

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: October 3, 2023

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: receive and file a fully executed Project Agreement Amendment with the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Number PB-21-214 for the redevelopment of the Ocean Inlet Park Marina Phase IIB- to extend the completion date from September 30, 2023 until September 30, 2024.

Summary: On May 4, 2021, the Board of County Commissioners (BCC) authorized submission of a Waterways Assistance Program grant application, R-2021-0593, to fund a portion of the construction costs associated with the redevelopment of Ocean Inlet Park Marina. The BCC also granted the County Administrator or designee the authority to execute the project Agreement, as well as task assignments, certifications, standard forms, or amendments to the agreement that do not change the scope of work by more than 10% or change the terms and conditions of the Agreement. On November 1, 2021, the County was awarded a \$1.5 million FIND grant to fund a portion of the Ocean Inlet Park Marina Phase IIB Redevelopment Project. The term of the grant agreement, R-2021-1936 was from November 1, 2021 until September 30, 2023. Due to construction delays of Phase IIA, the County was awarded a one-year project time extension of Phase IIB, extending the completion date from September 30, 2023 until September 30, 2024. There are no other changes to the terms of the Agreement as a result of this Amendment. The Project Agreement Amendment was executed by the Director of Parks and Recreation serving as the County Administrator's designee and is now being submitted to the (BCC) to receive and file. District 4 (AH)

Background and Justification: FIND offers grants to local governments through its Waterways Assistance Program for public recreation projects directly related to the Intracoastal Waterway. Ocean Inlet Marina was constructed over 40 years ago and is in need of renovation as a result of its age and deteriorating infrastructure. This phase includes demolishing the existing fixed rental docks, constructing 21 floating rental docks with water and electric, and installation of a wave attenuation structure to protect the marina from inlet driven wave action.

The Project Agreement requires the County to dedicate the project site for public use for a minimum of 30 years, erect a permanent acknowledgement sign, and operate, maintain, and manage the project for the life of the project improvements. The Project Agreement also requires that a minimum of 50% of any fee charged for this project be utilized for project maintenance and improvements throughout the anticipated 30 year life of the development project.

Attachment: Project Agreement Amendment

Recommended by: Jennifer Cirillo
Department Director

Date

Approved by: [Signature]
Assistant County Administrator

9/27/2023
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2024 | 2025 | 2026 | 2027 | 2028 |
|--|-------------|------------|------------|------------|------------|
| 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 | <u>X</u> | No | _____ |
| Does this item include use of federal funds? | | Yes | _____ | No | <u>X</u> |

Budget Account No.: Fund 3600 Department 582 Unit T173
 Revenue Source _____ /Object 6504 Program _____

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

*There is no fiscal impact associated with this item.

C. Departmental Fiscal Review: [Signature]

III. REVIEW COMMENTS

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

[Signature] 9/18/2023
 OFMB 9/18/23
 CB 9/18

[Signature] 9/26/23
 Contract Development and Control
 9/30/23

B. Legal Sufficiency:

[Signature] 9/26/23
 Assistant County Attorney

C. Other Department Review:

 Department Director

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

PROJECT AGREEMENT AMENDMENT

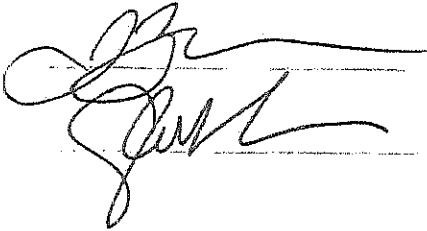
In consideration of the continuing mutual promises and covenants contained in PROJECT AGREEMENT #PB-21-214 Ocean Inlet Park Marina Phase IIB, between the FLORIDA INLAND NAVIGATION DISTRICT (F.I.N.D.) and Palm Beach County hereafter known as the PROJECT SPONSOR. The parties hereby agree that Paragraph 2 of said certain PROJECT AGREEMENT be deleted and the following be substituted therefore:

2. **TERM** - The PROJECT SPONSOR shall not commence work on the PROJECT prior to the execution of this Agreement unless specifically authorized by the DISTRICT Board and shall complete the PROJECT on or before September 30, 2024 and submit all required payment reimbursement information by November 15, 2024. Pursuant to Chapter 374.976(2) F. S., the PROJECT period cannot extend beyond three (3) years from October 1, 2021 and therefore this PROJECT must be completed by September 30, 2024, unless the completion of the PROJECT has been delayed by a declared State of Emergency and the F.I.N.D. Board authorizes an extension of the completion date based upon this delay.

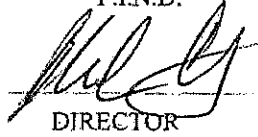
Except as modified hereby, all of the terms and provisions of the original Project Agreement shall remain in full force and effect.

In WITNESS WHEREOF, the parties have hereunto set their hands and seals this 14 of August, 2023

Attest:

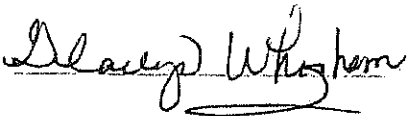


F.I.N.D.


DIRECTOR

Attest:

PALM BEACH COUNTY


CONTRACT ADMINISTRATOR

Approved as to terms and legal sufficiency

Anne Helfant
State of Florida
Department of Banking and Finance
Palm Beach County
Senior Assistant County Attorney
Senior Assistant County Attorney