

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2021	2022	2023	2024	2025
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ **	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

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

Budget Account No:

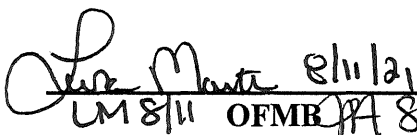
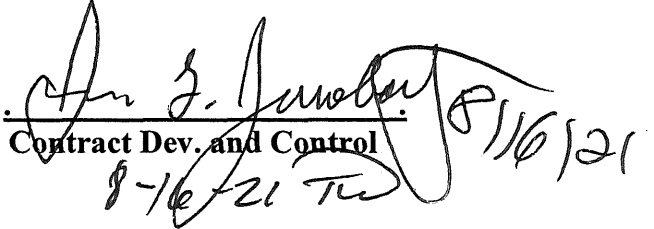
Recommended Sources of Funds/Summary of Fiscal Impact:

**This item has no fiscal impact. The agenda item extends the eligible time frame for these grants. The funds are currently budgeted.

C. Departmental Fiscal Review: 

III. REVIEW COMMENTS

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

 LM 8/11 OFMB PA 8-10-21 8/8/21
 Ann J. Jurek Contract Dev. and Control 8-16/21

B. Approved as to Form and Legal Sufficiency:

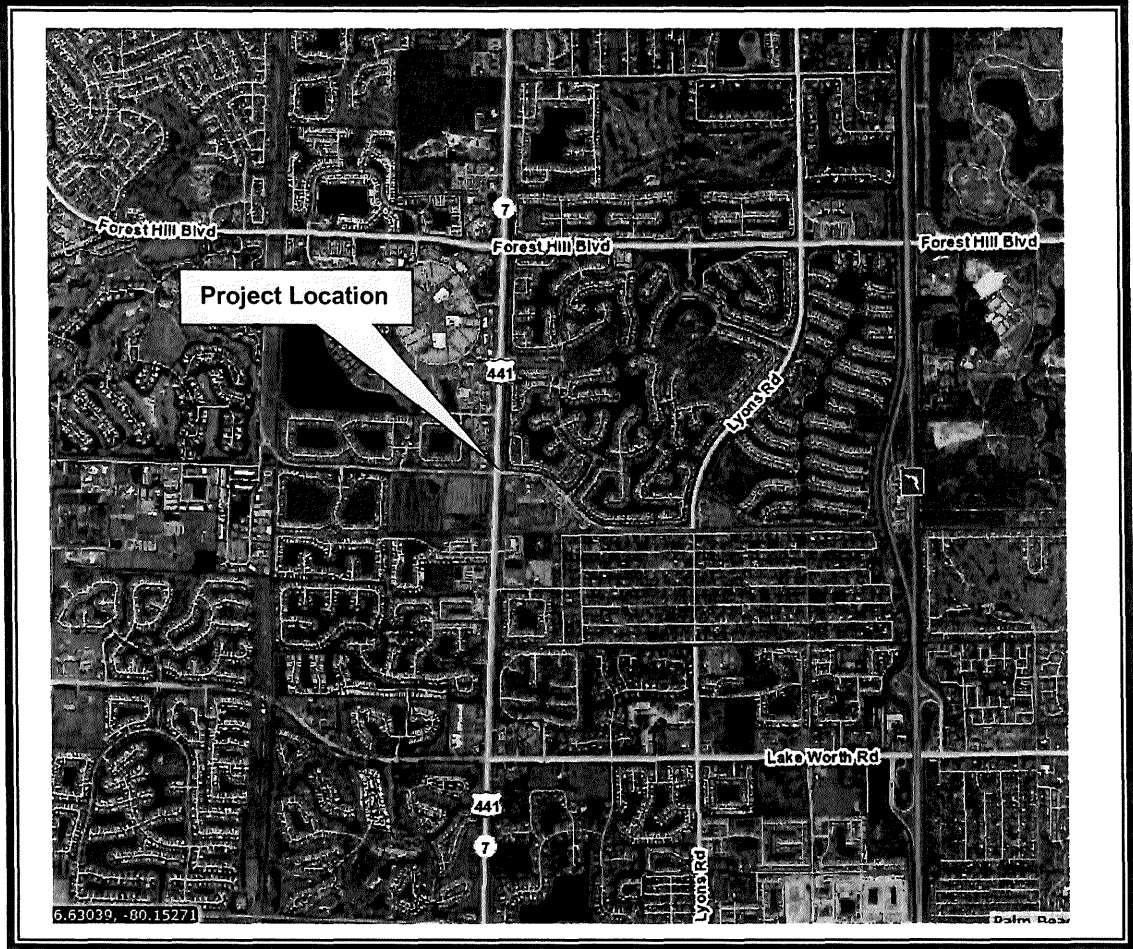
 8/17/2021
 Assistant County Attorney

C. Other Department Review:

 Department Director

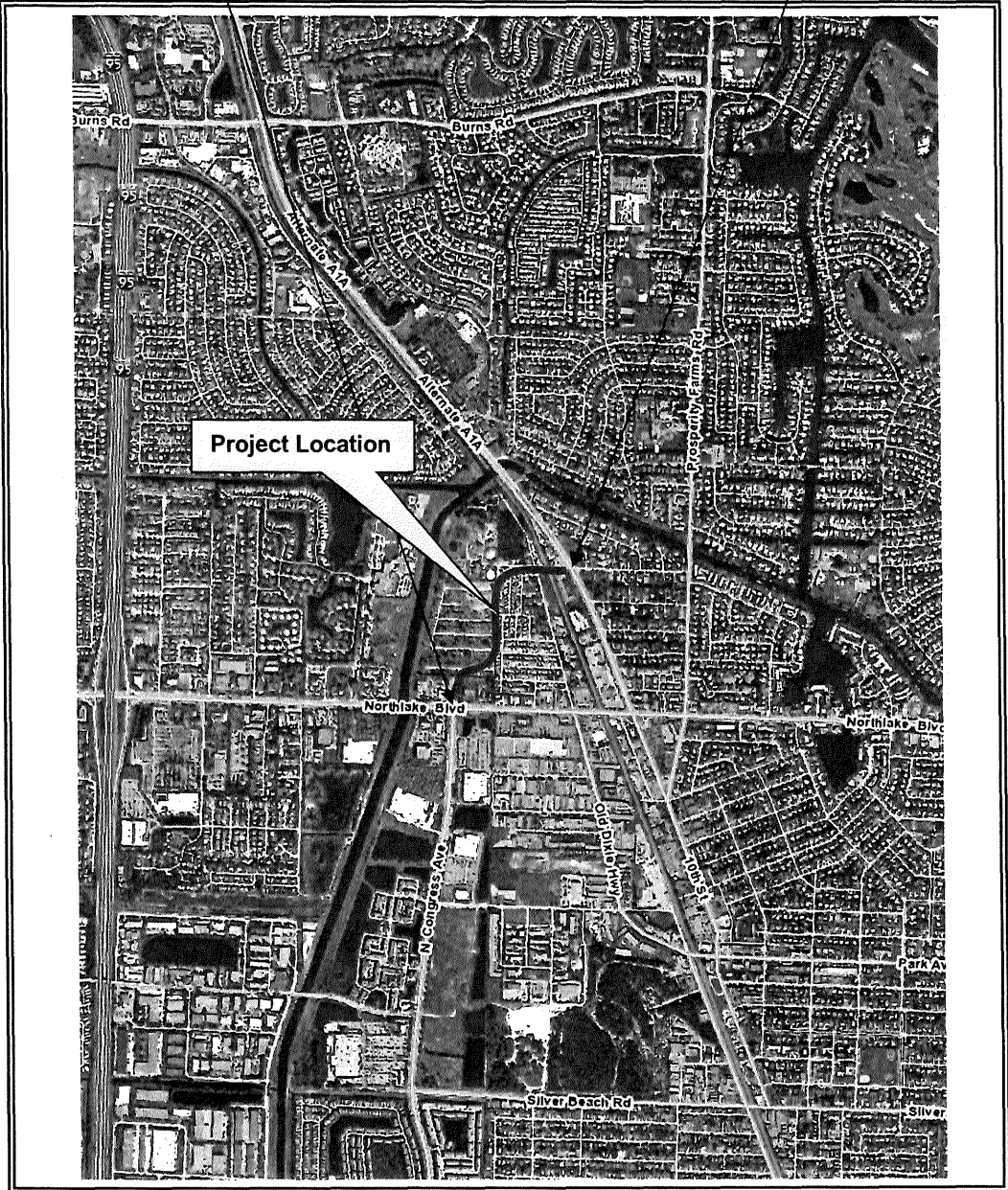
This summary is not to be used as a basis for payment.

