Agenda Report



Consent

F.17.

5/21/2024

## Subject:

Amendment 4 - Public Transportation Grant Agreement (PTGA) FM# 440772-1-94-01, Hangar Development Construction Phase Funding at Valkaria Airport.

# Fiscal Impact:

General Fund: None \$343,611 (Charges for Services/Loan Proceeds)

# **Dept/Office:**

Valkaria Airport

## **Requested Action:**

It is requested the Board approve, adopt and authorize the Chair to execute the attached Amendment 4 to the existing Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) FM# 440772-1-94-01 for hangar development at Valkaria Airport, and authorize all necessary budget change requests associated with this agreement.

## Summary Explanation and Background:

Valkaria Airport has experienced a 100% hangar occupancy rate for more than ten years. The current hangar waiting list exceeds 250 people and continues to grow at a rate that vastly outpaces hangar turnover. The construction of new hangars would allow the airport to accommodate a portion of the aviation demand for hangar space and produce additional revenue for the airport.

In 2016, the Board of County Commissioners adopted the FAA-approved Valkaria Airport Master Plan and Airport Layout Plan. The plans direct the implementation of numerous capital improvement, safety, demand, and capacity related projects at the airport.

On May 15th, 2021, the Board of County Commissioners authorized the Chair to execute a PTGA with the FDOT that provided initial funding to design and permit new hangars at Valkaria Airport.

On May 26, 2022, Amendment 1 to this existing PTGA provided additional funding as listed below for Phase 1 of construction. The additional funding was needed as the project moves into Phase 1 of construction.

On December 20, 2022, Amendment 2 to this existing PTGA added required additional scope for an environmental assessment to survey and research a potential Scrub Jay habitat within project limits.

On May 23rd, 2023, Amendment 3 to the PTGA provided additional funding from the FDOT for additional costs related to design, environmental assessment, and construction of Phase 1 of the North Hangar Development.

FDOT is assigning additional funding as available for this development project due to its phased multi-year nature.

**Amendment 4** to the existing PTGA is additional funding that FDOT is providing for the project due to its phased multi-year nature.

### Existing Funding:

- FDOT (80%) \$4,200,000
- Valkaria Airport (20%) \$1,050,000
- Total \$5,250,000

### Amendment 4:

- FDOT (80%) \$ 1,374,444
- Valkaria Airport (20%) \$ 343,611
- Total \$ 1,718,055

### Total Project Funding (Existing Funding + Amendments):

- FDOT (80%) \$5,574,444
- Valkaria Airport (20%) \$1,393,611
- Total \$6,968,055

### Clerk to the Board Instructions:

Please have the Chair execute Amendment 4 to the PTGA, the attached resolution and attest to the signature. Please email a scanned copy to <u>adam.hied@brevardfl.gov <mailto:adam.hied@brevardfl.gov></u>. <u>Liesl.king@brevardfl.gov <mailto:Liesl.king@brevardfl.gov></u> and mail the original to Valkaria Airport.



FLORIDA'S SPACE COAST



Kimberly Powell, Clerk to the Board, 400 South Street . P.O. Box 999, Titusville, Florida 32781-0999

May 22, 2024

MEMORANDUM

TO: Adam Hied, Valkaria Airport Manager

RE: Item F.17., Amendment 4 - Public Transportation Grant Agreement (PTGA) FM# 440772-1-94-01, Hangar Development Construction Phase Funding at Valkaria Airport

The Board of County Commissioners, in regular session on May 21, 2024, executed and adopted Resolution No. 24-049 and Amendment 4 to the existing Florida Department of Transportation (FDOT) PTGA FM# 440772-1-94-01 for hangar development at Valkaria Airport; and authorized all necessary Budget Change Requests associated with this agreement. Enclosed is the executed Amendment and fully-executed Resolution.

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

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS RACHEL M/ SADOFF, CLERK

Kimberly Powell, Clerk to the Board

/sm

Encls. (2)

CC: **County Manager** Finance Budget

### **RESOLUTION NO. 2024-**049\_\_\_\_

A Resolution Authorizing the Chair of the Board of County Commissioners to Execute Amendment 4 to the Public Transportation Grant Agreement (FM# 440772-1-94-01) for Hangars Development (North Lot Development) of at Valkaria Airport.

