\$1,000,000	
Each Occurrence:	\$1,000,000	\$1,000,000	
Fire Damage:	\$100,000	\$100,000	
Medical Expense:	\$5,000	\$5,000	
<u>Workers Compensation/Employers Liability</u>	WC Stat. Limits	not provided	X
<u>Business Personal Property</u>			
Expiration: 7/19/2017			
	Special Form and Replacement Cost	Special Form and Replacement Cost	
	Fire, Sprinkler Leakage, Vandalism and Malicious Mischief Coverage	Fire, Sprinkler Leakage, Vandalism and Malicious Mischief Coverage	
	Business Interruption Coverage	Business Interruption Coverage	
Each Occurrence:	\$0	\$20,000	
Aggregate Limit:	\$0	\$20,000	

Notifications

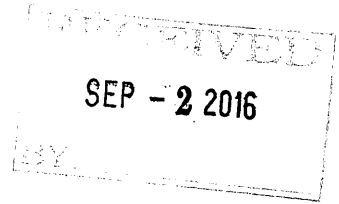
There were no deficiency letters issued.

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

[Certificate Submittal](#)

STATEMENT OF EXEMPTION FROM WORKER'S COMPENSATION REQUIREMENT

TO: Palm Beach County Board of County Commissioners
Property and Real Estate Management
Attn: Director
2633 Vista Parkway
West Palm Beach, FL 33411

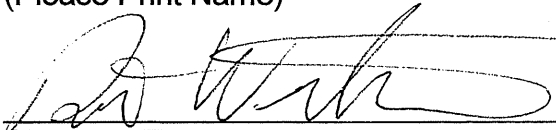


This will affirm that:

1. We are not engaged in the "construction industry" as defined in FL Chapter 440 and do not employ more than three persons (including Corporate Officers, if any).
2. We do not carry Florida Workers Compensation insurance.
3. Any persons that we may engage to work will have legal status as independent contractors, and not employees.
4. All such independent contractors have been advised that they are not covered for Workers Compensation insurance, and would be responsible for carrying their own such coverage if they desire.
5. If we should fall under Florida's requirement for carrying Workers Compensation insurance, we shall immediately obtain such coverage and provide evidence of it to you.

Accordingly, we hereby apply for exemption from Palm Beach County's requirement for carrying Workers Compensation insurance.

Robert Weatherbee
(Please Print Name)


Signature/Title

9/2/16
Date

Robert Weatherbee D/B/A, Sub Division (Sole-Proprietor)
Company Name

5255 Whitewood Cove South, Lake Worth, FL 33467
Company Street Address/City/State/Zip Code

Margaret Jackson

From: Scott Marting
Sent: Friday, September 23, 2016 8:47 AM
To: Richard Bogatin
Cc: Margaret Jackson
Subject: RE: Vista Food Service Opt 3 of 3 W/C waiver approval (Sub Division)

It is acceptable.

Thanks!

From: Richard Bogatin
Sent: Friday, September 23, 2016 8:35 AM
To: Scott Marting
Cc: Margaret Jackson
Subject: Vista Food Service Opt 3 of 3 W/C waiver approval (Sub Division)

Good Morning Scott,

Attached is Mr. Weatherbee's (D/B/A Sub Division) waiver for workers comp coverage for the 2300 Vista Food Service Concession.

Please respond to confirm this is acceptable.

Richard C. Bogatin
Property & Real Estate Management
2633 Vista Parkway
West Palm Beach, FL 33411-5605
(561) 233-0214 Phone (561) 233-0210 Fax
Rbogatin@pbcgov.org

Below is information on the justification for the figures listed on the attached BAS for the second of three, one-year renewal options for the Food Service Agreement (Agreement) with Robert Weatherbee, sole proprietor, d/b/a The Subdivision., for the continued use of a portion of the lunchroom area to provide food service at the 2300 Vista Center building for \$10,247.85/year (\$853.99/month)

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2017	2018	2019	2020	2021
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>(\$7,685.91)</u>	<u>(\$2,561.97)</u>	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(\$7,685.91)</u>	<u>(\$2,561.97)</u>	<u>\$-0-</u>	<u>\$-0-</u>	<u>\$-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

FY17:

- The Agreement with Subdivision expires on 12/31/2016.
- The current rent is \$ 9,853.70/year (\$821.14 /month)
- This third of three renewal options extends the term for one year from 1/1/2017 – 12/31/2017 and the rent increases by 4%.

The rent for this renewal option will be \$9,853.70/year + 4% = \$10,247.85/year (\$853.99 /month).

- Rent for FY17 would be:

1/1/2017 – 9/30/2017 = 9 months.

\$ 853.99 x 9 months = \$ 7,685.91.

FY16 TOTAL = \$7,685.91

FY18:

- Rent for FY18 would be:

10/1/2017 – 12/31/2017 = 3 months.

\$853.99 x 3 months = \$ 2,561.97

FY17 TOTAL = \$2,561.97

FY19 – FY21: \$-0-