

February 6, 2024
8:00 am

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 6, 2024

<u>PAGE</u>	<u>ITEM</u>	
12	3C4	<p>*REVISED SUMMARY / (ENG) / SUMMARY: Approval of the Agreement, Interlocal Agreement, delegation of authority, and Budget Amendment will allow Palm Beach County (County) to receive a grant of \$1,001,000 for the Project with a current estimated construction cost of \$1,362,000 <u>\$1,362,333</u>. The Project will include roadway widening and provide sidewalks with pedestrian lighting on both sides of the roadway. FDOT requested that the County, as a certified LAP entity, enter into the Agreement, on behalf of the Westgate CRA, outlining the responsibilities of the FDOT and the County with respect to the LAP grant for the Project. The local match is \$361,333 which is 26.5% of the estimated Project cost. Approval of the Interlocal Agreement will recognize that the Westgate CRA will be responsible for all costs above the grant amount and maintenance of the improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. <u>Districts 2 & 7 (YBH)</u></p>
13	3C5	<p>*REVISED MOTION/TITLE / (ENG) / Staff recommends motion to approve: Consultant Service Authorization No. 5 (CSA) to the Construction Engineering Inspection Annual Services Contract (R2021-0883) dated July 13, 2021 (Contract) with BCC Engineering, LLC (BCCE) in the amount of \$241,869.75 <u>\$241,869.25</u> for the Half Mile Road, Brook Isles Avenue to Atlantic Avenue (Project).</p>
15	3E1	<p>*REVISED MOTION/TITLE / (COMM SVCS) / Staff recommends motion to:</p> <p>A) ratify the signature of the Mayor on Modification No. 2 of the Federally Funded Subgrant Agreement No. E2016 dated August 16, 2023 with the Florida Department of Commerce (FDOC) formerly known as Florida Department of Economic Opportunity (DEO) for the Period July 1, 2023 to June 30, 2024 to provide economic mobility and economic stability services to low-income households;</p> <p>B) receive and file the following Notice of Grant Award/Fund Availability (NFA) as follows:</p> <ol style="list-style-type: none">NFA (Federal Award Identification Number (FAIN) G-2102FLLWC6, Catalog of Federal Domestic Assistance (CFDA) 93.499) dated June 30, 2023 from FDOC, for Program Year (PY) 2021 (PY21) allocation, in an amount not-to-exceed \$433,549 for the program period July 1, 2023 through September 1, 2023, for the Low-Income Household Water Assistance Program- (LIHWAP);NFA #042976 (FAIN G2302FLLIEE, CFDA 93.568) dated September 12, 2023 from the State of Florida, Florida Department of Commerce (FDOC), for its PY23 allocation, in the amount not-to-exceed \$4,804,793 for the program period July 1, 2023 through September 30, 2024, for the Low-Income Home Energy Assistance Program (LIHEAP);NFA #042948 (FAIN G2302FLLIEA, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not-to- exceed \$3,452,994 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;

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15	3E1	<p>4. NFA #043005 (FAIN G2302FLLIEI, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not-to- exceed \$262,428 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;</p> <p>5. NFA #042658 (FAIN <u>G-2202FLLIEA</u>, G-2202DLLIW, CFDA 93.568) dated October 5, 2023 from FDOC, for PY22 allocation, in an amount not-to-exceed \$4,697,292 for the program period July 1, 2023 through June 30, 2024, for LIHEAP;</p> <p>6. NFA #042716 (FAIN <u>G-2203FLCOSR</u>, G-2203FLOS, CFDA 93.569) dated November 27, 2023 from FDOC, for PY22 allocation, in an amount not-to exceed \$1,192,923 for the program period July 1, 2023 through June 30, 2024, for the Community Services Block Grant (CSBG) program;</p> <p>7. NFA (FAIN G-2102FLLWC6, CFDA 93.499) dated November 27, 2023; and December 7, 2023 from FDOC, to extend the end date from September 30 2023 to February 29, 2024, and increase amount by \$126,519.38 for PY21 allocation, in an amount not-to-exceed \$560,068.38 for LIHWAP; and</p>
36	314	<p>*REVISED SUMMARY / (HED) / City of Riviera Beach / SUMMARY: The 2021 Agreement (R2021-1522) provided \$537,297 in funding for a two (2) year Code Enforcement program, within the City of Riviera Beach. Amendment 002 to the Agreement was necessary due to delays with obtaining the required staff to oversee the program which has impacted the CDBG expenditure requirements. The City has requested that the allocated CDBG funding amount be reduced from \$537,297 to \$294,000. The additional time requested extends the performance requirement to complete the program and request 100% reimbursement of CDBG funds from December 31, 2023 to June 30, 2024. The balance of <u>\$243,297</u> \$234,297 in CDBG funds will be reallocated to the City for a capital improvement project related to a sewer lift line, sewer lift station improvements that will be completed by the CDBG expenditure deadline. The original Agreement was received and filed by the Board of County Commissioners (BCC) on October 19, 2021; Agenda Item 3I-4. Amendment 001 was received and filed by the BCC on October 18, 2022; Agenda Item 3I-1. Amendment 002 was executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with R2021-0948; dated July 13, 2021 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. <u>These are Federal CDBG funds which do not require a local match.</u> District <u>7</u> (HJF)</p>

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

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<u>PAGE</u>	<u>ITEM</u>	
41	3K4	<p>*REVISED SUMMARY / (WUD) / SUMMARY: On February 11, 2020, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0161) with Stantec. CSA No. 5 provides for the resources needed to support the implementation of Capital Improvement Plan projects for one (1) year. The Consultant will provide services throughout the project life cycle of water, wastewater and reclaimed water treatment and transmission projects in the areas of delivery, controls, permitting, communications, and asset management. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 20, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 25% SBE participation which includes 25% M/WBE participation, 22% MBE (B), and 3% WBE. CSA No. 5 includes 52.67% SBE participation, which includes 52.67% M/WBE, 48.12% MBE (B) and 4.55% WBE. The cumulative SBE participation including CSA No. 5 is 38.54% SBE, which includes 38.54% M/WBE participation, 34.97% MBE (B) and 3.57% WBE. Stantec is a New York registered U.S. company whose parent company is domiciled in Canada. Most members of Stantec's project team will be co-located with PBCWUD staff at the Central Region Operations Center from which the majority of the work under CSA No. 5 will be undertaken. Article 2 of the Contract provides for a term of three (3) years with two one (1) year renewal options. On February 7, 2023, the BCC approved Amendment No. 1 (R2023-0164) to the Contract. Amendment No. 2 to the Contract provides for the second of the optional renewals that will provide continuity and the continued effective and efficient implementation of the PBCWUD program implementation process. The renewal will authorize Stantec to continue the program implementation process from February 10, 2024 to February 9, 2025. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 20-010 CSA No. 5 and PBCWUD Project No. 19-028 Contract) <u>Countywide (MWJ)</u></p>
46	3K9	<p>*REVISED SUMMARY / (WUD) / Staff recommends motion to:</p> <p>A) approve a State Revolving Loan (SRF) Program for Drinking Water Facilities Loan Application for Planning and Design for the upgrades to WTP 2, 3, 8 & 9 to remove perfluoroalkyl and polyfluoroalkyl substance (PFAS) Project No. DW-5020C in the amount of \$9,968,768;</p> <p>B) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, relating to the State Revolving Fund for Project No. DW-5020C; and</p> <p>C) delegate authority to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to sign all grant <u>loan</u> application forms and supporting documents, complete all registration requirements, execute the forthcoming grant <u>loan</u> agreement and all future time extensions, task assignments, certifications, and other forms associated with the grant <u>loan</u> agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the grant agreement.</p>

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ADDITIONS, DELETIONS, & SUBSTITUTIONS

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PAGE **ITEM**

47 3K10 ***REVISED SUMMARY / (WUD) / Staff recommends motion to:**

- A) approve** a State Revolving Loan (SRF) Program for Drinking Water Facilities Loan Application Planning and Design for lead service line inventory and replacement of lead service lines Project No. LS-5020B in an estimated amount of \$1,760,000;
- B) adopt** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, relating to the State Revolving Fund for Project No. LS-5020B;
- C) delegate authority** to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to sign all ~~grant~~ loan application forms and supporting documents, complete all registration requirements, execute the forthcoming ~~grant~~ loan agreement and all future time extensions, task assignments, certifications, and other forms associated with the ~~grant~~ loan agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the grant agreement.

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

* * * * *

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

FEBRUARY 6, 2024

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 9 - 60)**

- 4. SPECIAL PRESENTATIONS (Page 61)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 62) - None**

- 6. REGULAR AGENDA (Pages 63 - 67)**

- 7. BOARD APPOINTMENTS (Page 68)**

- 8. STAFF COMMENTS (Page 69)**

- 9. BCC COMMENTS (Page 70)**

- 10. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 71)**

- 11. ADJOURNMENT (Page 72)**

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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- 3C-1 Work Order 2021050-67 with Ranger Construction Industries, Inc. to mill and resurface Palm Beach County maintained residential streets within Palm Beach National Subdivision.

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- 3C-2 Contract with R.J. Behar & Company, Inc. for the professional engineering services for the Cresthaven Blvd. project Buffered Bike Lanes.

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- 3C-3 Work Order 2021050-71 and Work Order 202150-72 with M&M Asphalt Maintenance to mill and resurface Jog Road from Forest Hill Blvd to Summit Blvd., and Pioneer and Jog Road.

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- 3C-4 Local Agency Program agreement with FDOT for improvements to Cherry Road, and an Interlocal Agreement with Westgate Belvedere Homes Community Redevelopment Agency.

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- 3C-5 Consultant Service Authorization No. 5 with BCC Engineering, LLC for the Half Mile Road project.

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- 3D1 Second Amendment with LaBovick & LaBovick, P.A. for legal services relating to personal injury protection insurance claims.

E. COMMUNITY SERVICES

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- 3E1 Ratify the Mayor's signature on Modification No. 2 of Federally Funded Subgrant Agreement with FDOC to provide economic mobility and economic stability services to low-income households, multiple Notice of Grant Awards, and several Budget Amendments.

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3H-5 Work Order no. 24-004 with Florida Mechanical LLC for the West County Courthouse-Rooftop Units Replacement project.

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3H-7 Zero dollar value Change Order No. 2 with Lebolo Construction Management, Inc. for the Glades Pioneer Park Orange Bowl Playground project.

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3I-2 Loan Agreement with Riviera Beach Housing Authority for ARPA Response Replacement Funds.

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SPECIAL PRESENTATIONS - 9:30 A.M.

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4A Black History Month
4B 211 Awareness Week

PUBLIC HEARINGS – 9:30 A.M.

Page 62 - NONE

REGULAR AGENDA

A. PUBLIC SAFETY

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6A-1 Amendment to the Countdown to Zero Resolution extending the target date.

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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E. PARKS AND RECREATION

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F. PALM TRAN

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6F-1 Request for Reinvestment Plan, implementation of Transportation Network Companies and concept of phased implementation plan.