**Whereas**, the County has been awarded and executed a public transportation grant and 3 Amendments from the State of Florida, Florida Department of Transportation ("F.D.O.T.") to assist with the design and construction of Hangars Development (North Lot Development) at Valkaria Airport ("Grant Agreement"); and

Whereas, the County agrees to design and construct the work (the "Project") in accordance with the terms and conditions of the Grant Agreement, which is incorporated herein by this reference; and

**Whereas**, in addition to the Grant Agreement with the F.D.O.T., the County and the Federal Aviation Administration ("F.A.A.") are working together to ensure the Project is completed in accordance with applicable laws, rules, and regulations.

**Now, therefore, be it resolved** by Brevard County, through Jason Steele, Chair of the Board of County Commissioners of Brevard County, Florida, who is hereby authorized to make, execute, and deliver to the F.D.O.T. the Amendment 4 to the Public Transportation Grant Agreement for the design and construction of Hangars Development (North Lot Development) at Valkaria Airport, which is incorporated herein by this reference.

DONE AND RESOLVED this <u>21st</u> day of <u>May</u>, 2024.

ATTEST:

BREVARD COUNTY, FLORIDA

Jason Steele, Chair

approved by the Board 05/21/2024.

#### STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT

Financial Project Number(s): (Item-segment-phase-sequence) 440772-1-94-01		Fund(s):	DDR,DPTO	FLAIR Category:	088719 751000	
		Work Activity Code/Function:	215	Object Code:		
		Federal Number/Federal Award		Org. Code:	55052000531	
		Identification Number (FAIN) – Transit only:		Vendor Number:	VF596000523008	
Contract Number:	G1X35	Federal Award Date:		Amendment No.:	4	
CFDA Number:	N/A	SAM/UEI Number:				
CFDA Title:	N/A		-		-	
CSFA Number:	55.004					
CSFA Title:	Aviation Gr	rant Program				

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT ("Amendment") is made and entered into on\_\_\_\_\_\_, by and between the State of Florida, Department of Transportation ("Department"), and <u>Brevard County</u>, ("Agency"),collectively referred to as the "Parties."

#### RECITALS

WHEREAS, the Department and the Agency on <u>6/2/2021</u> (date original Agreement entered) entered into a Public Transportation Grant Agreement ("Agreement").

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

- 1. Amendment Description. The project is amended <u>to add funds to PTGA for construction of North Lot</u> <u>Development at Valkaria Airport.</u>
- 2. **Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):
  - X Aviation
  - Seaports
  - \_ Transit
  - \_ Intermodal
  - \_\_\_\_ Rail Crossing Closure
  - \_\_\_\_ Match to Direct Federal Funding (Aviation or Transit)

(Note: Section 15 and Exhibit G do not apply to federally matched funding)

- \_ Other
- 3. Exhibits. The following Exhibits are updated, attached, and incorporated into this Agreement:
  - X Exhibit A: Project Description and Responsibilities
  - X Exhibit B: Schedule of Financial Assistance
  - \*Exhibit B1: Deferred Reimbursement Financial Provisions
  - \*Exhibit B2: Advance Payment Financial Provisions
  - \*Exhibit C: Terms and Conditions of Construction
  - X Exhibit D: Agency Resolution
  - \_\_\_\_ Exhibit E: Program Specific Terms and Conditions
  - \_\_\_\_ Exhibit F: Contract Payment Requirements
  - X \*Exhibit G: Financial Assistance (Single Audit Act)
  - \*Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

#### STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT

\*Exhibit I: Certification of Disbursement of Payment to Vehicle and/or Equipment Vendor

\*Additional Exhibit(s):

#### 4. Project Cost.

The estimated total cost of the Project is  $\underline{X}$  increased/ decreased by  $\underline{\$1,718,055}$  bringing the revised total cost of the project to  $\underline{\$6,968,055}$ .

