

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

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Meeting Date:	July 11, 2017	(X) Consent	() Regular
		() Workshop	() Public Hearing

Department

Submitted By: Environmental Resources Management

Submitted For: Environmental Resources Management

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I. EXECUTIVE BRIEF

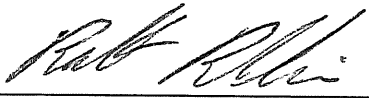
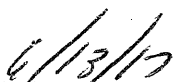
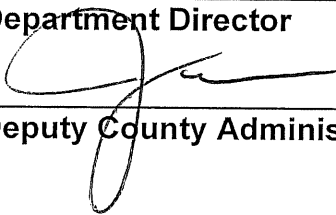
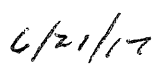
Motion and Title: Staff recommends motion to receive and file: Amendment Number One to Joint Participation Agreement (Agreement) Contract No. ARR-96 (R2015-0065) with the Florida Department of Transportation (FDOT) providing for a one-year time extension expiring on June 30, 2018.

Summary: On January 13, 2015, the Board of County Commissioners (BCC) approved an Agreement with the FDOT for the design, permitting and construction of Bingham Island mangrove mitigation to offset impacts caused by the replacement of the SR80/Southern Boulevard Bridge. Delegated authority to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement was approved at that time. District 7 (AH)

Background and Justification: In order to create onsite mangrove mitigation along the planned replacement of the Southern Boulevard Causeway Bridges, FDOT staff requested County assistance with designing, permitting and constructing a mitigation project along the right-of-way and a portion of the adjacent parcel owned by the National Audubon Society. All costs for this effort are the responsibility of FDOT.

- Attachments:**
- 1. Amendment Number One
 - 2. Delegation Memo

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Recommended by:		
	Department Director	Date
Approved by:		
	Deputy County Administrator	Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

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

Is Item Included in Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____
 Program _____

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

C. Department Fiscal Review:

S. Neary

III. REVIEW COMMENTS

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

[Signature] 6/16/17
 OFMB 6/15/17

[Signature] 6/16/17
 Contract Development and Control

B. Legal Sufficiency:

Anne Delgant 6-21-17

Assistant County Attorney

C. Other Department Review:

 Department Director

ATTACHMENT 1

DUNS No.: 80-939-7102

CSFA No.: n/a

Contract No.: ARR-96

FM No.: 419013-1-C8-01

FEID No.: VF-596-000-785

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
PALM BEACH COUNTY
JOINT PARTICIPATION AGREEMENT
AMENDMENT NUMBER ONE

THIS Amendment Number One made and entered into this 22nd day of FEBRUARY, 2017, 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 33411-2745, hereinafter referred to as the COUNTY.

WITNESSETH

WHEREAS, on February 17, 2015 the parties entered into a Joint Participation Agreement, hereinafter referred to as the AGREEMENT, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) Number 419013-1-C8-01 for the design, permitting, and construction of Bingham Island and on DEPARTMENT right of way on SR-80 between MP 21.453 to MP 21.746 for mangrove mitigation to offset impacts caused by the Replacement of the SR80/ Southern Boulevard Bridge in Palm Beach County, Florida, hereinafter referred to as 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 that certain Joint Participation Agreement dated February 17, 2015, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.

2. Paragraph 6, of the Agreement, is amended to read as follows:

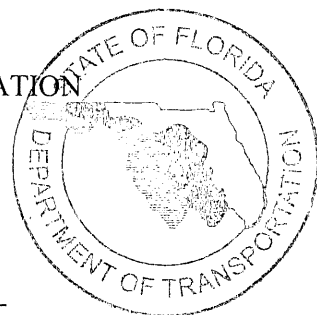
Except as otherwise set forth herein, this Agreement shall continue in effect and be binding to both the COUNTY and the DEPARTMENT until approval of Project as-builts by the permitting agencies and release of as much as 50% or more of mitigation credits are received by the DEPARTMENT from the permitting agencies or June 30, 2018, whichever occurs first.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered into of February 17, 2015, 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 Agreement is to be executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Agreement by Resolution No. _____, hereto attached.

PALM BEACH COUNTY, Florida, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION



BY: *Robert Robbins*
NAME: ROBERT ROBBINS
TITLE: DIRECTOR OF ENVIRONMENTAL
 9th RESOURCE MANAGEMENT
 day of February, 20 17

BY: *Stacy L. Miller*
STACY L. MILLER, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

APPROVED AS TO FORM

LEGAL REVIEW:

BY: *Anne Delgant*
COUNTY ATTORNEY

BY: *Leticia Moya*
OFFICE OF THE GENERAL COUNSEL

APPROVED:

BY: *[Signature]*
DISTRICT PROGRAM MANAGEMENT ADMINISTRATOR

ATTACHMENT 2


JAN 27 2015



INTEROFFICE MEMORANDUM
Palm Beach County
Environmental Resources Management

DATE: January 23, 2015

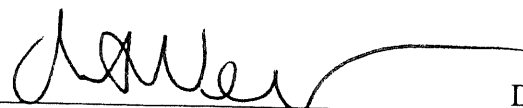
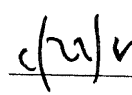
TO: Robert Weisman
County Administrator

FROM:  Robert Robbins, Director
Environmental Resources Management

SUBJECT: REQUEST FOR DELEGATION OF APPROVAL AUTHORITY:
Joint Participation Agreement with the Florida Department of Transportation (FDOT) for reimbursement for staff time and construction costs associated with a mangrove mitigation project along Southern Blvd.

On January 13, 2015 agenda item 3L3 the County Commission approved the County Administrator or his designee to sign all future time extensions, task assignments, certifications and other documents associated with the Agreement and necessary minor amendments that do not significantly change the scope of work, terms or conditions.

This memorandum is my formal request for delegation of signatory authority for the Director or Deputy Director of Environmental Resources Management (ERM) to sign the Work Supplement. If you agree, please sign below and return this memorandum. I am available to answer any questions you may have concerning this request. Thank you in advance for your consideration.

APPROVED:  DATE: 
Robert Weisman, County Administrator

RR:mc
Attachment