

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: November 7, 2017

Consent    Regular  
 Ordinance    Public Hearing

Department: Parks and Recreation

Submitted By: Parks and Recreation Department

Submitted For: Parks and Recreation Department

I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: Third Amendment to Contract No. 800014/LS with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at Burt Aaronson South County Regional Park renewing the contract for one year to begin October 1, 2017, and to expire September 30, 2018.

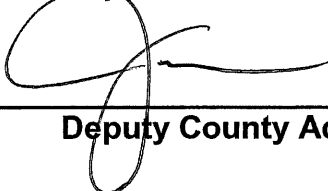
**Summary:** On September 30, 2014, Palm Beach County entered into a Contract for consulting/professional services (R2014-1780) with Chet's, Inc., to provide a complete water skiing school program at Burt Aaronson South County Regional Park. The Contract provided an initial one year term, which expired on September 30, 2015, with four, one-year renewal options. This Third Amendment renews the Agreement for the third option period of October 1, 2017, through September 30, 2018. The total annual revenue for this Second Amendment is \$12,420. Article 10 - Insurance Requirements, is also amended to increase the Commercial General Liability limits to \$1,000,000 Each Occurrence. All other terms of the contract remain the same. District 5 (AH)

**Background and Justification:** A Request for Proposal was issued in November of 1998 to provide commercial water ski lessons for a ski lake located in the undeveloped portion of Burt Aaronson South County Regional Park. Chet's, Inc., was selected as the vendor best able to provide the requested services. Chet Raley, the proposer, is one of the finest instructors in the world and has provided excellent service. Accordingly, a Request for Submittal was issued by the Parks and Recreation Department to competitively procure these services again in 2009 and in 2014. Chet's, Inc., was the only proposer and was selected based on the excellent service provided since 1999. Based on the satisfactory level of service provided, staff recommended exercising the third extension of the contract to provide for one (1) additional year of continued service. One additional renewal option remains on the contract.

**Attachment:** Third Amendment to Contract

Recommended by:   
Department Director

10-2-17  
Date

Approved by:   
Deputy County Administrator

10-18-17  
Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>(12,420)</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
<b>NET FISCAL IMPACT</b>	<b><u>(12,420)</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>	<b><u>-0-</u></b>
<b># ADDITIONAL FTE POSITIONS (Cumulative)</b>	<b><u>0</u></b>				

Is Item Included in Current Budget? Yes  No

Budget Account No.: Fund 0001 Department 580 Unit 5111  
Revenue Source 4729 Program N/A

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

FUND: General Fund  
UNIT: Aquatics

Parks & Recreation Other Fees                      0001-580-5111-4729                      (\$12,420)

C. Departmental Fiscal Review: *mf 10/3/17*

**III. REVIEW COMMENTS**

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

*[Signature]* *10/4/17*  
OFMB AR  
10/4

*[Signature]* *10/17/17*  
Contract Development and Control  
*10/17/17 [Initials]*

**B. Legal Sufficiency:**

*Anne Odey* *10-19-17*  
Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
Department Director

REVISED 10/95  
ADM FORM 01

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

**THIRD AMENDMENT  
TO CONTRACT FOR  
SKI SCHOOL CONCESSION AT SOUTH COUNTY REGIONAL PARK  
(CONTRACT No. 800014/LS)**

**THIS THIRD AMENDMENT**, dated \_\_\_\_\_, 2017 to CONTRACT No. 800014/LS, dated September 30, 2014 by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY", and CHET'S INC., located at 9075 Tresmore Court, Boynton Beach, Florida, a corporation authorized to do business in the State of Florida, hereinafter referred to as the "CONTRACTOR", whose Federal I.D. number is 65-0681333.

**WITNESSETH:**

**WHEREAS**, the parties have entered into that certain CONTRACT dated September 30, 2014, as amended on December 15, 2015 and October 18, 2016 hereinafter referred to as the "CONTRACT", whereby the CONTRACTOR is to provide professional water ski instruction to all levels of people, and to provide all necessary equipment; and

**WHEREAS**, the parties amended the CONTRACT on December 15, 2015, exercising the first renewal option by extending the term of the CONTRACT to September 30, 2016 and updating contract requirements; and

**WHEREAS**, the parties amended the CONTRACT on October 18, 2016, exercising the second renewal option by extending the term of the Contract to September 30, 2017 and updating contract requirements; and

**WHEREAS**, the parties desire to renew the CONTRACT for the period October 1, 2017 through September 30, 2018 with one (1) renewal option remaining; and

**WHEREAS**, the parties desire to amend Article 10, Insurance Requirements; and

**WHEREAS**, entering into this amendment serves a public purpose.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements expressed herein, the COUNTY and the CONTRACTOR agree as follows:

1. ARTICLE 2 – SCHEDULE is hereby amended as follows:  
The CONTRACTOR shall commence services on October 1, 2014, and complete all services by September 30, 2018, with ONE (1) renewal option remaining.
  
