

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: September 19, 2023

Consent
 Ordinance

Regular
 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 receive and file a fully executed Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program Grant Amendment 1 to Agreement No.19031 for the redevelopment of the John Prince Memorial Park boat ramps modifying the scope of work to adjust for the length of the staging docks from 80 foot to 70 foot. The FFWCC grant amount awarded for this project was \$150,000.

Summary: On May 7, 2019, the Board of County Commissioners (BCC) authorized submission of a Florida Boating Improvement Program (FBIP) Grant application, R-2019-0642, to fund a portion of the construction costs associated with the redevelopment of the John Prince Memorial Park boat ramps. The BCC also authorized the County Administrator or designee to execute the Grant Agreement and other grant forms related to this project if the grant was approved. The grant was approved, executed by the Director of the Parks and Recreation Department and submitted to the BCC on February 2, 2021 to receive and file (R-2021-0193). The construction project has been completed and the scope of work has been modified from requiring three (3) new ADA wheelchair compliant 80 foot staging docks to three (3) new ADA wheelchair compliant 70 foot staging docks. The grant also requires demolition of the existing staging ramps and construction of new ramps; this work has been completed. The Grant Amendment was executed by the Director of Parks and Recreation in accordance with BCC authorization. District 3 (AH)

Background and Justification: The FFWCC offers grants to local governments through FBIP for public recreation projects directly related to the waterways. The John Prince Memorial Park boating facilities servicing Lake Osborne were over 30 years old. The County recently renovated and reconfigured the existing boat ramps, replaced the existing fixed staging docks with ADA accessible floating staging docks and expanded the boat trailer parking lot with ADA accessible boat trailer parking spaces. Both Infrastructure Sales Tax (IST) and grant funding were used to complete this project.

Attachment: Amendment 1 to Agreement No. 19031

Recommended by: 
Department Director

8/24/2023
Date

Approved by: 
Assistant County Administrator

9/7/2023
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

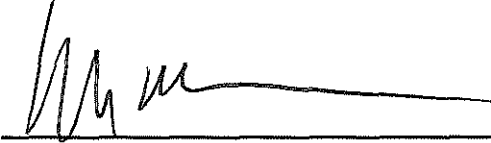
Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

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

Budget Account No.: Fund 3600 Department 582 Unit T107
 Revenue 6504 Object _____ Program _____

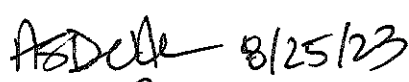
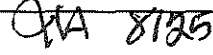

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item.

C. Departmental Fiscal Review:  _____

III. REVIEW COMMENTS

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

 8/25/23 OFMB  8/25 CB 8/25	 9/5/23 Contract Development and Control 9/1/23
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B. Legal Sufficiency:

 9/6/23
Assistant County Attorney

C. Other Department Review:

Department Director

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

AMENDMENT
STATE OF FLORIDA
FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
FWC Agreement No. 19031, Amendment 1

This Amendment to Agreement No. 19031, referred to as the Original Agreement, is entered into by and between the Florida Fish and Wildlife Conservation Commission, whose address is 620 South Meridian Street, Tallahassee, Florida 32399-1600, hereafter "Commission" or "FWC," and Palm Beach County Board of County Commissioners, 59-6000785, whose address is 2700 6th Avenue South, Lake Worth, Florida 33461, hereinafter "Recipient," collectively, "Parties".

CHANGES TO THE CONTRACT

In consideration of the mutual benefits set forth herein and, in the Original Agreement, the parties agree to amend the Original Agreement as follows, which amendments shall govern to the exclusion of any provision of the Original Agreement to the contrary:

Section 2, Project Deliverables, Subsection A, Deliverable 1 Tasks of Attachment A, Scope of Work to the Original Agreement is hereby amended to read as follows:

- The Grantee will, through own staff or contracted services, demolish the existing two (2) concrete staging ramps; and
- Construct and install two (2) new seventy-foot (70') long staging ramps, at least one of which will accommodate multiple ramp lanes.