BOARD APPOINTMENTS (Page 68)

STAFF COMMENTS (Page 69)

BCC COMMENTS (Page 70)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 71)

ADJOURNMENT (Page 72)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
December 19, 2023	Regular
January 04, 2024	Zoning

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during December 2023. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2021050-67 in the amount of \$514,000 to mill and resurface the Palm Beach County (County) maintained residential streets within the Palm Beach National Subdivision utilizing the County’s annual asphalt milling and resurfacing contract R2021-0984 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to mill and resurface approximately four miles of residential streets. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. Prior to this meeting date, approximately \$23 million of the \$50 million Ranger Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and 13.37% SBE participation for this work order. Their cumulative SBE participation, including this work order is 13%. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

2. Staff recommends motion to approve:

- A) a contract with R.J. Behar & Company, Inc. (RJB) in the amount of \$922,102.43 for professional engineering services for the Cresthaven Boulevard from Jog Road to Military Trail – Buffered Bike Lanes (Project); and
- B) a Budget Transfer of \$670,000 in the Transportation Improvement Fund from Reserves – Road Program Sweeps to the Project.

SUMMARY: Approval of this contract will provide the professional services necessary for preparation of design plans and construction bid documents to add buffered bike lanes, install two bike/pathway bridges over the Lake Worth Drainage District E-3 Canal, and modify traffic signals for the Project. On November 2, 2022, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) Subcontracting participation and a Minority Business Enterprise Evaluation preference for African American owned firms. RJB agreed to 20% SBE participation for this contract and exceeded it with 25.19%. On June 20, 2023, the Consultant's Competitive Negotiations Act Selection Committee selected RJB and, in accordance with PPM No. CW-O-048, the Board of County Commissioners (BCC) was notified of the selection on June 21, 2023. RJB has an office located in Palm Beach County (County). **This Project is included in the Five-Year Road Program. District 3 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

3. Staff recommends motion to approve:

- A) Work Order 2021050-71 in the amount of \$570,000 to mill and resurface Jog Road from Forest Hill Boulevard to Summit Boulevard utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. d/b/a All County Paving (M&M); and
- B) Work Order 2021050-72 in the amount of \$220,000 to mill and resurface Pioneer Road from the dead end to Jog Road utilizing the County's Contract with M&M.

SUMMARY: Per County PPM CW-F-050, these work orders exceed the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of these work orders will allow the contractual services necessary to mill and resurface approximately one mile of Jog Road's six lanes, and 1.5 miles of Pioneer Road's two lanes. This Contract is one of three contracts with an available cumulative total of \$50 million for the annual asphalt milling and resurfacing program. Prior to this meeting date, approximately \$7 million of the \$50 million M&M Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. On September 8, 2023, the Office of Equal Business Opportunity reduced the mandatory SBE participation from 15% to 11%, based on the findings of the requested waiver and good faith efforts provided by M&M. M&M agreed to 10% SBE participation for these work orders. Their cumulative SBE participation, including these work orders is 10%. **These projects are included in the infrastructure sales tax. Districts 2 & 3 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

4. Staff recommends motion to:

- A) **adopt** a Resolution approving the Local Agency Program (LAP) agreement (Agreement) with the State of Florida Department of Transportation (FDOT) for the improvements to Cherry Road from Military Trail to Quail Drive (Project);
- B) **approve** the Agreement with the FDOT which provides a federally funded grant in the amount of \$1,001,000 for the construction of the Project commencing upon execution of the Agreement by the FDOT with an expiration date of June 30, 2026;
- C) **approve** an Interlocal Agreement with the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for the Westgate CRA to be responsible for all costs above the grant amount and for maintenance of the portion of the Project not located on the State Highway System after construction is complete;
- D) **adopt** a Resolution to delegate to the County Administrator, or designee, the signatory authority on additional forms, certifications, contracts/agreements, and amendments thereto, and any other necessary documents related to the Agreement that do not substantially change the scope of work, terms or conditions of the Agreement; and
- E) **approve** a Budget Amendment of \$1,001,000 in the Capital Outlay Fund to recognize the grant funding from the FDOT and appropriate it to the Project.

SUMMARY: Approval of the Agreement, Interlocal Agreement, delegation of authority, and Budget Amendment will allow Palm Beach County (County) to receive a grant of \$1,001,000 for the Project with a current estimated construction cost of ~~\$1,362,000~~ \$1,362,333. The Project will include roadway widening and provide sidewalks with pedestrian lighting on both sides of the roadway. FDOT requested that the County, as a certified LAP entity, enter into the Agreement, on behalf of the Westgate CRA, outlining the responsibilities of the FDOT and the County with respect to the LAP grant for the Project. The local match is \$361,333 which is 26.5% of the estimated Project cost. Approval of the Interlocal Agreement will recognize that the Westgate CRA will be responsible for all costs above the grant amount and maintenance of the improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. Districts 2 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (cont'd.)

5. Staff recommends motion to approve: Consultant Service Authorization No. 5 (CSA) to the Construction Engineering Inspection Annual Services Contract (R2021-0883) dated July 13, 2021 (Contract) with BCC Engineering, LLC (BCCE) in the amount of ~~\$241,869.75~~ \$241,869.25 for the Half Mile Road, Brook Isles Avenue to Atlantic Avenue (Project). **SUMMARY:** Approval of this CSA will provide the professional services necessary to provide Construction Engineering Inspection (CEI) services to oversee the construction of roadway, sidewalk, storm drain, and turn lane improvements for the Project. On November 6, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives of a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. BCCE agreed to 30% SBE participation for the Contract. They agreed to 30.06% SBE participation for this CSA. BCCE has an office located in Palm Beach County (County). **This Project is included in the Five-Year Road Program. District 5** (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: Second Amendment to Contract for Professional Legal Services (Contract) with LaBovick & LaBovick, P.A., dba LaBovick Law Group, for legal services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transport services. This Second Amendment renews the Contract for the period from April 1, 2024 through March 31, 2025, with no remaining renewal options. No payment shall be made by County; however, the law firm shall retain interest, penalties, postage and/or attorney's fees and costs paid by insurers in related PIP demands or litigation. **SUMMARY:** On April 2, 2019, pursuant to a Request for Proposals, the County entered into the Contract with LaBovick & LaBovick, P.A. for legal services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transports. The original Contract term was from April 2, 2019 through March 31, 2023, with two (2) one-year renewal options under the same terms and conditions. The First Amendment dated December 20, 2022, exercised the first renewal option to renew the Contract for the period from April 1, 2023 through March 31, 2024, under the same terms and conditions. This Second Amendment exercises the second renewal option to renew the Contract for the period from April 1, 2024 through March 31, 2025, under the same terms and conditions, with no remaining renewal options. The law firm represents the County on an on-going basis in the statutory process to make demand, and where appropriate file suit, against PIP insurers to maximize the recovery of unpaid or underpaid PIP benefits for Fire Rescue auto-related emergency transports. The law firm works directly with Fire Rescue's emergency transport third-party billing vendor to review all PIP insurance claims that were not paid in full. The law firm has legal expertise in PIP and medical billing, and a specialized information technology system, to handle the large volume of PIP claims generated by Fire Rescue's emergency transports. No payments are made by the County to the law firm. However, the law firm retains any attorney's fees and costs paid by insurers as negotiated by the firm or awarded in litigation, as well as interest, penalties and postage paid under the PIP statute, provided the County has received full payment of all PIP benefits due or has duly authorized the settlement or compromise of a PIP claim. Countywide (SB)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) ratify the signature of the Mayor on Modification No. 2 of the Federally Funded Subgrant Agreement No. E2016 dated August 16, 2023 with the Florida Department of Commerce (FDOC) formerly known as Florida Department of Economic Opportunity (DEO) for the Period July 1, 2023 to June 30, 2024 to provide economic mobility and economic stability services to low-income households;

B) receive and file the following Notice of Grant Award/Fund Availability (NFA) as follows:

1. NFA (Federal Award Identification Number (FAIN) G-2102FLLWC6, Catalog of Federal Domestic Assistance (CFDA) 93.499) dated June 30, 2023 from FDOC, for Program Year (PY) 2021 (PY21) allocation, in an amount not-to-exceed \$433,549 for the program period July 1, 2023 through September 30, 2023, for the Low-Income Household Water Assistance Program- (LIHWAP);
2. NFA #042976 (FAIN G2302FLLIEE, CFDA 93.568) dated September 12, 2023 from the State of Florida, Florida Department of Commerce (FDOC), for its PY23 allocation, in the amount not-to-exceed \$4,804,793 for the program period July 1, 2023 through September 30, 2024, for the Low-Income Home Energy Assistance Program (LIHEAP);
3. NFA #042948 (FAIN G2302FLLIEA, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not-to- exceed \$3,452,994 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;
4. NFA #043005 (FAIN G2302FLLIEI, CFDA 93.568) dated September 12, 2023 from FDOC, for PY23 allocation, in the amount not-to- exceed \$262,428 for the program period July 1, 2023 through September 30, 2024, for LIHEAP;
5. NFA #042658 (FAIN ~~G-2202DLLIW~~ G-2202FLLIEA, CFDA 93.568) dated October 5, 2023 from FDOC, for PY22 allocation, in an amount not-to- exceed \$4,697,292 for the program period July 1, 2023 through June 30, 2024, for LIHEAP;
6. NFA #042716 (FAIN ~~G-2203FLOS~~ G-2203FLCOSR, CFDA 93.569) dated November 27, 2023 from FDOC, for PY22 allocation, in an amount not-to exceed \$1,192,923 for the program period July 1, 2023 through June 30, 2024, for the Community Services Block Grant (CSBG) program;
7. NFA (FAIN G-2102FLLWC6, CFDA 93.499) dated November 27, 2023; and December 7, 2023 from FDOC, to extend the end date from September 30 2023 to February 29, 2024, and increase amount by \$126,519.38 for PY21 allocation, in an amount not-to-exceed \$560,068.38 for LIHWAP; and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **C) approve a** Budget Amendment in the amount of \$8,562,676 in the LIHEAP fund to align the budget to the actual grant award; and

D) approve a Budget Amendment in the amount of \$97,925 in the CSBG fund to align the budget to the actual grant award.