2. ARTICLE 10 – INSURANCE REQUIREMENTS, Section B, is hereby amended as follows:  
  - B. Commercial General Liability CONTRACTOR shall maintain Commercial General Liability at a limit of liability not less than \$1,000,000 Each Occurrence. Coverage shall not contain any endorsement excluding Contractual Liability or Cross Liability unless granted in writing by County's Risk Management Department. CONTRACTOR shall provide this coverage on a primary basis.
  
3. Except as provided herein, each and every other term of the CONTRACT shall remain in full force and effect and the CONTRACT is reaffirmed as modified herein.

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Third Amendment on behalf of the COUNTY and CONTRACTOR has hereunto set its hand the day and year above written.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

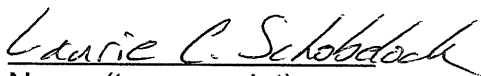
By: \_\_\_\_\_  
Paulette Burdick, Mayor

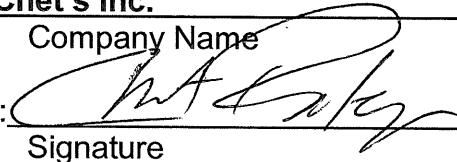
WITNESSES:

CONTRACTOR

  
\_\_\_\_\_  
Signature


**Chet's Inc.**  
\_\_\_\_\_  
Company Name

  
\_\_\_\_\_  
Name (type or print)

BY:   
\_\_\_\_\_  
Signature

WITNESSES:

**Chet Raley**  
\_\_\_\_\_  
Typed name

  
\_\_\_\_\_  
Signature

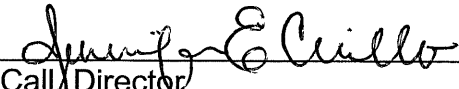
**President**  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Name (type or print)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND CONDITIONS

By: \_\_\_\_\_  
County Attorney

By:   
for Eric Call, Director  
Parks and Recreation Department



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
4/6/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. IF SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Global Marine Insurance Agency, Inc. 12935 E. West Bayshore Dr.  Traverse City MI 49684  <b>INSURED</b> Chet's Inc, DBA: Palm Beach Training Center 9075 Treasure Ct  Boynton Beach FL 33472	<b>CONTACT NAME:</b> Amanda Netzel <b>PHONE:</b> (800)748-0224 <b>FAX:</b> (231)947-4493 <b>E-MAIL:</b> anetzel@globalmarineinsurance.com <b>INSURANCE AFFORDING COVERAGE:</b> Umbrella North American Specialty <b>INSURER:</b> <b>INSURER 2:</b> <b>INSURER 3:</b> <b>INSURER 4:</b>
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**COVERAGES**      **CERTIFICATE NUMBER: CL174602225**      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

LINE	TYPE OF INSURANCE	AGREEMENT	POLICY NUMBER	POLICY EFF. DATE	POLICY EXPI. DATE	LIMITS
A	<input checked="" type="checkbox"/> DOMESTIC GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO. ACCT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/>	504400153300	4/1/2017	4/1/2018	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (B1 occurrence): \$ MED EXP (Any one person): \$ 2,000 PERSONAL & ADJ INJURY: \$ GENERAL AGGREGATE: \$ PRODUCTS - COMM OF AGS: \$ Products II Indemnity: \$ 3,000,000 COMPANIES SINGLE LIMIT (B2, B3, B4): \$ BODILY INJURY (Per person): \$ BODILY INJURY (Per accident): \$ PROPERTY DAMAGE (Per person): \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NEW-OWNED AUTOS					EACH OCCURRENCE: \$ AGGREGATE: \$
	<input type="checkbox"/> UMBRELLA/LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> INT. <input type="checkbox"/> INTENTIONAL					EACH OCCURRENCE: \$ AGGREGATE: \$
	<b>WORKERS COMPENSATION AND EMPLOYERS LIABILITY</b> <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/INSURED EXCLUDED (Mandatory in MI) <input type="checkbox"/> 91st. 90th. or 92nd. COORDINATION OF OPERATIONS, ETC.	T/R	N/A			PER STATUTE: <input type="checkbox"/> OPT-ER: <input type="checkbox"/> F.L. EACH ACCIDENT: \$ F.L. DISEASE - EX EMPLOYEE: \$ F.L. DISEASE - POLICY LIMIT: \$

**DESCRIPTION OF OPERATIONS/LOCATIONS (VEHICLES ACORD 101, Additional Remarks/Signatures, may be attached if space is required)**  
 Waterski/Wakeboard Instruction operation located at 11200 Park Access Rd, Boca Raton, FL 33498.

<b>CERTIFICATE HOLDER</b>  Palm Beach County, Board of County Commis a Political Subdivision of the State of Fl it's Officer's, Employees and Agents. c/o Parks and Rec Department 2700 Sixth Ave South Lake Worth, FL 33461	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE Jeff Heydlauff/AMANDA <i>Handwritten Signature</i>
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