

Meeting Date
Nov 15, 2016



AGENDA	
Section	Consent
Item No.	11.A.7

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) for funds related to the construction of Administration Building/Pilot Services Facility. Additionally authorizes a Commercial Paper Loan or best available financial mechanism to fund the non-reimbursable portion of the JPA or the Airports' share to construct the project.
DEPT/OFFICE:	VALKARIA AIRPORT

Requested Action:

It is requested the Board of County Commissioners approve and authorize the Chairman to execute the attached Florida Department of Transportation (FDOT) Joint Participation Agreements(JPA) for funds related to the construction of a new Administration Building/Flight Services Facility commonly called a general aviation terminal. Authorize a Commercial Paper Loan or best available financial mechanism to fund the non-reimbursable portion of the JPA or the Airports' share to construct the project. Authorize County Manager or designee to make related budget changes contingent upon Legal and Risk approval.

Summary Explanation & Background:

On August 29, 2007, the Board of County Commissioners adopted the Valkaria Airport Master Plan. This plan was updated in 2015 addressing various airport needs; runway, taxiway, lighting, hangars, administration building/pilot services facility(GA Terminal) and other airport improvement projects needed to meet growing operational requirements of the airport. This Airport Master Plan and Airport Layout Plan have been accepted and approved by the BOARD, FAA and FDOT. Construction projects are listed in the Short Term Capital Improvement Plan, Specifically the Administration Building/Flight Services Facility.

On May 12, 2015 the BOARD approved and accepted two FDOT JPAs for the Design, Permitting, and Bidding of the Administration Building/Flight Services Facility and the Hangar-F Complex. Each JPA was \$150,000.

Both projects went out for procurement and bids were received. Both projects were tentatively scheduled to receive construction JPAs and start construction in August 2016 but the GA Terminal bid came in higher than FDOT budgeted, which resulted in a schedule delay and a new funding scheme. FDOT will now fund the Admin Building first (JPA attached) and the new Hangar-F complex July 2017.

PROJECT: Administration Building / Pilot Services Facility Total Construction Cost: \$3,026,000

Funding Sources: FDOT 80% - \$2,420,800 and VA 20% - \$605,200

Fiscal Impact: Airport Revenues pay all match monies. **No General Funds Required.**

~~It is anticipated that the annual debt expenses as a result of the Valkaria Airport's matching portion requirements for this grant, will approximate \$60,000 per annum. The Budget Office has analyzed the Airport's cash flow for the past three years (which reflects the net positive revenue generated by new hangars) and, on average, Valkaria's revenues have exceeded expenses by \$455,000 during this period. Accordingly, the Airport should be able to absorb the incremental debt expenses without significant impact to its financial operations.~~

Clerk to the Board instruction:

Exhibits Attached:
 FDOT JPA No.: 435319-1-94-02
 Scope of Services
 Admin Building Sketch

Contract /Agreement (If attached): Reviewed by County Attorney		Yes X	No <input type="checkbox"/>	PR <input type="checkbox"/>
County Manager Stockton Whitten	Deputy County Manager N/A Assistant County Manager N/A	Department Director / Extension Steve Borowski, Valkaria Airport PH. (321)952-4590 steve.borowski@brevardfl.us		



Tammy Rowe, Clerk to the Board, 400 South Street • P.O. Box 999, Titusville, Florida 32781-0999

Telephone: (321) 637-2001
Fax: (321) 264-6972
Tammy.Rowe@brevardclerk.us

November 16, 2016

MEMORANDUM

TO: Steve Borowski, Valkaria Airport Director

RE: Item II.A.7., Supplemental Joint Participation Agreement (JPA) with Florida Department of Transportation (FDOT) for Funds Related to the Construction of Administration Building/Pilot Services Facility; and authorize a Commercial Paper Loan or Best Available Financial Mechanism to Fund the Nonreimbursable Portion of the JPA or the Airports' Share to Construct the Project

The Board of County Commissioners, in regular session on November 15, 2016, executed and approved the FDOT Supplemental JPA for funds related to the construction of a new Administration Building/Flight Services commonly called a general aviation terminal; authorized a Commercial Paper Loan or best available financial mechanism to fund the nonreimbursable portion of the JPA or the Airports' share to construct the project; and authorized the County Manager, or his design, to make related budget changes contingent upon County Attorney and Risk Management approval. Enclosed are two executed JPA's for your action.