SUMMARY: On June 15, 2021, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Federally Funded Subgrant Umbrella Agreement #E2016 (R2021-0783) with the FDOC, for the period October 1, 2020 through September 30, 2023, for the LIHEAP, LIHWAP and CSBG programs. This agreement was amended on August 16, 2023, to update the effective date to July 1, 2023 and extend the end date to June 30, 2024, and change the name of the Florida Department of Economic Opportunity to Florida Department of Commerce. Under the terms of the new umbrella agreement, FDOC will issue an NFA for each program award, and issue amendments to NFA's for any changes. These NFAs were issued to add or increase funding. Electric and water bill assistance will be provided to approximately 13,250 low-income individuals and 5,300 families. In Federal Fiscal Year (FFY) 2022, 7,738 households obtained electric bill assistance. **No County match is required.** (Community Action Program) Countywide (HH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** Annual Report for the Fiscal Year ending September 30, 2022 from the Lake Worth Beach Community Redevelopment Agency (LWB CRA). **SUMMARY:** The LWB CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2022 as per section number 163.356(3)(d), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an Interlocal Agreement (“Agreement”) with the Palm Beach County Supervisor of Elections (“Participant”), allowing for direct access to the County’s Public Safety Radio System (“System”) from February 6, 2024 through February 5, 2029, with revenue fees totaling \$121,223.55 for fiscal year 2024. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies where connection through an established municipal hub is not technically feasible. The Agreement requires that the Participant pay a one-time \$3,000/unit access or capacity charge as well as annual fees of \$300/unit towards the renewal and replacement fund and \$163.53/unit towards maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. In addition, the Participant is required to pay all costs associated with Participant’s subscriber units and to comply with the established operating procedures for the System. The term of the Agreement provides for an initial term of five (5) years with two (2) renewal options, each for a period of five (5) years. This Agreement may be terminated by either party, with or without cause, on October 1st of any year, with a minimum of six months’ notice. **(ESS) Countywide** (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

2. Staff recommends motion to approve: Amendment No. 4 to License Agreement #2276 with South Florida Fair & Palm Beach County Expositions, Inc. for the continued use of 7,080 SF of storage space located at 9067 Southern Blvd. in West Palm Beach retroactively extending the term for an additional year from January 1, 2024 through December 31, 2024 at a rental rate of \$325 per day and utilities at \$900 per month. **SUMMARY:** On December 29, 2020, the County Administrator executed License Agreement #2276 with South Florida Fair & Palm Beach County Expositions, Inc. (Fair) for warehouse space at the Fairground to store emergency supplies related to the COVID-19 emergency. The current term expired on December 31, 2023. Fire Rescue has requested a twelve (12) month extension as it is still in need of storage space for supplies including but not limited to: Personal Protective Equipment (PPE), Self-Contained Breathing Apparatus equipment, hurricane preparedness supplies, Community Risk Reduction Division program equipment, and supplies for the regular use of the fire stations; the Fair has agreed to the extension. This Amendment No. 4 will retroactively extend the term from January 1, 2024 through December 31, 2024. The rental rate will remain unchanged but the utility cost will increase from \$600 to \$900 per month. All other terms of the License Agreement remain unchanged. Fire Rescue will continue to have administrative responsibility for this License Agreement. This License Agreement is exempt from public disclosure pursuant to Sections 119.071(3) (a) and 286.011, Florida Statutes. **(Property & Real Estate Management)**
District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

3. Staff recommends motion to receive and file: zero-dollar value (\$0) Change Order No. 3 Contingency Use Directive (CUD) No. 3 documenting an increase to the project duration by 67 calendar days and a decrease in the amount of \$5,455 to the contingency fund of Amendment No. 9 (R2023-0085) to the continuing Construction Manager (CM) at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. for the Lantana/Lake Worth Health Center-Customer Service Counter project. **SUMMARY:** On January 24, 2023, the Board of County Commissioners (Board) approved Amendment No. 9 (R2023-0085) to the continuing CM at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. in the amount of \$262,934, establishing a Guaranteed Maximum Price (GMP) for construction management services to remodel the Lantana/Lake Worth Health Center to bring the customer service area into compliance with the Americans with Disabilities Act (ADA). Change Order No. 3 to Amendment No. 9 (Change Order No. 3) authorizes the use of contingency funds for unforeseen field conditions requiring additional services for the Lantana/Lake Worth Health Center-Customer Service Counter project, as allowed by the contract provisions. Change Order No. 3 also increases the project duration by 67 calendar days as a result of the additional services for unforeseen field conditions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 3 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. Amendment No. 9 was competitively solicited by Lebolo Construction Management, Inc. utilizing the federal requirements provided by the Department of Housing and Economic Development (DHED). The County's Equal Business Opportunity Program does not apply to federally funded contracts. Under the federal requirements, this project has an established Equal Employment Opportunity (EEO) minority participation goal of 22.4%, of which 6.9% is female participation. **The funding source for this project is the Infrastructure Sales Tax (IST) Fund and the Public Building Improvement Fund. (Capital Improvements Division) District 7 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

4. Staff recommends motion to approve: Change Order No. 6 to Amendment No. 7 (R2021-1605) to the continuing Construction Manager (CM) at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. for the Medical Examiner's Facility Renovation project in the amount of \$253,907.92, increasing the project duration by 288 calendar days. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved Amendment No. 7 (R2021-1605) to the continuing CM at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. in the amount of \$891,103 establishing a Guaranteed Maximum Price (GMP) for construction management services for the renovation of the Medical Examiner's Facility. The project includes interior and exterior renovations to the facility, which will assist in supporting the additional need for two new forensic investigators. Change Order No. 6 to Amendment No. 7 (Change Order No. 6) authorizes the additional labor and materials necessary for the removal and replacement of the chilled water air handling unit at the Medical Examiner's Administration Building. The new chilled water air handling unit will support the functions at the Medical Examiner's Administration Building only. Change Order No. 6 also increases the project duration by 288 calendar days due to the long lead time of materials procurement, delivery and installation of the new chilled water air handling unit. The continuing CM at Risk Services contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of 10 points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the contract. SBE participation for this change order is 76.43%. To date, the overall SBE participation on this project is 46%. Robling Architecture Construction, Inc. is a local business. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 3 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

5. Staff recommends motion to approve: Work Order No. 24-004 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0021) with Florida Mechanical LLC (Contractor) in the amount of \$1,597,526 for the West County Courthouse-Rooftop Units Replacement project for a period of 450 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to remove and replace seven (7) rooftop units (RTUs)/air handler units (AHUs) at the West County Courthouse Facility. The existing equipment is original to the building construction and has outlived its useful life. The new RTUs/AHUs will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 450 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$180 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local firm. There is no SBE participation on this work order. To date, the overall SBE participation on the annual HVAC contract is 51.11%. **Funding for this project is from the ARPA Response Replacement funds that do not require a local match. (Capital Improvements Division) District 6 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

6. Staff recommends motion to approve: Work Order No. 24-002 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract (R2020-0019) with Cedars Electro-Mechanical, Inc. (Contractor) in the amount of \$299,815 for the Governmental Center, 4th Floor-AHU 4N Replacement project for a period of 180 calendar days from notice to proceed. **SUMMARY:** The work consists of furnishing all labor, equipment, devices, tools, materials, transportation, professional services, supervision, drawings, permitting and all miscellaneous requirements necessary to replace the 4th floor air handler unit (AHU) 4N and associated dampers at the Governmental Center. The existing equipment is original to the building construction and has outlived its useful life. The new AHU will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 180 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual HVAC contract was presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The Contractor is a local and SBE certified firm. The SBE participation on this work order is 80.89%. To date, the overall SBE participation on the annual HVAC contract is 55.45%. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 7** (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

7. Staff recommends motion to receive and file: a zero-dollar value (\$0) Change Order No. 2 Contingency Use Directive (CUD) No. 1 documenting a decrease in the amount of \$30,667 to the contingency fund of Amendment No. 10 to the continuing Construction Manager (CM) at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. for the Glades Pioneer Park Orange Bowl Playground project. **SUMMARY:** On January 10, 2023, the BCC authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute Amendment No. 10 to procure the long-lead time new playground equipment in an amount not to exceed \$1,167,389. On February 1, 2023, the Director of FDO approved Amendment No. 10 to the continuing CM at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. in the amount of \$1,167,389, establishing a Guaranteed Maximum Price (GMP) for construction management services to coordinate, procure and install the new playground, which will replace the existing outdated playground located at Glades Pioneer Park, adjacent to the Orange Bowl field. Change Order No. 2 to Amendment No. 10 (Change Order No. 2) authorizes the use of contingency for subcontractor buyout reconciliation for playground equipment for the Glades Pioneer Park Orange Bowl Playground project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 2 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. Amendment No. 10 was competitively solicited by Lebolo Construction Management, Inc. utilizing the federal requirements provided by the Department of Housing and Economic Development (DHED). The County's Equal Business Opportunity Program does not apply to federally funded contracts. Under the federal requirements, a minority participation goal of 22.4% and female participation goal of 6.9% has been established. Funding for this project is from the Park Improvement Fund. **(Capital Improvements Division) District 6** (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

8. Staff recommends motion to receive and file: Consultant Services Authorization (CSA) No. 29 to the project specific contract (R2015-1459) with Leo A. Daly Company (Consultant) in the amount of \$49,410 for the Detention Facilities Renewal and Replacement (R/R) Main Detention Center (MDC) Courtyard Area Mezzanine Walkway and Canopy project. **SUMMARY:** On October 20, 2015, the Board of County Commissioners (Board) approved the project specific contract (R2015-1459) with the Consultant to provide professional services for various renewal/replacement (R/R) projects at County Detention Facilities. CSA No. 29 authorized professional services associated with the R/R of the existing 2nd floor exterior mezzanine walkways and canopies in the courtyard between Buildings A and B in the amount of \$49,410. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, when the cumulative value of changes or additional work exceeds the greater of \$250,000 or 5% of the original contract value (Threshold Amount), then an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. The cumulative value of CSAs, including CSA No. 29, totals \$263,333.12. This agenda item is being submitted to notify the Board that CSA No. 29 puts the cumulative value of additional work in excess of the \$250,000 Threshold Amount established by PPM CW-F-050. The Consulting Services/Design Professional Services contract for the Detention Facilities R/R projects was awarded under the Small Business Enterprise (SBE) Ordinance in place at the time with an SBE participation goal of 15%. There is no SBE participation on this CSA. Cumulative SBE participation on the contract is 24.30%. The Consultant is a Palm Beach County Business. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 3 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

9. Staff recommends motion to receive and file:

- A) zero-dollar value (\$0) Change Order No. 2 Contingency Use Directive (CUD) No. 1 documenting a decrease in the amount of \$51,888.13 to the contingency fund of Amendment No. 8 to the continuing Construction Manager (CM) at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. for the C.L. Brumback Health Center Renovations project; and
- B) zero-dollar value (\$0) Change Order No. 3 CUD No. 2 documenting an increase to the project duration by 71 calendar days and a decrease in the amount of \$40,110.96 to the contingency fund of Amendment No. 8 to the continuing CM at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. for the C.L. Brumback Health Center Renovations project.

