



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures					
Operating Costs	\$350,461				
External Revenues	(\$350,461)				
Program Income					
In-Kind Match (County)					
<b>NET FISCAL IMPACT</b>	<b>-0-</b>				

# ADDITIONAL FTE POSITIONS (Cumulative)	-0-				
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Is Item Included In Current Budget? Yes X No       
 Does this Item include the use of Federal funds? Yes X No     

Budget Account No.:

Fund 1101 Dept 820 Unit 1431 Object 9000 Program Code/Period various

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

Approval of this agenda item will appropriate budget in the Housing and Community Development Fund to reimburse PBC Parks Department via interdepartmental transfer for the cost of various Parks projects for a total of \$350,461.

**C. Departmental Fiscal Review:**   
 Shairette Major, Fiscal Manager II

**III. REVIEW COMMENTS**

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

 4/26/18  
 OFMB KP  
 4/23

 5/2/18  
 Contract Development and Control  
 5/2/18 TW

**B. Legal Sufficiency:**

 5/3/18  
 Assistant County Attorney

**C. Other Department Review:**

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

18-0625

**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET TRANSFER**

FUND 1101 - Housing and Community Development

Use this form to provide budget for items not anticipated in the budget.

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED April 19, 2018	REMAINING BALANCE
<b><u>EXPENDITURES</u></b>								
143-1431-8101	Contributions -Other Government Agency	5,000,000	5,000,000	0	350,461	4,649,539	834,565	3,814,974
820-1431-9184	Transfer to Park Improvement Fund 3600	302,830	302,830	350,461		653,291		653,291
<b><u>TOTAL EXPENDITURES</u></b>				<b>350,461</b>	<b>350,461</b>			

Department of Housing and Economic Sustainability  
**INITIATING DEPARTMENT/DIVISION**  
 Administration/Budget Department Approval  
 OFMB Department - Posted

Signatures	Date
<u>Jonathan Brown</u>	<u>4/20/18</u>
<u>[Signature]</u>	<u>4/20/18</u>

**By Board of County Commissioners**  
**At Meeting of :**  
 May 15, 2018  
**Deputy Clerk to the**  
**Board of County Commissioners**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

[Signature]  
**COUNTY ATTORNEY**

18 - 0626

BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA  
BUDGET AMENDMENT

BGEX - 580 0417180000000001188  
BGRV - 580 0417180000000000397

FUND 3600 - PARK IMPROVEMENT

Use this form to provide budget for items not anticipated in the budget.

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED 4/17/2018	REMAINING BALANCE
<b>Revenue</b>								
3600-582-P844-8015	Transfer From HCD Fd 1101	0	0	13,530		13,530		13,530
3600-582-P845-8015	Transfer From HCD Fd 1101	0	0	10,090		10,090		10,090
3600-582-P846-8015	Transfer From HCD Fd 1101	0	0	24,864		24,864		24,864
3600-582-P847-8015	Transfer From HCD Fd 1101	0	0	25,649		25,649		25,649
3600-582-P848-8015	Transfer From HCD Fd 1101	0	0	71,580		71,580		71,580
3600-582-P849-8015	Transfer From HCD Fd 1101	0	0	26,863		26,863		26,863
3600-582-P850-8015	Transfer From HCD Fd 1101	0	0	62,500		62,500		62,500
3600-582-P851-8015	Transfer From HCD Fd 1101	0	0	100,102		100,102		100,102
3600-582-P852-8015	Transfer From HCD Fd 1101	0	0	15,283		15,283		15,283
<b>Total Revenue and Balance</b>		<b>12,721,784</b>	<b>11,174,854</b>	<b>350,461</b>	<b>0</b>	<b>11,525,315</b>		
<b>Expense</b>								
3600-582-P844-6520	Park Improvements	0	0	13,530		13,530	0	13,530
3600-582-P845-6520	Park Improvements	0	0	10,090		10,090	0	10,090
3600-582-P846-6520	Park Improvements	0	0	24,864		24,864	0	24,864
3600-582-P847-6520	Park Improvements	0	0	25,649		25,649	0	25,649
3600-582-P848-6520	Park Improvements	0	0	71,580		71,580	0	71,580
3600-582-P849-6520	Park Improvements	0	0	26,863		26,863	0	26,863
3600-582-P850-6520	Park Improvements	0	0	62,500		62,500	0	62,500
3600-582-P851-6520	Park Improvements	0	0	100,102		100,102	0	100,102
3600-582-P852-6520	Park Improvements	0	0	15,283		15,283	0	15,283
<b>Total Appropriation and Expenditures</b>		<b>12,721,784</b>	<b>11,174,854</b>	<b>350,461</b>	<b>0</b>	<b>11,525,315</b>		