Upon execution by FDOT, please return a fully-executed JPA to this office for inclusion in the official record.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/ds

Encls. (2)

cc: Contracts Administration
Finance
Budget

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number 1

725-030-07
PUBLIC TRANSPORTATION
12/14

Page 1 of 4

Financial Project No(s): 435319-1-94-01 435319-1-94-02 (item-segment-phase-sequence) Contract No.: G0087	Fund: DPTO/DDR Function: 637 Federal No.: N/A DUNS No.: 80-939-7102	FLAIR Category: 088719 Object Code: 751000 A8 Org. Code: 55052000531 Vendor No.: F596 000 523 008
Catalog of Federal Domestic Assistance Number: N/A CFDA Title: N/A	Catalog of State Financial Assistance Number: 55.004 CSFA Title: Aviation Development Grants	

THIS AGREEMENT, made and entered into this _____ day of _____,
by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,
hereinafter referred to as the Department, and Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 9th day of June, 2015,
entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended
hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment
"A" for a total Department Share of \$2,541,074.00.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow
from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended
and supplemented as follows:

1.00 Project Description: The project description is amended
Design, Permitting and Bidding Services for an Airport Administration and Flight Services Facility to include Construction
of the Airport Administration and Flight Services Facility

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased/ decreased by \$3,026,343.00
bringing the revised total cost of the project to \$3,176,343.00

Paragraph 4.00 of said Agreement is increased/ decreased by \$2,421,074.00
bringing the Department's revised total cost of the project to \$2,541,074.00

3.00 Amended Exhibits:

Exhibit(s) "A", "B", and "D" of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 16.00 of said Agreement February 1st, 2018

5.00 E-Verify

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and

2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

435319-1-94-01

Financial Project No(s) 435319-1-94-02

Contract No. G0087

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 9th 2015 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

FDOT

Brevard County Board of County Commissioners

See attached Encumbrance Form for date of Funding Approval by Comptroller

AGENCY NAME

JIM BARFIELD

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

SIGNATORY (PRINTED OR TYPED)

SIGNATURE



Frank J. O'Dea, P.E.

DEPARTMENT OF TRANSPORTATION

CHAIRMAN

TITLE

TITLE

435319-1-94-01
 Financial Project No(s) 435319-1-94-02

Contract No. G0087
 Agreement Date _____

**ATTACHMENT "A"
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and Brevard County Board of County Commissioners
 P.O. Box 1496, Titusville, Florida 32781

dated _____

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Adds Additional Scope and Funds for the Construction of the Airport Administration and Flight Services Facility Based on Bids. Updates Exhibit "A", "B", and "D". No other changes.

I. Project Cost:	As Approved	As Amended	Net Change
	\$150,000.00	\$3,176,343.00	\$3,026,343.00
Total Project Cost	\$150,000.00	\$3,176,343.00	\$3,026,343.00
II. Fund Participation:	As Approved	As Amended	Net Change
Department:	\$120,000.00	\$2,541,074.00	\$2,421,074.00
Agency:	\$30,000.00	\$635,269.00	\$605,269.00
	\$0.00	\$0.00	\$0.00
Total Project Cost	\$150,000.00	\$3,176,343.00	\$3,026,343.00

Comments:

EXHIBIT "A" PROJECT DESCRIPTION AND RESPONSIBILITIES

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781-1496
referenced by the above Financial Project Number.

PROJECT LOCATION: Valkaria Airport
2865 Greenbrooke Street
Valkaria, Florida 32950

PROJECT DESCRIPTION: Design, Permitting and Bidding Services for an Airport Administration and Flight Services Facility to include Construction of the Airport Administration and Flight Services Facility Per Attached Scope of Services

SPECIAL CONSIDERATIONS BY AGENCY:

- 1) The audit report(s) required in paragraph 6.50 of the Agreement shall include a schedule of project assistance that will reflect the Department's contract number, Financial Project Number and the Federal Identification number, where applicable, and the amount of state funding action (receipt and disbursement of funds) and any federal or local funding action and the funding action from any other source with respect to the project.

SPECIAL CONSIDERATIONS BY DEPARTMENT:

- 1) Joint Participation Agreement Paragraph 20.00, "Vendors Rights"; Add to end of the 1st Paragraph, "As allowed herein, the parties hereby agree to establish the time for the Department to inspect and approve the goods and services from five (5) working days to up to twenty (20) working days after receipt of an invoice".

- 2) Method of Compensation:

For the satisfactory performance of the services and deliverables detailed in the Scope of Services, the AGENCY shall be paid up to a maximum amount of \$2,541,074 for actual costs incurred. The AGENCY may receive progress payments for the actual costs of deliverables based on the Schedule of Values and on a percentage of services that have been completed, approved and accepted to the satisfaction of the DEPARTMENT when properly supported by detailed invoices and acceptable evidence of payment. The final balance due under this Agreement will be reimbursed upon the completion of all Project services, receipt of final cost documentation and proper submission of a detailed invoice, and when the Project has been inspected, approved and accepted to the satisfaction of the DEPARTMENT in writing. All costs charged to the Project shall be supported by detailed invoices, proof of payments, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.

SCOPE OF SERVICES
For
Valkaria Airport (X59)
New General Aviation Terminal
FDOT No: 435319-1-94-02 Contract No. G0087

Project Description:

Constructing a new general aviation terminal building with approximately 6,033^{sf} of floor space, a surrounding porch, and a 3,837^{sf} open, second level observation deck. The work includes mechanical electrical and plumbing; new water supply well; new septic tank and drain field; new dry hydrants; earthwork; new automobile parking pavement; new drainage; new or relocated landscaping; new irrigation system; new fencing; removal of existing well, septic tank and drain field; relocation of existing electrical utilities; and other associated and ancillary work. The construction also includes approximately 3,420^{sy} of new, flexible pavement for light, general aviation aircraft adjacent to and serving the new GA terminal building. A new pole barn for maintenance equipment storage is also included in the construction work.

