

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

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<b>Meeting Date:</b>	May 16, 2023	<input checked="" type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Regular</b>
		<input type="checkbox"/>	<b>Workshop</b>	<input type="checkbox"/>	<b>Public Hearing</b>
<b>Department:</b>	Engineering & Public Works Department				
<b>Submitted By:</b>	Engineering & Public Works Department				
<b>Submitted For:</b>	Roadway Production Division				

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I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to:


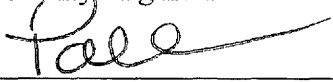
- A) **adopt** a Resolution to approve Supplemental Agreement Number One (Supplemental) to the Local Agency Program (LAP) Agreement (R2021-1896), dated January 25, 2022 (Agreement) with the State of Florida Department of Transportation (FDOT) for the construction of Westgate Avenue from Wabasso Drive to Congress Avenue (Project);
- B) **approve** the Supplemental to the Agreement that increases the grant funding by \$902,683 and extends the expiration date of the Agreement from December 31, 2023 to June 30, 2025 for the Project; and
- C) **approve** a budget amendment of \$902,683 in the Capital Outlay Fund to recognize the Supplemental funding from FDOT and appropriate it to the Project.

**SUMMARY:** Approval of this Supplemental and Budget Amendment will provide Palm Beach County (County) \$902,683 in additional grant funding for the Project and extend the expiration date of the Agreement from December 31, 2023 to June 30, 2025. The Project will reduce the roadway width from five lanes to three lanes. FDOT requested that the County, as a certified LAP entity, enter into this LAP Agreement (Agreement), on behalf of the Westgate Belvedere Home Community Redevelopment Agency (Westgate CRA), outlining the responsibilities of FDOT and the County with respect to the LAP grant for the Project. The grant amount is being modified to reflect current costs and estimates of the Project. **The total local match is \$2,427,971 which is 42.9% of the estimated Project cost.** The Westgate CRA will be responsible for all costs above the grant amount and for maintenance of improvements after construction is complete. The Catalog of Federal Domestic Assistance (CFDA) number for this grant is 20.205 Highway Planning and Construction. District 7 (YBH)

**Background and Justification:** The LAP is intended to provide federal grants to local agencies. This Supplemental will provide the County additional grant funding for the construction of the Project and extend the expiration date of the Agreement.

- Attachments:**
- 1. Location Map
  - 2. Resolution (2)
  - 3. Supplemental (2)
  - 4. Budget Amendment

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Recommended by:		4/26/23
	County Engineer	Date
Approved By:		5/2/23
	Assistant County Administrator	Date

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2023	2024	2025	2026	2027
Capital Expenditures	\$ 902,683	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	(\$902,683)	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>
# ADDITIONAL FTE POSITIONS (Cumulative)	-0-	-0-	-0-	-0-	-0-

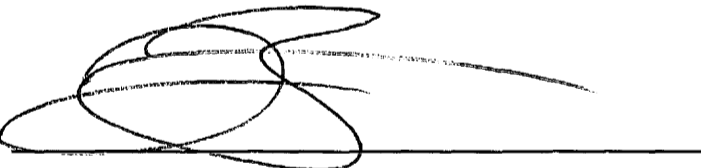
Is Item Included in Current Budget? Yes  No   
 Does this item include the use of federal funds? Yes  No

Budget Account No:  
 Fund 3900 Dept 361 Unit 1950-001 Object 8101/3104

**Recommended Sources of Funds/Summary of Fiscal Impact:**  
 Capital Outlay Fund  
 Westgate Avenue from Wabasso Drive to Congress  
 Westgate Avenue/ Wabasso Drive to Congress- Construction

Lap Agreement Supplement # 1:  
 Grant Funding Increase \$ 902,683

Received additional federal funding grant funding from Florida Department of Transportation (FDOT ) FPN 444371-1-58-01 of \$ 902,683 for capital expenditure.



