

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

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Meeting Date: December 10, 2024          [X] Consent       [ ] Regular
                                           [ ] Workshop      [ ] Public Hearing
Submitted By: Department of Airports
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I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to receive and file: Three (3) Amendments for Extension (Amendments) to the following Public Transportation Grant Agreements (PTGAs) with the Florida Department of Transportation (FDOT):

- (A) Southside Redevelopment Project – Phases 3 & 4 (Southside Redevelopment Project) at Palm Beach County Park Airport (Lantana Airport), Financial Project Number 445956-1-94-01, approved by the Board of County Commissioners (BCC) on March 8, 2022 (R2022-0178), extending the expiration date of the PTGA to January 15, 2027;
- (B) West Apron Rehabilitation Project at Lantana Airport, Financial Project Number 449407-1-94-01, approved by the BCC on August 23, 2022 (R2022-0828), extending the expiration date of the PTGA to October 31, 2025; and
- (C) Runway 14-32 Expansion Design Project at North Palm Beach County General Aviation Airport (North County Airport), Financial Project Number 451891-1-94-01, approved by the BCC on April 4, 2023 (R2023-0389), extending the expiration date of the PTGA to October 31, 2026.

Summary: Time extensions to the PTGAs for the Southside Redevelopment Project and West Apron Rehabilitation Project at the Lantana Airport are needed to provide additional time to complete construction of the projects. A time extension to the PTGA for the Runway 14-32 Expansion Design Project at the North County Airport is needed due to delays in the completion of the environmental assessment process. Delegation of authority for execution of the Amendments was approved by the BCC on August 25, 2020 (R2020-1017). **Countywide (AH)**

Background and Justification: The PTGA for the Southside Redevelopment Project provides grant funding for the final phases of improvements to existing landside facilities and infrastructure at the Lantana Airport, including improvements to enhance security and access control, provide for additional landside parking, and replace aging infrastructure. The PTGA for the West Apron Rehabilitation Project at the Lantana Airport provides grant funding for apron rehabilitation, tie-down installation, and replacement of markings. The PTGA for the Runway 14-32 Expansion Design Project provides grant funding for design services for the expansion of Runway 14-32 at the North County Airport.

Attachments:

- 1. Amendment for Extension of PTGA for Southside Redevelopment Project (1)
- 2. Amendment for Extension of PTGA for West Apron Rehabilitation Project (1)
- 3. Amendment for Extension of PTGA for Runway 14-32 Expansion Design Project (1)
- 4. Resolution 2020-1017

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Recommended By:  11/15/24
Department Director Date

Approved By:  11/19/24
Assistant County Administrator Date

FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* =====	=====	=====	=====	=====

ADDITIONAL FTE POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes X No _____

Does this item include the use of federal funds? Yes _____ No X

Does this item include the use of state funds? Yes X No _____

Budget Account No:

Fund 4111 Department 121 Unit A431/A344/A385 Object: 6504/6505

Reporting Category _____

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

*This item has no fiscal impact. Funds for the projects are included in the above-referenced accounts.

C. Departmental Fiscal Review: Deborah Mancanson

III. REVIEW COMMENTS

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

<p><u>ASD</u> 11/8/24 OFMB CA-1118 VS 1118</p>	<p><u>[Signature]</u> 11/14/24 Contract Dev. and Control 26 11.13.24</p>
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B. Legal Sufficiency:

Arme Delgado 11-14-24
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 11/17

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AMENDMENT FOR EXTENSION OF PUBLIC
TRANSPORTATION GRANT AGREEMENT

DATE: 9/3/24
TO: Michael Giambrone
Palm Beach County
FROM: Laurie McDermott
SUBJECT: Southside Redevelopment Project - Phases 3 & 4 @ Palm Beach County Park Airport
Palm Beach County Park Airport
CONTRACT NUMBER: G2485
AMENDMENT NUMBER: 1
FINANCIAL MANAGEMENT NUMBER: 445956-1

The Public Transportation Grant Agreement ("Agreement") between the Florida Department of Transportation ("Department") and Palm Beach County ("Agency"), dated 01/19/2022, is scheduled to expire on the 31 day of December, 2024.