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

9. **SUMMARY:** On June 14, 2022, the Board of County Commissioners (Board) approved Amendment No. 8 (R2022-0592) to the continuing CM at Risk Services contract (R2018-1161) with Lebolo Construction Management, Inc. in the amount of \$919,558, establishing a Guaranteed Maximum Price (GMP) for construction management services necessary for renovations to the interior of the first floor public restrooms at the C. L. Brumback Health Center, and interior renovations at the Youth Services facility to include a new counter equipped with a sink, new doors, new ceiling tiles, new flooring, new restroom fixtures, and new light fixtures. The improvements are required in order to bring the facility into compliance with the Americans with Disabilities Act (ADA) and in order to provide a better layout to more efficiently serve the needs of Youth Services. Change Order No. 2 to Amendment No. 8 (Change Order No. 2) authorizes the use of contingency for subcontractor buyout reconciliation and unforeseen field conditions requiring additional services required for the C.L. Brumback Health Center Renovations project, as allowed by the contract provisions. Change Order No. 3 to Amendment No. 8 (Change Order No. 3) authorizes the use of contingency for subcontractor's scope gap, unforeseen field conditions requiring additional services required for the C.L. Brumback Health Center Renovations project, as allowed by the contract provisions. Change Order No. 3 also increases the project duration by 71 calendar days as a result of the additional services for unforeseen field conditions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Orders No. 2 and No. 3 are \$0 CUD Change Orders. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. Amendment No. 8 was competitively solicited by Lebolo Construction Management, Inc. utilizing the federal requirements provided by the Department of Housing and Economic Development (DHED). The County's Equal Business Opportunity Program does not apply to federally funded contracts. Under the federal requirements, a minority participation goal of 22.4% and female participation goal of 6.9% has been established. Funding for this project is from the Public Building Improvement Fund. **(Capital Improvements Division) District 6 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

10. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 9 to the continuing architectural/engineering consulting services contract (R2019-1898) with Architecture Green LLC (Consultant) in the amount of \$213,849.19 for the North County Aquatic Complex-Pool Renovation and New Splash Pad project (Project). **SUMMARY:** On December 17, 2019, the Board of County Commissioners (Board) approved the continuing architectural/engineering consulting services contract (R2019-1898) with the Consultant to provide architectural/engineering services for various projects. The Parks and Recreation Department desires to renovate the existing 50 meter pool/dive well and construct a splash pad area to better serve the users of the North County Aquatic Complex Facility. Under CSA No. 9, the Consultant will provide the professional services (i.e. design, construction document preparation, permitting and construction administration services) necessary for the Project. The continuing architectural/engineering consulting services contract was presented to the Goal Setting Committee on August 7, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 20% Small Business Enterprise (SBE) participation and an SBE evaluation preference for the selection. The Consultant committed to achieving an SBE goal of 100%. The SBE participation on this CSA is 64.18%. To date, the cumulative SBE participation on the contract is 86.99%. The Consultant is a local and SBE certified firm. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 1** (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

11. Staff recommends motion to approve: Work Order No. 24-002 to the annual fire alarm repair and replacement contract (R2020-0568) with Fire and Security Solutions Inc. (Contractor) in the amount of \$1,408,360 for the Southern Region Water Reclaim-Alarm Replacement (Re-bid) project for a period of 730 calendar days from notice to proceed. **SUMMARY:** The project consists of replacing the fire alarm system at the South Region Water Reclaim Facility. The existing fire alarm system is obsolete and needs to be replaced. Work Order No. 24-002 authorizes the construction services necessary to furnish all labor, equipment, devices, tools, materials, transportation, supervision, drawings, permitting and all miscellaneous requirements necessary to replace the fire alarm system at the Southern Region Water Reclaim Facility. The new fire alarm system will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 730 calendar days from notice to proceed to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$120 per day. This work order was solicited pursuant to the annual fire alarm repair and replacement contract and the requirements of the Equal Business Opportunity (EBO) Ordinance. The annual fire alarm repair and replacement contract was presented to the Goal Setting Committee on November 20, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference for projects \$100,000 or greater if its bid is within 10% of the lowest non-small business bid. Since this project is over \$100,000, the SBE price preference API was applied. The SBE participation for this Work Order is 100%. To date, the overall SBE participation on the annual fire alarm repair and replacement contract is 95.22%. The Contractor is a Palm Beach County business and an SBE certified firm. Funding for this project is from the WUD Operation & Maintenance Fund. **(Capital Improvements Division) District 5 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

12. Staff recommends motion to receive and file: a zero-dollar value (\$0) Change Order No. 1 Contingency Use Directive (CUD) No. 1 documenting a decrease in the amount of \$1,950 to the contingency fund of Amendment No. 9 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. for the Herman Brice Complex-Power Main Building and Apparatus Room Generator project. **SUMMARY:** On October 18, 2022, the Board of County Commissioners (Board) approved Amendment No. 9 (R2022-1242) to the continuing CM at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. in the amount of \$1,813,961, establishing a Guaranteed Maximum Price (GMP) for construction management services necessary to modify the existing electrical system to integrate the main building and apparatus room, at the Herman Brice facility, onto the existing generator power supply. The work allows for the existing generator to produce sufficient power supply to power the entire Herman Brice complex during power outages. Change Order No. 1 to Amendment No. 9 (Change Order No. 1) authorizes the use of contingency funds for unforeseen field conditions requiring additional landscape services for the Herman Brice Complex-Power Main Building and Apparatus Room Generator project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 1 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. The continuing CM at Risk Services contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference of 10 points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the continuing contract. The SBE participation for this change order is 100%. To date, the overall SBE participation on this project is 3.03%. Robling Architecture Construction, Inc. is a local firm. Funding for this project is from the Fire Rescue Improvement Fund. **(Capital Improvements Division) District 2 (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

13. Staff recommends motion to receive and file: a zero-dollar value (\$0) Change Order No. 2 Contingency Use Directive (CUD) No. 1 documenting a decrease in the amount of \$8,756.84 to the contingency fund of Amendment No. 2 to the continuing Construction Manager (CM) at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. for the Dubois Pineapple Packing House (Pineapple House) Restoration project. **SUMMARY:** On March 9, 2021, the Board of County Commissioners (Board) approved Amendment No. 2 (R2021-0332) to the continuing CM at Risk Services contract (R2020-1690) with Robling Architecture Construction, Inc. in the amount of \$437,992, establishing a Guaranteed Maximum Price (GMP) for construction management services necessary for the restoration of the historic Pineapple House including restoring the roof, which is at the end of its useful life; wood framing repairs; new windows; new doors; new electrical utilities, including a new Heating Ventilation and Air Condition (HVAC) system and the relocation of the historic Pineapple House to approximately 100 yards south of its current location in the park, so that it is no longer in a flood zone. Change Order No. 2 to Amendment No. 2 (Change Order No. 2) authorizes the use of contingency funds for subcontractor's scope gap and additional services required for the Pineapple House Restoration project, as allowed by the contract provisions. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, Lead Departments are authorized to approve \$0 Change Orders associated with a CUD (CUD Change Orders), then an agenda item notifying the Board of such \$0 Change Orders must be presented as a receive and file. Change Order No. 2 is a \$0 CUD Change Order. This agenda item is being submitted to notify the Board of a \$0 CUD Change Order established by PPM CW-F-050. The continuing CM at Risk Services contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a small business enterprise (SBE) evaluation preference of 10 points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the continuing contract. There is no SBE participation for this change order. To date, the overall SBE participation on this project is 9.33%. Robling Architecture Construction, Inc. is a local business. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) District 1** (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

14. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 3 to the consulting services/design professional services contract (R2021-0491) with Florida Transportation Engineering, Inc. (Consultant) in the amount of \$288,912.82 for the Sports Field Synthetic Turf Installation project. **SUMMARY:** On April 20, 2021, the Board of County Commissioners (Board) approved the consulting services/design professional services contract (R2021-0491) with the Consultant to provide consulting services/design professional services for the Sports Field Synthetic Turf Installation project. This item will authorize professional services for CSA No. 3 for the Sports Field Synthetic Turf Installation project. The Parks and Recreation Department desires to install synthetic turf at nine (9) County owned parks at various locations throughout the County (i.e., Buttonwood Park, Caloosa Park, Samuel Friedland Park, Dyer Park, Glades Pioneer Park, John Prince Triplex, Logger's Run Park, West Boynton Park and Westgate Park). Under CSA No. 3, the Consultant will provide professional services (i.e., design and construction administration phase services) necessary for the installation of synthetic turf, along with associated improvements including fencing at each park and field (except Logger's Run Park), sidewalks to meet Americans with Disabilities Act (ADA) requirements at Dyer Park, and various improvements (i.e., bleachers, restrooms, dugouts and a storage building) at John Prince Triplex. The project was presented to the Goal Setting Committee on February 5, 2020. The Committee established Affirmative Procurement Initiatives (APIs) of a Small Business Enterprise (SBE) evaluation preference of up to 15 points for the selection of the consultant and a minimum mandatory contract goal of 25% SBE participation. The consultant has committed to 32% SBE participation for this contract. The SBE participation for this CSA is 71.13%. To date, the overall SBE participation on this contract is 26.78%. **Funding for this project is from the Infrastructure Sales Tax Fund. (Capital Improvements Division) Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

15. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County for a water meter, a back flow preventer, a fire hydrant, and appurtenant equipment to service the Central County Housing Resource Center (aka Homeless Resource Center 2) located at 3660 Lake Worth Road in unincorporated Palm Beach County. **SUMMARY:** The Central County Housing Resource Center (aka Homeless Resource Center 2, HRC2) is located south of the Mid-County Senior Center between Gulfstream Road and Coconut Road in unincorporated Palm Beach County. During the development of HRC2, a water meter, a back flow preventer, a fire hydrant and appurtenant equipment were connected to existing improvements to service the new facility. Palm Beach County Water Utilities Department (WUD) requires the Easement to document the existence and location of its water meter, back flow preventer, fire hydrant and appurtenant equipment. The Easement encompasses an area 20 feet by 35 feet, containing approximately 700 square feet (0.02 acre), and an area 15 feet by 30 feet, containing approximately 450 square feet (0.01 acre). The Easement will be recorded to provide public notice of its existence and location. There is no fiscal impact associated with the approval of this item. **(Property & Real Estate Management)**
District 3 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file:

- A) a Loan Agreement with CP Renaissance, LLC for HOME Investment Partnership Program (HOME) funds in the amount of \$735,000; and
- B) a Loan Agreement with CP Renaissance, LLC for ARPA Response Replacement Funds in the amount of \$2,358,001.

SUMMARY: The Loan Agreements with CP Renaissance, LLC provided \$735,000 in HOME funding, and \$2,358,001 in ARPA Response Replacement Fund toward the construction of Coleman Park Renaissance, a 43-unit multifamily rental development located between 22nd Street and State Street along Tamarind Avenue in West Palm Beach. This project will provide a total of twenty-three (23) County assisted units, eleven (11) of which will be provided to persons with incomes at 80% of the Area Median Income or below, and twelve (12) will be provided to persons with incomes at 50% of the Area Median Income or below for no less than 50 years. Total development cost is \$19,146,252. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 6C-3 and 5C-1, as approved by the BCC on September 14, 2021 and January 10, 2023 respectively that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. Agenda Item 6C-3 dated September 14, 2021 awarded HOME funds to successful respondents to Request for Proposal HED.2021.2, and Agenda Item 5C-1 dated January 10, 2023, awarded ARPA funds to successful respondents to Notice of Funding Availability HED.2022.2. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **HOME Program grant funds are Federal funds which require a 25% local match provided by SHIP funds. These are from the County ARPA Response Replacement Fund that do not require a local match.** District 7 (HJF)

FEBRUARY 6, 2024

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

2. Staff recommends motion to receive and file: a Loan Agreement with Riviera Beach Housing Authority for ARPA Response Replacement Funds in the amount of \$409,500. **SUMMARY:** The Loan Agreement with Riviera Beach Housing Authority, provided \$409,500 in ARPA Response Replacement Funds toward the construction of a 4-unit multifamily rental development located at 415 West Blue Heron Boulevard in Riviera Beach. All County assisted units will be provided to persons with incomes at 50% of the Area Median Income or below for no less than 50 years. Total development cost is \$819,000. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Agenda Item 5C-1, as approved by the BCC on January 10, 2023 that delegated authority to the County Administrator or designee to execute agreements, amendments thereto, and all other related documents necessary for project implementation. Agenda Item 5C-1 dated January 10, 2023, awarded ARPA funds to successful respondents to Notice of Funding Availability HED.2022.2. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are from the County ARPA Response Replacement Fund that do not require a local match.** District 7 (HJF)

