



Broward County

Legislation Details (With Text)

File #: 21-1759 **Version:** 1

Status: Agenda Ready

In control: PORT EVERGLADES DEPARTMENT

On agenda: 10/19/2021 **Final action:** 10/19/2021

Title: MOTION TO APPROVE Third Amendment to Interlocal Agreement between Broward County and Sheriff of Broward County Providing for Seaport Security and Law Enforcement Services, retroactively extending the term on a month-to-month basis through March 31, 2022; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Third Amendment to BSO Interlocal Agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Jonathan Daniels

Department: Port Everglades

Division: Director's Office

Information

Requested Action

MOTION TO APPROVE Third Amendment to Interlocal Agreement between Broward County and Sheriff of Broward County Providing for Seaport Security and Law Enforcement Services, retroactively extending the term on a month-to-month basis through March 31, 2022; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

In accordance with the Broward County Procurement Code, Section 21.47(a), Award and Execution Authority, Broward County Board of County Commissioners approval is required for awards exceeding \$500,000.

What Action Accomplishes

Approves the Third Amendment to the Interlocal Agreement between Broward County and Sheriff of Broward County Providing for Seaport Security and Law Enforcement Services at Port Everglades to extend the existing term for up to six additional months.

Is this Action Goal Related

Yes

Previous Action Taken

None

Summary Explanation/Background

THE PORT EVERGLADES DEPARTMENT RECOMMENDS APPROVAL.

This action supports the Broward County Board of County Commissioners' ("Board") Value of "Ensuring economic opportunities for Broward's diverse population and businesses" and the Goal to "Increase the economic strength and impact of revenue-generating County enterprises balancing economic, environmental, and community needs."

The Broward County Sheriff's Office ("BSO") has provided seaport security and law enforcement services at Port Everglades under a series of interlocal agreements approved by the Board since the 1990s. The most recent agreement was approved by the Board on September 10, 2015, with an expiration date of September 30, 2020 (Item No. 32) ("Agreement"). On September 22, 2020 (Item No. 6), the Board approved the First Amendment to the Agreement, extending the term of the Agreement through December 31, 2020, while a new agreement was negotiated. On June 1, 2021 (Item No. 12), the Board approved the Second Amendment to the Agreement, extending the term of the Agreement through September 30, 2021, to provide additional time for the negotiations.

Negotiations between the parties continue to be delayed while the parties address a number of open issues, including recommendations made by the County Auditor in a recent audit of BSO's services provided to Port Everglades. The audit was recently completed and is under Management review. Approval of the Third Amendment (see Exhibit 1) will retroactively extend the existing Agreement, which expired on September 30, 2021, through March 31, 2022, so that BSO may continue providing services at Port Everglades while the terms of a new agreement are negotiated and finalized. The Third Amendment provides that the term will be automatically extended on a month-to-month basis through the end of the new term unless the Port Everglades Chief Executive & Port Director provides written notice of the intent not to further extend, after which the extension period will terminate at the end of the next calendar month unless otherwise agreed to by both parties.

While not directly covered by the Third Amendment, an increase in the detail rate paid to BSO for staffing reimbursable positions for cruise ship terminal security and cruise traffic control was included in the approved Fiscal Year 22 budget and will enter into effect when this amendment is approved by the Board. The new detail rate of \$70 per hour replaces the \$57 per hour rate that has been in effect since 2010. The increase is needed to ensure that sufficient qualified BSO personnel are available to staff posts during busy cruise days. The new rate is less than the average cost per hour if the positions were staffed by BSO using staff on overtime.

The Third Amendment to the Agreement has been approved as to form by the Office of the County Attorney.

Source of Additional Information

Rob Jenkins, Security Manager, Port Director's Office, Port Everglades Department, (954) 468-0119

Fiscal Impact

Fiscal Impact/Cost Summary

Funding for the services covered by the Agreement with a not-to-exceed amount of \$16,222,540 was included in the approved Port Everglades Fiscal Year 2022 Operating Budget.