The Agency requests an Amendment of the Agreement, to extend the end date of the Agreement to the 15 day of January, 2027, for additional time to complete the Project for the following reasons: Design is currently in progress. The design is 90% complete. A grant extension is needed to provide additional time to complete design, bidding, construction, and project closeout.

The Department agrees to the requested extension of the Agreement. All of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on 10/21/2024 | 7:41 AM EDT (to be completed by Department).

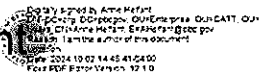
Agency: Palm Beach County
By: *Laura Beebe*
Name: Laura Beebe
Title: Director of Airports

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
DocuSigned by:
By: *John Krane* DS
MG
Name: John P. Krane, P.E.
Title: Director of Transportation Development

Approved as to Form and Legal Sufficiency

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:
DocuSigned by:
Francine Steelman
43DE6BB3D3BF464...

By: Anne Helfant
County Attorney



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**AMENDMENT FOR EXTENSION OF PUBLIC
TRANSPORTATION GRANT AGREEMENT**


DATE: 9/3/24
TO: Michael Giambrone
Palm Beach County
FROM: Laurie McDermott
SUBJECT: West Apron Rehabilitation
Palm Beach County Park Airport
CONTRACT NUMBER: G2B05
AMENDMENT NUMBER:
FINANCIAL MANAGEMENT NUMBER: 449407-1

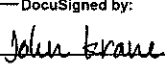
The Public Transportation Grant Agreement ("Agreement") between the Florida Department of Transportation ("Department") and Palm Beach County ("Agency"), dated 07/19/2022, is scheduled to expire on the 31 day of December, 2024.

The Agency requests an Amendment of the Agreement, to extend the end date of the Agreement to the 31 day of October, 2025, for additional time to complete the Project for the following reasons: Bidding of the project was delayed due to an expired consultant agreement. Construction is expected to begin on November 1, 2024. The grant extension is required to complete construction and project closeout.

The Department agrees to the requested extension of the Agreement. All of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

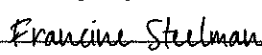
IN WITNESS WHEREOF, the Parties have executed this Amendment on 10/21/2024 | 7:40 AM EDT (to be completed by Department).

Agency: Palm Beach County
By: 
Name: Laura Beebe
Title: Director of Airports

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
DocuSigned by:
By:  DS
MG
Name: John P. Krane, P.E.
Title: Director of Transportation Development

Approved as to Form and Legal Sufficiency

By: 
County Attorney

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:
DocuSigned by:

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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AMENDMENT FOR EXTENSION OF PUBLIC
TRANSPORTATION GRANT AGREEMENT

Form 725-000-04
STRATEGIC
DEVELOPMENT
OGC 02/19

DATE: 9/3/24
TO: Michael Giambrone
Palm Beach County
FROM: Laurie McDermott
SUBJECT: Runway 14-32 Expansion Design
North Palm Beach County General Aviation Airport

CONTRACT NUMBER: G2G33

AMENDMENT NUMBER:

FINANCIAL MANAGEMENT NUMBER: 451891-1

The Public Transportation Grant Agreement ("Agreement") between the Florida Department of Transportation ("Department") and Palm Beach County ("Agency"), dated 02/23/2023, is scheduled to expire on the 31 day of December, 2024.

The Agency requests an Amendment of the Agreement, to extend the end date of the Agreement to the 31 day of October, 2026, for additional time to complete the Project for the following reasons: Procurement of design consultant and start of design delayed. Procurement of the design consultant will begin after the FAA issues of the Finding of No Significant Impact (FONSI) for the Environmental Assessment (EA) for the Runway 14-32 Extension Project.

