

RESOLUTION 43-08-25

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE GRANT AGREEMENT BETWEEN THE TOWN OF LAKE PARK AND PALM BEACH COUNTY TO ALLOW THE PROJECT SCOPE TO BE PERFORMED THROUGH MULTIPLE CONTRACTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a municipal corporation of the state of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has been awarded a grant to construct a splash pad at Kelsey Park; and

WHEREAS, Palm Beach County previously entered into Agreement No. R2025-0815 (the Agreement) with the Town of Lake Park ("Subrecipient") on May 7, 2025, whereby it agreed to provide to the Subrecipient \$400,916.00 in Community Development Block Grant (CDBG) funds to be used by the Subrecipient for the construction of an outdoor splash pad at Kelsey Park, located at 701 Lake Shore Drive in the Town of Lake Park ("Project"); and

WHEREAS the Subrecipient has requested an amendment to the Agreement to allow the Project scope to be performed through multiple contracts, which the parties believe would facilitate a savings in the cost and, to the time it takes to complete the Project; and

WHEREAS, the parties agree to revise the procurement requirements within the Agreement, to facilitate the Subrecipient's completion of the Project within the established budget for the Project and allow adequate time for the Subrecipient to request 100% reimbursement of CDBG funds provided to the Subrecipient for the Project; and

WHEREAS, the parties have agreed to an amendment to the Agreement in accordance with the terms and conditions set forth in an amendment to the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein.

Section 2. The mayor is hereby authorized and directed to execute the amendment to the Agreement, a copy of which is incorporated herein by reference.

Section 3. This resolution shall take effect immediately upon its execution.

The foregoing Resolution was offered by Vice Mayor Hensley, who moved its adoption. The motion was seconded by Commissioner O'Rourke and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR ROGER D. MICHAUD	<u>/</u>	___
VICE MAYOR MICHAEL J. HENSLEY	<u>/</u>	___
COMMISSIONER JOHN LINDEN	<u>/</u>	___
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	___
COMMISSIONER JUDITH E. THOMAS	<u>/</u>	___

The Town Commission thereupon declared the foregoing Resolution 43-08-25 duly passed and adopted this 6 day of August, 2025.

TOWN OF LAKE PARK, FLORIDA

BY: Roger D. Michaud
ROGER D. MICHAUD
MAYOR

ATTEST:

Vivian Mendez
VIVIAN MENDEZ
TOWN CLERK



Approved as to form and legal sufficiency:

BY: Thomas J. Baird
THOMAS J. BAIRD
TOWN ATTORNEY

**AMENDMENT 001 TO THE AGREEMENT
WITH
TOWN OF LAKE PARK**

THIS IS AN AMENDMENT 001, with an effective date of August 6, 2025, by and between **Palm Beach County** and the **Town of Lake Park**.

W I T N E S S E T H:

WHEREAS, Palm Beach County entered into an Agreement (R2025-0815) with the Town of Lake Park ("Subrecipient"), on May 7, 2025, to provide \$400,916 of Community Development Block Grant (CDBG) funds for construction of an outdoor Splash Pad at Kelsey Park, located at 701 Lake Shore Drive, in the Town of Lake Park ("Project"); and

WHEREAS, the Subrecipient has requested to modify the Agreement to allow: completion of the design phase, the Project Scope of Work to be performed through multiple contracts that will provide cost savings, and to also extend the Project performance requirement dates; and

WHEREAS both the County and Subrecipient agree to revise the Agreement to facilitate the Bid and Contract award processes in order to complete Project within budget and allow adequate time to request 100% reimbursement of the CDBG funds; and

WHEREAS, both parties desire to modify the original Agreement in accordance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

A. INCORPORATION OF RECITALS

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

B. EXHIBIT "A": SCOPE OF WORK - SECTION C. PROFESSIONAL SERVICES

The specific language within Section C, is so modified and made a part hereof as follows:

"Alternatively, the Subrecipient shall have the option of performing any portion of the consultant's services described above by its own staff provided such staff possess the necessary competency to do so. All costs associated with the above services shall be paid for by the Subrecipient, unless otherwise indicated in writing by the County"

C. EXHIBIT “A”: SCOPE OF WORK - SECTION D. PROCUREMENT AND CONSTRUCTION

The specific language within Section D, is so modified and made a part hereof as follows:

“All construction work shall be included under one (1) contract if feasible. However, the Subrecipient may use multiple contracts upon written notice and justification to the County Department administering the Program Fund Agreement. The Subrecipient shall prepare bid package(s) complete with drawings, specifications, and any items required for competitive bid of the project scope, in accordance with Florida Statutes 255.0525 Advertising for competitive bids or proposals”.