Project Justification:

The airport lacks modern and adequate general aviation terminal facilities for pilots and passengers, and for airport administration. The current facility is a trailer with a single restroom. The projected peak daily pilot and passenger demand is 120 within the 20 year planning horizon. The expected number of employees within the 20 year planning horizon is 5. The upper observation deck is included for experimental aircraft observation during initial testing and for safe/secure observation of the airport for visitors. The structural requirements for the observation deck are not substantially increased above the Category 4 wind loadings required by code.

The apron expansion is consistent with the Master Plan recommendations supporting the terminal and provides closer access for visiting aircraft. This is important considering the tie downs on the existing ramp are often occupied by local aircraft. The construction concurrent with the General Aviation Terminal is advantageous in that it will not disrupt any access as it might with construction at a later time after the Terminal is in service.

The pole barn provides basic weather shelter for airport maintenance equipment, extending its life and reducing maintenance costs.

Contractor:

Slack Construction
2011 NE 8th Rd
Ocala, FL 34470

Responsible to construct all authorized project elements. Deliverables are complete and accepted authorized construction. Minimum level of service is defined by the project plans and specifications with testing and periodic observation to verify quality.

Engineer and Prime Consultant:

EG Solutions, Inc.
6015 Town Center Parkway, Suite 106
Lakewood Ranch, FL 34202

Architect:

Passero Associates
13453 N. Main Street, Suite 104
Jacksonville, FL 32218

Engineering services to design the GA Apron Expansion (Miscellaneous Airfield Paving). Deliverables are two plan sheets for grading and drainage for the pavement and permit modification letters. Level of service is plans prepared to standard of practice and permit modification letter with calculations that support the extra pavement signed and sealed by a Florida licensed engineer.

Architectural and Engineering Construction Phase Professional Services consisting of pre-construction conference, monthly construction progress meetings, initial review of contractor submittals/shop drawings, responses to contractor requests for information, review and evaluation of contractor pay requests, preparing change orders, reviewing test results, substantial and final completion site observation, and assistance with permit closeout. Deliverables are pre-construction meeting agenda and minutes, memo of any significant observations from site visits, shop drawing review comments, and substantial completion certificate or observation report. Other documents will be prepared if necessary. Level of service is documents prepared to standard of practice.

Inspection: Brevard County (Airport Sponsor/Owner)

Periodic project representative construction observation services by qualified Owner personnel to help assure construction conformance with the plans and specifications and record the general progress of the work. Deliverables are notes to Engineer and/or Architect of significant observations. Level of service is notifying Engineer/Architect/Airport/Contractor of observation or issues requiring action in a timely manner.

Quality Assurance Testing:

Quality assurance testing required by the plans and specifications to help assure construction conformance with the requirements or compliance with permit conditions. Deliverables are test

results. Level of service is testing done per the cited standards under the responsible charge of a Florida licensed engineer.

Wetland Mitigation:

Purchasing wetland mitigation credits required for the SJRWMD and USACOE permits. Deliverables and level of service are credits acceptable to SJRWMD and USACOE to offset any impacts.

Cost and Schedule:

The Miscellaneous Airfield Pavement (GA Ramp Expansion) and the General Aviation Terminal are unit price contracts – the final cost will be based on the actual quantities times the unit prices of the various pay items (some of which are “one lump sum”) measured, accepted, complete in place. Note that the General Aviation Terminal Building is one - lump sum item in the unit price contract. The Pole Barn is a single lump sum item.

ESTIMATED TOTAL PROJECT COSTS

Construct General Aviation Terminal.....	\$ 2,562,643
Construct General Aviation Apron.....	\$ 288,000
(Miscellaneous Airfield Pavement)	
Pole Barn.....	\$ 62,500
Wetland Impact Mitigation.....	\$ 10,000
GA Apron Design.....	\$ 10,000
Construction Phase Engineering Basic Services.....	\$ 65,000
Construction QA Testing.....	\$ 8,200
Periodic Project Representative Services.....	\$ <u>20,000</u>
TOTAL ESTIMATED COSTS	\$ <u>3,026,343</u>

Tasks and Deliverables

CONSULTANT:

Payment for the above listed items or tasks will be made after the following deliverables are received or milestones occur:

- Payment will be made for activities performed in accordance with the tasks above. A progress report or other means of verification will be provided with each invoice attesting to the work performed.
- Plan sheets for grading and drainage of the GA Apron Expansion
- Meeting agendas and minutes, including pre-construction conference and monthly construction progress meetings
- Memo of any significant observations from site visits
- Brevard County Inspection: Timesheets or other means of distinguishing time of inspection oversight for this project
- Brevard County Inspection: Notes to engineer/architect of significant observations
- Mitigation Credit Memo

CONTRACTOR:

This scope of services includes the New General Aviation Terminal as described within this scope of work. The construction will be performed by:

Contractor: Slack Construction

Slack Construction's scope of services includes:

- a. Furnishing all materials, labor, incidentals, and supplies required to construct the project and deliver the same to the Owner, ready for use.
- b. Provide all work required to maintain traffic and meet the construction safety requirements; final clean-up and restoration, and all paperwork that is required from the Contractor.
- c. These Services are fully defined in the Proposal and Purchase Order.
- d. Payment to Slack Construction will be based on actual constructed quantities at the contract prices, along with any authorized changes. The project cost, based on bids, is \$2,913,143.00

Slack Construction's Payment Deliverables / Milestones: Payment for the above listed items or tasks will be made after the following deliverables are received or milestones occur:

- Payment will be made on a monthly basis, based on Periodic Pay Requests listing all work in-place as of the cut-off date. The Pay Requests will be reviewed by the Owner, who will inspect the work and make any required adjustments prior to payment. All work must be in place; there is no provision for payment for materials delivered to site.

