Agenda Item #:

3H-6

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date:	April 10, 2018	[X] Consent [] Ordinance	[] Regular [] Public Hearing
Department:	Facilities Development & Operations		

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: a Third Amendment to Interlocal Agreement (R2002-2063) with the Solid-Waste Authority of Palm Beach County, ("Authority") to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to November 18, 2022.

Summary: The Agreement, which provides the terms and conditions under which the Authority can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on November 18, 2017. The Agreement provided for three (3) renewal options, each for a period of five (5) years. The Authority has approved a renewal to extend the term of the Agreement to November 18, 2022, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Authority is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with ten (10) days notice. This Third Amendment renews the term, updates the attachment, and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

Background and Justification: The Agreement with the Authority, which provides the terms and conditions under which the Authority can utilize the countywide and common talk groups of the County 800 MHz Radio System expired on November 18, 2017. The Agreement provided for three (3) renewal options, each for a period of five (5) years. After approval of this Third Amendment, there are no remaining renewal options left.

Third Amendment to Interlocal agreement Recommended By: Army Worf 3/20/18 Department Director Date Approved By: 3/24/18 County Administrator Date

Attachments:

II. FISCAL IMPACT ANALYSIS

Five Year Summary of	Fiscal Impact:				
Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures					
Operating Costs External Revenues					
rogram Income					
County)	<u> </u>				- LIE WARMAN
In-Kind Match (County _					
NET FISCAL IMPACT _	0.00	0.00	0.00	0.00	0.00
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Cur Does this item include the federal funds?	0	Yes Yes	No		
Recommended Sources No Fiscal impoint Departmental Fiscal Re	on this item		act:		
	III. <u>R1</u>	EVIEW COMM	<u>ENTS</u>		
OFMB Fiscal and/or Co	ontract Developme	ent Comments:	\wedge	Λ .	
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OFMB PO 3/15/1V	3/14/18 Sp 3/141	lig Con	tract Development	and Control	-> /\@ \&
Legal Sufficiency: Assistant County/Autorne	m 3/19/18	4			
Other Department Revi	iew:				
Department Director					

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

THIRD AMENDMENT TO INTERLOCAL AGREEMENT

THIS THIRD AM	ENDMENT to Agreement (R2002-2063) dated November 19, 2002, as
amended by R2007-0491 a	nd R2013-0445 (collectively referred to herein as the "Agreement"), is
made as of	by and between Palm Beach County, a political subdivision of the
State of Florida, ("County") and the Solid Waste Authority of Palm Beach County, a governmental
entity created pursuant to C	hapter 75-473 ("Authority").

In consideration of the mutual promises contained herein, the County and Authority agree as follows:

- 1. The term of the Agreement expired on November 18, 2017, and shall be retro-actively extended to November 18, 2022, pursuant to the exercise of the third renewal option for five (5) years.
- 2. Attachment I to the Agreement is hereby deleted in its entirety and is hereby replaced by Attachment I attached hereto and made a part hereof.
- 3. The Agreement is hereby modified to add the following:

SECTION 18: NO THIRD PARTY BENEFICIARY

No provision of this Agreement is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Agreement, including but not limited to any citizen or employees of the County and/or Authority.

SECTION 19: NON-DISCRIMINATION

The Authority warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information

4. Except as modified by this Third Amendment and the previous amendments, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof and is hereby ratified and confirmed by the Authority and County.

(THE REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK)

IN WITNESS WHEREOF, the parties have caused this Third Amendment to be executed as of the day and year first above written.

ATTEST: SHARON R. BOCK CLERK & COMPTROLLER	PALM BEACH COUNTY, a political subdivision of the State of Florida
By: Deputy Clerk	By: Melissa McKinlay, Mayor
APPROVED AS TO FORM AND LEGAL SUFFICIENCY By: Assistant County Attorney	APPROVED AS TO TERMS AND CONDITIONS By: Mp Ang Work Audrey Wolf, Director Facilities Development & Operations
By: Signature of Witness Sandra Vassalett: Printed Name of Witness	SOLID WASTE AUTHORITY OF PALM BEACH COUNTY By: Macken Bernard, Chair Vice Mayor Mack Bernard, Chair
APPROVED AS TO FORM AND LEGAL SUFFICIENCY By: Howard J Falcon III, Legal Counsel	

Attachment I

PALM BEACH COUNTY PUBLIC SAFETY RADIO SYSTEM POLICIES AND PROCEDURES

Policy / Procedure Title

- 1. Countywide Use of 800 MHz System (O.P. # I-01)
- 2. Countywide Use of 800 MHz System Talk Groups (O.P. # I-04)
- 3. Monitoring and Evaluation of Public Safety Radio System Talk Groups (O.P. # I-05)
- 4. Emergency Medical Communications (O.P. # I-06)
- 5. Reporting of Problems and Modifications of the Public Safety Radio System (O.P. # I-07)
- 6. Countywide Use of Public Safety Radio System During Times of Catastrophic Failure which result in non-trunking "conventional" operation (O.P. # I-10)
- 7. Network Maintenance and Administration Plan