FEBRUARY 6, 2024

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

3. Staff recommends motion to receive and file: Amendment 002 to Agreement (R2022-1369) with the Town of Lake Clarke Shores, dated September 26, 2022, in the amount of \$737,000 funded under various Fiscal Years for the Community Development Block Grant (CDBG) program, to extend the Agreement completion date from December 31, 2023 to June 30, 2024. **SUMMARY:** The 2022 Agreement (R2022-1369) provided \$737,000 in funding for installation of a grinder pump station and sewer

force main located in easements over private property and in the public right-of-way of Lake Clarke Drive and Carandis Road. Amendment 002 to the Agreement was necessary to extend the time to complete construction from November 30, 2023 to May 31, 2024 and allow the Town additional time to request 100% reimbursement of CDBG funds hereby extending timeline from December 31, 2023 to June 30, 2024. The original Agreement was received and filed by the Board of County Commissioners (BCC) on November 15, 2022; Agenda Item 3I-3. Amendment 001 was received and filed by the BCC on April 18, 2023; Agenda Item 3I-3. Amendment 002 was executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with R2022-0746; dated July 12, 2022 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 2 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

4. Staff recommends motion to receive and file: Amendment 002 to the Agreement (R2021-1522) with the City of Riviera Beach, dated October 1, 2021, in the amount of \$537,297 funded under the Community Development Block Grant (CDBG) program, to reduce the CDBG funding amount from \$537,297 to \$294,000 and extend the performance timeline for program completion date from December 31, 2023 to June 30, 2024. **SUMMARY:** The 2021 Agreement (R2021-1522) provided \$537,297 in funding for a two (2) year Code Enforcement program, within the City of Riviera Beach. Amendment 002 to the Agreement was necessary due to delays with obtaining the required staff to oversee the program which has impacted the CDBG expenditure requirements. The City has requested that the allocated CDBG funding amount be reduced from \$537,297 to \$294,000. The additional time requested extends the performance requirement to complete the program and request 100% reimbursement of CDBG funds from December 31, 2023 to June 30, 2024. The balance of ~~\$234,297~~ \$243,297 in CDBG funds will be reallocated to the City for a capital improvement project related to a sewer lift line, which will be completed by the CDBG expenditure deadline. The original Agreement was received and filed by the Board of County Commissioners (BCC) on October 19, 2021; Agenda Item 3I-4. Amendment 001 was received and filed by the BCC on October 18, 2022; Agenda Item 3I-1. Amendment 002 was executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with R2021-0948; dated July 13, 2021 that delegated authority to the County Administrator or designee to execute forms, certifications, funding agreements, amendments thereto, and all other documents necessary for implementation of the Consolidated Plan, Action Plan, CDBG, HOME and ESG activities. County PPM CW-O-051 provides that all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

5. Staff recommends motion to:

- A) **approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the total amount of \$108,601 to Riviera Beach Community Development Corporation (RBCDC);
- B) **authorize** the Mayor to execute a Certificate of Award to be released to RBCDC pursuant to IFAHAP Guidelines;
- C) **approve** a Budget Transfer of \$92,009 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for RBCDC;
- D) **approve** a Budget Transfer of \$10,507 in Impact Fee Assistance Program – Parks Zone 1 to appropriate funds for RBCDC; and
- E) **approve** a Budget Transfer of \$6,085 in Impact Fee Assistance Program – Public Building to appropriate funds for RBCDC.

SUMMARY: On October 6, 2023, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$1,372,640 in IFAHAP funding available from Palm Beach County's Fiscal Year 2023 allotment funding cycle. RBCDC submitted an application for \$108,602.49 in response to the NOFA. Staff recommends that up to \$108,601 be provided as a credit for impact fees associated with the construction of 28 for-sale townhomes located on Avenue J east of the FEC railroad tracks in the City of Riviera Beach. RBCDC will be given credits for Roads Zone 1 Impact Fees (\$92,009), Parks Zone 1 (\$10,507), and Public Building Impact Fees (\$6,085) for the construction of the Villas at Solana project. RBCDC will pay impact fees above the allocated \$108,601. The Certificate of Award and related documents will be issued to RBCDC and its successors and/or assigns. According to IFAHAP requirements, the units will be sold to persons with income at or below 140% of Area Median Income. The assisted units will be restricted to remain affordable for 30 years. These funds are from interest earned by the Impact Fee Fund. District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (cont'd.)

6. Staff recommends motion to receive and file: A Purchase Agreement for State Tax Credits for the sale of Voluntary Cleanup Tax Credits (VCTC) to Ozark Automotive Distributors, Inc. **SUMMARY:** Under the Purchase Agreement for State Tax Credits, Ozark Automotive Distributors, Inc. purchased the tax credit certificate worth \$85,317.50 under the VCTC Program. The purchase price of the certificate was \$80,198.45. After payment of the brokerage commission, the County will receive \$75,079.40 which will be used to replenish the County's Brownfields Revolving Loan Fund. The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED), per signatory authority of April 30, 2018, in accordance with Agenda item 3I-3, and Resolution R2015-1793 as approved by the BCC on December 15, 2015 and April 10, 2018, respectively. **The VCTC Program does not require a local match.** Countywide (DB)

K. WATER UTILITIES

1. Staff recommends motion to approve: Work Order (WO) No. 5 to the 2022 Pipeline Continuing Construction Contract (Continuing Contract) with Hinterland Group Inc., (Contractor) for the Critical Facilities and Single Feed Community Improvements Phase 1 (Project) in the amount of \$1,439,489.45. **SUMMARY:** On May 16, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Continuing Contract (R2023-0676) with Contractor. WO No. 5 provides for the installation of approximately 8,200 linear feet of 12-inch water main along 110th Avenue North, from the M Canal to Orange Boulevard which provides a redundant water main to minimize the risk of service interruption. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 8, 2022, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.96% SBE participation, which includes 5.85% MBE participation, 5.85% MBE (H). WO No. 5 includes 22.55% SBE participation, which includes 0% MBE participation, 0% MBE (H). The cumulative SBE participation including WO No. 5, is 14.70% SBE, which includes 1.49% MBE participation, 1.49% MBE (H). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 21-041) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Wastewater Engineering Services (Contract) with Hazen and Sawyer, P.C. (Consultant) for Owner's Representative Services During Construction for Green Cay Phase 2 Progressive Design-Build (Project) for a not to exceed amount of \$1,507,796.88. **SUMMARY:** On December 5, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-1785) with Consultant. The Project includes the construction of a new Water Purification Facility (WPF) located at the Southern Region Water Reclamation Facility (SRWRF) capable of treating two (2) million gallons per day (MGD) of purified water, a new state-of-the-art education/learning facility co-located with the WPF, a new sixty-three (63) acre public park with purified waterways located at the corner of Jog and Flavor Pict Roads, two (2) new surficial aquifer production water wells and associated water transmission lines. To support execution of the Project, CSA No. 1 provides for owner's representative services during construction including, but not limited to, construction management services, field observations, contract administration. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 5, 2023, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by African American owned firms. The Contract provides for 32% SBE participation, which includes 32% M/WBE participation, 20% MBE (B), 7% MBE (A), and 5% WBE. CSA No. 1 includes 0% SBE participation, which includes 0% M/WBE, 0% MBE (B), and 0% WBE. While Consultant is headquartered in New York, New York, they maintain an office in Palm Beach County from which the majority of the work under this CSA will be performed. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 20-036) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

3. Staff recommends motion to approve: Amendment No. 1 to the Consulting/Professional Services System-Wide Force Main Evaluation (Contract) with CDM Smith Inc., (CDM) providing for the renewal of the contract for one (1) year. **SUMMARY:** On February 9, 2021, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0240) with CDM. Amendment No. 1 provides consulting/professional engineering, surveying, field testing, and condition assessment of wastewater force main pipes. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 4, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. CDM has met the established API. The Contract provides for 22% SBE participation, which includes 22% MBE participation, 14% MBE (B) and 8% MBE (A). Article 2 of the Contract provides for a term of three (3) years with two one (1) year renewal options. Amendment No. 1 to the Contract provides for the first of the optional renewals. While CDM is headquartered in Boston, Massachusetts, they maintain an office in Palm Beach County from which the majority of the work under this Contract will be performed. The Contract is included in the PBCWUD FY24 Budget. (PBCWUD Project No. 20-015) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

4. Staff recommends motion to approve:

- A) Amendment No. 2 to the Consulting/Professional Services Capital Improvement Plan Program Management (Contract) with Stantec Consulting Services Inc., (Stantec) providing for the renewal of the contract for one (1) year; and
- B) Consultant Services Authorization (CSA) No. 5 to the Consulting/Professional Services Capital Improvement Plan Program Management (Contract) with Stantec for Program Management and Implementation Services (Project) for a not to exceed amount of \$3,017,625.

SUMMARY: On February 11, 2020, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0161) with Stantec. CSA No. 5 provides for the resources needed to support the implementation of Capital Improvement Plan projects for one (1) year. The Consultant will provide services throughout the project life cycle of water, wastewater and reclaimed water treatment and transmission projects in the areas of delivery, controls, permitting, communications, and asset management. The Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On March 20, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms. The Contract provides for 25% SBE participation which includes 25% M/WBE participation, 22% MBE (B), and 3% WBE. CSA No. 5 includes 52.67% SBE participation, which includes 52.67% M/WBE, 48.12% MBE (B) and 4.55% WBE. The cumulative SBE participation including CSA No. 5 is 38.54% SBE, which includes 38.54% M/WBE participation, 34.97% MBE (B) and 3.57% WBE. Stantec is a New York registered U.S. company whose parent company is domiciled in Canada. Most members of Stantec's project team will be co-located with PBCWUD staff at the Central Region Operations Center from which the majority of the work under CSA No. 5 will be undertaken. Article 2 of the Contract provides for a term of three (3) years with two one (1) year renewal options. On February 7, 2023, the BCC approved Amendment No. 1 (R2023-0164) to the Contract. Amendment No. 2 to the Contract provides for the second of the optional renewals that will provide continuity and the continued effective and efficient implementation of the PBCWUD program implementation process. The renewal will authorize Stantec to continue the program implementation process from February 10, 2024 to February 9, 2025. The Project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 20-010 CSA No. 5 and PBCWUD Project No. 19-028 Contract) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

5. Staff recommends motion to approve: Amendment No. 2 to the Contract for Consulting/Professional Services-South County Reclaimed Water Transmission Pipeline-Phase I (Contract) with Chen Moore and Associates, Inc. (Consultant) to extend the term of the Contract for an additional year. **SUMMARY:** On March 13, 2018, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2018-0295) with Consultant. Amendment No. 2 provides engineering services during design, permitting, bidding and construction phase services for the South County Reclaimed Water Transmission Pipeline – Phase I (Project). The total term of the Contract was for five (5) years. On February 7, 2023, Amendment No. 1 (R2023-0164) was approved to extend the term of the contract for an additional year to allow for continuity of service with the Consultant for design services. Amendment No. 2 will extend the term of the Contract for one (1) year beyond Amendment No. 1 to accommodate the needs of continuous service for Phase 1B engineering services during construction. As this is the second one (1) year extension of the Contract, Section 2-54(b) of the County Purchasing Code requires that the PBCWUD Director deem said extension to be an emergency or the Board, upon good cause, deems that the extension provides a cost savings to the County that would not result if an extension were not granted. The PBCWUD Director deems this extension to be an emergency in accordance with the Purchasing Code, which is defined as a procurement made in response to a need when the delay incident to complying with all governing rules, regulations, or procedures would be detrimental to the interests, health, safety, or welfare of the County. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE goal established under the 2002 ordinance was 15% overall participation. The Contract provides for 82.5% SBE participation. Amendment No. 1 includes an overall SBE participation of 0%. Amendment No. 2 includes 0% SBE participation. The cumulative SBE participation including Amendment No. 2 is 84.58% SBE participation. Consultant is headquartered in Ft. Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The project is included in the PBCWUD FY24 Budget. (PBCWUD Project No. 17-035) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

