Memorandum

To: Council Members
From: Staff
Date: September 21, 2018 Council Meeting
Subject: Amendment to Interlocal Agreement with Palm Beach Transportation Planning Agency

Introduction

The purpose of this item is to request Council approval to amend an existing interlocal agreement with the Palm Beach Transportation Planning Agency (TPA). The amendment would provide additional funding for professional services relating to land use and planning assistance in support of TPA projects and priorities. The current agreement which took effect October 1, 2015, provides $150,000 in funding annually and expires on September 30, 2018. The amendment under consideration would extend the agreement through June 30, 2020 at the current level of annual funding (see attached).

Background

Council has been engaged in several planning assistance agreements with the Palm Beach TPA since 2008. A portion of Council’s assistance has focused on general land use, transportation, and outreach assistance with local governments and agencies. Additionally, Council has provided project-specific assistance including: station-area planning around existing and anticipated Tri-Rail commuter rail stations; quiet zones and the evaluation of impacts regarding the proposed All Aboard Florida (Brightline) project; regional greenways and trails; complete streets, lane elimination, and multimodal corridor planning; and the Intracoastal Waterways Plan for Palm Beach County. Council staff has also provided assistance on TPA documents, such as the Long-Range Transportation Plan and the Transit Development Plan, as well as evaluations of land use, project design components, and mobility enhancements. Council staff has also assisted the TPA with representation on various local government and regional committees, task forces, and at public hearings and workshops.

The Palm Beach TPA has requested Council continue to provide planning assistance to the TPA and local governments, including general planning services as well as project-specific assistance to be determined by the TPA.
Conclusion

Improving the relationship between land use patterns and transportation planning will improve the efficiency and effectiveness of the transportation network, create better opportunities for economic development and multi-modal success, and enhance quality of life throughout the Region. Additional funding will allow Council to assist in the advancement of these goals, enhance the transit-supportive land use and policy framework in the County, provide direct assistance to local governments, and implement the Strategic Regional Policy Plan.

Recommendation

Council should authorize the Executive Director to execute the first amendment to the agreement with the Palm Beach Transportation Planning Agency on behalf of Council.

Attachment
FIRST AMENDMENT TO AGREEMENT BETWEEN
PALM BEACH TRANSPORTATION PLANNING AGENCY
AND TREASURE COAST REGIONAL PLANNING COUNCIL

This First Amendment is made as of this ___ day of ______, 2018, by and between the Palm Beach MPO d/b/a the Palm Beach Transportation Planning Agency, an entity created pursuant to the provisions of Chapters 163 and 339, Florida Statutes, (hereinafter referred to as the “TPA”) and the Treasure Coast Regional Planning Council, an entity created pursuant to the provisions of Chapters 163 and Chapter 186, Florida Statutes, (hereinafter referred to as the “RPC”).

WITNESSETH

WHEREAS, on September 17th, 2015, the TPA and RPC entered into that certain agreement for planning, design and implementation services in support of the TPA’s Long Range Transportation Plan and vision (hereinafter: the “Agreement”); and

WHEREAS, the TPA now wishes to extend the contract for two additional years pursuant to the terms of the Agreement and to add funding to support the additional work to be performed during that time.

NOW, THEREFORE, in consideration of the mutual terms, conditions, promises, covenants, and obligations set forth herein, the TPA and RPC agree as follows:

Section 1. The facts set forth above, in the preamble and recitals to this Agreement, are true and correct and incorporated herein by this reference. The use of the term “MPO” as used in the Agreement and “TPA” as used in this First Amendment to the Agreement refer to the same organization, to-wit: the Palm Beach MPO d/b/a the Palm Beach Transportation Planning Agency.

Section 2. Section 4 of the Agreement is amended as set forth below. Added text and deleted text are shown as set forth.

Section 4. Effective Date, Term, and Renewal. This Agreement shall take effect on January 1, 2016 and shall remain in full force and effect for a period of three (3) years, expiring on until September 30, 2018 June 30, 2020. The RPC hereby grants to the MPO the option to extend the term of this Agreement for two (2) additional years or two (2) additional one (1) year periods as deemed appropriate by the MPO. If the MPO elects to exercise the option(s), the MPO will notify the CONSULTANT of its election at least fifteen (15) days prior to the expiration of the then current term of the Agreement at the address set forth in Section 36 of this Agreement.
Section 3. Section 6.A. of the Agreement is amended as set forth below. Added text and deleted text are shown as set forth.

Section 6. Payments.
A. The maximum amount to be paid by the MPO TPA to the RPC under this Agreement is Six Hundred Thousand Dollars ($600,000) Four Hundred Fifty Thousand Dollars ($450,000), including all out-of-pocket or reimbursable expenses. MPO TPA anticipates that funds will be allocated and distributed for each year of the Agreement as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Amount</th>
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<tbody>
<tr>
<td>FY 2016</td>
<td>$150,000.00</td>
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<tr>
<td>FY 2017</td>
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<tr>
<td>FY 2018</td>
<td>$150,000.00</td>
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<tr>
<td>FY 2019</td>
<td>$150,000.00</td>
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Section 4. Except as amended herein, all other terms and conditions of the Agreement are hereby confirmed and shall remain unchanged and in full force and effect.

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IN WITNESS WHEREOF, TPA and the CONSULTANT have hereunto set their hands to this First Amendment on this ___ day of ______, 2018.

TREASURE COAST REGIONAL PLANNING COUNCIL

By: __________________________
    Reece J. Parrish
    TCRPC Chair

PALM BEACH MPO d/b/a PALM BEACH TRANSPORTATION PLANNING AGENCY

By: __________________________
    Commissioner Hal Valeche
    TPA Chair

WITNESS:

______________________________
Signature

______________________________
Print Name

______________________________
Margarita Pierce, TPA Executive Asst.

Approved as to Form and Legal Sufficiency:

______________________________
Paul Gougelman, TPA Attorney

Approved as to Terms and Conditions:

______________________________
Nick Uhren, P.E., TPA Executive Director