The Department agrees to the requested extension of the Agreement. All of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on 10/21/2024 | 3:01 PM EDT (to be completed by Department).

Agency: Palm Beach County
By: *Laura Beebe*
Name: Laura Beebe
Title: Director of Airports

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
DocuSigned by:
By: *John Krane*
Name: John P. Krane, P.E.
Title: Director of Transportation Development

DS
MG

Approved as to Form and Legal Sufficiency

By: *Anne Helfant*
County Attorney

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:

DocuSigned by:
Francine Steelman
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RESOLUTION NO. 2020- 1017

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR OR DESIGNEE TO EXECUTE GRANT APPLICATIONS AND AGREEMENTS FOR THE BENEFIT OF THE COUNTY'S AIRPORT SYSTEM, AND CERTAIN MODIFICATIONS TO GRANT AGREEMENTS ENTERED INTO PURSUANT TO DELEGATED AUTHORITY; PROVIDING FOR REPEAL OF RESOLUTION 2006-2086 TO THE EXTENT OF ANY CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County ("County"), by and through its Department of Airports ("Department"), owns and operates the Palm Beach International Airport, North Palm Beach County General Aviation Airport, Palm Beach County Park Airport and Palm Beach County Glades Airport ("Airport System"); and

WHEREAS, the United States of America, by and through its Department of Transportation and the Federal Aviation Administration (hereinafter collectively referred to as the "FAA"), provides grant funding through standard form grant agreements for eligible airport projects, which are required to be executed in order to receive federal funding; and

WHEREAS, the FAA uses the Airport Improvement Program ("AIP"), established pursuant to Title 49, U.S.C, Subtitle VII, as now or hereafter amended, as the primary means of distributing funding to airports; and

WHEREAS, the Board of County Commissioners authorized the County Administrator or designee to execute standard form FAA grant agreements pursuant to Resolution 93-801, which was repealed and replaced by Resolution 2006-2086; and

WHEREAS, pursuant to Resolution 2006-2086, the Board of County Commissioners authorized the County Administrator or designee to execute standard FAA AIP grant agreement forms; and

WHEREAS, pursuant to Agenda Item 3F3 on September 23, 2008, the Board of County Commissioners authorized the County Administrator or designee to execute administrative amendments to Florida Department of Transportation ("FDOT") grant agreements known as Joint Participation Agreements ("JPA") to include modifications to the language that may be required to bring JPAs into compliance with state laws; and

WHEREAS, pursuant to Agenda Item 3F11 on October 18, 2011, the Board of County Commissioners authorized the County Administrator or designee to sign extensions of time and approve minor changes to Joint Participation Agreements with FDOT ; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748, Public Law 116-136), signed into law on March 27, 2020, included \$10 billion in funds to be awarded as economic relief to eligible airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic; and

WHEREAS, the FAA offered approximately \$37 million in CARES Act funding to the County to be used for the benefit of the Airport System for any lawful purpose for which airport revenues may be used, utilizing a simplified standard AIP grant agreement form; and

WHEREAS, the agencies typically require acceptance of grant offers to occur within a specified period of time; and

WHEREAS, the form of the various grant agreements are updated from time to time by the agencies providing grants and are not subject to modification or negotiation by the grantee; and

WHEREAS, the Board of County Commissioners desires to simplify and consolidate the previous delegations of authority related to execution of grant applications and agreements for the benefit of the Airport System; and