**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

Shirley M. ... 4/26/2023  
 OFMB GJA 4/24 MD 4/24 MF 4/26  
Dr. J. ... 5/11/23  
 Contract Dev. and Control DAB 5/11/23

**B. Approved as to Form and Legal Sufficiency:**

MD ... 5/2/2023  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

**PROJECT LOCATION**

**WESTGATE AVENUE**

**FROM WABASSO DRIVE TO CONGRESS AVENUE**

**PROJECT NUMBER 2019601**



LOCATION MAP

**ATTACHMENT 1**

**RESOLUTION NO. R2023-**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING SUPPLEMENTAL AGREEMENT NUMBER ONE TO THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT (SUPPLEMENTAL) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR CONSTRUCTION OF WESTGATE AVENUE FROM WABASSO DRIVE TO CONGRESS AVENUE (PROJECT).**

**WHEREAS**, the Florida Department of Transportation (FDOT) has awarded to Palm Beach County (County) a Local Agency Program (LAP) grant to help finance the construction of the Project; and

**WHEREAS**, as a LAP certified agency, the County, on behalf of the Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA), entered into a LAP Grant Agreement (R2021-1896) on January 25, 2022 (Agreement) with FDOT; and

**WHEREAS**, the FDOT has requested that the County enter into this Supplemental outlining the updated funding and extending the expiration date of the Agreement; and

**WHEREAS**, the Westgate CRA shall operate and maintain the Project after completion of construction in perpetuity; and

**WHEREAS**, the Board of County Commissioners has determined that execution of this Supplemental is in the best interest of the citizens and residents of the County.

(Intentionally Left Blank)

**NOW, THEREFORE** be it resolved by the Board of County Commissioners of Palm Beach County, Florida, that:

1. The Mayor is hereby authorized to execute the Supplemental.
2. The recitations set forth herein above are true, accurate and correct and are incorporated herein.
3. This Resolution will take effect upon its adoption.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Commissioner Gregg K. Weiss, Mayor	_____
Commissioner Maria Sachs, Vice Mayor	_____
Commissioner Maria G. Marino	_____
Commissioner Michael Barnett	_____
Commissioner Marci Woodward	_____
Commissioner Sara Baxter	_____
Commissioner Mack Bernard	_____

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF  
FLORIDA, BY AND THROUGH ITS  
BOARD OF COUNTY COMMISSIONERS

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE  
CIRCUIT COURT & COMPTROLLER

By: \_\_\_\_\_  
Assistant County Attorney

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO TERMS  
AND CONDITIONS

By:   
Division Director

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

525-010-32  
PROGRAM MANAGEMENT  
03/22

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SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

D421-121-B

CONTRACT NO.

G2543

FEDERAL AWARD DATE

1.4.2022

FPN

444371-1-58-Q1

RECIPIENT UNIQUE ENTITY ID SAM NO.

078470481

Recipient, Palm Beach County desires to supplement the original Agreement entered into and executed on January 25th, 2022 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name Westgate Avenue

Length 0.860

Termini Wabasso Drive to Congress Avenue

**Description of Work:**

A reduction from five to three lanes on Westgate Avenue from Wabasso Drive to Suwanee Drive, lane restriping to accommodate lane narrowing from Wabasso Drive to Congress Avenue and traffic calming elements, including: hardscape, street parking, bike lanes, wider sidewalks and new crosswalks that are ADA compliant. The project will also have pedestrian scale lighting along Westgate Avenue from Wabasso Drive to Suwanee Drive.

**Reason for Supplement and supporting engineering and/or cost analysis:**

This supplemental agreement reconciles the LAP Agreement total project cost with the Department's concurrence and Local Agency construction bid award for FM#444371-1-58-01. This increases the total funds by \$902,683.00. The revised Federal Funds amount is \$3,227,034.00. Refer to Exhibit "B" attached hereto and made a part hereof which replaces Exhibit "B" that is attached to the original Agreement.

This supplemental agreement also extends the LAP Agreement to June 30th, 2025 due to the revised construction completion date of January 2025. The construction completion date was revised due to the ongoing issue regarding the Westgate CRA acquiring funds to construct the project.

This supplemental agreement amends the original agreement paragraph 3.0 Term of Agreement as follows: The Recipient agrees to complete the project on or before June 30th, 2025.

