

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 15, 2006

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 approve: First Amendment to Agreement (R2005-1241) with Palms West Chamber of Commerce, Inc. for the Palms West Chamber of Commerce Building Addition.

Summary: This Amendment is to increase the amount of funding approved in the original Agreement by \$46,000 for a total funding allocation of \$71,000, and to extend the project completion date from December 20, 2006, to June 20, 2008. All other terms of the Agreement remain the same. Funding is from the Recreation Assistance Program (RAP). District 6 (AH)


Background and Justification: On June 21, 2005, the County entered into a funding Agreement with the Palms West Chamber of Commerce, Inc. in an amount not-to-exceed \$25,000 for the Palms West Chamber of Commerce building addition project. The building addition is a community conference room, which will be used by not-for-profit organizations for meetings, conferences, and activities. This Amendment adds an additional \$46,000 to supplement construction costs for a total allocation of \$71,000. The Amendment also extends the project completion date by 18 months, until June 20, 2008, in order to allow time to complete the project and provide reimbursement documentation. All other terms of the Agreement remain the same.

The Amendment is presented for approval of the Board instead of as a Receive and File item because it increases the total funding allocated for the project and does not qualify for the streamlined RAP Amendment procedure.

The Amendment has been executed on behalf of Palms West Chamber of Commerce, Inc., and now needs to be approved by the Board of County Commissioners.

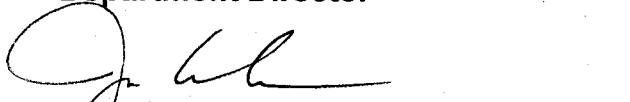
Attachment: First Amendment to Agreement

Recommended by:


Department Director

7/19/06
Date

Approved by:


Assistant County Administrator

7/27/06
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2006	2007	2008	2009	2010
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>46,000</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>46,000</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 _____
 Budget Account No.: Fund 3600 Department 581 Unit R906
 Object 8201 Program N/A

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

Recreation Assistance Program

District 6 3600-583-R906-076-8201 \$46,000

Agreement previously encumbered by KPO# 583 PRRP071905*129.

C. Departmental Fiscal Review: ckopelakis

III. REVIEW COMMENTS

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

Jim Dunt 7-25-06
 OFMB
 mg 7-24-06
Jim J. Joubert 7/26/06
 Contract Development and Control

B. Legal Sufficiency: **This amendment complies with our review requirements.**

Anne Delgant 7/27/06
 Assistant County Attorney

C. Other Department Review:

 Department Director

REVISED 10/95
 ADM FORM 01

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**FIRST AMENDMENT TO AGREEMENT BETWEEN PALM BEACH COUNTY AND THE PALMS WEST
CHAMBER OF COMMERCE, INC. FOR FUNDING OF THE PALMS WEST CHAMBER OF
COMMERCE BUILDING ADDITION**

THIS FIRST AMENDMENT is entered into on _____, by and between Palm Beach County, a political subdivision of the State of Florida, hereinafter referred to as "County", and the Palms West Chamber of Commerce, Inc., a Florida not-for-profit corporation, herein referred to as "Chamber".

WITNESSETH:

WHEREAS, on June 21, 2005, County entered into an Agreement with Chamber (R-2005-1241), hereinafter referred to as "Agreement" to provide Recreation Assistance Program (RAP) funding in an amount not-to-exceed \$25,000 for design and construction of a building addition to the Palms West Chamber of Commerce building, hereinafter referred to as the "Project"; and

WHEREAS, Chamber has requested that County increase the amount of funding for the Project to \$71,000; and

WHEREAS, Chamber has also requested that COUNTY extend the project completion date for the Project from eighteen (18) months from the date of execution of the Agreement to thirty six (36) months from execution of the Agreement, which would result in a new project completion date of June 20, 2008; and

WHEREAS, the Project will benefit all citizens of Palm Beach County.

NOW THEREFORE, the parties hereby agree as follows:

1. The fifth Whereas clause of the Agreement shall be amended to state: "Chamber has requested that County provide \$71,000 to help offset expenses for the community conference room, which will be used by not-for-profit organizations for meetings, conferences, and activities; and".

2. The sixth Whereas clause of the Agreement shall be amended to state: "Whereas, funding for Chamber in an amount not to exceed \$71,000 is available from the Recreation Assistance Program (RAP) – District 6; and".

3. Section 1 of the Agreement shall be amended to state: "County agrees to fund an amount not to exceed \$71,000 to Chamber for design and construction expenses for the 1,100 square foot conference room, as set forth in Exhibit "A" attached hereto and incorporated herein, hereinafter referred to as the "Project."

