

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2018

☒ 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 receive and file: the following First Amendments to the Independent Contractor Agreements between Palm Beach County and (A) Mary Lou Putnam Water Aerobics Program, North County Aquatic Complex, to increase the fees and charges from \$4.00 per day and \$30.00 for a 10 class pass to \$5.00 per day and \$45.00 for a 10 class pass for the period June 1, 2018, through September 30, 2018; and (B) Steve Vancoppenolle Water Aerobics Program, North County Aquatic Complex, to increase the fees and charges from \$4.00 per day and \$30.00 for a 10 class pass to \$5.00 per day and \$45.00 for a 10 class pass for the period June 1, 2018, through September 30, 2018.

Summary: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822, and is now being submitted by the Board to receive and file. District 1 (AH)

Background and Justification: A resolution providing authority to execute Independent Contractor Agreements with recreation instructors and sports officials (Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822) was adopted by the Board to streamline the hiring process. The Board granted the Director/Assistant Director of Parks and Recreation authority to execute Independent Contractor Agreements and Amendments with recreation instructors and sports officials up to \$10,000, with contracts of \$10,000 or more requiring the County Administrator's approval.

The Agreements attached have been executed on behalf of the Board by the Director/Assistant Director of the Parks and Recreation Department in accordance with the authority delegated by the Board, and are now being submitted to the Board to receive and file.

Attachments: First Amendments to Independent Contractor Agreements (2)

Recommended by: 
Department Director

7-20-18
Date

Approved by: 
Assistant County Administrator

8/10/18
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2018	2019	2020	2021	2022
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	30,000	-0-	-0-	-0-	-0-
External Revenues	(42,857)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	(12,857)	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	0				

Is Item Included in Current Budget? Yes X No
Does this item include the use of federal funds? Yes No X

Budget Account No.: Fund 0001 Department 580 Unit 5305
Object 3422/Revenue Source 4724 Program N/A




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



Item	Contractor	Revenue	Expense
A	Mary Lou Putnam	\$35,714	\$25,000
B	Steve Vancoppenolle	\$7,143	\$5,000
	Totals	\$42,857	\$30,000

C. Departmental Fiscal Review: John H. Lee

III. REVIEW COMMENTS

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


 OFMB  7/24/18  7/25 8/7/18
 AK 7/24/18


 Contract Development & Control
 8/8/18 

B. Legal Sufficiency:

B. Legal Sufficiency:

Anne Helgert 8/10/18
Assistant County Attorney

C. Other Departmental Review:

Department Director

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

**FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN PALM BEACH COUNTY AND
MARY LOU PUTNAM**

THIS FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT is made and entered into on June 11, 2018, by and between the Board of County Commissioners of Palm Beach County, Florida, hereinafter referred to as "COUNTY" and Mary Lou Putnam, as a Independent Contractor, hereinafter referred to as "CONTRACTOR".

WITNESSETH:

WHEREAS, on October 3, 2017, COUNTY and CONTRACTOR entered into an Agreement (R2017-1838) for the provision of providing a water aerobics program at North County Aquatic Complex; hereinafter referred to as the "Agreement"; and

WHEREAS, the water aerobics program was scheduled to begin on October 1, 2017, and end on September 30, 2018; and

WHEREAS, the fees and charges need to be increased from \$4.00 per day and \$30.00 for a 10 class pass to \$5.00 per day and \$45.00 for a 10 class pass for the period June 1, 2018 through September 30, 2018 with no increase in the not-to-exceed agreement amount; and

WHEREAS, both parties desire to amend the Agreement.

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

1. Exhibit "A" of the Agreement is hereby deleted in its entirety and replaced with Exhibit "AA".
2. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

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IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

WITNESS


Signature

Kamar William 3
Name (Please Type or Print)

CONTRACTOR - PALM BEACH COUNTY
OFFICIALS ASSOCIATION, INC.