PROJECT LOCATION
SR 7 AND WEISMAN WAY
PALM BEACH COUNTY PROJECT #2017106



LOCATION MAP'

**PROJECT LOCATION
CONGRESS AVENUE
FROM NORTHLAKE BLVD TO ALT. A-1-A
EXTENSION
PALM BEACH COUNTY PROJECT #2012517**



LOCATION MAP

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

Attachment 2
Page 1 of 2

SUPPLEMENTAL NO.

3

CONTRACT NO.

G-0V82

FPN

440456-1-34-01

Recipient: PALM BEACH COUNTY

This Supplemental Agreement ("Supplemental"), dated June 17, 2021 arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on April 26, 2018 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

The parties agree that the Agreement is to be amended and supplemented as follows:

This Supplemental extends the term of this Agreement. Paragraph Number 3 of the Agreement is deleted and replaced, as follows:

The term of this Agreement shall commence upon full execution by both Parties ("Effective Date") and continue through December 31, 2021, unless terminated at an earlier date as provided in this Agreement. If the Project is not completed within the time period allotted, this Agreement will expire on the last day of the scheduled completion as provided in this paragraph unless an extension of the time period is requested by the AGENCY and granted in writing by DEPARTMENT prior to the expiration of the Agreement. Expiration of this Agreement will be considered termination of the Project. Only Project costs incurred on or after the Commencement Date of this Agreement and on or prior to the termination date of the Agreement are eligible.

Reason for this Supplemental and supporting engineering and/or cost analysis:

Additional time needed in order to complete the design of the Project. Existing signal equipment on the northwest corner was assumed to have property rights established for this equipment. Ultimately, no such property right was found and the signal is being redesigned to remove proposed signal equipment from the northwest corner. Also the project was delayed due to a street lighting issue. The AGENCY needs to meet the DEPARTMENT's new reconstruction criteria at this intersection, which requires lighting calculations. The County has processed and issued a supplemental services authorization to their consultant for the required street lighting design.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**STATE-FUNDED GRANT
SUPPLEMENTAL AMENDMENT**

IN WITNESS WHEREOF, the COUNTY has caused this Supplemental to be executed in its behalf this 15th day of June, 2021, by the Assistant County Engineer, authorized to enter into and execute same by Resolution Number R2012-0035 of the Board on the 24th day of January, 2012, and the DEPARTMENT has executed this Supplemental through its District Director of Transportation Development for District 4, Florida Department of Transportation, this 17th day of June, 2021.

PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA
BY AND THROUGH ITS BOARD OF COUNTY
COMMISSIONERS

ATTEST:
JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT
& COMPTROLLER

BY: [Signature]
NAME: Steven Carrier
15th day of JUNE, 20 21

Deputy Clerk (Seal)

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS AND
CONDITIONS:

BY: [Signature]
Yelizaveta B. Herman
ASSISTANT COUNTY ATTORNEY

BY: [Signature]
Morton L. Rose, P.E.
Director of Roadway Production

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST: [Signature]
EXECUTIVE SECRETARY

BY: [Signature]
STEVEN C. BRAUN, P.E.
DIRECTOR OF TRANSPORTATION
DEVELOPMENT

NAME: Alia Chanel

DISTRICT 4

Availability of Funds Approval:

LEGAL REVIEW:

N/A
(Date)

[Signature]
OFFICE OF THE GENERAL COUNSEL

DUNS No.: 80-989-7102
CSFA No.: 55.008

Contract No.: G-0B98
FM No: 433064-1-44-01
Vendor No: VF 596-000-785

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
PALM BEACH COUNTY
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
AMENDMENT NUMBER FOUR

THIS AMENDMENT, made and entered into this 13th day of May, 2021, by and between the State of Florida Department of Transportation, hereinafter called the DEPARTMENT, and Palm Beach County, located at 2300 North Jog Road, West Palm Beach, Florida 33411, hereinafter called the COUNTY.

