

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

Meeting Date:	October 3, 2017	<input checked="checked" type="checkbox"/> Consent	<input type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

Department: Engineering & Public Works
Submitted By: Engineering & Public Works
Submitted For: Traffic Division

I. EXECUTIVE BRIEF

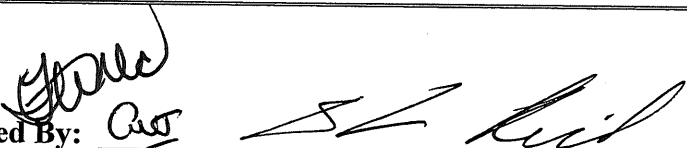
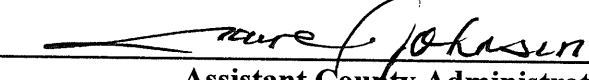
Motion and Title: Staff recommends motion to receive and file: amendment number one for a time extension to the joint participation agreement with the Florida Department of Transportation (FDOT) for the installation of three Adaptive Traffic Control systems to be located on Glades Road.

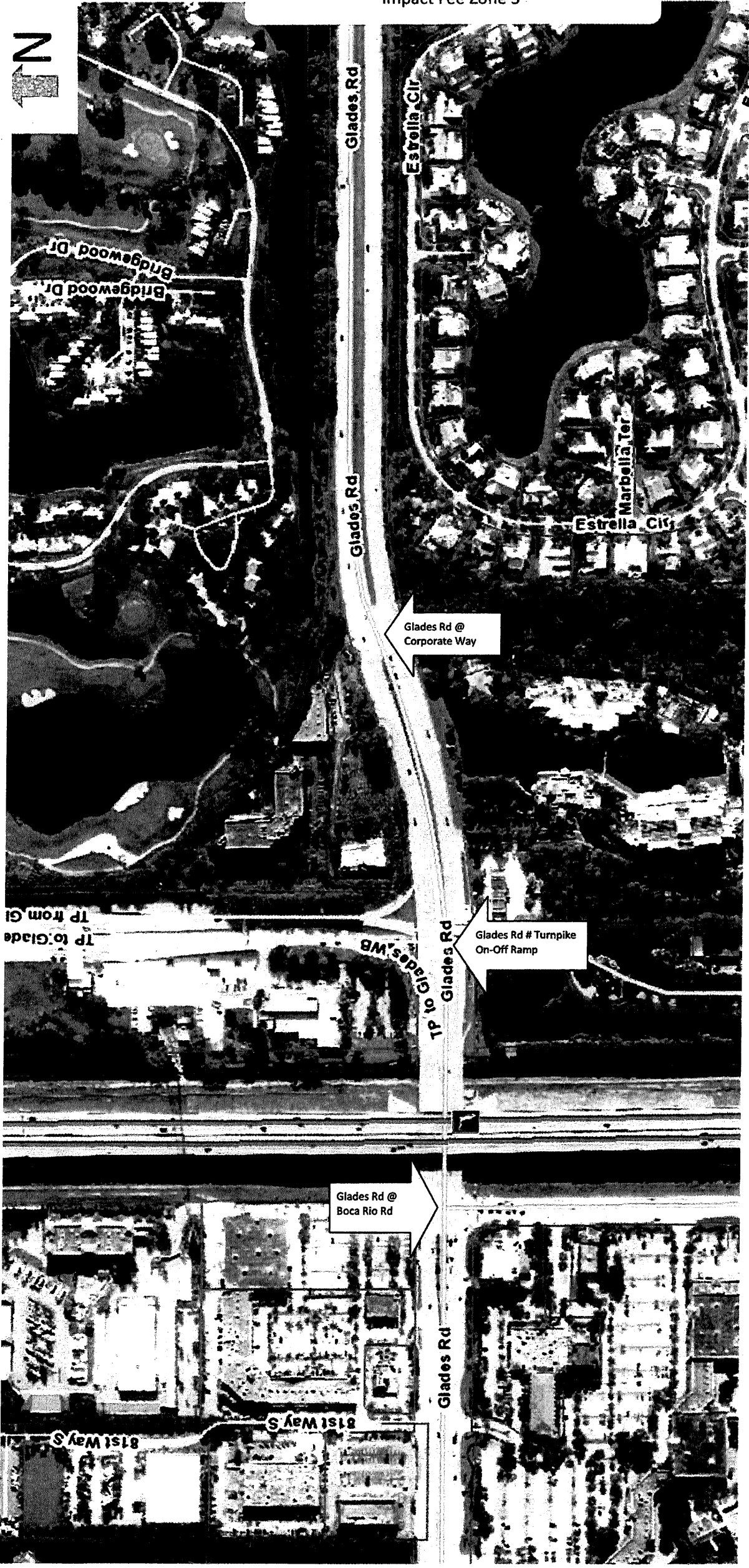
SUMMARY: This agreement is being submitted to the Clerk and Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. It was executed by the Deputy County Engineer on May 16, 2017. Resolution R2012-0035 delegates authority to the County Administrator or designee to execute amendments to existing funding agreements with FDOT that involve time extensions on behalf of the Board of County Commissioners. District 5 (LH)

Background and Justification: On May 16, 2017, the Deputy County Engineer executed amendment number one to the joint participation agreement, Financial Management Number 436318-1-58-01 (R2016-0480), with FDOT to extend the agreement from June 30, 2017 to June 30, 2018.

Attachments:

1. Location Map
2. FDOT Joint Participation Agreement
3. Resolution R2012-0035

Recommended By:		<u>8/28/2017</u>
	Department Director	Date
Approved By:		<u>9/20/17</u>
	Assistant County Administrator	Date



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 5th day of June, 20 17, 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 33416, hereinafter referred to as the COUNTY.

WITNESSETH

WHEREAS, on May 13, 2016 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 436318-1-58-01 for the installation (construction) of three Adaptive Traffic Control (ATC) systems located on the State Highway System 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 Agreement dated May 13, 2016, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. Paragraph 5, 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 the Project is completed as evidenced by the written acceptance of the DEPARTMENT or June 30, 2018, whichever occurs first.


All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered on May 13, 2016, 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 to be executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Amendment 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

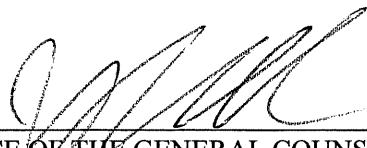
BY: 
NAME: Tamara N. McConnell
TITLE: Deputy County Engineer
16th day of May, 2017

BY: 
HOWARD WEBB, P.E.
DIRECTOR OF TRANSPORTATION OPERATIONS

ATTEST:
SHARON R. BOCK

LEGAL REVIEW:

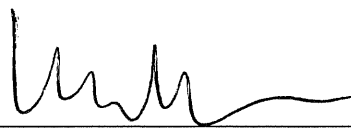
CLERK & COMPROLLER (SEAL)
CIRCUIT COURT

BY: 
OFFICE OF THE GENERAL COUNSEL


APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED:

BY: 
COUNTY ATTORNEY

BY: 
DISTRICT PROGRAM MGMT. ADMINISTRATOR

APPROVED AS TO TERMS AND CONDITIONS:

for BY:  5/16/17
DIRECTOR, TRAFFIC ENGINEERING

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