

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	<u>\$-0-</u>	<u>(\$13,493)</u>	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u><u>\$-0-</u></u>	<u><u>(\$13,493)</u></u>	_____	_____	_____
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

Budget Account No: Fund 4100 Department 120 Unit 8430 RSource 4469
 Reporting Category _____

(Handwritten mark)

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

The fiscal impact above assumes payment of a \$13,493.04 MAG throughout the two year renewal term of 10/1/22 to 9/30/24. Communitel will pay the greater of a privilege fee equal to 60% of annual transaction fees, but not less than the \$13,493.04 MAG. The MAG may be adjusted annually to 85% of the privilege fee for the preceding contract year, but not less than \$13,493.04.

C. Departmental Fiscal Review *(Signature)*

III. REVIEW COMMENTS

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

(Signature) 7/27/22
 OFMB *GA* 7/27/22
 MG 7/27/22

(Signature) 8/2/22
 Contract Dev. and Control

B. Legal Sufficiency:

(Signature) 8/11/22
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 11/17

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

**SECOND AMENDMENT TO
AUTOMATED TELLER MACHINE CONCESSION AGREEMENT**

THIS SECOND AMENDMENT TO AUTOMATED TELLER MACHINE CONCESSION AGREEMENT (this “Amendment”) is made and entered into by and between Palm Beach County, a political subdivision of the State of Florida (the “County”), and Communitel, Inc., a Florida corporation organized under the laws of the State of Florida, having its office and principal place of business at 782 N.W 42nd Avenue, Suite 429, Miami, Florida 33126 (the “Concessionaire”).

WITNESSETH:

WHEREAS, County, by and through its Department of Airports (the “Department”), owns and operates the Palm Beach International Airport (the “Airport”) located in Palm Beach County, Florida; and

WHEREAS, Concessionaire, under that certain Automated Teller Machine Concession Agreement between the parties dated July 2, 2019 (R-2019-0950), as amended by the First Amendment dated June 15, 2021 (R2021-0789) (“Agreement”), operates the ATM concession at the Airport; and

WHEREAS, the parties hereto desire to amend the Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants herein contained, and for such other good and valuable consideration, the receipt of which the parties hereby expressly acknowledge, the parties hereto covenant and agree to the following terms and conditions:

1. Recitals. The recitals set forth above are true and correct and incorporated herein by this reference. Terms not defined herein shall have the meaning ascribed to them in the Agreement.
2. Renewal Term. The Term of the Agreement is hereby extended for an additional two (2) years in accordance with Section 3.03 of the Agreement, commencing on October 1, 2022, and expiring on September 30, 2024.
3. Ratification of Agreement. Except as specifically modified herein, all of the terms and conditions of the Agreement shall remain unmodified and in full force and effect and are hereby ratified and confirmed by the parties hereto.
4. Paragraph Headings. The heading of the various sections of this Amendment are for convenience and ease of reference only, and shall not be construed to define, limit, augment or describe the scope, context or intent of this Amendment or the Agreement.
5. Effective Date. This Amendment shall become effective when signed by both parties hereto and approved by the Palm Beach County Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have duly executed this Amendment as of the day and year first above written.

ATTEST:

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

JOSEPH ABRUZZO,
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

By: _____
Deputy Clerk

By: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED AS TO TERMS
AND CONDITIONS

By: Amne Adelant
County Attorney

By: Rw Sam Beake
Director, Department of Airports

Signed, sealed and delivered
in the presence of two witnesses
for Concessionaire:

CONCESSIONAIRE:
Communitel, Inc.

Julio E. Calil
Signature

[Signature]
Signature

Julio E. Calil
Print Name

Michael Pelaez
Print Name

[Signature]
Signature

Chief Executive Officer
Title

Laura Muniz Perez
Print Name

(Seal)