D. EXHIBIT “A”: SCOPE OF WORK - SECTION F. PERFORMANCE REQUIREMENTS

The time-frame for completion of the outlined activities and Expiration Date of the Agreement shall be modified as follows:

- (1) **Award Construction Contracts by:** (Extended from 10/31/25 to **04/30/26**)
- (2) **Request 50% of CDBG funds from County by:** (Extended from 03/31/26 to **6/15/26**)
- (3) **Complete Construction by:** (Extended from 6/30/26 to **7/31/26**)
- (4) **Request 100% of CDBG funds (“Final Reimbursement”) by:** **July 15, 2026**
- (5) **CDBG Capital Improvement Agreement Expiration Date:** **September 30, 2026**

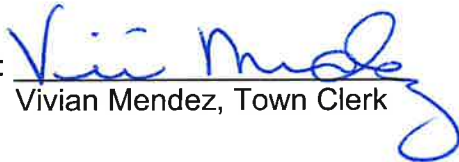
Except as modified by this Amendment 001, the Agreement remains unmodified and in full force and effect in accordance with the terms thereof. This Amendment 001 is expressly contingent upon the approval of the County and shall become effective only when signed by all parties.

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IN WITNESS WHEREOF, the Subrecipient has hereunto set its hand and seal the day and year above written and caused this Amendment 001 to be executed.

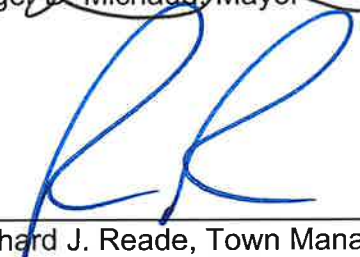
(SUBRECIPIENT SEAL BELOW)



By: 
Vivian Mendez, Town Clerk

TOWN OF LAKE PARK

By: 
Roger D. Michaud, Mayor

By: 
Richard J. Reade, Town Manager

By: 
Attorney for Subrecipient
(Signature Optional)

AMENDMENT 001 TO R2025-0815 AGREEMENT WITH LAKE PARK – SPLASH PAD AT KELSEY PARK

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Amendment 001 on behalf of the County.

**PALM BEACH COUNTY, FLORIDA, a
Political Subdivision of the State of Florida
For its BOARD OF COUNTY COMMISSIONERS**

By: _____
Jonathan B. Brown, Director
Dept. of Housing & Economic Development

**Approved as to Form and
Legal Sufficiency**

**Approved as to Terms and Conditions
Dept. of Housing & Economic Development**

By: _____
Howard J. Falcon III
Chief Assistant County Attorney

By: _____
Carlos R. Serrano
Deputy Director

REV. NO. 001

AGREEMENT/MOU REVISION REQUEST
AGREEMENT/MOU BETWEEN PALM BEACH COUNTY
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
AND

TOWN OF LAKE PARK

PROJECT AND FUNDING Agreement R2025-0815 or MOU executed date May 7, 2025

Provide Project Name, Funding Amount and brief Project description.

Project Name: Kelsey Park Splash Pad

Funding Amount: \$400,916 CDBG Funds + \$10,000 Town Funds

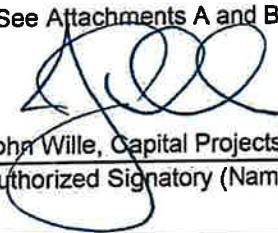
Description: Design and construction of an outdoor Splash Pad within Kelsey Park. Project includes water supply, drainage, concrete splash pad, equipment and components, access sidewalks, landscaping and other necessary deliverables.

REQUESTED REVISION: *Provide name of Subrecipient (Town/City/ County Dept) and requested revision.*

See Attachments A and B, for details.