6. Staff recommends motion to approve: Work Order (WO) No. 4 to the Contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc. (Globaltech) for the Water Treatment Plant (WTP) No. 3 Acid Line Replacement (Project) for a Guaranteed Maximum Price in the amount of \$2,049,098.06. **SUMMARY:** On January 24, 2023, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2023-0086) with Globaltech which has a start date of December 20, 2022. WO No. 4 provides for the design and construction of a new sulfuric acid piping system from the acid pump station to the acid dilution panels which were damaged from an acid leak from the carrier piping, in addition to rehabilitating the chemical trenches and installing a coating to protect the existing concrete trenches. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 6, 2021, the Goal Setting Committee approved an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 10 points for M/WBE participation and up to 5 points for Mentoring based upon the relative level of dollar participation. The Contract provides for 24% SBE Participation which includes 12% MBE participation, 5.5% MBE (B), 2.5% MBE (H), and 4% MBE (A). WO No. 4 includes 5.91% overall SBE participation, which includes 2.72% MBE participation, 0.72% MBE (B), 2% MBE (A) and 0% MBE (H). The cumulative SBE participation, including WO No. 4, is 8.29% which includes 5.42% MBE participation, 4% MBE (B), 0% MBE (H) and 1.41d% MBE (A). Globaltech is a Palm Beach County Based company. The project is included in the PBCWUD FY24 budget. (PBCWUD Project No. 24-005) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

7. Staff recommends motion to receive and file: Two (2) executed Standard Potable Water and Wastewater Development Agreements, one (1) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement, one (1) Memorandum of Understanding Regarding Reclaimed Water Service Direct System, one (1) Standard Reclaimed Water Development Agreement, and one (1) Standard Reclaimed Water Service Agreement Lake Discharge System, for the months of September and October 2023.

A) Standard Potable Water and Wastewater Development Agreement with Joyce A. Kjellgren, SDA #02-01176-000 (District 3), Recorded in OR BK 34627 PG 1635;

B) Standard Potable Water and Wastewater Development Agreement with Jess R. Santamaria Trustee, Rup K. Nagala, Rup K. Nagala and Roy N. Kishore Tenants in Common, Nagala Family Limited Partnership, LLLP, SDA #13-01032-000 (District 6), Recorded in OR BK 34627 PG 1644;

C) Amendment to Standard (Potable Water, Wastewater, and/or Reclaimed Water) Development Agreement with TLH-29 Anwar, LLC and TLH-35 BAC Pioneer, LLC, SDA #01-01235-000 (District 6), Recorded in OR BK 34627 PG 1632;

D) Memorandum of Understanding Regarding Reclaimed Water Service Direct System with Palm Beach County Facilities Development and Operations Department, MOU #03-90016-000 (District 5);

E) Standard Reclaimed Water Development Agreement with Lakes at Polo Trace Homeowners Association, Inc., SDA #03-90015-000 (District 5), Recorded in OR BK 34627 PG 1657; and

F) Standard Reclaimed Water Service Agreement Lake Discharge System with Lakes at Polo Trace Homeowners Association, Inc., RWSA #03-90015-000 (District 5), Recorded in OR BK 34627 PG 1665.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 3, 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

8. Staff recommends motion to:

- A) **authorize** the Palm Beach County Water Utilities Department (PBCWUD) to pursue funding from the South Florida Water Management District's (SFWMD) Cooperative Funding Program for a grant amount estimated up to \$10,000,000 for the Green Cay Phase 2 project;
- B) **delegate authority** to the County Administrator, or her designee which in this case shall be the Director of PBCWUD, to sign all grant application forms and supporting documents and complete all registration requirements; and
- C) **delegate authority** to the County Administrator, or her designee which in this case shall be the Director of PBCWUD to execute the forthcoming grant agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the forthcoming grant agreement.

SUMMARY: The SFWMD has allotted money to assist local governments, public and private water providers, and other entities with construction and/or implementation of alternative water supply (AWS) or water conservation through the Cooperative Funding Grant Program. The objectives of the PBCWUD Green Cay Phase 2 Project (Project) are to produce purified water that will be conveyed to the lakes at the Green Cay Phase 2 Park to replenish regional groundwater, supporting PBCWUD's strategic goals of becoming a sustainable and best-in-class utility. **The grant requires a 50% match which will be funded from a one-time expenditure from Water Utilities user fees, connection fees and balance brought forward.** District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

9. Staff recommends motion to:

- A) **approve** a State Revolving Loan (SRF) Program for Drinking Water Facilities Loan Application for Planning and Design for the upgrades to WTP 2, 3, 8 & 9 to remove perfluoroalkyl and polyfluoroalkyl substance (PFAS) Project No. DW-5020C in the amount of \$9,968,768;
- B) **adopt** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, relating to the State Revolving Fund for Project No. DW-5020C; and
- C) **delegate authority** to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to sign all ~~grant~~ loan application forms and supporting documents, complete all registration requirements, execute the forthcoming ~~grant~~ loan agreement and all future time extensions, task assignments, certifications, and other forms associated with the ~~grant~~ loan agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the grant agreement.

SUMMARY: The Drinking Water State Revolving Fund (DWSRF) Program provides low-interest loans to eligible entities for planning, designing and constructing public water facilities. Funds are made available for planning, design and construction loans. The DWSRF was allocated an additional fund source for the DWSRF Emerging Contaminants (EC) program which is for projects with the primary purpose of addressing emerging contaminants in drinking water, such as PFAS. Under the DWSRF EC program 100% of the funding will be given as principal forgiveness. PBCWUD has received funding to evaluate and develop potential treatment options at the lime softening facilities for Water Treatment Plants (WTP) 2 and 8 to reduce PFAS concentrations. PBCWUD has also received funding to evaluate solutions for expansion of nanofiltration at the membrane facilities of WTP 3 and 9 to meet near-term demand of the Eastern water distribution system. **The \$9,968,768 loan has 100% principal forgiveness and no repayment/match is required.** Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (cont'd.)

10. Staff recommends motion to:

- A) **approve** a State Revolving Loan (SRF) Program for Drinking Water Facilities Loan Application Planning and Design for lead service line inventory and replacement of lead service lines Project No. LS-5020B in an estimated amount of \$1,760,000;
- B) **adopt** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, relating to the State Revolving Fund for Project No. LS-5020B;
- C) **delegate authority** to the County Administrator, or her designee which in this case shall be the Director of Palm Beach County Water Utilities Department (PBCWUD), to sign all ~~grant~~ loan application forms and supporting documents, complete all registration requirements, execute the forthcoming ~~grant~~ loan agreement and all future time extensions, task assignments, certifications, and other forms associated with the ~~grant~~ loan agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the grant agreement.

SUMMARY: The Drinking Water State Revolving Fund (DWSRF) Program provides low-interest loans to eligible entities for planning, designing and constructing public water facilities. Funds are made available for planning, design and construction loans. The DWSRF was allocated an additional fund source for the DWSRF Lead Service Line Inventory & Replacement (LSLIR) with the primary purpose to identify all lead service lines (LSL) and to replace LSL. Historically, under the existing Lead and Copper Rule, PBCWUD is required to sample lead and copper at over 60 locations throughout the water distribution system; PBCWUD is in full compliance. In addition, in December 2021, the United States Environmental Protection Agency published the Lead and Copper Rule Revisions (LCRR) which requires public water systems to identify and make public the locations of all LSL and to replace LSL. For the purpose of the LCRR, service lines run from the Department's water main to the meter and to the building. Since 2022, PBCWUD has reviewed records to determine the existence of LSLs within the PBCWUD system. The project to be completed under this loan will allow PBCWUD to continue to identify the material of service lines, create an inventory of the more than 203,000 service lines within the PBCWUD service area, and, if needed, to develop a LSL replacement plan. **The estimated \$1,760,000 loan has a \$862,400 (49%) principal forgiveness which requires \$897,600 (51%) repayment which will be funded from Water Utilities user fees, connection fees and balance brought forward. Countywide (MWJ)**

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 0019-02 to Contract with Aptim Environmental & Infrastructure, LLC (APTIM) (Contract) in an amount not to exceed \$217,838.97 providing for sea turtle monitoring services during the 2024 sea turtle nesting season. **SUMMARY:** The Board of County Commissioners approved the Contract with APTIM, a Palm Beach County company, on January 10, 2023. CSA No. 0019-02 authorizes APTIM to manage permit-required sea turtle monitoring activities in association with the South Lake Worth Inlet Sand Transfer Plant Reconstruction Project, the Ocean Ridge Shore Protection Project, and the Singer Island Dune Restoration Project. The CSA is funded by the Beach Improvement Fund and is eligible for cost sharing from the Florida Department of Environmental Protection. On March 6, 2022, the Goal Setting Committee established a 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. APTIM committed to an overall 22.0% SBE participation in the Contract. SBE participation for this CSA is 96.6%. **The cost to the County is \$217,838.97.** Districts 1 and 4 (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

2. Staff recommends motion to:

- A) **approve** DEP Agreement No. LPA0464 (Agreement) with the State of Florida, Department of Environmental Protection (DEP) for an amount not-to-exceed \$500,000 providing financial assistance for the Bonefish Cove Environmental Enhancement Project located in the Lake Worth Lagoon for a term beginning upon execution and expiring December 31, 2028;
- B) **authorize** the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and any necessary minor amendments that do not significantly change the scope of work, or terms and conditions of the Agreement; and
- C) **approve** Budget Amendment of \$500,000 to the FDEP Lake Worth Lagoon Ecosystem Fund to recognize revenues from Agreement.

