Agenda Item #: 3H-1

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS <u>AGENDA ITEM SUMMARY</u>

Meeting Date: July 2, 2024		[X]	Consent Ordinance	[]	Regular Public Hearing
Department: Fac	ilities Development & Op	erations			
	I. EXECU	ΓIVE BRI	<u>EF</u>		
Restated Interlocal Agree Bureau of Alcohol, Toba for interoperable commu	f recommends motion to ement (R2019-0957) (Agreacco, Firearms and Explosi- nications through the cour- ounty's System) from July	ement) wit ives (Agen itywide co	h the United cy), to exten mmon talk g	States d the troups of	Department of Justice erm of the Agreement
program its radios into a communications, expires for a period of five (5) Agreement to July 1, Commissioners (Board) municipalities and local There are no charges asse with the Agency's subsection County's System. The A (10) days prior written Agreement, updates star	nent, which provides the and utilize the countywide of on July 1, 2024. This Ag years. The Agency has a 2029, and the renewal at The terms of the Agree oranches of state and federal ociated with this Agreement criber units and to comply agreement may be terminate notice to the other party adard operational provisional other terms remain the	ommon tall reement property of the pproved the now requi- ement are all agencies at. The Age with the ted by eith the This Firms, and add	lk groups for to vided for to the amendment of the E-verification of the amendment of the E-verification of the amendment of the E-verification of the E	certain wo (2) and to e d have Hz trum operation h or water to prove the first province to the first province the first province the first case of the case of the first case of the first case of the case of the first case of the first case of the case of the first case of the first case of the case of the first case of the first case of the case of the first case of the case of the first case of the	renewal options, each extend the term of the he Board of County be been offered to all the radio capabilities by all costs associated in procedures for the ithout cause, upon terms of the twision. Other than the
countywide common talk and conditions under wh System, expires on July	fication: The Agency has groups since 2012. The Agency can utilize to 2024. The Agreement proproval of this First Amend	greement with county ovided for	with the Ager wide common two (2) renew	ncy, wh n talk g wal opt	nich provides the terms groups of the County's ions, each for a period
Attachments:					
First Amendment					
Recommended By: MS	Department Dir	L Col	Les Contractions of the Contraction of the Contract	S/s Date	
Approved By:	County Adminis		<u> </u>	Date	/le/24

II. FISCAL IMPACT ANALYSIS

A.	Five Year Summary	y of Fiscal Ir	npact:			
Fisc	cal Years	2024	2025	2026	2027	2028
Ope Ext Pro (Co	pital Expenditures erating Costs ernal Revenues gram Income ounty) Kind Match (County					
NE'	T FISCAL IMPACT					
PO	DDITIONAL FTE SITIONS Imulative)					
Is t	tem Included in Curr his item using Federal his item using State F	l Funds:	Yes _ Yes _ Yes _		<u>X</u> <u>X</u> <u>X</u> <u>X</u>	
Buc	lget Account No: Fu	nd I	Dept	Unit	Object _	
В.	Recommended Sour * There is no fiscal in Departmental Fisca	mpact associa		s item. Cyber	npact:	_
A .	OFMB Fiscal and/o	r Contract I 5/24/204 ESW 5-24-24		Tende &	s: MML & e pment and C	- <u> 4</u> <u> 4</u> ontrol
В.	Legal Sufficiency: Assistant County Att	6/g	/ 24	, ,		
C.	Other Department	Review:				
	Department Director		_			

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

FIRST AMENDMENT TO AMENDED AND RESTATED AGREEMENT

THIS FIRST AMENDMENT to the Amended and Restated Agreement R2019-0957 dated July 2, 2019, is made as of _______, by and between Palm Beach County, a political subdivision of the State of Florida, ("County") and the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, a Federal Agency ("Agency").

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

- 1. The term of the Agreement, is renewed beginning on July 2, 2024 and continuing through July 1, 2029, pursuant to the exercise of the first renewal option for five (5) years.
- 2. Section 2.03 of the Agreement is deleted in its entirety and replaced with the following:
 - **2.03** <u>Agency Equipment:</u> Also known as "agency radios," are Agency owned P25 compliant handheld and mobile radios and control stations that operate in the 800 MHz spectrum and that have the ability to be programmed and used on the County's System.
- 3. Section 5.01 of the Agreement is deleted in its entirety and replaced with the following:
 - **5.01** Agency Equipment. The Agency's equipment will be P25 compliant 800 MHz mobile, portable, and control station equipment programmed to be used on the County's System. Equipment other than that manufactured by Motorola shall be approved by the System Manager prior to purchase by the Agency. The Agency will be required to keep its equipment in proper operating condition and the Agency is responsible for maintenance of its radio equipment.
 - 4. The Agreement is hereby modified to add the following:

SECTION 26: E-VERIFY – EMPLOYMENT ELIGIBILITY

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

ATF/First Amendment

- **26.02** County shall terminate this Agreement if it has a good faith belief that Agency has knowingly violated Section 448.09(1), Florida Statutes as may be amended.
- 5. Except as modified by this First Amendment, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof and is hereby ratified and confirmed by the Agency and County.

(Remainder of the page intentionally left blank)

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

ATTEST:	PALM BEACH COUNTY, a political subdivision of the State of Florida				
JOSEPH ABRUZZO					
CLERK OF THE CIRCUIT					
COURT & COMPTROLLER					
D	By:				
By: Deputy Clerk	Maria Sachs, Mayor				
APPROVED AS TO FORM AND LEGAL SUFFICIENCY	APPROVED AS TO TERMS AND CONDITIONS				
By: County Attorney	By: MR Some C. Ayal College Isami Ayala-Collazo, Director Facilities Development & Operations				

ATF/First Amendment

ATTEST:

UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, a Federal Agency

Chistopher Cieplucha

Signature

By: Christopher A Robinson

Christopher Cieplucha Telecomm Spec.

Print Name and Title

Christopher A. Robinson, SAC

Print Name and Title

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

iams Division Counsel