Upon completion of the work, execution of the final change order, and submittal of all required project completion documents, the final (100%) payment will be made.

EXHIBIT "D" SINGLE AUDIT ACT REQUIREMENTS

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781-1496

CFSA NUMBER: 55.004

STATE PROJECT TITLE: Aviation Development Grants

STATE AGENCY: Florida Department of Transportation

AMOUNT: \$2,541,074

PROGRAM OBJECTIVES: The Aviation Grant Program is designed to provide a safe, cost effective, and efficient statewide aviation system. Grant funds assist airports build and maintain runways and taxiways, eliminate airport hazards, protect air space, and build terminals and other facilities. In addition, grants are intended to further develop and improve aerospace transportation facilities.

PROGRAM PROCEDURES: Florida law allows the Department to fund any capital project on airport property and any services that lead to capital projects, such as planning and design services. The only off-airport projects allowed are purchase of mitigation land, noise mitigation, purchase of aviation easements, and access projects for intercontinental airports. Airport capital equipment is eligible, except equipment closely related to day-to-day operations. Operational costs such as maintenance services, equipment, and supplies are not eligible for aviation grants.
(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

To be eligible for Department grants, each airport project must be consistent with the airport role defined in the Florida Aviation System Plan, and capital projects must be part of the Department's approved airport master plan/layout. The Department's aviation grant programs include:

- Airport Planning;
- Airport Improvement;
- Land Acquisition;
- Airport Economic Development.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

The Department Aviation Office has developed the "Guidebook for Airport Master Planning" (this document and others can be obtained through the Internet at <http://www.dot.state.fl.us/aviation/planning.shtm>). This guidebook is the standard by which all master planning documents will be produced.

Aerospace transportation facility projects must be consistent with the Space Florida Master Plan or the local government spaceport master plan.

COMPLIANCE
REQUIREMENT:

In developing audit procedures to test compliance with the requirements for a state project, the auditor should first look to Part Two, Matrix of Compliance Requirements, to identify which of the 10 types of compliance requirements described in Part Three of the Compliance Supplement are applicable and then look to Parts Three and Four for the details of the requirements.

ACTIVITIES ALLOWED:

Airport Planning

Airport Planning Grants are to study options for airport development and operations. The Department funds airport master plans, airport layout plans (ALP), noise and environmental studies, economical impact, services development, and airport promotion. Examples of projects are:

- Master plans and ALPs;
- Master drainage plans;
- Environmental assessments (EA);
- Development of regional impact (DRI);
- Operations and emergency response plans;
- Federal Aviation Regulations (FAR) Part 150 noise studies;
- Environmental impact studies (EIS);
- Wildlife hazard studies;
- Feasibility and site selection studies;
- Business plans;
- Airport management studies and training;
- Air services studies and related promotional materials.

(Florida Aviation Project Handbook at
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Airport Improvement

These grants are to provide capital facilities and equipment for airports. Examples of projects are:

- Air-side capital improvement projects (runways, taxiways, aprons, T-hangers, fuel farms, maintenance hangers, lighting, control towers, instrument approach aids, automatic weather observation stations);
- Land-side capital improvement projects (terminal buildings, parking lots and structures, road and other access projects);
- Preservation projects (overlays, crack sealing, marking, painting buildings, roofing buildings, and other approved projects);
- Safety equipment (e.g. Aircraft Rescue and Fire Fighting [ARFF] equipment and lighted Xs);
- Safety projects (tree clearing, land contouring on overrun areas, and removing, lowering, moving, and marking, lighting hazards);
- Information technology equipment (used to inventory and plan airport facility needs);
- Drainage improvements.

(Florida Aviation Project Handbook at
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Land Acquisition

This grant program protects Florida's citizens from airport noise and protects airport clear zones and runway approach areas from encroachment.

Administrative Costs, appraisals, legal fees, surveys, closing costs and preliminary engineering fees are eligible costs. In the event the negotiation for a fair market value is unsuccessful, the court will be petitioned for "an Order of Taking" under the eminent domain laws of Florida. Examples of projects are:

- Land acquisition (for land in an approved master plan or ALP);
- Mitigation land (on or off airport);
- Aviation easements;
- Right of way;
- Approach clear zones.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

Airport Economic Development

This grant program is to encourage airport revenue. Examples of projects are:

- Any airport improvement and land purchase that will enhance economic impact;
- Building for lease;
- Industrial park infrastructure and buildings;
- General aviation terminals that will be 100 percent leased out;
- Industrial park marketing programs.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

Aviation Land Acquisition Loan Program

The Department provides interest free loans for 75 percent of the cost of airport land purchases for both commercial service and general aviation airports.