Parks and Recreation Department  
INITIATING DEPARTMENT/DIVISION  
Administration/Budget Department Approval  
OFMB Department - Posted

Signatures \_\_\_\_\_ Date \_\_\_\_\_  
*Eric Cole* 4/17/18  
*John Row* 4/12/18

By Board of County Commissioners  
At Meeting of  
5/15/2018  
Deputy Clerk to the  
Board of County Commissioners

**MEMORANDUM OF UNDERSTANDING**

**DEPARTMENT OF HOUSING & ECONOMIC SUSTAINABILITY**

**and**

**PARKS AND RECREATION**

**and**

**FACILITIES DEVELOPMENT and OPERATIONS**

**PARKS IMPROVEMENTS PROJECT**

This Memorandum of Understanding (MOU) entered into on April 13, 2018, by and between Palm Beach County Department of Housing & Economic Sustainability ("HES"), Palm Beach County Parks and Recreation Department ("Parks") and Palm Beach County's Facilities Development and Operations Department (FDO) to cooperatively complete the Parks Improvements Project (the "Project").

WHEREAS, HES has secured Federal Community Development Block Grant (CDBG) funds under various Grant Agreements between Palm Beach County (County) and the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HES has determined that the Project is an eligible CDBG activity per 24 CFR 570.201(c) – Public Facilities and Improvements; and

WHEREAS, HES has determined that the Project will serve the CDBG National Objective of serving low-and-moderate-income persons per 24 CFR 570.208(a)(1) – Area Benefit Activities; and

WHEREAS, Parks has provided HES and FDO with a list of County parks to be included in the Project, a scope of work at each location, and an estimate of probable cost for each park, which is attached hereto as Exhibit A; and

WHEREAS, HES has made \$571,581 of these CDBG funds available for the Project; and

WHEREAS, the Project requires a construction contractor, as established by drawings and specifications prepared and provided to FDO by Parks; and

WHEREAS, the Project shall utilize the services of Wynn & Sons Environmental Construction Company, Inc. as the general contractor via an Annual Contract (R2016-0231) with Palm Beach County) as amended on February 6, 2018 (R2018-0136); and

WHEREAS, the Work Orders shall be executed and effective upon HES's written notice to Parks and FDO that funds are available for contract award and construction; and

WHEREAS, HUD requires that an inter-departmental agreement, provided as this MOU, be executed between HES, FDO and Parks, as the Departments implementing a federally-funded project; and

WHEREAS, HES, FDO and Parks wish to enter into this MOU in order to establish the terms and conditions for undertaking the Project.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, it is agreed as follows:

The work authorizations shall be undertaken utilizing approval of the Board of County Commissioners (BCC) via an Agenda Item for the Lake Lytal Basketball Courts and Work Orders processed by Parks and approved by the Contract Review Committee (CRC), for the remainder of the work contained in Exhibit A.

ATTACHMENT 3

1. HES:

- a. Shall provide Parks and FDO with the applicable Davis-Bacon Wage Decision to be included in Wynn & Sons' construction contract and/or all work orders.
- b. Shall provide Parks and FDO with forms to be complete as they relate to CDBG Program compliance.
- c. Shall provide Parks and FDO with any updated HUD requirements associated with the use of CDBG funds that arise in the course of implementing the Project. Each party acknowledges that HES will be ultimately responsible to HUD for ensuring requirements are met and for all costs associated with any updated requirements
- d. Shall issue an authorization to proceed following:
  - i. HES's completion of certain items related to providing the project funding as set forth in the CDBG program; and/or
  - ii. Approval of the BCC Agenda Item related to the Basketball Courts at Lake Lytal.
  - iii. Approval of the CRC Work Orders related to the remainder of the work
- e. Shall monitor the progress of Project implementation through on-site observation, contact with Parks and FDO, and through the receipt of reports and correspondence from Parks and FDO.
- f. Shall issue a budget transfer of \$221,120 to FDO for inclusion in the BCC Agenda Item regarding the Lake Lytal Basketball Courts and shall issue budget transfer(s) of \$350,461 for the remainder of the work to Parks for work undertaken via the Work Orders. HES shall reimburse FDO and Parks for eligible project expenses via an inter-departmental budget transfer.
- g. Shall share responsibility for Davis-Bacon compliance with Parks.

