

Meeting Date
July 22, 2014



AGENDA	
Section	CONSENT
Item No.	<i>II.A.4</i>

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Locally Funded Agreement Supplemental Amendment Number 1 with the Florida Department of Transportation and Resolution for construction of a special design truss assembly for signals at the intersection of State Road 520 and Sykes Creek Parkway – District 2
DEPT/OFFICE:	Public Works Department – Finance & Contracts Administration

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chairman to execute the Locally Funded Agreement (LFA) Supplemental Amendment Number 1 and Resolution for construction of a special design truss assembly for signals at the intersection of State Road 520 and Sykes Creek Parkway.

Summary Explanation & Background:

On November 5, 2013, the Board of County Commissioners approved the Locally Funded Agreement for the construction of a special design truss assembly for signals at the intersection of State Road 520 and Sykes Creek Parkway.

This Supplemental Amendment Number 1 is to update the cost estimate of the original Agreement which was for \$263,226.00. The updated estimate based on the bids for this project is \$361,945.00. It is considered to be in the interests of both FDOT and Brevard County to submit additional funding in the amount of \$98,719.00 in order to complete these improvements.

Fiscal Impact: FY 2013/2014 Funding to be derived from D-2 LOGT funds.

Clerk to the Board Instruction: Return Four (4) Executed Supplemental Amendment Number 1 and Resolutions to Public Works Department

Exhibits Attached: Four (4) Copies of Supplemental Amendment Number 1 and Resolutions

Contract /Agreement (If attached): Reviewed by County Attorney		Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
County Manager		Assistant County Manager		Department Director / Extension			
Stockton Whitten		Assistant County Manager		John P. Denninghoff / 57202 			
		Venetta Valdengo					



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

Telephone: (321) 637-2001
Fax: (321) 264-6972

July 23, 2014

MEMORANDUM

TO: John Denninghoff, Public Works Director

RE: Item II.A.4, Resolution and Locally Funded Agreement Supplemental Amendment Number 1 with Florida Department of Transportation for Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway

The Board of County Commissioners, in regular session on July 22, 2014, adopted Resolution No. 14-116, for construction of a special design truss assembly for signals at the intersection of State Road 520 and Sykes Creek Parkway; and executed the Locally Funded Agreement Supplemental Amendment Number 1. Enclosed are two certified copies of the Resolution, and original and four executed copies of the Locally Funded Agreement Supplemental Amendment Number 1.

Upon execution by the Florida Department of Transportation, please return a fully-executed Locally Funded Agreement Supplemental Amendment Number 1 to this office for the inclusion in the official minutes of the Board.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Etheridge, Deputy Clerk

/clm

Encls. (7)

cc: Contracts Administration
Finance
Budget

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCALLY FUNDED AGREEMENT
SUPPLEMENTAL AMENDMENT NUMBER 1

EXECUTION DATE: _____

Agency: Brevard County Vendor No: F596000523	Fund: LF Contract Amount: \$361,945.00	Financial Management No.: 431139-2-52-01
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The terms of the original Locally Funded Agreement between Brevard County and the Florida Department of Transportation for "Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway", executed on November 22, 2013, are hereby amended as follows:

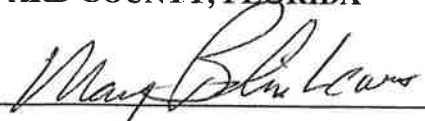
The purpose of this Supplemental Amendment Number 1 is to update the Cost Estimate of the original Agreement. The updated estimate based on bids for the Additional Improvements for this Project is **\$361,945.00 (Three Hundred Sixty One Thousand Nine Hundred Forty Five Dollars and No/100)**, as specified in the attached Exhibit "B", Revised Estimate. The DEPARTMENT has received the original deposit from the LOCAL GOVERNMENT in the amount of \$263,226.00 (Two Hundred Sixty Three Thousand Two Hundred Twenty Six Dollars and No/100). The LOCAL GOVERNMENT agrees to submit additional funding in the amount of **\$98,719.00 (Ninety Eight Thousand Seven Hundred Nineteen Dollars and No/100)** to the DEPARTMENT upon execution of this Supplemental Amendment Number 1.

Exhibit "B", Revised Estimate, attached hereto.