This is a general description of project types. A detail list of project types approved for these grant programs can be found in the Aviation Grant Program manual which can be accessed through the internet at www.dot.state.fl.us/Aviation/Public.htm.

Aerospace Transportation Facilities

Department provides grants for spaceport master plans, layout plans, development studies, capacity projects, and launch support facilities that enable the primary flow of passengers and cargo to space corridors (e.g. facilities located at launch sites/ ranges need to support launch activities). Projects at horizontal launch facilities also includes aprons, taxiways, runways, drainage, and approach lights.

ALLOWABLE COSTS: See Part Three.

CASH MANAGEMENT: See Part Three.

ELIGIBILITY: Not Applicable.

EQUIPMENT/REAL PROPERTY MANAGEMENT: Not Applicable.

MATCHING:

Commercial Service Airports

When no federal funding is available, the Department provides up to 50 percent of the project costs. When federal funding is available, the Department can provide up to 50 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

General Aviation Airports

When no federal funding is available, the Department provides up to 80 percent of project costs. When federal funding is available, the Department can provide up to 80 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

Economic Development

The Department provides up to 50 percent of airport economic development funds to build on-airport revenue-producing capital improvements. This program is for local match only.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

Airport Loans

The Department provides a 75 percent loan program to fund the Aviation Land Acquisition Loan Program.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

PERIOD OF AVAILABILITY: Not Applicable.

REPORTING: Not Applicable.

SUBRECIPIENT MONITORING: Not Applicable.

SPECIAL TESTS PROVISIONS: Not Applicable.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number 1

725-030-07
 PUBLIC TRANSPORTATION
 12/14

Page 1 of 4

Financial Project No(s): 435319-1-94-01 435319-1-94-02 <hr/> (item-segment-phase-sequence) Contract No.: <u>G0087</u>	Fund: <u>DPTO/DDR</u> Function: <u>637</u> Federal No.: <u>N/A</u> DUNS No.: <u>80-939-7102</u>	FLAIR Category: <u>088719</u> Object Code: <u>751000 A8</u> Org. Code: <u>55052000531</u> Vendor No.: <u>F596 000 523 008</u>
Catalog of Federal Domestic Assistance Number: <u>N/A</u>		Catalog of State Financial Assistance Number: <u>55.004</u>
CFDA Title: <u>N/A</u>		CSFA Title: <u>Aviation Development Grants</u>

THIS AGREEMENT, made and entered into this _____ day of _____, _____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and Brevard County Board of County Commissioners
P.O. Box1496, Titusville, Florida 32781
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 9th day of June 2015, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of \$2,541,074.00

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

1.00 Project Description: The project description is amended Design, Permitting and Bidding Services for an Airport Administration and Flight Services Facility to include Construction of the Airport Administration and Flight Services Facility

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased/ decreased by \$3,026,343.00
bringing the revised total cost of the project to \$3,176,343.00

Paragraph 4.00 of said Agreement is increased/ decreased by \$2,421,074.00
bringing the Department's revised total cost of the project to \$2,541,074.00

3.00 Amended Exhibits:

Exhibit(s) "A", "B", and "D" of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 16.00 of said Agreement February 1st, 2018

5.00 E-Verify

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

435319-1-94-01

Financial Project No(s) 435319-1-94-02

Contract No. G0087

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 9th 2015 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

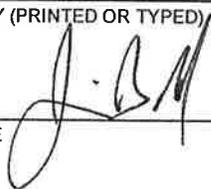
Brevard County Board of County Commissioners

AGENCY NAME

JIM BARFIELD

SIGNATORY (PRINTED OR TYPED)

SIGNATURE



CHAIRMAN

TITLE

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

Frank J. O'Dea, P.E.

DEPARTMENT OF TRANSPORTATION

TITLE

435319-1-94-01
 Financial Project No(s) 435319-1-94-02

Contract No. G0087
 Agreement Date _____

**ATTACHMENT "A"
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781

dated _____

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Adds Additional Scope and Funds for the Construction of the Airport Administration and Flight Services Facility Based on Bids. Updates Exhibit "A", "B", and "D". No other changes.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$150,000.00	\$3,176,343.00	\$3,026,343.00
	Total Project Cost	\$150,000.00	\$3,176,343.00	\$3,026,343.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$120,000.00	\$2,541,074.00	\$2,421,074.00
	Agency:	\$30,000.00	\$635,269.00	\$605,269.00
		\$0.00	\$0.00	\$0.00
	Total Project Cost	\$150,000.00	\$3,176,343.00	\$3,026,343.00

Comments:

EXHIBIT "A"

PROJECT DESCRIPTION AND RESPONSIBILITIES

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781-1496
referenced by the above Financial Project Number.

