

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023	2024	2025	2026	2027
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-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

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

Budget Account No:
 Fund Dept Unit Object

Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact. The amendment removes prior fiscal year's unspent funds which were not included in the current budget.

C. Departmental Fiscal Review: Danny Randal Singh

III. REVIEW COMMENTS

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

Lisa M... 8/21/23
 OFMB 9A 8/21/23

A. J. ... 8/28/23
 Contract Dev. and Control
 7/26 8/28/23

B. Approved as to Form and Legal Sufficiency:
M... 8/28/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

RESOLUTION NO. R2023-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING AMENDMENT NUMBER FIVE TO THE JOINT PARTICIPATION AGREEMENT FOR THE PALM BEACH COUNTY TRAFFIC MANAGEMENT CENTER WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, on June 27, 2009, the State of Florida Department of Transportation (FDOT) and Palm Beach County (County) entered into a Joint Participation Agreement (JPA) (R2009-0823) for the operation and maintenance of the facility housing the Palm Beach County Traffic Management Center (TMC) and allocating funds for a video display wall and audio system; and

WHEREAS, the FDOT and County amended the JPA on November 5, 2010, to reduce the project funding amount (R2010-1609); and

WHEREAS, the FDOT and County amended the JPA on June 11, 2013 to add funding for the operation and maintenance of the video display wall and audio system (R2013-0600); and

WHEREAS, the FDOT and County amended the JPA on June 4, 2014 to remove unspent funds from certain fiscal years (R2014-0669); and

WHEREAS, the FDOT and County further amended the JPA on June 29, 2018 to add additional funding for the video display wall and audio system (R2018-0889); and

WHEREAS, the FDOT has requested that the County approve Amendment Number Five to reduce the excess funding for FY 2020; and

WHEREAS, the FDOT's funding amount will be reduced by the amount of \$50,000.00 (fifty thousand dollars and zero cents) due to excess funding not needed for the TMC during the FY 2020; and

WHEREAS, the FDOT's funding amount is reduced to \$173,026.95 (one hundred seventy-three thousand twenty-six dollars and ninety-five cents), contingent upon an annual appropriation by the Florida Legislature; and

WHEREAS, the Board of County Commissioners (BCC) has determined Amendment Number Five is in the best interest of the citizens and residents of the County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. The FDOT's funding amount will be reduced from \$223,026.95 to \$173,026.95 for FY 2020.
3. This Resolution shall take effect upon adoption.

(The remainder of this page intentionally left blank.)

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


- Commissioner Gregg K. Weiss, Mayor -
- Commissioner Maria Sachs, Vice Mayor -
- Commissioner Maria G. Marino -
- Commissioner Michael A. Barnett -
- Commissioner Marci Woodward -
- Commissioner Sara Baxter -
- Commissioner Mack Bernard -

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2023.

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

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

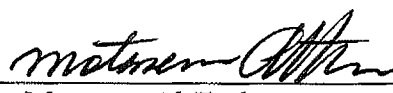
JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BY: 

Yelizaveta B. Herman
Assistant County Attorney

BY: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITIONS

BY: 

Motasem Al-Turk
Traffic Division, Director

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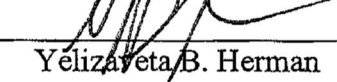
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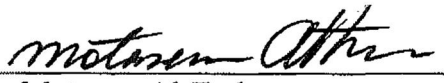
APPROVED AS TO FORM AND LEGAL
SUFFICIENCY

BY: 
Yelizaveta B. Herman
Assistant County Attorney

JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BY: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITIONS

BY: 
Motasem Al-Turk
Traffic Division, Director

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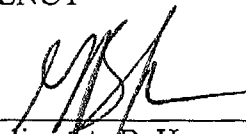
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PALM BEACH COUNTY, A POLITICAL
SUBDIVISION OF THE STATE OF
FLORIDA BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY


JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

BY: 

Yelizaveta B. Herman
Assistant County Attorney

BY: _____
Deputy Clerk

APPROVED AS TO TERMS
AND CONDITIONS

BY: 

Motasem Al-Turk
Traffic Division, Director

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
PALM BEACH COUNTY
JOINT PARTICIPATION AGREEMENT
AMENDMENT NUMBER FIVE**