WITNESSETH

WHEREAS, on May 31, 2016 the parties entered into a County Incentive Grant Program Agreement, hereinafter referred to as the Agreement, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) No. 433064-1-44-01 for the right of way acquisition of an estimated twenty-two (22) parcels along Congress Avenue Extension from Northlake Boulevard to Alternate A1A in Palm Beach County, Florida hereinafter referred to as the "Project"; and

WHEREAS, the parties amended the Agreement on June 7, 2018 (Amendment Number One), March 20, 2019 (Amendment Number Two); May 22, 2020 (Amendment Number Three); and

WHEREAS, the parties desire to further amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend the Agreement as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. This Amendment extends the term of this Agreement. Paragraph 2 of Amendment Three is amended as follows:

Except as otherwise set forth herein, this Agreement shall continue in effect and be binding to both the COUNTY and the DEPARTMENT until the Project is completed as evidenced by the written acceptance of the DEPARTMENT or December 31, 2021, whichever occurs first.


All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered on May 31, 2016, and amended on June 7, 2018, March 20, 2019, and May 22, 2020 respectively as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

IN WITNESS WHEREOF, this Amendment is executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Amendment by Resolution No. R-2012-0035, hereto attached.

PALM BEACH COUNTY, FLORIDA

PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF FLORIDA
BY AND THROUGH ITS BOARD OF
COUNTY COMMISSIONERS

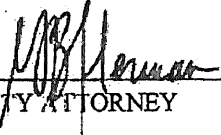
ATTEST: JOSEPH
ABRUZZO

BY: 
NAME: Steven Carrier
TITLE: Asst. Co. Engr.
17 day of May, 20 21

CLERK OF THE CIRCUIT (SEAL)
COURT & COMPTROLLER

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

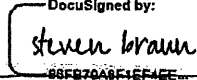
APPROVED AS TO TERMS AND
CONDITIONS:

BY: 
COUNTY ATTORNEY

BY: 
RF

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

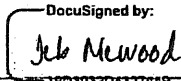
ATTEST: 
EXECUTIVE SECRETARY

BY: 
STEVEN C. BRAUN, P.E.
DIRECTOR OF TRANSPORTATION DEVELOPMENT

NAME: Alia Chanel

DISTRICT 4

LEGAL REVIEW:


OFFICE OF THE GENERAL COUNSEL

RESOLUTION NO. R-2012- 0035

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM
BEACH COUNTY, FLORIDA;**

**AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO
EXECUTE AMENDMENTS TO EXISTING FUNDING AGREEMENTS WITH
THE FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING THE
EXTENSION OF THEIR EXPIRATION DATES AND THE ADDITION OF
E-VERIFY LANGUAGE**

WHEREAS, the Florida Department of Transportation (FDOT) routinely awards Grants to the County to help fund roadway improvements; and

WHEREAS, the FDOT requires that the County enter into a Joint Participation Funding Agreement outlining the responsibilities of each party with respect to the Grants; and

WHEREAS, through these Funding Agreements, the County will accomplish the projects including design, right-of-way acquisition, construction and construction engineering inspection; and

WHEREAS, these Funding Agreements often require an extension of time to complete the project and receive the Grant Funds; and

WHEREAS, these time extensions now also require that E-Verify language be added if it was not in the original Funding Agreement whereby the County and its contractors attest to the employment eligibility of all those working on the project; and

WHEREAS, the Board of County Commissioners has determined that the delegation of authority to the County Administrator or his designee to execute amendments to the Funding Agreements for extensions of time and addition of E-Verify language is necessary for the efficient and timely processing of time extensions and to be in the best interest of the citizens and residents of Palm Beach County.

(Intentionally Left Blank)

NOW, THEREFORE be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that the County Administrator or his designee is hereby authorized to execute Amendments to Funding Agreements with the Florida Department of Transportation to extend expiration deadlines and add E-Verify language.

1. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
2. This Resolution will take effect upon its adoption.

The foregoing resolution was offered by Commissioner Marcus who moved its adoption. The motion was seconded by Commissioner Aaronson and upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair	-	Aye
Commissioner Steven L. Abrams, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye


The Chair thereupon declared the Resolution duly passed and adopted this 24th day of January 2012.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY
COMMISSIONERS

PALM BEACH COUNTY, FLORIDA BY
ITS BOARD OF COUNTY

SHARON BOCK, CLERK AND
COMPTROLLER

By: 
Assistant County Attorney

By: 
Deputy Clerk