PROJECT LOCATION: Valkaria Airport
2865 Greenbrooke Street
Valkaria, Florida 32950

PROJECT DESCRIPTION: Design, Permitting and Bidding Services for an Airport Administration and Flight Services Facility to include Construction of the Airport Administration and Flight Services Facility Per Attached Scope of Services

SPECIAL CONSIDERATIONS BY AGENCY:

- 1) The audit report(s) required in paragraph 6.50 of the Agreement shall include a schedule of project assistance that will reflect the Department's contract number, Financial Project Number and the Federal Identification number, where applicable, and the amount of state funding action (receipt and disbursement of funds) and any federal or local funding action and the funding action from any other source with respect to the project.

SPECIAL CONSIDERATIONS BY DEPARTMENT:

- 1) Joint Participation Agreement Paragraph 20.00, "Vendors Rights"; Add to end of the 1st Paragraph, "As allowed herein, the parties hereby agree to establish the time for the Department to inspect and approve the goods and services from five (5) working days to up to twenty (20) working days after receipt of an invoice".
- 2) Method of Compensation:

For the satisfactory performance of the services and deliverables detailed in the Scope of Services, the AGENCY shall be paid up to a maximum amount of \$2,541,074 for actual costs incurred. The AGENCY may receive progress payments for the actual costs of deliverables based on the Schedule of Values and on a percentage of services that have been completed, approved and accepted to the satisfaction of the DEPARTMENT when properly supported by detailed invoices and acceptable evidence of payment. The final balance due under this Agreement will be reimbursed upon the completion of all Project services, receipt of final cost documentation and proper submission of a detailed invoice, and when the Project has been inspected, approved and accepted to the satisfaction of the DEPARTMENT in writing. All costs charged to the Project shall be supported by detailed invoices, proof of payments, contracts or vouchers evidencing in proper detail the nature and propriety of the charges.

SCOPE OF SERVICES
For
Valkaria Airport (X59)
New General Aviation Terminal
FDOT No: 435319-1-94-02 Contract No. G0087

Project Description:

Constructing a new general aviation terminal building with approximately 6,033^{sf} of floor space, a surrounding porch, and a 3,837^{sf} open, second level observation deck. The work includes mechanical electrical and plumbing; new water supply well; new septic tank and drain field; new dry hydrants; earthwork; new automobile parking pavement; new drainage; new or relocated landscaping; new irrigation system; new fencing; removal of existing well, septic tank and drain field; relocation of existing electrical utilities; and other associated and ancillary work. The construction also includes approximately 3,420^{sy} of new, flexible pavement for light, general aviation aircraft adjacent to and serving the new GA terminal building. A new pole barn for maintenance equipment storage is also included in the construction work.

Project Justification:

The airport lacks modern and adequate general aviation terminal facilities for pilots and passengers, and for airport administration. The current facility is a trailer with a single restroom. The projected peak daily pilot and passenger demand is 120 within the 20 year planning horizon. The expected number of employees within the 20 year planning horizon is 5. The upper observation deck is included for experimental aircraft observation during initial testing and for safe/secure observation of the airport for visitors. The structural requirements for the observation deck are not substantially increased above the Category 4 wind loadings required by code.

The apron expansion is consistent with the Master Plan recommendations supporting the terminal and provides closer access for visiting aircraft. This is important considering the tie downs on the existing ramp are often occupied by local aircraft. The construction concurrent with the General Aviation Terminal is advantageous in that it will not disrupt any access as it might with construction at a later time after the Terminal is in service.

The pole barn provides basic weather shelter for airport maintenance equipment, extending its life and reducing maintenance costs.

Contractor:

Slack Construction
2011 NE 8th Rd
Ocala, FL 34470

Responsible to construct all authorized project elements. Deliverables are complete and accepted authorized construction. Minimum level of service is defined by the project plans and specifications with testing and periodic observation to verify quality.

Engineer and Prime Consultant:

EG Solutions, Inc.
6015 Town Center Parkway, Suite 106
Lakewood Ranch, FL 34202

Architect:

Passero Associates
13453 N. Main Street, Suite 104
Jacksonville, FL 32218

Engineering services to design the GA Apron Expansion (Miscellaneous Airfield Paving). Deliverables are two plan sheets for grading and drainage for the pavement and permit modification letters. Level of service is plans prepared to standard of practice and permit modification letter with calculations that support the extra pavement signed and sealed by a Florida licensed engineer.

Architectural and Engineering Construction Phase Professional Services consisting of pre-construction conference, monthly construction progress meetings, initial review of contractor submittals/shop drawings, responses to contractor requests for information, review and evaluation of contractor pay requests, preparing change orders, reviewing test results, substantial and final completion site observation, and assistance with permit closeout. Deliverables are pre-construction meeting agenda and minutes, memo of any significant observations from site visits, shop drawing review comments, and substantial completion certificate or observation report. Other documents will be prepared if necessary. Level of service is documents prepared to standard of practice.

Inspection: Brevard County (Airport Sponsor/Owner)

Periodic project representative construction observation services by qualified Owner personnel to help assure construction conformance with the plans and specifications and record the general progress of the work. Deliverables are notes to Engineer and/or Architect of significant observations. Level of service is notifying Engineer/Architect/Airport/Contractor of observation or issues requiring action in a timely manner.