Section 2, Project Deliverables, Subsection B, Deliverable 2 Tasks of Attachment A, Scope of Work to the Original Agreement is hereby amended to read as follows:

- The Grantee will, through own staff or contracted service, demolish the two (2) existing fixed concrete staging docks on the western end of the project site; and
- Construct and install a minimum of three (3) new twenty-foot (20') ADA wheelchair compliant floating docks, to include twenty-foot (20') aluminum gangways with handrails with concrete approaches measuring approximately seventy-foot (70') in length.

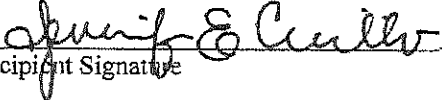
Section 7, Monitoring Schedule, Subsection E of Attachment A, Scope of Work to the Original Agreement is hereby amended to read as follows:

E. Annual Reports: Following completion of a Construction Project, but not a project that involves only design, engineering, and permitting, or for grants for the installation of waterway markers or other projects on sovereign submerged lands, the Grantee shall submit to the Commission an annual report on June 30th of each year until the end of the site dedication period described in Subsection H, Site Dedication, above in Section 4, Performance. The Post Award Use and Access Annual Report Form attached hereto and made a part hereof as Attachment H shall be used to fulfill this annual requirement and shall be sent electronically to FBIP@MyFWC.com or by mail to Attn: FBIP Administrator, FWC, 620 S. Meridian St., Tallahassee, FL 32399. This annual report shall include a description of the condition of any facilities funded with Program funds including any major repairs to the facilities; the amount of revenue collected from any permits or fees for the use of the facilities; and an estimate of the number of users of the facilities. Should the Grantee fail to complete and submit these annual reports, the Grantee agrees to return to the Commission all funds tendered under this Agreement for the original Project. This section survives any Agreement termination.

SIGNATURES

All provisions of the Original Agreement not specifically amended herein shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to Agreement No. 19031 to be executed through their duly authorized signatories on the day and year last written below.


RECIPIENT EXECUTION SIGNATURE	COMMISSION EXECUTION SIGNATURE
Palm Beach County of County Commissioners	Florida Fish and Wildlife Conservation Commission
	Brian Smith Digitally signed by Brian Smith Date: 2023.06.20 09:31:35 -04'00'
Recipient Signature	Executive Director (or Designee) Signature
Jennifer Cirillo	Colonel Brian G. Smith
Print Name	Print Name
Director Parks & Recreation	Director, Division of Law Enforcement
Title	Title
6/16/2023	6/20/2023
Date	Date

ATTACHMENTS

Attachments in this Agreement include the following:

- Attachment H – Post Award Annual Report

Legal Sufficiency:


Anne Helfant, Senior Assistant County Attorney

**STATE OF FLORIDA
FWC BOATING ACCESS GRANTS
POST AWARD USE & ACCESS ANNUAL REPORT
ATTACHMENT H**

Recipient: Palm Beach County FWC AGREEMENT # 19031

Project Title: John Prince Memorial Park

Project Address: 2700 6th Avenue South, Lake Worth, Florida 33461

Agreement End Date: 6/30/2023

Useful Life End Date: _____

Reporting period is the July 1-June 30 state fiscal year.

Provide a description of the condition of any facilities funded with Program funds including any major repairs to the facilities.

Indicate the amount of revenue collected from any permits or fees for the use of the facilities.
\$
Is this amount Actual or Estimated?

If there is any anticipated permit or fee increase/decrease, please provide the current and proposed amounts, and the reason for the change.

Estimate the number of annual users of the facilities.

The FWC Funding Agreement Scopes of Work stipulate in Section 15, SPECIAL PROVISIONS FOR CONSTRUCTION PROJECTS that the Commission will ensure funds collected are not reallocated or diverted to any non-boating access related purpose.

I hereby certify that the above report is true and correct to the best of my knowledge as of this date in accordance with the project Agreement, and that the fees generated from use of the grant funded project(s) were expended for the operation and maintenance of the project in this Agreement.

Signed: _____

Date: _____

Title: _____

Submitted by: _____

Title: _____