2. Parks:

- a. Shall provide the contractor with the Davis Bacon wage decision applicable to the use of CDBG funds pursuant to the Contract award and Work Orders for construction. The wage decision shall be provided prior to the execution and acceptance of any work orders.
- b. Shall transmit to FDO, and provide the following information:
  - i. Confirm that Wynn & Sons quantities and unit prices are correct
  - ii. Provide a scope of work with specifications and drawings
  - iii. Provide a Work Order (3 Originals) which references the scope of work, drawings, specifications and time of completion
  - iv. Confirm to FDO that Wynn & Sons' insurance is up to date
  - v. Prepare a draft Board Agenda Item for the Lake Lytal Basketball Courts phase of the Project
- c. Shall obtain HES's authorization prior to execution of the Work Orders.
- d. Shall obtain forms as they relate to CDBG compliance, collect project information and provide reports to HES to enable HES to meet its reporting obligations to HUD.
- e. Shall assign qualified staff to provide the oversight required for installation of the park improvements and shall administer the construction by performing tasks, including but not limited to, conducting site visits, reviewing the purchase and installation of products and materials according to specifications, evaluating change orders, tracking progress according to project schedules, and reviewing and approving payment requests.

8. Parks and/or FDO shall carry out the activities in this MOU in compliance with all Federal laws and regulations at Subpart K of 24 CFR Part 570, except that: (i) Parks does not assume HES's environmental responsibilities described at 24 CFR Part 570.604; and (ii) Parks does not assume HES's responsibility for initiating the review process under the provisions of 24 CFR Part 52.

9. This MOU may be suspended or terminated in accordance with 24 CFR Part 85.43 if Parks and/or FDO materially fails to comply with any term hereof, and this MOU may be terminated by Parks and/or FDO or HES for convenience in accordance with 24 CFR Part 85.44.

10. This MOU shall expire on the date when Parks and/or FDO has satisfactorily submitted all necessary documentation to HES for project closeout and has obtained written notification from HES of the completion of the Project.

**AGREED AS TO TERMS:**

**DEPARTMENT OF HOUSING & ECONOMIC SUSTAINABILITY      PARKS & RECREATION DEPARTMENT**

BY: Jonathan Brown  
Jonathan Brown, Director

BY: Eric Call  
Eric Call, Director

**FACILITIES DEVELOPMENT AND OPERATIONS**

BY: Audrey Wolf  
Audrey Wolf, Director

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**PALM BEACH COUNTY  
MOU**

**Department of Housing & Economic Sustainability  
and  
Department of Parks & Recreation  
and  
FDO/Capital Improvements Division**

**EXHIBIT A**

<b>PARK NAME</b>	<b>SCOPE OF WORK</b>	<b>ESTIMATED COST</b>
Affron Park	Playground resurfacing	<b>\$13,530</b>
Ixora Park	Playground resurfacing	<b>10,090</b>
Kennedy Estates Park	Playground resurfacing	<b>24,864</b>
Lake Belvedere Park	Playground resurfacing & curbing (\$25,649) Basketball Court expansion (\$71,580)	<b>97,229</b>
Lake Lytal Park	Playground resurfacing & curbing (\$26,863) Basketball Court Replacement (\$221,120) Parking lot surfacing & ADA improvements (\$62,500)	<b>310,483</b>
Paul Rardin Park	Construct ADA accessible pathways & Paving improvements	<b>100,102</b>
Sanders Drive Park	Playground resurfacing	<b>15,283</b>
	<b>TOTAL ESTIMATED PROJECT COST</b>	<b>\$571,581</b>