Quality Assurance Testing:

Quality assurance testing required by the plans and specifications to help assure construction conformance with the requirements or compliance with permit conditions. Deliverables are test

results. Level of service is testing done per the cited standards under the responsible charge of a Florida licensed engineer.

Wetland Mitigation:

Purchasing wetland mitigation credits required for the SJRWMD and USACOE permits. Deliverables and level of service are credits acceptable to SJRWMD and USACOE to offset any impacts.

Cost and Schedule:

The Miscellaneous Airfield Pavement (GA Ramp Expansion) and the General Aviation Terminal are unit price contracts – the final cost will be based on the actual quantities times the unit prices of the various pay items (some of which are “one lump sum”) measured, accepted, complete in place. Note that the General Aviation Terminal Building is one - lump sum item in the unit price contract. The Pole Barn is a single lump sum item.

ESTIMATED TOTAL PROJECT COSTS

Construct General Aviation Terminal.....	\$ 2,562,643
Construct General Aviation Apron.....	\$ 288,000
(Miscellaneous Airfield Pavement)	
Pole Barn.....	\$ 62,500
Wetland Impact Mitigation.....	\$ 10,000
GA Apron Design.....	\$ 10,000
Construction Phase Engineering Basic Services.....	\$ 65,000
Construction QA Testing.....	\$ 8,200
Periodic Project Representative Services.....	\$ <u>20,000</u>
TOTAL ESTIMATED COSTS	\$ <u>3,026,343</u>

Tasks and Deliverables

CONSULTANT:

Payment for the above listed items or tasks will be made after the following deliverables are received or milestones occur:

- Payment will be made for activities performed in accordance with the tasks above. A progress report or other means of verification will be provided with each invoice attesting to the work performed.
- Plan sheets for grading and drainage of the GA Apron Expansion
- Meeting agendas and minutes, including pre-construction conference and monthly construction progress meetings
- Memo of any significant observations from site visits
- Brevard County Inspection: Timesheets or other means of distinguishing time of inspection oversight for this project
- Brevard County Inspection: Notes to engineer/architect of significant observations
- Mitigation Credit Memo

CONTRACTOR:

This scope of services includes the New General Aviation Terminal as described within this scope of work. The construction will be performed by:

Contractor: Slack Construction

Slack Construction's scope of services includes:

- a. Furnishing all materials, labor, incidentals, and supplies required to construct the project and deliver the same to the Owner, ready for use.
- b. Provide all work required to maintain traffic and meet the construction safety requirements; final clean-up and restoration, and all paperwork that is required from the Contractor.
- c. These Services are fully defined in the Proposal and Purchase Order.
- d. Payment to Slack Construction will be based on actual constructed quantities at the contract prices, along with any authorized changes. The project cost, based on bids, is \$2,913,143.00

Slack Construction's Payment Deliverables / Milestones: Payment for the above listed items or tasks will be made after the following deliverables are received or milestones occur:

- Payment will be made on a monthly basis, based on Periodic Pay Requests listing all work in-place as of the cut-off date. The Pay Requests will be reviewed by the Owner, who will inspect the work and make any required adjustments prior to payment. All work must be in place; there is no provision for payment for materials delivered to site.

Upon completion of the work, execution of the final change order, and submittal of all required project completion documents, the final (100%) payment will be made.

EXHIBIT "D" SINGLE AUDIT ACT REQUIREMENTS

This exhibit forms an integral part of that certain Joint Participation Agreement between the State of Florida, Department of Transportation and the Brevard County Board of County Commissioners
P.O. Box 1496, Titusville, Florida 32781-1496

CFSA NUMBER: 55.004

STATE PROJECT TITLE: Aviation Development Grants

STATE AGENCY: Florida Department of Transportation

AMOUNT: \$2,541,074

PROGRAM OBJECTIVES: The Aviation Grant Program is designed to provide a safe, cost effective, and efficient statewide aviation system. Grant funds assist airports build and maintain runways and taxiways, eliminate airport hazards, protect air space, and build terminals and other facilities. In addition, grants are intended to further develop and improve aerospace transportation facilities.

PROGRAM PROCEDURES: Florida law allows the Department to fund any capital project on airport property and any services that lead to capital projects, such as planning and design services. The only off-airport projects allowed are purchase of mitigation land, noise mitigation, purchase of aviation easements, and access projects for intercontinental airports. Airport capital equipment is eligible, except equipment closely related to day-to-day operations. Operational costs such as maintenance services, equipment, and supplies are not eligible for aviation grants.
(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

To be eligible for Department grants, each airport project must be consistent with the airport role defined in the Florida Aviation System Plan, and capital projects must be part of the Department's approved airport master plan/layout. The Department's aviation grant programs include:

- Airport Planning;
- Airport Improvement;
- Land Acquisition;
- Airport Economic Development.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

The Department Aviation Office has developed the "Guidebook for Airport Master Planning" (this document and others can be obtained through the Internet at <http://www.dot.state.fl.us/aviation/planning.shtm>). This guidebook is the standard by which all master planning documents will be produced.

Aerospace transportation facility projects must be consistent with the Space Florida Master Plan or the local government spaceport master plan.