*Attachment 3*

**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT  
ADJUSTED EXHIBIT "B" SCHEDULE OF FINANCIAL ASSISTANCE**

RECIPIENT NAME & BILLING ADDRESS: Holly Knight, P.E.  
2300 North Jog Road  
3rd Floor, West Wing  
West Palm Beach, FL 33411

FINANCIAL PROJECT NUMBER: 444371-1-58-01

PHASE OF WORK By Fiscal Year	FUNDING					
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL LOCAL FUNDS	(5) TOTAL STATE FUNDS	(6) TOTAL FEDERAL FUNDS
<b>Design</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
<b>Total Design Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Right-of-Way</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
<b>Total Right-of-Way Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Construction</b> FY: 2022 (Surface Transportation) FY: 2022 (Local Funds) FY: 2023 (Surface Transportation)	\$2,324,351.00 \$2,427,971.00		\$2,324,351.00 \$2,427,971.00 \$902,683.00	\$2,427,971.00		\$2,324,351.00 \$902,683.00
<b>Total Construction Cost</b>	\$4,752,322.00	\$902,683.00	\$5,655,005.00	\$2,427,971.00	\$ 0.00	\$3,227,034.00
<b>Construction Engineering and Inspection (CEI)</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
<b>Total CEI Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>(Insert Phase)</b> FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
<b>Total Phase Costs</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>TOTAL COST OF THE PROJECT</b>	\$4,752,322.00	\$902,683.00	\$5,655,005.00	\$2,427,971.00	\$ 0.00	\$3,227,034.00

COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:  
certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.

Mya Gray  
District Grant Manager Name

\_\_\_\_\_  
Signature Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

525-010-32  
PROGRAM MANAGEMENT  
08/19

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IN WITNESS WHEREOF, the parties have executed this Agreement on the date last ascribed herein.

RECIPIENT:  
PALM BEACH COUNTY, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA  
BY AND THROUGH ITS BOARD OF COUNTY  
COMMISSIONERS

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By:

Signature

Name

Title

Date

By: \_\_\_\_\_

Name: Steven C. Braun, P.E

Title: Director of Transportation

Date: \_\_\_\_\_

Legal Review: Francine Steelman

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

By: \_\_\_\_\_

Yelizaveta B. Herman  
Assistant County Attorney

ATTEST:

Joseph Abruzzo  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_

Deputy Clerk

(SEAL)

APPROVED AS TO TERMS AND  
CONDITIONS:

By:  \_\_\_\_\_

Morton L. Rose, P.E.  
Director of Roadway Production

Kof



**BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY  
BUDGET Amendment**

FUND Capital Outlay

BGRV 031623-467  
BGEX 031623-1090  
ADJUSTED BUDGET      EXPENDED/  
                                         AS OF  
                                         03/16/2023      REMAINING  
                                         BALANCE

ACCOUNT NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 03/16/2023	REMAINING BALANCE
<b>REVENUES</b>								
<b><u>Westgate Avenue from Wabasso Drive to Congress</u></b>								
3900-361-1950-3104	Fed Grant Capital-Transport	2,324,351	2,324,351	902,683	0	3,227,034		
<b>TOTAL RECEIPTS &amp; BALANCES</b>		39,999,648	38,621,900	902,683	0	39,524,583		
<b>EXPENDITURES</b>								
<b><u>Westgate Avenue from Wabasso Drive to Congress</u></b>								
3900-361-1950-8101	Contributions Othr Govtl Agency	5,175,294	5,172,709	902,683	0	6,075,392	137,692	5,937,700
<b>TOTAL APPROPRIATIONS &amp; EXPENDITURES</b>		39,999,648	38,621,900	902,683	0	39,524,583		

Attachment 4

SIGNATURE

DATE

By Board of County Commissioners  
At Meeting of April 18, 2023

Engineering & Public Works

Danny Paulsingh

03/16/2023

Administration / Budget Approval

\_\_\_\_\_

\_\_\_\_\_

Deputy Clerk to the  
Board of County Commissioners

OFMB Department – Posted

\_\_\_\_\_

\_\_\_\_\_