Agenda Item #: 3H-1

PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY**

Meeting Date:	April 9, 2024	[X] Consent [] Ordinance	[] Regular [] Public Hearing			
Department:	Facilities Development & Operations					

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: First Amendment to Amended and Restated Agreement (R2020-0433) ("Agreement"), with the West Palm Beach VA Medical Center ("Hospital") to extend the term of the Agreement for interoperable communications through the countywide emergency medical services (EMS) and common talk groups of the County's Public Safety Radio System ("System") from May 3, 2024, to May 2, 2029.

Summary: The Agreement, which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of interagency communications, expires on May 2, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. Hospital has approved the amendment to extend the term of the Agreement to May 2, 2029, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities, local branches of state and federal agencies, and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement may be terminated by either party, with or without cause, upon ten (10) days prior written notice to the other party. This First Amendment extends the term of the Agreement, updates the standard operational provisions, and adds the county's standard E-verify provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)

Background and Justification: The Hospital has utilized interoperable communications through the countywide EMS and common talk groups since 2004. The Agreement with Hospital, which provides the terms and conditions under which Hospital can utilize the countywide and EMS common talk groups of the County's System, expires on May 2, 2024. The Agreement provided for two (2) renewal options, each for a period of five (5) years. After approval of this First Amendment, there is one remaining renewal option left.

Attachments:

First Amendment

Recommended By:	1. ayal allo	2/12/24	
<u>_</u>	Department Director	/ Date	
Approved By:	Ukaker	3/22/24	
	County Administrator	Date '	

County Administrator

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	5 2026	2027	2028
Capital Expenditures					
Operating Costs					
External Revenues				·····	
Program Income					
(County)					
In-Kind Match (Count	y				
NET FISCAL IMPAC	Г*				
# ADDITIONAL FTE POSITIONS (Cumulative)					
Is Item Included in Cu	rrent Budget:	Yes	No X		
Is this item using Federal Funds:		Yes	No X		
Is this item using State		Yes	No X		
Budget Account No:					
Fund Dep	ot	Unit	Revenue Source		
Fund Der	nt	Unit	Revenue Source		

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

*There is no fiscal impact associated with this item.

Departmental Fiscal Review: C. III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

124 Development and Control

B. Legal Sufficiency: 3 Assistant County Attorney

C. Other Department Review:

Department Director

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

FIRST AMENDMENT TO AMENDED AND RESTATED AGREEMENT

THIS FIRST AMENDMENT to Amended and Restated Agreement (R2020-0433), dated May 5, 2020 ("Agreement") is made as of ______, by and between Palm Beach County, a political subdivision of the State of Florida ("County") and the West Palm Beach VA Medical Center ("Hospital"), an agency of the United States Department of Veterans Affairs.

WITNESSETH

In consideration of the mutual promises contained herein, the County and Hospital agree as follows:

1. The term of the Agreement is renewed beginning on May 3, 2024 and continuing through May 2, 2029, pursuant to the exercise of the first of two (2) five (5) years renewal options.

2.

Section 2.04 of the Agreement is deleted in its entirety and replaced with the following:

2.04 <u>Hospital Equipment:</u> Also known as "Hospital Radios," are Hospital owned P25 compliant handheld and mobile radios and control stations that operate in the 800 MHz spectrum and that have the ability to be programmed and used on the County's System.

3. Section 5.01 of the Agreement is deleted in its entirety and replaced with the following:

5.01 <u>Hospital Equipment.</u> The Hospital's equipment will be P25 compliant 800 MHz mobile, portable, and control station equipment programmed to be used on the County's System. Equipment other than that manufactured by Motorola shall be approved by the System Manager prior to purchase by the Hospital. The Hospital is required to keep its equipment in proper operating condition and the Hospital is responsible for maintenance of its radio equipment.

4. The Agreement is hereby modified to add the following:

SECTION 27: E-VERIFY – EMPLOYMENT ELIGIBILITY

27.01 The Hospital warrants and represents that it is in compliance with section 448.095, Florida Statutes, as may be amended, and that it: (1) is registered with the E-Verify System (E-Verify.gov), and uses the E-Verify System to electronically verify the employment eligibility of all newly hired workers; and (2) has verified that all of the Hospital's contractors and subcontractors performing any duties and obligations under this Agreement are registered with and use the E-Verify System to electronically verify the employment eligibility of all newly hired workers.

27.02 County shall terminate this Agreement if it has a good faith belief that the Hospital has knowingly violated Section 448.09(1), Florida Statutes as may be amended.

5.

Except as modified by this First Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof and is hereby ratified and confirmed by the Hospital and the County.

(Remainder of the page intentionally left blank)

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IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed as of the day and year first above written.

ATTEST:

JOSEPH ABRUZZO CLERK OF THE CIRCUIT COURT & COMPTROLLER

By:

Deputy Clerk

PALM BEACH COUNTY, a political subdivision of the State of Florida

By: Maria Sachs , Mayor

APPROVED AS TO LEGAL SUFFICIENCY:

By: County Attorney

WITNESS:

Ø1 , B

APPROVED AS TO TERMS AND CONDITIONS:

Sel Le By: M. Isami Ayala-Collazo, Director/ Facilities Development & Operations

WEST PALM BEACH VA MEDICAL CENTER, an agency of the United States Department Of Veterans Affairs

By:

Cory P. Price, Executive Director Print Name and Title

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