

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 17, 2021

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 approve: an Agreement with Loggerhead Marinelifelife Center, Inc. ("Loggerhead"), a Florida not for profit corporation, in an amount not to exceed \$150,000 to fund the replacement of the roof, siding and alarm panel at the Juno Pier Bait House located at Juno Beach Park.

Summary: Loggerhead has been operating the Juno Beach Pier and bait house under a Concessionaire Services Agreement (R2014-0376) since 2014. In 2019, the County entered into a new Concessionaire Services Agreement (R2019-0376) with Loggerhead that included an eighteen (18) month abatement of rent in exchange for Loggerhead performing renovations to the bait house. Loggerhead was unable to complete the renovations as it was discovered that other capital repairs (roof, exterior siding and fire/intrusion alarm) to the building are required and are the responsibility of the County. Staff has determined that there would be a cost savings to the County by having Loggerhead complete the additional repairs to the bait house utilizing their own contractor.

In the normal course of operations, repairs to county-owned facilities are procured and managed by the County's Facilities Development and Operations (FDO) Department. The Concessionaire Services Agreement with Loggerhead does not provide for completion of repairs to the bait house beyond the previously described interior improvements therefore, this proposal is a deviation from standard practice. However, in consideration of the potential efficiencies gained by contracting with Loggerhead to perform the repairs with the contractor it has onsite for the building expansion project, Parks recommends, and FDO is supportive of, this approach. Contracting with Loggerhead to complete the additional repairs will help mitigate further damage to the building due to the water intrusion. Work will be performed in a manner consistent with the provisions of CW PPM CW-O-095 which requires FDO's review and approval of all drawings. Loggerhead has committed to carry out a competitive process to select subcontractors to perform the work. District 1 (AH)

Background and Justification: Loggerhead has been operating the Juno Beach Pier under a Concessionaire Service Agreement (R2014-0376) since 2014. On April 1, 2019, the County entered into a new lease agreement with Loggerhead for five (5) years, with two (2), five (5) year extension options. The annual rent for the first year was \$48,198.17 (\$4,016.51/monthly) and is increased by three percent (3%) annually. The lease included a provision for the abatement of rent for a period of eighteen (18) months in return for Loggerhead performing certain interior improvements to the bait house including the installation of a new water service line. Loggerhead obtained a building permit as required within twenty (20) months of the Commencement Date of the Concessionaire Service Agreement. **Continued on page 3**

Attachments:

1. Funding Agreement
2. Lease Agreement
3. Budget Availability Statement

Recommended by: 
Department Director

7-21-21
Date

Approved by: 
Assistant County Administrator

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2021 | 2022 | 2023 | 2024 | 2025 |
|---|------------------|------------|------------|------------|------------|
| Capital Expenditures | \$150,000 | _____ | _____ | _____ | _____ |
| Operating Costs | _____ | _____ | _____ | _____ | _____ |
| External Revenues | _____ | _____ | _____ | _____ | _____ |
| Program Income (County) | _____ | _____ | _____ | _____ | _____ |
| In-Kind Match (County) | _____ | _____ | _____ | _____ | _____ |
| NET FISCAL IMPACT | <u>\$150,000</u> | <u>-0-</u> | <u>-0-</u> | <u>-0-</u> | <u>-0-</u> |
| # ADDITIONAL FTE POSITIONS (Cumulative) | _____ | _____ | _____ | _____ | _____ |
| Is Item Included in Current Budget: | | Yes | <u>X</u> | No | _____ |
| Does this item include use of federal funds? | | Yes | _____ | No | <u>X</u> |

Budget Account No.: Fund _____ Department _____ Unit _____
 Object _____ / Revenue Source _____ Program _____

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

| | | |
|---|----------------------|--------------------|
| Aquatics Facilities & Beaches Repair & Renovation - | 3600-581-P869-4611 - | \$38,014.87 |
| Aquatics Facilities & Beaches Repair & Renovation - | 3600-581-P887-4611 - | \$25,000.00 |
| Special Recreation Facilities Repair & Renovation - | 3600-581-P857-4611 - | \$63,014.86 |
| Countywide Parks Renewal & Replacement FY17 - | 3804-411-B621-4907 - | \$1,919.64 |
| Countywide Parks Renewal & Replacement FY18 - | 3804-411-B629-4907 - | <u>\$22,050.63</u> |
| | | \$150,000.00 |

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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

| | |
|---|---|
| <p><u>Robyn Brown</u> 7/27/21 OFMB <u>JA</u> File #1 LM (21) 7/27/21 7/27</p> | <p><u>Angela Jacobson</u> 8/10/21 Contract Development & Control 8-10-21 TW</p> |
|---|---|

B. Legal Sufficiency:

Paul Brun for A Helfant 8/11/21
 Assistant County Attorney

C. Other Departmental Review:

 Department Director

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

Background & Policy Issues: (Cont'd)

Its contractor began work on the interior of the bait house, however, when the contractor removed an interior panel they found evidence of water intrusion and rotten wood resulting from problems with the roof and siding. As a result, the contractor stopped work until the structural issues could be addressed causing a delay in the work. Due to the structural issues Loggerhead could not complete the renovations within twelve (12) months of the issuance of the permit. Section 6.02 of the Concessionaire Services Agreement (R2019-0376) requires that the County maintain the roof, exterior walls, and fire suppression systems of the bait house. Loggerhead is currently in the latter part of a multi million-dollar expansion of their facilities in Loggerhead Park, which includes the renovations to the pier bait house and has contractors already working on the site. Staff has determined that there would be a cost savings to the County by having Loggerhead complete the necessary repairs. Additionally, by contracting with Loggerhead to complete the repairs the work will be performed in a shorter timeframe and it will mitigate further damage to the building due to the water intrusion. Due to the delay caused by this unforeseen issue an amendment to the Concessionaire Services Agreement (R2019-0376) will be processed in the coming months to grant additional time to Loggerhead to complete the previously authorized interior renovations. Loggerhead will have eighteen (18) months to complete the roof, siding and alarm panel replacement. Once this work is complete and the building envelope is reestablished they will move on to the interior renovations.