The Department's participation is  $\underline{X}$  increased/ \_\_\_\_\_\_ decreased by <u>\$1,374,444</u>. The Department agrees to participate in the Project cost up to the maximum amount of <u>\$5,574,444</u>, and, additionally the Department's participation in the Project shall not exceed <u>80.00</u>% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above,

AGENCY Brevard County

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: By: Name: Jason Steele Title: Chair

Name: <u>C. Jack Adkins</u> Title: Director of Transportation Development

As approved by the Board 05/21/2024.

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: Daniel L. McDermott

#### EXHIBIT A

#### Project Description and Responsibilities

**A. Project Description** (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): Hangar development at Valkaria Airport. The project consists of the design and phased construction of T-Hangar buildings and Box Hangars adjacent to Runway '14/32' on the north side of Valkaria Airport, X59. Including taxilanes, aprons and landside improvements. This project includes an Environmental Assessment to determine the impacts of the surrounding area.

B. Project Location (limits, city, county, map): Valkaria Airport/Valkaria, FL/Brevard

**C. Project Scope** (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): Design and construct three (3) twenty-four (24) unit T-Hangars and three (3) 12,000-15,000 square foot Box Hangars. Along with taxilanes, and aprons to provide access from the airfield to each hangar. Landside improvements include vehicular parking and paving the access road. Electrical service to the facility is included for the power as well as site lighting.

As required by 215.971, F.S., this scope of work includes but is not limited to consultant and design fees, airspace analysis, bidding services, survey and geotechnical costs, permitting, construction inspection and material testing costs, mobilization and demobilization, maintenance of traffic, erosion control, demolition, pavement (access roadways, parking lots, and sidewalks), drainage, utilities, primary and back-up power supplies, building (foundation, structure, roof, MEP, drainage, and fire prevention and protection), pavement marking, lighting and signage, fencing and gates, landscaping (including outdoor lighting), and indoor/outdoor security systems, including all materials, equipment, labor, and incidentals required to complete the Box/T Hangar project. The Sponsor will comply with Aviation Program Assurances.

Environmental Assessment (EA): As required by 215.971, F.S., this scope of work includes but is not limited to consultant fees, survey and data acquisition costs, and all labor and incidentals required to complete the environmental assessment in accordance with FAA Order 1050.1 Environmental Impacts: Policies and Procedures, FAA Order 5050.4, NEPA Implementing Instructions for Airport Actions, and other federal and state requirements.

The specifics of the Project Scope for construction are described in and limited by the current 60% Project Construction Plans identified as "Valkaria North Lot Development" prepared by Infrastructure Consulting and Engineering, dated April 22, 2022, together with all plan updates, necessary design variation, exceptions, and change orders approved by the Agency.

D. Deliverable(s): Final closeout documents to be uploaded into JACIP.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

**E. Unallowable Costs** (including but not limited to): Stored materials unless prior written approval from FDOT is obtained.

#### F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for

Form 725-000-02 STRATEGIC DEVELOPMENT OGC 07/22

 $\sim$ 

Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.



#### EXHIBIT B

#### Schedule of Financial Assistance

# FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

#### A. Fund Type and Fiscal Year:

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/ CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
440772-1-94-01	DDR	088719	2021	751000	55.004	Aviation Grant Program	\$200,000.00
440772-1-94-01	DDR	088719	2022	751000	55.004	Aviation Grant Program	\$2,020,000.00
440772-1-94-01	DDR	088719	2024	751000	55.004	Aviation Grant Program	\$336,000.00
440772-1-94-01	DPTO	088719	2021	751000	55.004	Aviation Grant Program	\$628,000.00
440772-1-94-01	DPTO	088719	2022	751000	55.004	Aviation Grant Program	\$852,000.00
440772-1-94-01	DPTO	088719	2023	751000	55.004	Aviation Grant Program	\$500,000.00
440772-1-94-01	DPTO	088719	2024	751000	55.004	Aviation Grant Program	\$1,038,444.00
440772-1-94-01	LF	088719	2024	751000	55.004	Aviation Grant Program	\$343,611.00
440772-1-94-01	LF	088719	2023	751000	55.004	Aviation Grant Program	\$125,000.00
440772-1-94-01	LF	088719	2022	751000	55.004	Aviation Grant Program	\$718,000.00
440772-1-94-01	LF	088719	2021	751000	55.004	Aviation Grant Program	\$207,000.00
		La Carro	То	tal Financial	Assistance		\$6,968,055.00

