Agenda Item #3.M.4.

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 14, 2018 [X] 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 execute: Amendment No. 1 to the Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program (FBIP) Agreement Number 16061 for the Bert Winters redevelopment and expansion project extending the project completion date for six months from June 30, 2018, to December 31, 2018, and provides a reduction in matching funds from 85.71% to 80%.

Summary: On April 19, 2016, the Board authorized submission of a \$200,000 Florida Boating Improvement Program (FBIP) grant application (R2016-0513) to fund a portion of the construction costs associated with the redevelopment and expansion of the boating facilities at Bert Winters Park. The grant was awarded and submitted to the Board for receive and file on October 3, 2017 (R2017-1493). This Amendment provides for a six month time extension and a reduction in the County's matching funds from \$1.4 million to \$1 million. The grant contract was for the period from July 21, 2017, through June 30, 2018 and required 85.71% in matching funds. Amendment No. 1 to the Agreement changes the grant period to July 21, 2017, through December 31, 2018 and provides for a reduction of matching funds from 85.71 to 80%. The County applied to FFWCC for a time extension and reduction in matching funds in February 2018. The Amendment was received in June and placed on the first available Board Agenda. The renovation project is now complete and open to the public. <u>District 1 (AH)</u>

Background and Justification: The FFWCC offers grants to local governments through FBIP for public recreation projects directly related to the waterways. The boating facilities at Bert Winters Park are often heavily utilized by boaters on weekends and holidays given its proximity to the Jupiter Inlet. This redevelopment project includes a second entrance road along the northern portion of the Park to improve traffic flow and circulation; reconfigure the layout of the existing 24 car/trailer parking spaces; building 45 new car/trailer parking spaces; a new restroom; three new floating staging docks; and renovation of the existing boat ramps.

The Grant Agreement requires the County to dedicate the project site to the public as a boating access facility for the use and benefit of the general public for a minimum of twenty (20) years from the date of completion.

Attachment: Amendment No. 1 to Agreement

Recommended by:

Department Director

Approved by:

Assistant County Administrator

Attachment: Amendment No. 1 to Agreement

7-30-/8

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary o	of Fiscal Impa	act:				
Fiscal Years	2018	2019	2020	2021	2022	
Capital Expenditures Operating Costs External Revenues Program Income (County In-Kind Match (County)	-0- -0- -0- -0- -0-	-0- -0- -0- -0-	-0- -0- -0- -0- -0-	-0- -0- -0- -0-	-0- -0- -0- -0-	
NET FISCAL IMPACT # ADDITIONAL FTE POSITIONS (Cumulative)	0-	0	0	0-	0	
Is Item Included in Curre Does this item include th		eral funds?	Yes <u>X</u> Yes	No NoX		
Budget Account No.:	Fund Object	Departmer Program _.	nt Unit	A Action of the Principles		
B. Recommended Source	es of Funds/ឡ	Summary of F	iscal Impact:			
* There is no fiscal impa	act associated	I with this Ame	ndment.			
C. Departmental Fiscal I	Review:	M	IU			
III. REVIEW COMMENTS						
A. OFMB Fiscal and/or Contract Development and Control Comments:						
La Pore	7/31/18		And	Sarola	JP/9/17	
OFMB 124	1/25 A	7/23	Contract Develor	oment and Cor	atrol	
B. Legal Sufficiency:						
Assistant County Attorne	t 2/10/	118				
C. Other Department Re	view:					
Department Director	tricks					
REVISED 10/95	Name of the last o					

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

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STATE OF FLORIDA FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

AMENDMENT NO. 1 TO AGREEMENT

This Amendment to Agreement No. 16061, referred to as the Original Agreement, is entered into by and between the FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION, whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, hereafter "Commission," and the PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, FEID #59-6000785, whose address is 2700 6th Avenue South, Lake Worth, Florida 33461, hereinafter "Grantee", collectively, "Parties".

In consideration of the mutual benefits set forth herein and in the Original Agreement, the parties agree to amend the Original Agreement, as follows, which amendments shall govern to the exclusion of any provision of the Original Agreement to the contrary:

1. Section 3, of the Original Agreement, is hereby amended to read as follows:

Agreement Period and Commission's Limited Obligation to Pay. This Agreement is made pursuant to a grant award and shall be effective upon execution by the last Party to sign, and shall remain in effect through December 31, 2038. However, as authorized by Rule 68-1.003, F.A.C., referenced grant programs may execute Agreements with a retroactive start date of no more than sixty (60) days, provided that approval is granted from the Executive Director or his/her designee and that it is in the best interest of the Commission and State to do so. Agreements executed under this grant award shall not precede a start date of July 21, 2017. For this agreement, the retroactive start date was not approved. The Commission's Grant Manager shall confirm the specific start date of the Agreement by written notice to the Grantee. The Grantee shall not be eligible for reimbursement or compensation for grant activities performed prior to the start date of this Agreement nor after the end date of the Agreement. For this agreement, pre-award costs are not eligible for reimbursement. If necessary, by mutual agreement as evidenced in writing and lawfully executed by the Parties, an Amendment to this Agreement may be executed to lengthen the Agreement period.

2. Section 2, Project Description, Paragraph A, Term of Agreement, of Attachment A, Scope of Work, of the Original Agreement is hereby amended to read as follows:

Term of Agreement: The term of the Agreement includes two phases: Phase I, Project Construction, and Phase II, Project Site Management. During Phase I, the Palm Beach County Board of County Commissioners (Grantee) shall complete the tasks and provide the deliverables described in this Scope of Work. All Phase I activities must be completed by December 31, 2018. During Phase II, which includes the remaining term of the Agreement, the Grantee shall maintain the project site as a recreational boating access facility open to the public on a first-come, first-served basis.

3. Section 5, Compensation and Payment, Paragraph B., Cost Share, of Attachment A, Scope of Work, of the Original Agreement is hereby amended to read as follows:

Cost Share: The Grantee agrees to provide 80.00% of the total cost for Phase I of the project as indicated in FBIP Grant Application No. 16-030. The total compensation by the Commission shall be \$200,000 or 20.00% of the total cost for Phase I, whichever is less.

All provisions of the ORIGINAL AGREEMENT not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Agreement to be executed through their duly authorized signatories on the day and year last written below.

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
Name:	Name:
Title:	Title:
Date:	Date:
Approved as to Terms and Conditions By:	Approved as to form and legality by FWC Attorney: Name: May min Habbert
	Date: 4 6 10