Contractor Signature

Mary Lou Putnam
Name (Please Type or Print)

Instructor - water aerobics
Title (Please Type or Print)

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY


County Attorney

APPROVED AS TO TERMS AND
CONDITIONS


Director/Assistant Director
Palm Beach County Parks and Recreation Department

**EXHIBIT “AA”
FEES AND CHARGES**

ITEMIZE HOW YOU DERIVED YOUR NOT TO EXCEED AMOUNT:

Water Exercise Fees (Mary Lou Putnam)

Effective October 1, 2017 – May 31, 2018

Daily Fee	\$ 4.00
Discount Pass (10 visits)	\$30.00

Effective June 1, 2018 – September 30, 2018

Daily Fee	\$ 5.00
Discount Pass (10 visits)	\$45.00

Mary Lou Putnam payments are based on an established per class fee and/or a 10 class pass fee. Based on the current balance of \$17,000.00 and expected attendance for the remainder of the contract period, we do not expect to exceed the “Not to Exceed Amount” of \$25,000.00.

**FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN PALM BEACH COUNTY AND
STEVE VANCOPPENOLLE**

THIS FIRST AMENDMENT TO INDEPENDENT CONTRACTOR AGREEMENT is made and entered into on June 11, 2018, by and between the Board of County Commissioners of Palm Beach County, Florida, hereinafter referred to as "COUNTY" and Steve VanCoppennolle, as a Independent Contractor, hereinafter referred to as "CONTRACTOR".

WITNESSETH:

WHEREAS, on September 27, 2017, COUNTY and CONTRACTOR entered into an Agreement (R2017-1839) for the provision of providing water aerobics program at North County Aquatic Complex; hereinafter referred to as the "Agreement"; and

WHEREAS, the water aerobics program was scheduled to begin on October 1, 2017, and end on September 30, 2018; and

WHEREAS, the fees and charges need to be increased from \$4.00 per day and \$30.00 for a 10 class pass to \$5.00 per day and \$45.00 for a 10 class pass for the period June 1, 2018 through September 30, 2018 with no increase in the not-to-exceed agreement amount; and

WHEREAS, both parties desire to amend the Agreement.

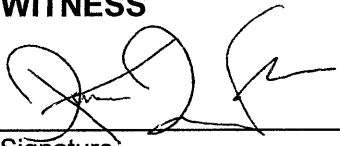
NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, COUNTY and CONTRACTOR hereby agree as follows:

1. Exhibit "A" of the Agreement is hereby deleted in its entirety and replaced with Exhibit "AA".
2. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

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IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

WITNESS

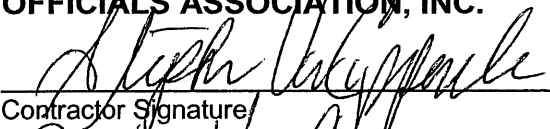


Signature

Kamas Williams

Name (Please Type or Print)

CONTRACTOR - PALM BEACH COUNTY
OFFICIALS ASSOCIATION, INC.



Contractor Signature

Stephen VanCappelle

Name (Please Type or Print)

Water Aerobics Instructor

Title (Please Type or Print)

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



County Attorney

APPROVED AS TO TERMS AND
CONDITIONS



Director/Assistant Director
Palm Beach County Parks and Recreation Department

**EXHIBIT “AA”
FEES AND CHARGES**

ITEMIZE HOW YOU DERIVED YOUR NOT TO EXCEED AMOUNT:

Water Exercise Fees (Stephen VanCoppenolle)

Effective October 1, 2017 – May 31, 2018

Daily Fee	\$ 4.00
Discount Pass (10 visits)	\$30.00

Effective June 1, 2018 – September 30, 2018

Daily Fee	\$ 5.00
Discount Pass (10 visits)	\$45.00

Steve VanCoppenolle payments are based on an established per class fee and/or a 10 class pass fee. Based on the current balance of \$3,380.00 and expected attendance for the remainder of the contract period, we do not expect to exceed the “Not to Exceed Amount” of \$5,000.00.