#### B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Environmental/Design/Construction	\$5,574,444.00	\$1,393,611.00	\$0.00	\$6,968,055.00	80.00	20.00	0.00
Capital Equipment/ Preventative Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Match to Direct Federal Funding	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Totals	\$5,574,444.00	\$1,393,611.00	\$0.00	\$6,968,055.00			

\*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

Scope Code and/or Activity	
Line Item (ALI) (Transit Only)	

# BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category (grant phase) has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Luci Taylor

Department Grant Manager Name

Signature

Date

Form 725-000-02 STRATEGIC DEVELOPMENT OGC 07/22

#### EXHIBIT D

#### AGENCY RESOLUTION

### PLEASE SEE ATTACHED

### EXHIBIT G

#### AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE

### THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

#### SUBJECT TO SECTION 215.97, FLORIDA STATUTES:~

Awarding Agency:Florida Department of TransportationState Project Title:Aviation Grant ProgramCSFA Number:55.004\*Award Amount:\$5,574,444

\*The award amount may change with amendments

Specific project information for CSFA Number 55.004 is provided at: https://apps.fldfs.com/fsaa/searchCatalog.aspx

# COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number <u>55.004</u> are provided at: <u>https://apps.fldfs.com/fsaa/searchCompliance.aspx</u>

The State Projects Compliance Supplement is provided at: https://apps.fldfs.com/fsaa/compliance.aspx

#### BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

# **CONTRACT REVIEW AND APPROVAL FORM**

	SECTION	I - GENERAL	INFORMATION			
1. Contractor:			2. Amount: Increase \$1,718,055			
3. Fund/Account #: 0020/219600 4. Department Name: Valkaria Airp						
5. Contract Description: (						
			8. Contract Type:			
6. Contract Monitor: Phi	lip Adam Hied					
7. Dept/Office Director: P	hillip Adam Hied		GRANT			
9. Type of Procurement: (	Other		•			
Nu	SECTION II - REV		ROVAL TO ADVERTISE			
	APPRO	VAL				
COUNTY OFFICE	YES	NO	SIGNATURE			
User Agency			Phillip Adam Hied Digitally signed by Phillip Adam Hied Data: 2024.04.24 11:06:08-04'00'			
Purchasing						
Risk Management	Π					
-		Ē				
County Attorney						
SEC	<b>FION III - REVIEW AN</b>	ND APPROVA	L TO EXECUTE			
	APPRO	VAL				
COUNTY OFFICE	YES	NO	SIGNATURE			
User Agency			Phillip Adam Hied Digitally signed by Philip Adam Hied Date; 2024.04 24 11:06:48 -04/00"			
Purchasing						
Risk Management	न		Wall 1 tint 4/25/2024			
County Attorney			1420 L 000 11 10 1			
SEC	TION IV - CONTRAC		MENT DATABASE CHECKLIST			
CM DATABASE REQUIRED F	IELDS		Complete 🗸			
Department Information						
Department						
Program						
Contact Name						
Cost Center, Fund, and G	/L Account					
Vendor Information (SAP \	/endor #)					
Contract Status, Title, Type, and Amount						
Storage Location (SAP)						
Contract Approval Date,	Effective Date, and E	xpiration Da				
Contract Absolute End Da						
Material Group						
	aded in CM databa	ise (Contract	Form with County Attorney/ Risk			
Management/Purchasing	Approval: Signed/E					
"Right To Audit" Clause Inc						
Monitored items: Uploade	d to database (Insu	rance, Bonds	, etc.)			

#### BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

# CONTRACT REVIEW AND APPROVAL FORM

	SECTION	- GENERAL	INFORMATION	
1. Contractor:			2. Amount: Increas	e \$1,718,055
3. Fund/Account #: 0020	Department Name: Valkaria Air	port		
5. Contract Description: (			8. Contract Type	
6. Contract Monitor: Phil	lip Adam Hied			
7. Dept/Office Director: P	hillip Adam Hied		GRANT	
9. Type of Procurement: (	)ther			
	SECTION II - REV	IEW AND APP	ROVAL TO ADVERTISE	
	APPRO	VAL		
COUNTY OFFICE	YES	NO	SIGNATURE	
			Phillip Adam Hied Digitally sign	ad by Phillip Adam Hied
User Agency			Phillip Adam Filed Date: 2024.0	4.24 11:08:08 -04'00'
Purchasing				
Risk Management				
County Attorney				
	TION III - REVIEW AI		TOEXECUTE	
3201				
	APPRO	VAL		
COUNTY OFFICE	<u>YES</u>	NO	SIGNATURE	
User Agency				d by Phillip Adam Hed 4 24 11:05:49 -04'00'
Purchasing				
Risk Management				
County Attorney	Ū		allaurence	4/25/24
SECT	ION IV - CONTRAC	TS MANAGER	RENT DATABASE CHECKLIST	
CM DATABASE REQUIRED F	IELDS			Complete 🗸
Department Information				
Department				
Program				
Contact Name	// A approximit			<u> </u>
Cost Center, Fund, and G, Vendor Information (SAP V				
Contract Status, Title, Type				
Storage Location (SAP)				
Contract Approval Date, E	ffective Date, and I	Expiration Dat	e	
Contract Absolute End Da				
Material Group	ie providantente	errearen o		
	aded in CM databo	se (Contract	Form with County Attorney/ Risk	
Management/Purchasing	Approval: Signed/E			
"Right To Audit" Clause Inc				
Monitored items: Uploade	d to database (Insu	rance, Bonds	, etc.]	

\*

# BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

# **CONTRACT REVIEW AND APPROVAL FORM**

	SECTION	I - GENERAL	INFORMATION	
1. Contractor:			2. Amount: Increase \$1,718	3,055
3. Fund/Account #: 0020	/219600	4.	Department Name: Valkaria Airport	
5. Contract Description: G	rant Amendmen			
6. Contract Monitor: Phill	ip Adam Hied		8. Contract Type:	
7. Dept/Office Director: Pt	nillip Adam Hied		GRANT	
9. Type of Procurement: O				
	SECTION II - REV	IEW AND APP	ROVAL TO ADVERTISE	
	APPRO	VAL		
COUNTY OFFICE	YES	NO	SIGNATURE	
Isor A goney			Phillip Adam Hied Digitally signed by Phillip Adat Date: 2024.04.24 11:06:08-04	mitied
Jser Agency				100
Purchasing				
Risk Management				÷
County Attorney				
SECT	ION III - REVIEW A	ND APPROVAL	TO EXECUTE	20110
-	APPRC	OVAL		
COUNTY OFFICE	YES	NO	SIGNATURE	
User Agency	$\checkmark$		Phillip Adam Hied Digitally signed by Phillip Adam Date: 2024 04 24 11:05:48-04"	
Purchasing	X		Bowers, Mary Digitally signed by Bowers Mary Date 2024 04 24 14:27 07 04 http:	
Risk Management				
County Attorney			-	
SECT	ION IV - CONTRAC	CTS MANAGE	IENT DATABASE CHECKLIST	1.44
CM DATABASE REQUIRED FI	ELDS		Comp	olete 🖌
Department Information				
Department				
Program				
Contact Name				=
Cost Center, Fund, and G/				
Vendor Information (SAP V				
Contract Status, Title, Type	, and Amount			
Storage Location (SAP)				╡──┤
Contract Approval Date, E				
Contract Absolute End Dat	e (No Additional R	enewals/Exter		
Material Group		10		
Contract Documents Uploc Management/Purchasing			Form with County Attorney/ Risk	
"Right To Audit" Clause Incl				
Monitored items: Uploade		Irance Bonds	etc.)	