Except as hereby modified, amended or changed, all of the terms and conditions of said original Agreement thereto will remain in full force and effect.

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

**BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA**

By: 
Name: Mary Bolin Lewis
Title: Chairman

Attest: 
Scott Ellis, Clerk

Legal Review

County Attorney

As approved by the Board
on JUL 22 2014

Item # 11 A 4

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

By: _____
Name: Frank J. O'Dea, P.E.
Title: Director of Transportation Development

Attest: _____

Executive Secretary

Legal Review:

Financial Provisions Approval by
Department of Comptroller on:

Exhibit "B"

Revised Estimate FM# 431139-2-52-01

SUMMARY OF ESTIMATED BID PRICES FOR TRUSS ASSEMBLY SIGNALS

The estimate is based on Statewide and District Average Bid Price for the following items times an escalation to bring the cost up to the construction fiscal year.

ESTIMATED COST

Description	Quantity	Unit Price	Estimated Cost
Truss Assembly for Signals	1	\$361,945	\$361,945
		Total	\$361,945

**Supplemental
Amendment Number 1
Estimate** **\$361,945**

Funds received from LOCAL GOVERNMENT on 12/26/2013, **\$263,226.00**

Additional Funds due from LOCAL GOVERNMENT based on bids **\$ 98,719.00**

Note: This is only an estimate and is subject to change based on actual bid prices.

EXHIBIT "C"

FM#431139-2-52-01

RESOLUTION NO. 2014- 116

A RESOLUTION AUTHORIZING THE EXECUTION OF THE LOCALLY FUNDED AGREEMENT SUPPLEMENTAL AMENDMENT NUMBER ONE BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND BREVARD COUNTY FOR THE CONSTRUCTION OF A SPECIAL DESIGN TRUSS ASSEMBLY FOR SIGNALS AT THE INTERESECTION OF STATE ROAD 520 AND SYKES CREEK PARKWAY.

WHEREAS, the Florida Department of Transportation (FDOT) and Brevard County desire the implementation of the project known as "Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway;" and

WHEREAS, the State of Florida Department of Transportation has requested Brevard County to execute and deliver to the State of Florida Department of Transportation the Locally Funded Agreement Supplemental Amendment Number 1 to update the cost estimate for the original Agreement to \$361,945.00 based on bids for the "Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway;" and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that Mary Bolin Lewis, Chairman, of the Board of County Commissioners, is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation the Locally Funded Agreement Supplemental Amendment Number 1 for the "Construction of a Special Design Truss Assembly for Signals at the Intersection of State Road 520 and Sykes Creek Parkway;".

DONE, ORDERED AND ADOPTED in regular session this 22nd day of July, 2014.

ATTEST:



SCOTT ELLIS, CLERK



MARY BOLIN LEWIS, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS
BREVARD COUNTY, FLORIDA

As approved by the BOCC on: JUL 22 2014

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**

INITIAL CONTRACT FORM

SECTION I

The following information must be completed on all new contracts submitted to the Board.

1. Contractor: Florida Department of Transportation	
2. Fund/Account #:	Division Name: Finance & Contract Administration
4. Contract Description: SR520 & Sykes Creek Parkway Locally Funded Agreement Supplemental Amendment No. 1 and Resolution	
5. Contract Monitor: Tammy Thomas-Wood	6. Mail Stop #: 81
7. Dept./Office Director: Public Works/John Denninghoff	8. Contract Type: LFA
ACTION DATE: 30 days from entry	ACTION REQUIREMENT: Need complete data

SECTION II

The following departments must approve all contracts submitted to the Board:

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>INITIALS</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	√ _____	_____	<u>SD fa JTW</u>	<u>7/2/14</u>
Risk Management	_____	_____	_____	_____
County Attorney	✓ _____	_____	<u>JD</u>	<u>7/2/14</u>

If any office denies approval, the package will be returned immediately to the User Agency.

NOTE: This form should be attached to all new contracts being submitted to the Board for approval. After the contract has been approved, the contract package, including this form, will go to the Clerk to the Board. The Clerk's office will return the Initial Contract Form to department for contract to be entered into the Contract Management System. See AO-29 for additional information.

AO-29: EXHIBIT I

RECEIVED
JUL 02 2014
79679
Brevard County Attorney