4. Section 11 of the Agreement shall be amended to state: "Chamber shall complete the Project and shall provide its final reimbursement request(s) and final accounting data to County for the completed project on or before thirty six (36) months, commencing upon the date of execution by the parties hereto. Upon written notification to County at least ninety (90) days prior to that date, Chamber may request an extension beyond this period for the purpose of completing the Project. County shall not unreasonably deny Chamber's request for said extension."

5. Except as provided herein, each and every other term of the Agreement shall remain in full force and effect and the Agreement is reaffirmed as modified herein.

IN WITNESS WHEREOF, the parties, by and through their duly authorized agents, have hereunto set their hands and seals on the date indicated above.

ATTEST:

SHARON R. BOCK, Clerk & Comptroller

**PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Tony Masilotti, Chairman

WITNESSES:

Anitra Harmon

PALMS WEST CHAMBER OF COMMERCE, INC.

VIVIAN PALMER
Name (Type or Print)

Jean Davis

CEO
Title

Vivian Palmer
Signature

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

APPROVED AS TO TERMS AND CONDITIONS

By: _____
County Attorney

By: Dennis L. Eshleman
Dennis L. Eshleman, Director
Parks and Recreation Department

From: Ana Smith To: 1-561-642-2640 Page: 2/3 Date: 9/19/2005 9:58:10 AM

ALOKA CERTIFICATE OF LIABILITY INSURANCE		08/23/2005
PRODUCER (561)278-0448 FAX (561)278-2391 Weekes & Callaway, Inc. 777 East Atlantic Ave. Ste 300 Delray Beach, FL 33483 Ana Smith	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Palms West Chamber of Commerce P.O. Box 1062 Loxahatchee, FL 33470-1062	INSURERS AFFORDING COVERAGE INSURER A Penn American INSURER B INSURER C INSURER D INSURER E	NAIC #

COVERAGES
 THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE	POLICY EXPIRATION DATE	LIMITS
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN. AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PER SECT <input type="checkbox"/> LOC	PAC6413276	09/07/2005	09/07/2006	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (EA OCCUR) \$ 1,000,000 MED EXP (AN PER PERSON) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP OF AGG \$ 2,000,000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	PAC6413276	09/07/2005	09/07/2006	COMBINED SINGLE LIMIT (As stated) \$ 1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT OTHER THAN AUTO ONLY EA ACC AGG
EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE AGGREGATE
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY BROKER OR PARTNER OR EXECUTIVE OFFICER MEMBER EXCLUDED? (Ees describe under SPECIAL PROVISIONS below)				MC BY ALL TOY LIMITS TOY EB EL EACH ACCIDENT EL DISEASE - EA EMPLOYEE EL DISEASE - POLICY LIMIT
OTHER				

DESCRIPTION OF OPERATION / LOCATION / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 Certificate Holder is listed as additional insured as respects to general liability: Lease Agreement #90-20820, Re: 13901 Southern Blvd, Loxahatchee, FL 33470
 Loxahatchee Groves Park

CERTIFICATE HOLDER Palm Beach County Bd of County Commissioners Dept. of Parks & Recreation Attn: Jean W. Matthews, Park Planner Parks & Recreation Dept. 2700 6th Ave. S. Lake Worth, FL 33461	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE Rose McEwen, CIC/ASMITH <i>Rose McEwen</i>
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PALMS WEST CHAMBER

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PBC REAL ESTATE DEV PREM

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ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)

02/17/06

PRODUCER Boca Raton Division 3839 NW Boca Raton Blvd., #200 Boca Raton, FL. 33431	INSURERS AFFORDING COVERAGE INSURER A: Senith Insurance Company INSURER B: INSURER C: INSURER D: INSURER E:
INSURED Palms West Chamber of Commerce P.O. Box 1062 Loxahatchee, FL. 33470-102	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSURER	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PER OCC. <input type="checkbox"/> LOC				EACH OCCURRENCE \$ FIRE DAMAGE (Any one time) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPROP AGG \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUT OS <input type="checkbox"/> SCHEDULED AUT OS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AU OS				COMBINED SINGLE LIMIT (Per accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
	EXCESS LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	2832534512	03/01/06	03/01/07	INS STAFF/ TORY LIMITS <input type="checkbox"/> OTH- \$ E.L. EACH ACCIDENT \$100000 E.L. DISEASE - EA EMPLOYEE \$100000 E.L. DISEASE - POLICY LIMIT \$500000
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

CERTIFICATE HOLDER Palm Beach County BOCC Property & Real Estate Management Attention: Director 3200 Belvedere Road, Building 1169 West Palm Beach, FL. 33406-1548	ADDITIONAL INSURED: ENDORSEMENT LETTER	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE INSURED INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE: <i>[Signature]</i>
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