

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: June 2, 2020

☒ Consent

☐ Regular

☐ Ordinance

☐ Public Hearing

Department: Palm Tran

EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to:

**A) Adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 444671-1-94-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$671,000, to provide capital assistance to offset costs of acquiring software and equipment for scheduling and routing of service in the non-urbanized (Lake Region) areas of Palm Beach County;

**B) Rescind** the BCC prior approval of an amendment to a Public Transportation Grant Agreement (PTGA) with FDOT for \$671,000 (FM#444671-1-94-01 R-2019-1934); and

**C) Approve** a Budget Transfer of \$671,000 in Palm Tran's Grant Fund 1341 to segregate the grant funds into a new unit.

**Summary:** The Public Transit Service Development Program was enacted by the Florida Legislature to provide initial funding for special projects. The program is selectively applied to determine whether a new or innovative technique or measure can be used to improve or expand public transit services. Service Development Projects specifically include projects involving the use of new technologies. The funds are programmed to acquire new scheduling and routing software to manage the on-demand aspects of the service in the Lake Region. No County funds are required as a match for this grant. The PTGA will become effective upon execution in full by both parties, and has an expiration date of May 31, 2023.

The grant agreement contains an indemnification provision that differs from that adopted for use by the County and imposes obligations beyond those recognized by County PPM CW-F-049 (PPM). The grant agreement requires the County to indemnify and hold harmless the State, FDOT, and FDOT's officers and employees from liabilities, damages, losses and costs, including reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in performance of the grant agreement. An exception to the PPM has been approved by Risk Management and the County Attorney taking into consideration the County's need to provide Go Glades public transit services, its current performance of such services, and exposure/liability for its acts, and the amount of the grant award. The indemnification obligation must also be passed on to contractors and/or consultants. **District 6 (DR)**

**Background and Justification:** On January 15, 2019, the BCC approved FM 444671-1-94-01 (R-2019-0143) for \$840,030, for service development in the Lake Region. These were FDOT FY19 funds. On December 17, 2019 the BCC approved an amendment to FM 444671-1-94-01 (R-2019-1934) increasing the original award by \$671,000, to acquire new scheduling and routing software to manage the on-demand aspects of the service in the Lake Region. FDOT did not execute the amendment because the increase was from FDOT FY20 funding. This PTGA replaces the amendment with a new agreement. There is no change in the total amount of funds awarded to Palm Beach County.

**Attachments:**

1. Resolutions (2)
2. PTGA Agreement 444671-1-94-01 (2)
3. Work Program FM 444671-1-94-01 FY2019 and FY2020 Budget
4. Budget Transfer
5. PTGA (Original PTGA and Amendment)

Recommended By: \_\_\_\_\_

Executive Director

5/19/2020  
Date

Approved By: \_\_\_\_\_

Assistant County Administrator

5/11/2020  
Date



II. FISCAL IMPACT ANALYSIS

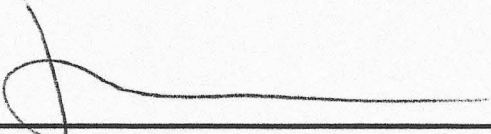
A. Five Year Summary of Fiscal Impact:

Fiscal Years	2020	2021	2022	2023	2024
Capital Expenditures	\$671,000				
Operating Costs					
External Revenues	(\$671,000)				
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	\$0				
#ADDITIONAL FTE	0				
POSITIONS (CUMULATIVE)					

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

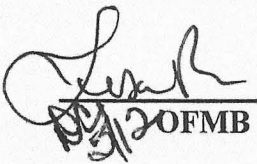
Budget Account No:  
Fund Department Unit Object  
1341 542 5038 5121/6401

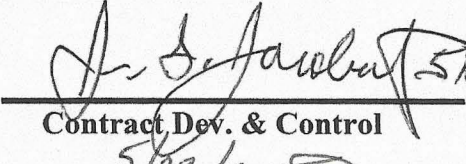
B. Recommended Sources of Funds/Summary of Fiscal Impact:  
There is no Net Fiscal Impact for this item. This item removes expenses and revenue from an existing budget and re-establishes them in a separate unit to clearly identify grant funds with the new contract number.

C. Departmental Fiscal Review:   
Jeremy Baker, Interim Director of Admin Services

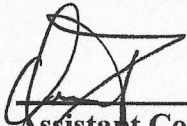
III. REVIEW COMMENTS:

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

 5/22/2020  
OFMB (P) 5/19/20

 5/22/2020  
Contract Dev. & Control  
5/22/20 TW

B. Legal Sufficiency

 6/1/20  
Assistant County Attorney

C. Other Department Review

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

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)