JUSTIFICATION *Provide description of activities to be undertaken and reason to justify the revision.*

See Attachments A and B, for details.


John Wille, Capital Projects, Town of Lake Park
Authorized Signatory (Name & Title)

07.25.2025
Date

REVISION ACTION (for DHED Contracts use only) AMENDMENT REQUIRED ☒ YES ☐ NO

IN ACCORDANCE WITH: Item 22. AMENDMENTS, EXHIBIT "A"/ Section D. PROCUREMENT AND EXHIBIT "A"/ Section D. PROCUREMENT AND CONSTRUCTION, shall be modified to allow the Town to issue required bids to award multiple contracts, as a measure of cost savings for implementation of the Project scope. Therefore, the Agreement is revised as such: "All Construction Work shall be included under one contract if feasible. However, the Subrecipient may use multiple contracts upon written notice and justification to the County Department administering the Program Fund Agreement" and the Agreement is so modified. EXHIBIT "A" / Section F. PERFORMANCE REQUIREMENTS shall be modified, as outlined in Attachment B.

ACCEPTANCE OF WRITTEN REQUEST AND APPROVAL OF PROPOSED REVISION

Except as revised by this request, the Agreement remains in full force and effect in accordance with the terms thereof.

By: 
Jonathan B. Brown, Director
Department of Housing & Economic Development

Date: 7/29/2025

Cc Jeffrey Bolton, Director, Contract Development and Quality Control
Bud Cheney, Director, Capital Improvements Real Estate and Inspection Services

AGREEMENT / MOU REVISION REQUEST

ATTACHMENT A

Project Name: Kelsey Park Splash Pad
Funding Amount: \$400,976.00 CDBG Grant Amount + \$10,000.00 Town Match
Description: Design and Construction of an outdoor Splash Pad within Kelsey Park; project includes water supply, drainage, concrete splash pad, Splash Pad equipment and components, access sidewalks, landscaping and other deliverables deemed necessary.

REQUESTED REVISION:

We are requesting, for your consideration and approval, an agreement amendment to **Section D. Procurement and Construction** that would allow the Town to solicit multiple contracts for the various work components related to the project. The agreement Section D indicates "*All Construction work shall be included under one contract*"; we anticipate developing several independent contract agreements for construction components and we are requesting an amendment to allow this contracting approach.

For **Construction**, we look to prepare two additional bid packages for 1) Site improvements to include grading, water, sewer and drainage requirements and site concrete work and 2) Splash Pad work to include splash pad engineering, furnishing & installation of all splash pad components.

JUSTIFICATION:

The primary reasoning for this request is the saving of time and money.

The Town will save by contracting directly and independently with a site contractor and a splash pad contractor instead of having both of these sub-trades under a prime contractor who will sub-contract these work items to the specialists at a marked-up cost to the Town.

The available budget for this project is tight and we want to get the best and most financially responsible value for the financial investment.

The Town has the "In-House" expertise to implement this multi-contact approach and the construction experience to manage these contractors for an efficient and time saving work effort.

ATTACHMENT B

Project # R 2025 0815

Kelsev Park Splash Pad

AGREEMENT PERFORMANCE DATES:

Award Construction Contract by April 01, 2026:	April 01, 2026
Request 50% of CBG funds from County by:	June 15, 2026
Complete Construction by:	July 31, 2026
Request 100% of CDBG Funds ("Final Reimbursement) by:	July 15, 2026
CDBG Capital Improvement Agreement Expiration Date:	September 30, 2026

TOWN OF LAKE PARK DESIGN / CONSTRUCTION SCHEDULE:

Grant Agreement Amendment Execution:	by August 15, 2025
Design Procurement Development	July 28 through August 15, 2025
Advertise for Design (30 day solicitation)	August 18, 2025
Award Design (80 day design period)	October 15, 2025
Conceptual Design presentation to Town Commission on December 03, 2025	
Design Complete	January 15, 2026
Construction Procurement Development	January 16 through February 06, 2025
Advertise for Construction Contractor (30 day solicitation)	February 09, 2026
Award Construction	April 01, 2026
Construction (3 month construction)	May 2026 through July, 31, 2026
Project Complete	August 31, 2026