SUMMARY: The Agreement will reimburse \$500,000 of construction costs and does not require match funding. The project will fill a dredge hole to restore and enhance critical shallow estuarine habitats. This funding is part of the State of Florida Legislature's General Appropriations Act. The Agreement contains indemnification, liability and termination provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the Department of the associated risks. Due to business needs and the benefits to be derived from the agreement, Risk Management and the County Attorney's Office have agreed to allow the Department to move the Agreement forward for Board of County Commissioner approval. **There is no cost to the County.** Districts 2 & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Jerome J. Saladino d/b/a Saladino Productions in an amount not to exceed \$2,000 for the Buble Jazzy Christmas concert at Seabreeze Amphitheater on December 9, 2023. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)
2. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement with Sanderford Sound, Inc., in an amount not to exceed \$2,285 for Carlin Park After Dark - Buble Jazzy Christmas Concert at Seabreeze Amphitheater on December 9, 2023. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)
3. Staff recommends motion to receive and file: an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$60,000 for the demolition and removal of the Caloosa Park Racquetball Courts, extending the completion date from December 31, 2023 to September 30, 2024. **SUMMARY:** On September 8, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$60,000 in funding to cover the cost of demolition of the Caloosa Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0192) was presented to the Board of County Commissioners (BCC) on February 7, 2023 for the Mayor's signature and to establish budget. The original grant term was from February 7, 2023 to December 31, 2023. Due to project delays, a grant extension was approved by SWA extending the completion date from December 31, 2023 to September 30, 2024. There are no other changes to the terms of the Agreement as a result of this extension. District 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. [Staff recommends motion to receive and file:](#) an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$40,000 for the demolition and removal of the Duncan Padgett Racquetball Courts, extending the completion date from November 30, 2023 to September 30, 2024. **SUMMARY:** On September 1, 2021, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$40,000 in funding to cover the cost of demolition of the Duncan Padgett racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2022-0030) was presented to the Board of County Commissioners (BCC) on January 4, 2022 for the Mayor's signature and to establish budget. On October 18, 2022, SWA granted a one year time extension, extending the term from November 30, 2022 to November 30, 2023. Due to continuous project delays, SWA granted a second time extension extending the completion date from November 30, 2023 to September 30, 2024. There are no other changes to the terms of the Agreement as a result of this extension. District 6 (AH)

5. [Staff recommends motion to receive and file:](#) an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$50,000 for the demolition and removal of the Haverhill Park Racquetball Courts, extending the completion date from February 28, 2024 to September 30, 2024. **SUMMARY:** On November 23, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$50,000 in funding to cover the cost of demolition of the Haverhill Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0605) was presented to the Board of County Commissioners (BCC) on May 2, 2023 for the Mayor's signature and to establish budget. The original grant term was from May 2, 2023 to February 28, 2024. Due to project delays, a grant extension was approved by SWA extending the completion date from February 28, 2024 to September 30, 2024. There are no other changes to the terms of the Agreement as a result of this extension. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. Staff recommends motion to receive and file: an Interlocal Grant Agreement Term Extension between Palm Beach County and the Solid Waste Authority (SWA) of Palm Beach County for \$50,000 for the demolition and removal of the Lake Lytal Park Racquetball Courts, extending the completion date from February 28, 2024 to September 30, 2024. **SUMMARY:** On November 23, 2022, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$50,000 in funding to cover the cost of demolition of the Lake Lytal Park racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2023-0606) was presented to the Board of County Commissioners (BCC) on May 2, 2023 for the Mayor's signature and to establish budget. The original grant term was from May 2, 2023 to February 28, 2024. Due to project delays, a grant extension was approved by SWA extending the completion date from February 28, 2024 to September 30, 2024. There are no other changes to the terms of the Agreement as a result of this extension. District 3 (AH)

N. LIBRARY

1. Staff recommends motion to approve: a Subscriber License Agreement between Palm Beach County and Candid, for a one (1) year term beginning on February 7, 2024, with four (4), one (1) year automatic renewal options, in the amount of \$12,995.00 each year. **SUMMARY:** The Library Department requests a new one (1) year term with four (4) additional one (1) year automatic renewal periods with Candid. This Agreement would connect people who want to change the world to the resources they need to do it through research, collaboration, and training. Candid is a charitable organization whose charitable purposes include to collect, organize, and make available to the public information about the nonprofit sector and to study and give counsel on the organization, management, and programming of nonprofits. The Agreement contains liability provisions that differ from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, Risk Management and the County Attorney's Office have reviewed the language and advised the Library Department of the associated risks. Due to business needs and the benefits to be derived from the Agreement, Risk Management and the County Attorney's Office have agreed to allow the Department to move the agreement forward for Board of County Commissioner approval. The Agreement caps Candid liability to three (3) times the total fees paid by the County during the 12 months immediately preceding the date on which the cause of action arose, which is \$38,985. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY (cont'd.)

2. Staff recommends motion to approve: the write-off of uncollectible lost/damaged library materials charges from library card accounts found in the Library Department's Integrated Library System (ILS) database for all lost/damaged charges dated from October 1, 2017 to September 30, 2018 for a total of \$169,483.83. **SUMMARY:** Based on an ILS report, the system contains 9639 lost/damaged bills dated from October 1, 2017 to September 30, 2018 spread across 3380 user accounts. Obsolete item records cannot be removed when still attached to a borrower's record, which leads to database management concerns such as slower response times and increased storage charges. The Library Department was given permission on February 1, 2022 by the BCC to write-off all uncollectible lost/damaged materials charges dated prior to October 1, 2016. On Feb. 7, 2023, the BCC authorized the write-off of all uncollectible lost/damaged materials charges dated prior to October 1, 2017. The Integrated Library System (ILS) contains all information on borrowers and items in the collection. Borrower records are considered expired and removed from the ILS if the account is dormant for seven years. Library card accounts with lost/damaged charges that would normally have expired cannot be removed from the database. Retaining this information increases the amount of storage required for the ILS which leads to database management concerns. Library card account holders are required to return library items in the condition they were borrowed with the expectation of minimal wear and tear. Account holders who fail to return library items by their due date are charged the full replacement amount as specified in the item record and their account is blocked from further borrowing if charges stand at \$25 or higher. Returning the item in good condition will remove associated charges. Account holders who return items in a damaged condition are charged the full replacement amount as specified in the item record and their account is blocked from further borrowing if charges stand at \$25 or higher. Borrowing privileges are restored if the account has fewer than \$25 in charges. The Library Department contracts with a collection agency to collect unpaid bills. The agency makes several attempts to contact the borrower. Unpaid charges referred to collections do not effect a borrower's credit. Countywide (AH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: fully executed Task Order #3 to Contract R2022-1295 with Surdex Corporation in the amount of \$93,600 for the acquisition of 2024 aerial imagery and orthophotography production for the urban areas of Palm Beach County. **SUMMARY:** Surdex Corporation provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS survey in support of the County's Geographic Information System. Task Order #3 is for the 2024 aerial acquisition and orthophotography production for the urban areas of Palm Beach County. The total costs of the project will be paid over two years and split equally between the Property Appraiser and Palm Beach County. The Chief Information Officer approved Task Order #3 by delegated authority with R2022-1295, dated November 1, 2022. The Affirmative Procurement Initiative (API) for this contract is a mandatory SBE goal of 20%. This task order includes SBE Participation of 11.49%. The Cumulative SBE participation including Task Order #3 is 10.67% Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

1. Staff recommends motion to receive and file: Agreement with the Florida State University (FSU) to conduct a statewide study on zoning regulations for community residences for people with disabilities and recovery communities for people in recovery from substance use disorder for \$110,000 for the period of September 1, 2023 through June 30, 2024. **SUMMARY:** On October 17, 2023, the Board of County Commissioners (BCC) approved and ratified an Interagency Agreement (Agreement) with the Florida Department of Children and Families (DCF) for the County to receive \$110,000 to conduct a statewide study on zoning regulations for community residences for people with disabilities and recovery communities for people in recovery from substance use disorder. Under this Agreement, DCF is providing legislative appropriated funds to the County to contract with FSU to provide directly or by sub-agreement a zoning study. The study is necessary to begin the process of creating a system whereby local governments can use to create local zoning ordinances to protect disabled residents living in community residences from exploitation, while protecting communities from human warehouses or flophouses masquerading as community residences for those with disabilities. The study will create a more statewide standard approach to zoning that recognizes the benefit of these homes, while creating a uniform process that protects individuals and communities. The study will also include guidance in drafting appropriate statewide zoning regulations for sober living homes and recovery communities. On October 17, 2023, R2023-1554 authorized the County Administrator or designee to execute contracts, amendments and administrative documents utilizing funding from the Agreement, on behalf of the BCC, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations that do not substantially change the scope of work, terms, or conditions of the contract. Countywide (RS)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: Two (2) Reappointments of members to the Palm Tran Service Board (PTSB) for the following terms:

<u>Nominee</u>	<u>Category, Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Frank Stanzione	Representative with Transportation Experience, Seat 1	Sept. 30, 2026	Mayor Sachs Commissioner Weiss Commissioner Woodard Commissioner Bernard Commissioner Barnett
Dennis Martin	Representative with Extensive Paratransit Experience, Seat 12	Sept. 30, 2026	Mayor Maria Sachs Vice Mayor Marino Commissioner Weiss Commissioner Woodard Commissioner Bernard Commissioner Barnett

SUMMARY: The Palm Tran Service Board is delegated the authority to approve fixed route service adjustments and serve as an advisory board in all other aspects of the County’s public transportation system. The Palm Tran Service Board is composed of thirteen (13) At-Large members with specific seat categories. A memo dated December 19, 2023 was circulated to the Board of County Commissioners (BCC) requesting support of two (2) board members who are seeking reappointments. The ethnic and gender composition of the current 12 members include: Caucasian: 4 (33.3%), African-American: 5 (41.8%), Hispanic-American: 1 (8.3%), Multicultural: 1 (8.3%), Asian American 1 (8.3%) Gender ratio (male: female) 7:5. Staff has addressed the need to increase diversity within our Board and will continue to encourage this to expand this Board’s diversity. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: two fully executed Palm Beach County FY2024, Category “G” Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:

- A) Equestrian Sport Productions, LLC, for the promotion of Equestrian Holiday & Horses Circuit, held from November 29 – December 31, 2023, for the term August 29, 2023 – April 30, 2024. This grantee was approved by the TDC on May 11, 2023, in the amount of \$20,000, and
- B) Equestrian Sport Productions, LLC, for the promotion of the Winter Equestrian Festival, held from January 3 – March 31, 2024, for the term July 3, 2023 – July 31, 2024. This grantee was approved by the TDC on September 14, 2023, in the amount of \$125,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners (Board) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for Equestrian Sport Productions, LLC/Equestrian Holiday & Horses Circuit were 12,375, and room nights generated for Equestrian Sport Productions, LLC/Winter Equestrian Festival are anticipated to be 85,000. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL (cont'd.)

2. Staff recommends motion to receive and file: two fully executed Palm Beach County FY2024, Category "G" Grant Agreements managed by the Palm Beach County Sports Commission, Inc. (Sports Commission), on behalf of the Palm Beach County Tourist Development Council (TDC) with:
- A) I Do Beach Tennis, LLC, for the promotion of I Do Beach Tennis ITF Open Singer Island, held from November 8 – 12, 2023, for the term April 8, 2023 – February 12, 2024. This grantee was approved on September 14, 2023, in the amount of \$25,000, and
 - B) Glory Sports Production, Corp., for the promotion of the 5v5 Soccer Tour National Championships held from November 18 – November 19, 2023, for the term April 18, 2023 – February 19, 2024. This grantee was approved by the TDC on September 14, 2023, in the amount of \$20,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. On June 7, 1994, the Board of County Commissioners (Board) adopted Resolution R94-702, as amended, authorizing the County Administrator and/or the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the TDC. Room nights generated for I Do Beach Tennis, LLC/I Do Beach Tennis ITF Open Singer Island were 2,166, and room nights generated for Glory Sports Production, Corp./5v5 Soccer Tour National Championships were 1,373. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

DD. WATER RESOURCE TASK FORCE

1. Staff recommends motion to:

A) ratify the League of Cities appointees for Seats 2, 3 and 6 for the remainder of a three (3) year term ending September 30, 2024:

- Vice Mayor Joaquin Almazan of the City of Belle Glade;
- Commissioner Reinaldo Diaz of the Town of Lake Worth Beach;
- Vice Mayor Greg Langowski of the City of West Lake;

B) approve Mr. Robert Shorr's application to change from seat 2 to vacant seat 13 to represent agricultural interests;

C) approve four (4) primary seats for reappointment with a term ending September 30, 2025:

- Poonam Kalkat (Seat 8 - Water/Wastewater Provider);
- Tommy Strowd [Seat 9 – Lake Worth Drainage District (LWDD)];
- Jay Steinle [Seat 11 – South Florida Water Management District (SFWMD)];
- Michael Johnson [Seat 14 - Indian Trail Improvement District (ITID)]; and

D) approve two (2) alternate seats for reappointment with a term ending September 30, 2025:

- Greg Shafer (Seat 14A – ITID)
- Mark Elsner (Seat 11A – SFWMD)

3. CONSENT AGENDA APPROVAL

DD. WATER RESOURCE TASK FORCE (cont'd.)