COMPLIANCE
REQUIREMENT:

In developing audit procedures to test compliance with the requirements for a state project, the auditor should first look to Part Two, Matrix of Compliance Requirements, to identify which of the 10 types of compliance requirements described in Part Three of the Compliance Supplement are applicable and then look to Parts Three and Four for the details of the requirements.

ACTIVITIES ALLOWED:

Airport Planning

Airport Planning Grants are to study options for airport development and operations. The Department funds airport master plans, airport layout plans (ALP), noise and environmental studies, economical impact, services development, and airport promotion. Examples of projects are:

- Master plans and ALPs;
- Master drainage plans;
- Environmental assessments (EA);
- Development of regional impact (DRI);
- Operations and emergency response plans;
- Federal Aviation Regulations (FAR) Part 150 noise studies;
- Environmental impact studies (EIS);
- Wildlife hazard studies;
- Feasibility and site selection studies;
- Business plans;
- Airport management studies and training;
- Air services studies and related promotional materials.

(Florida Aviation Project Handbook at
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Airport Improvement

These grants are to provide capital facilities and equipment for airports. Examples of projects are:

- Air-side capital improvement projects (runways, taxiways, aprons, T-hangers, fuel farms, maintenance hangers, lighting, control towers, instrument approach aids, automatic weather observation stations);
- Land-side capital improvement projects (terminal buildings, parking lots and structures, road and other access projects);
- Preservation projects (overlays, crack sealing, marking, painting buildings, roofing buildings, and other approved projects);
- Safety equipment (e.g. Aircraft Rescue and Fire Fighting [ARFF] equipment and lighted Xs);
- Safety projects (tree clearing, land contouring on overrun areas, and removing, lowering, moving, and marking, lighting hazards);
- Information technology equipment (used to inventory and plan airport facility needs);
- Drainage improvements.

(Florida Aviation Project Handbook at
<http://www.dot.state.fl.us/aviation/flpub.shtm>)

Land Acquisition

This grant program protects Florida's citizens from airport noise and protects airport clear zones and runway approach areas from encroachment.

Administrative Costs, appraisals, legal fees, surveys, closing costs and preliminary engineering fees are eligible costs. In the event the negotiation for a fair market value is unsuccessful, the court will be petitioned for "an Order of Taking" under the eminent domain laws of Florida. Examples of projects are:

- Land acquisition (for land in an approved master plan or ALP);
- Mitigation land (on or off airport);
- Aviation easements;
- Right of way;
- Approach clear zones.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

Airport Economic Development

This grant program is to encourage airport revenue. Examples of projects are:

- Any airport improvement and land purchase that will enhance economic impact;
- Building for lease;
- Industrial park infrastructure and buildings;
- General aviation terminals that will be 100 percent leased out;
- Industrial park marketing programs.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm>)

Aviation Land Acquisition Loan Program

The Department provides interest free loans for 75 percent of the cost of airport land purchases for both commercial service and general aviation airports.

This is a general description of project types. A detail list of project types approved for these grant programs can be found in the Aviation Grant Program manual which can be accessed through the internet at www.dot.state.fl.us/Aviation/Public.htm.

Aerospace Transportation Facilities

Department provides grants for spaceport master plans, layout plans, development studies, capacity projects, and launch support facilities that enable the primary flow of passengers and cargo to space corridors (e.g. facilities located at launch sites/ ranges need to support launch activities). Projects at horizontal launch facilities also includes aprons, taxiways, runways, drainage, and approach lights.

ALLOWABLE COSTS: See Part Three.

CASH MANAGEMENT: See Part Three.

ELIGIBILITY: Not Applicable.

EQUIPMENT/REAL
PROPERTY MANAGEMENT: Not Applicable.

MATCHING:

Commercial Service Airports

When no federal funding is available, the Department provides up to 50 percent of the project costs. When federal funding is available, the Department can provide up to 50 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

General Aviation Airports

When no federal funding is available, the Department provides up to 80 percent of project costs. When federal funding is available, the Department can provide up to 80 percent of the non-federal share.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

Economic Development

The Department provides up to 50 percent of airport economic development funds to build on-airport revenue-producing capital improvements. This program is for local match only.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

Airport Loans

The Department provides a 75 percent loan program to fund the Aviation Land Acquisition Loan Program.

(Florida Aviation Project Handbook at <http://www.dot.state.fl.us/aviation/flpub.shtm> and Section 332.007(6) Florida Statutes)

PERIOD OF AVAILABILITY: Not Applicable.

REPORTING: Not Applicable.

SUBRECIPIENT MONITORING: Not Applicable.

SPECIAL TESTS PROVISIONS: Not Applicable.

437171-1-94-01

Financial Project No(s) 437171-1-94-02

Contract No. ARR09

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated January 8th, 2015 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

FDOT

Brevard County Board of County Commissioners
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

SIGNATORY (PRINTED OR TYPED)

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

SIGNATURE

Frank J. O'Dea, P.E.
DEPARTMENT OF TRANSPORTATION

TITLE

Director of Transportation Development
TITLE

Reviewed for legal form and content:



(Assistant) County Attorney