THIS AMENDMENT, made and entered into this _____ day of _____, 20____, 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 June 27, 2009, the parties entered into a Joint Participation Agreement, hereinafter referred to as the AGREEMENT, wherein the COUNTY agreed to provide certain improvements in connection with Financial Management (FM) Numbers 416258-1-82-01, 416258-2-82-01, and 416258-3-88-01 for the purpose of operating and maintaining the facility housing the Palm Beach County Transportation Management Center (TMC) and for allocation of costs for the video display wall and audio system in Palm Beach County, Florida and hereinafter referred to as the Project; and,

WHEREAS, the parties amended the Agreement on November 5, 2010 (Amendment No. One) that reduced the project funding due to no expenditures during the 1st year of the Project, on June 11, 2013 (Amendment No. Two) added funding to pay for the operations and maintenance of the video display wall, on June 4, 2014 (Amendment No. Three) removed unspent funds for FM No. 416258-1-82-01 in Fiscal Years 2009/2010, 2010/2011, 2011/2012, on June 29, 2018 (Amendment No. Four) added funding to pay for operations and maintenance of the video display wall, and in January 2023 an Executive Office of the Governor (EOG) Amendment was processed to removed previous years of funding (FY 2012/2013 through FY 2018/2019); 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 Joint Participation Agreement dated June 27, 2009, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. The purpose of this Amendment is to reduce the funding for FY 2020 in the amount of \$50,000.00 (FIFTY THOUSAND DOLLARS AND NO CENTS) due to excess funding not needed for the Project in that fiscal year. As a result, the total DEPARTMENT share is revised to ONE HUNDRED

SEVENTY-THREE THOUSAND TWENTY-SIX DOLLARS AND NINETY-FIVE CENTS (\$173,026.95). The DEPARTMENT's obligation to pay this revised amount is contingent upon an annual appropriation by the Florida Legislature.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered into of June 27, 2009 and amended on November 5, 2010, June 11, 2013, June 4, 2014 and June 29, 2018, 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.

SPACE INTENTIONALLY LEFT BLANK

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

PALM BEACH COUNTY, Florida, A
Political Subdivision of the State of Florida
BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
NAME: _____
TITLE: MAYOR
_____ day of _____, 20____

BY: _____
PAUL LAMPLEY, P.E.
DIRECTOR OF TRANSPORTATION OPERATIONS

ATTEST:
JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT & COMPTROLLER

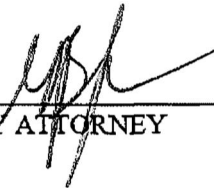
LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: _____
OFFICE OF THE DISTRICT GENERAL COUNSEL

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED:

BY:  _____
COUNTY ATTORNEY

BY: _____
DISTRICT PROGRAM MGMT ENGINEER

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____
DIRECTOR, TRAFFIC DIVISION

DUNS No.: 80-939-7102

Contract No.: API-73
FM No: 416258-2-82-01
416258-3-88-01
FEID No: VF-596-000-785

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AND
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STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
NAME: _____
TITLE: MAYOR
_____ day of _____, 20____

BY: _____
PAUL LAMPLEY, P.E.
DIRECTOR OF TRANSPORTATION OPERATIONS

ATTEST:
JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT & COMPTROLLER


LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: _____
OFFICE OF THE DISTRICT GENERAL COUNSEL

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED:

BY: 
COUNTY ATTORNEY

BY: _____
DISTRICT PROGRAM MGMT ENGINEER

APPROVED AS TO TERMS AND CONDITIONS:

BY: 
DIRECTOR, TRAFFIC DIVISION

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AND
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BOARD OF COUNTY COMMISSIONERS

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
NAME: _____
TITLE: MAYOR
_____ day of _____, 20__

BY: _____
PAUL LAMPLEY, P.E.
DIRECTOR OF TRANSPORTATION OPERATIONS

ATTEST:
JOSEPH ABRUZZO, CLERK OF THE
CIRCUIT COURT & COMPTROLLER


LEGAL REVIEW:

CLERK & COMPTROLLER (SEAL)
CIRCUIT COURT

BY: _____
OFFICE OF THE DISTRICT GENERAL COUNSEL

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

APPROVED:

BY:  _____
COUNTY ATTORNEY

BY: _____
DISTRICT PROGRAM MGMT ENGINEER

APPROVED AS TO TERMS AND CONDITIONS:

BY:  _____
DIRECTOR, TRAFFIC DIVISION