WHEREAS, the delegation to the County Administrator or designee to execute aviation grant applications and agreements consistent with the provisions of this Resolution will eliminate delays and potential loss of grant opportunities caused by requiring such items to be brought before the Board of County Commissioners for approval and would therefore be consistent with the goals of the Board of County Commissioners to streamline the agenda process and to maximize the use of available grant funding sources.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, grant applications for programs established to provide funding for airport planning and development projects, acquisition of property or property interests, reimbursement or direct payment of airport operating, maintenance or capital costs, and any other lawful aviation or airport purpose; provided that the application does not become an agreement or obligation prior to acceptance of the grant offer by the County.
3. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, standard form grant agreements issued by the FAA: (a) under the AIP in substantially the form of the agreements attached hereto and incorporated herein as Exhibit A, as may be amended by the FAA to ensure compliance with current law and grant program requirements; and (b) any other FAA program established to provide funding for airport planning and development projects, acquisition of property or property interests, reimbursement or direct payment of airport operating, maintenance or capital costs, or any other lawful aviation or airport purpose; provided that the terms and conditions of the grant agreement are substantially similar to grant agreements issued under the AIP, which shall include grants issued by the FAA under the CARES Act and other similar programs.
4. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, standard form Public Transportation Grant Agreements ("PTGA") issued by FDOT in substantially the form attached hereto and incorporated herein as Exhibit "B", as may be amended by FDOT to ensure compliance with current law and grant program requirements.

5. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, the following modifications to grant agreements entered into pursuant to this Resolution: (a) amendments required to ensure compliance with current law and grant program requirements or that include nonmaterial changes; (b) time extensions to grant agreements; and (c) terminations of grant agreements. For purposes of this Resolution, "nonmaterial changes" mean changes that do not modify the substantive obligations of the County and includes changes to correct scrivener's errors. Any application or grant agreement entered into in accordance with the provisions of this Resolution prior to the effective date of this Resolution is hereby approved and ratified by the Board of County Commissioners, including, but not limited to, FAA CARES Act Airport Grant Agreement Numbers 3-12-0085-065-2020, 3-12-0013-019-2020, 3-12-0086-018-2020, and 3-12-0060-008-2020.

6. The County Administrator or designee shall not execute a grant agreement pursuant to the delegation of authority granted pursuant to this Resolution unless sufficient airport funds are available to satisfy local match requirements, if any, and the grant agreements have been reviewed and approved by the County Attorney's office as to form and legal sufficiency prior to execution by the County Administrator or designee. It is the intention of the Board of County Commissioners that this delegation shall be limited to the parameters set forth herein. In the event there is a material deviation from the delegation set forth in this Resolution, which would constitute discretion of the County Administrator or designee relative thereto, then the approval of the Board of County Commissioners shall be required. The deletion of inapplicable provisions, exhibits or assurances based on specific grant program requirements shall not be considered a material deviation. The County Administrator's designee for purposes of this Resolution shall include the Director of the Department of Airports.

7. Resolution 2006-2086 is hereby repealed to the extent of any conflict with this Resolution; provided, however, this Resolution shall not have any effect on the validity of any agreements entered into pursuant to Resolution 2006-2086 including, but not limited to, FAA CARES Act Airport Grant Agreement Numbers 3-12-0085-065-2020, 3-12-0013-019-2020, 3-12-0086-018-2020, and 3-12-0060-008-2020.

8. If any section, sentence, clause, phrase, or word of this Resolution is held invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

9. This Resolution shall become effective immediately upon adoption.

(Remainder of page intentionally left blank)

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

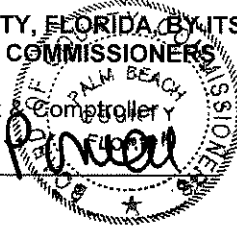
COMMISSIONER DAVE KERNER, MAYOR	-	Aye
COMMISSIONER ROBERT S. WEINROTH, VICE MAYOR	-	Aye
COMMISSIONER HAL R. VALECHE	-	Aye
COMMISSIONER GREGG WEISS	-	Aye
COMMISSIONER MARY LOU BERGER	-	Aye
COMMISSIONER MELISSA MCKINLAY	-	Aye
COMMISSIONER MACK BERNARD	-	Aye

Then the Mayor thereupon declared this Resolution duly passed and adopted this 25th day of August, 2020.

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

Sharon R. Bock, Clerk & Comptroller

By: Jacoby Penner
Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Anne Delbant
County Attorney