

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: November 16, 2011- MAR

Division: Growth Management

Bulk Item: Yes  No

Department: Code Compliance

Staff Contact Person: Ronda Norman X2520

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**AGENDA ITEM WORDING:**

Approval of an amendment to contract with Department of Administrative Hearings (DOAH) to transfer Polycom video conferencing equipment from Department of Administrative Hearings (DOAH) to Monroe County in exchange for the use of the County Media & Conferencing Room located at the Marathon Government Center, 2798 Overseas Highway, Marathon, FL. 33050

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**ITEM BACKGROUND:** The desire to initiate the use of video teleconferencing for the Code Compliance hearings to reduce expenses and travel to both the County and DOAH and to expand the scope of services to allow for other administrative matters, including beneficial use and vested rights determinations to be handled by DOAH, the County is being provided Polycom video conferencing equipment from DOAH in exchange for the use of the County Media Room located in Marathon.

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**PREVIOUS RELEVANT BOCC ACTION:**

2/21/07: BOCC ratified the Administrative Law Judge Services Contract  
7/18/07: BOCC approved First Amendment to the Contract to expand the scope of services  
10/15/08: BOCC approved increase in contract rate from \$137 per hour to \$140 per hour  
10/21/09: BOCC approved increase in contract rate from \$140 per hour to \$142 per hour  
10/20/10: BOCC approved increase in contract rate from \$142 per hour to \$144 per hour

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**CONTRACT/AGREEMENT CHANGES:** Amendment to contract with Department of Administrative Hearings (DOAH) to include the transfer of Polycom video conferencing equipment from Department of Administrative Hearings (DOAH) to Monroe County in exchange for the use of the County Media & Conferencing Room located at the Marathon Government Center, 2798 Overseas Highway, Marathon, FL. 33050

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** N/A      **INDIRECT COST:** N/A      **BUDGETED:** Yes  No

**COST TO COUNTY:** \_\_\_\_\_

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes  No       **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty  OMB/Purchasing  Risk Management

**DOCUMENTATION:** Included  Not Required

**DISPOSITION:** \_\_\_\_\_ **AGENDA ITEM #** \_\_\_\_\_

**MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

CONTRACT SUMMARY			
Contract with: <u>DOAH</u>	Contract # _____	Effective Date: <u>November 16, 2011</u>	Expiration Date: <u>Upon termination</u>
Contract Purpose/Description:			
<u>Approval of Amendment to Agreement with Division of Administrative Hearings (DOAH) to transfer Polycom video conferencing equipment to Monroe County and to allow for DOAH to use the County's Media and Conferencing Room in Marathon Government Center</u>			
Contract Manager: <u>Ronda Norman</u> (Name)	<u>X2520</u> (Ext.)	<u>Code Compliance</u> (Department/Stop #)	
for BOCC meeting on <u>11/16/11</u>		Agenda Deadline: <u>11/1/11</u>	

CONTRACT COSTS			
Total Dollar Value of Contract: \$ <u>75.00 hrly</u>	Current Year Portion: \$ <u>N/A</u>		
Budgeted? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Account Codes: <u>148-60500-500-530318-</u>		
Grant: \$ <u>N/A</u>	_____	_____	_____
County Match: \$ <u>N/A</u>	_____	_____	_____
ADDITIONAL COSTS			
Estimated Ongoing Costs: \$ _____/yr	For: _____		
(Not included in dollar value above)		(eg. maintenance, utilities, janitorial, salaries, etc.)	

CONTRACT REVIEW				
	Date In	Changes Needed	Reviewer	Date Out
Division Director	<u>10/31/11</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>Ch...</u>	<u>10/31/11</u>
Risk Management	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____
O.M.B./Purchasing	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>	_____	_____
County Attorney	<u>10/31/11</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<u>Christine Lindholt-Barrow</u>	<u>10/31/11</u>
Comments: _____				
_____				
_____				

**Second Amendment to the Administrative Law Judge Services Contract  
between Division of Administrative Hearings and Monroe County**

**THIS SECOND AMENDMENT** is entered into on the 16<sup>th</sup> day of November, 2011 between the Division of Administrative Hearings (DOAH) and the Monroe County Board of County Commissioners (County).

**WHEREAS**, the Contract between DOAH and the COUNTY to provide administrative law judge services for code enforcement violation cases was entered into January 2007; and

**WHEREAS**, the Contract was amended on July 2007 to expand the scope of services to allow for other administrative matters, including beneficial use and vested rights determinations, to be referred to and handled by DOAH; and

**WHEREAS**, the COUNTY and DOAH desire to increase the use of video conferencing in order to reduce travel and expenses related thereto; and

**WHEREAS**, DOAH will provide POLY COM video conferencing network equipment and devices to the COUNTY and in exchange the COUNTY will provide use of its Media & Conference Room located at Marathon Government Center, 2798 Overseas Highway, Marathon, FL 33050.

**NOW THEREFORE**, the parties hereto, for valuable consideration and the mutual promises between the parties, hereby amend its agreement as follows:

1. Section 4, Video Conferencing shall be amended to read in its entirety as follows:

4. **Video Conferencing**. In the event a hearing is being conducted by video conferencing, the COUNTY will use the POLY COM equipment and devices as provided by DOAH. The POLY COM equipment and devices will be maintained by the COUNTY and the COUNTY will only provide the necessary technical support for use and operation of the system. In exchange for use of the POLY COM video conferencing equipment and devices, DOAH will be able to use the COUNTY's Media & Conference Room, located at Marathon Government Center, 2798 Overseas Highway, 1<sup>st</sup> Floor rear hallway, Marathon, FL 33050. The use of the Media & Conference Room will be subject to availability by the COUNTY. DOAH shall reserve use of the Media and Conference Room with COUNTY staff. Once the Media and Conference room is reserved by DOAH, the COUNTY's technical services staff will ensure that the video conferencing equipment and devices are connected for use. The video conference reimbursement rates will be \$75.00 per hour for actual hearing time.

2. The contract entered into January 2007 and as amended July 2007, not inconsistent herewith, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed in their respective names as first written above.

Attest:

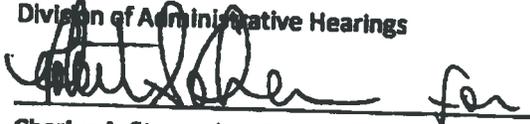
Danny L. Kolhage, Clerk

Monroe County

By: \_\_\_\_\_  
Deputy Clerk

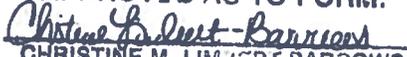
By: \_\_\_\_\_  
Mayor

Division of Administrative Hearings

  
Charles A. Stampelos, Deputy Chief Judge

MONROE COUNTY ATTORNEY

APPROVED AS TO FORM:



CHRISTINE M. LAMBERT-BARROWS  
ASSISTANT COUNTY ATTORNEY

Date 10/31/11