

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA**

SEPTEMBER 26, 2023

**TUESDAY
9:30 A.M.**

COMMISSION CHAMBERS

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. REGULAR AGENDA (Pages 2 - 3)

4. WORKSHOP SESSION 9:30 A.M.

- A.** Agri-Tourism (PZB)
- B.** Flood Plain Zone Review (PZB)
- C.** Service Recommendations / Funding (Palm Tran)

5. ADJOURNMENT

SEPTEMBER 26, 2023

3. REGULAR AGENDA

A. CLERK AND COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.

2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

3. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: A Third Amendment (“Amendment”) to the Convention Center Operating Agreement with Global Spectrum, L.P., (“Global” or “Operator”), for the operation and management of the Palm Beach County Convention Center (“Convention Center”) extending the term for an additional four months through January 31, 2024. **SUMMARY:** Operator was selected to operate and manage the Convention Center in 2012 through a competitive Request for Proposals (RFP) process. Under the terms of the Agreement (R2012-1047), the Board of County Commissioners (Board) exercised a renewal option to extend the Agreement for 5 years through September 30, 2022 (R2017-0932). Due to COVID-19 disruptions, the retirement of the Tourist Development Council (TDC) Director, and the solicitation for a new Food and Beverage Services contract at the Convention Center, the Board extended the Agreement through September 30, 2023 (R2022-0407). Facilities Development and Operations (FDO) and TDC advertised the solicitation for a new Convention Center operator in the spring of 2023. One proposal (from Global) was received in response to the competitive solicitation. The selection committee met on June 16, 2023 and recommended award to Global subject to negotiation of the financial component of Global’s proposal. The FDO Director and Global are currently in negotiations of the financial component of the proposed new contract but require additional time to finalize the pricing of the proposed new contract. Therefore, staff recommends extending the existing Agreement with Global for four months through January 31, 2024. This Agreement is exempt from the Purchasing Code, but staff has complied with the requirements of Purchasing Code Section 2-54(b) since this is an extension of a competitively procured contract. The existing Agreement provides for the County to pay Operator an annual fixed fee (Annual Fixed Fee) of \$220,515 to be paid in monthly installments of \$18,376.25 which may be adjusted annually each October, based on the percentage change in the Consumer Price Index (CPI); provided however, the annual adjustment will not increase or decrease by more than 3%. In addition to the Annual Fixed Fee, Operator has the potential to earn an incentive fee (“Incentive Fee”), which will not exceed \$100,000 or 25% of the Annual Fixed Fee, whichever is less, if key performance measures are met in areas of financial, SBE achievement, marketing, sales and customer service. The TDC Board has been notified of staff’s recommendation to extend the Agreement for four months. **(FDO/TDC) District 2/Countywide (MWJ)**

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