1. **SUMMARY:** The WRTF was established to identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment and reuse or reclaimed water opportunities. The WRTF meets 4 to 6 times per year. The WRTF is comprised of a total of 28 representatives (14 members and 14 designated alternates for each seat). The 14 seats are as follows: six (6) City elected officials appointed by the League of Cities; one (1) County Commissioner (or their appointee); one (1) water and/or wastewater provider or utility official; one LWDD representative; one drainage/ water control district elected official; one (1) SFWMD Governing Board member; one (1) environmental representative; one (1) land owner in Palm Beach County actively farming that land to represent agricultural interests; and one (1) ITID representative. The current terms for the League of Cities appointments are from October 1, 2021 through September 30, 2024. The terms for the PBC BCC appointments are from October 1, 2022 through September 30, 2025. With the recent resignations the diversity count of the 9 current WRTF members and 3 alternates is as follows: 11 Caucasian (91.7%) and 1 Asian American (8.3%). The gender ratio (female:male) is 6:6. Staff is addressing the need to increase diversity within our Board and will continue to encourage this to expand this Board's diversity. Countywide (MJ)

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FEBRUARY 6, 2024

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring February 2024 as Black History Month. (District 7)
- B)** Proclamation declaring February 11 – 17, 2024 as 211 Awareness Week. (District 3)

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FEBRUARY 6, 2024

5. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

NONE

6. REGULAR AGENDA

A. PUBLIC SAFETY DEPARTMENT

1. [Staff recommends motion to adopt:](#) an amendment to the Countdown to Zero (C2Z) Resolution extending the target date from February 28, 2024 to February 28, 2034 to achieve the goal of ending euthanasia of adoptable dogs and cats in Palm Beach County. **SUMMARY:** In February 2014, the Palm Beach County Board of County Commissioners adopted the C2Z initiative through Resolution 2014-0193 as a formal commitment to end euthanasia of all adoptable dogs and cats by 2024. The Resolution initially created a partnership between the Public Safety Department's Division of Animal Care and Control (ACC) and the Peggy Adams Animal Rescue League of the Palm Beaches (PAARL) for the purpose of developing a community coalition committed to the C2Z goals as described in the Resolution. Since 2014, ACC, public and private organizations, businesses, and residents have worked together to try to end the euthanasia of adoptable dogs and cats. A variety of initiatives were established to increase adoptions, utilize long-term data to target sterilization programs, and incorporate best practices for owner-responsibility to reduce the number of animals entering our shelters. However, since 2021, economic hardships have affected shelters nationwide, whereby more animals are entering our shelters than leaving. With these economic hardships, pet owners can't afford their pets and pets are being surrendered to our shelter. In order to achieve the C2Z goal of ending euthanasia of adoptable animals, ACC requests an extension of 10 years to continue our efforts in educating our community about responsible pet ownership, promoting fostering, implementing affordable animal healthcare programs, targeting sterilizations, and many other initiatives. Public meetings were held with the community to solicit feedback regarding the effectiveness of the C2Z initiative. Citizens who attended the meetings voiced their support for continuing this initiative and offered suggestions on how we can move forward as a community to achieve this goal together, such as rebranding the initiative, promoting the positive impact ACC has on the community, dedicating resources to diverting animals from entering our shelter, and many more. Ending euthanasia of all adoptable dogs and cats is attainable, but it will take our entire community working together to achieve this goal. Countywide (SF)

6. REGULAR AGENDA

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. [Staff recommends motion to approve](#) on preliminary reading and advertise for **Public Hearing on March 12, 2024 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 90-16, as amended, the “Surplus Property Ordinance”, by amending Section 7 - Recordation and Inventory of Certain Property by increasing the capitalization level for tangible personal property assets from \$1,000 to \$5,000; providing for the repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** Section 274.02, Florida Statutes provides that the County shall establish the requirements for the recording of property and for the periodic review of property for inventory purposes. Currently, the Surplus Property Ordinance provides that tangible personal property, the value of which is \$1,000 or more and the normal expected life of which is one (1) year or more, shall be marked, recorded and inventoried. Staff recommends increasing the threshold for marking, recording, and tagging inventory to \$5,000, which is consistent with the State’s policy as applied to tangible personal property capitalization. Countywide (DB)

C. INTERGOVERNMENTAL AFFAIRS

1. [Staff recommends motion to adopt:](#) The proposed 2024 Federal Legislative Agenda. **SUMMARY:** Staff requests Board approval of the 2024 Federal Legislative Agenda, which outlines issues the County’s Intergovernmental Affairs Office and federal lobbyists are working on for the 118th Congress. The agenda addresses legislative matters, grant-funding opportunities, and general issues to support, oppose and monitor. Countywide (SS)
2. [Staff recommends motion to receive and file:](#) Mid-Session Legislative Update for the 2024 Legislative session. **SUMMARY:** County staff will present the 2024 Mid-Session Legislative Update to inform the Board of County Commissioners of what has transpired during the first half of the 2024 State Legislative Session. The update will include updates of the County’s legislative and appropriation priorities that were approved by the Board of County Commissioners on October 3, 2023. Countywide (SS)

6. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: the 3rd Amendment to the Palm Beach County's State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for Fiscal Years 2022/2023, 2023/2024, and 2024/2025 (R2022-0374). **SUMMARY:** On December 21, 2023, the Commission on Affordable Housing (CAH) adopted its 2023 Affordable Housing Incentives Review and Recommendations Report (Report), including nine (9) recommendations addressing 11 affordable housing incentive areas identified in Section 420.9076(4), Florida Statutes. The recommendations were developed through a process that included input from community and industry stakeholders and consultation with the Department of Housing and Economic Development (DHED), the Department of Planning, Zoning and Building, the Engineering and Public Works Department, the Property and Real Estate Management Division (PREM), and County Administration. Staff supports seven (7) of the CAH recommendations which relate to expedited approvals, infrastructure capacity, street requirements, a countywide housing plan, inventory of public lands, transportation oriented development, and flexible zoning. Staff partially supports two (2) of the CAH recommendations which relate to fee waivers and accessory dwelling units. In regards to fee waivers, staff does not support waiver of building permit or impact fees. Staff does not support separate electrical metering of accessory dwelling units. A summary of the CAH recommendations and staff comments and recommendations is included as Attachment 1 to the Agenda Item. The report is provided as Attachment 2 to the Agenda Item. The Board of County Commissioners (BCC) has the sole authority to approve the LHAP, amendments thereto, and the housing incentives contained therein. Staff recommends that the BCC approve the proposed 3rd Amendment to the Palm Beach County SHIP Program LHAP, Attachment 3 to the Agenda Item, incorporating the nine (9) staff supported CAH recommendations into the descriptions of affordable housing incentives which the County implements. The approved 3rd Amendment will be sent to the Florida Housing Finance Corporation by the March 20, 2024 deadline. **These are SHIP grant funds which require no local match.** Countywide (HJF)

6. REGULAR AGENDA

E. PARKS AND RECREATION

1. Staff recommends motion to approve: Project Cooperation Agreement with Palm Beach Pump Track, Inc. (PBPT), a Florida Not for Profit Corporation, to fund, design, permit, construct, and donate a 10,000 sq. ft. asphalt bicycle pump track and certain associated improvements at Okeeheelee Park. **SUMMARY:** During the public workshop meeting on April 25, 2023, the Board of County Commissioners (Board) directed staff to negotiate a Project Cooperation Agreement with PBPT to fund, design, construct, and donate a bicycle pump track as a recreational asset to the County to be installed at Okeeheelee Park. The proposed 10,000 sq. ft. asphalt bicycle pump track design includes two loops for appropriate skill levels. The estimated value of the donated asset is \$350,000. Once constructed to public recreation standards, this asset will be turned over to the County for ownership and operation and will be free for public use when not permitted for a special event. Special events will be limited to 1 per month. During the first two years, the non-for-profit gets first refusal of special event dates. The County will assume maintenance responsibilities directly arising from the use and operation of the bicycle pump track, including operational and capital maintenance. Daily operational maintenance includes, but is not limited to, increased restroom cleaning due to increase in foot traffic, site monitoring, removal of debris and the mowing/trimming of vegetation. Operating costs will be minimal and are not expected to exceed \$5,000 annually and will be offset by special event fees. The County is also responsible for the resurfacing/painting, which will be required approximately every five years beginning in FY 2029, at an estimated cost of \$20,000. The Department intends to offset these capital costs by collecting fees for permitted special events and by seeking donations. District 2 (AH)

6. REGULAR AGENDA

F. PALM TRAN

1. Staff recommends motion to approve:

- A) proposed fixed route efficiencies and reinvestment plan;
- B) implementation of Transportation Network Companies (TNC) to provide first and last mile connection to the core fixed route system; and
- C) the concept of a phased implementation plan of the Connection Efficiency Program (CEP) to address the growing costs of paratransit subject to continued board approval.

SUMMARY: Palm Tran seeks approval from the Board of County Commissioners (BCC) for the fixed route efficiency and reinvestment plan and the continued implementation of the CEP using a phased approach. On September 26, 2023, Palm Tran presented the plan for increasing system efficiency and public usage to the BCC. Staff recommendations were aimed at increasing ridership, lowering cost per passenger, diversifying service delivery methods, and revenue implementation of Route Performance Maximization (RPM) 2.0. Staff also provided recommendations for paratransit operations through its CEP. The BCC directed staff to present these recommendations to the Palm Tran Service Board and the affected municipalities. On October 26, 2023, both the fixed route efficiency and reinvestment plan and the continued implementation of the CEP using a phased approach with each phase to be approved by the BCC, were unanimously approved by the Palm Tran Service Board. Attached are the minutes from the Palm Tran Service Board meeting. Countywide (MM)

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FEBRUARY 6, 2024

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. Staff recommends motion to receive and file: The updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an ongoing basis. Countywide (DC)

B. COUNTY ATTORNEY

FEBRUARY 6, 2024

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Requesting off-site approval for Proclamation recognizing March 3 – 9, 2024 as National Association of Women in Construction Week (NAWIC). (District 1)

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

FEBRUARY 6, 2024

10. MATTERS BY THE PUBLIC – 2:00 P.M.

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FEBRUARY 6, 2024

11. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."