

Meeting Date
February 6, 2018



AGENDA	
Section	Consent
Item No.	II, A, 6

AGENDA REPORT
BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval RE: County Incentive Grant Program Agreement Supplemental Amendment Number 1 and Resolution with the Florida Department of Transportation for the St. Johns Heritage Parkway Northern Segment - District 5 (Fiscal Impact: \$3,554,000 Additional Grant Funds)
DEPT/OFFICE:	Public Works Department – Finance and Contracts Administration

Requested Action:

It is requested that the Board of County Commissioners approve and authorize the Chair to execute the County Incentive Grant Program Agreement Supplemental Amendment Number 1 and Resolution with the Florida Department of Transportation (FDOT) for the construction of St. Johns Heritage Parkway Northern Segment. It is further requested that the Board approve any necessary Budget Change Requests associated with this approval.

Summary Explanation & Background:

On June 2, 2017, FDOT executed the County Incentive Grant Program Agreement with Brevard County in which FDOT provided \$4,922,452.00 in state funds for the construction of the Northern Segment of the St. Johns Heritage Parkway. The design phase of this segment of the Parkway is complete. It is anticipated that the project will begin construction in summer 2018. This schedule aligns with the anticipated construction schedule of FDOT's interchange project at I-95 and Ellis Road.

Supplemental Amendment Number 1 will add state funds in the amount of \$3,554,000.00 for the construction phase of the St. Johns Heritage Parkway Northern Segment. The required County match is already Board approved and allocated in the project's budget. Total state funding for the project is now \$8,476,452.00. All costs over \$8,476,452.00 will be the responsibility of Brevard County.

Fiscal Impact: FY 17/18 - \$3,554,000 will be deposited and expended in Fund 1700 Grant Funds

Clerk to the Board Instructions: Please deliver Supplemental Amendment Number 1 and Resolution (3 originals) to Public Works for execution by FDOT.

Exhibits Attached: Supplemental Amendment Number 1 and Resolution (3 originals)

Contract /Agreement (If attached): Reviewed by County Attorney	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	PR	<input type="checkbox"/>
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County Manager Frank Abbate	Assistant County Manager John P. Denninghoff	Department Director / Extension Andrew J. Holmes, P.E. / 57202
	Interim Assistant County Manager Jim Liesenfelt	

**BREVARD COUNTY
BOARD OF COUNTY COMMISSIONERS**



INITIAL CONTRACT REVIEW AND APPROVAL FORM

SECTION I - GENERAL INFORMATION

1. Contractor:	
2. Fund/Account #:	3. Department Name: Public Works
4. Contract Description: County Incentive Grant Program Supplemental Amendment Number 1	
5. Contract Monitor: Jeanette Scott	7. Contract Type:
6. Dept/Office Director: Andrew J. Holmes, P.E.	GRANT

SECTION II - REVIEW AND APPROVAL TO ADVERTISE

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>SIGNATURE</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

SECTION III - REVIEW AND APPROVAL TO EXECUTE

<u>COUNTY OFFICE</u>	<u>APPROVAL</u>		<u>SIGNATURE</u>	<u>DATE</u>
	<u>YES</u>	<u>NO</u>		
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>HW</u>	<u>1/23/18</u>
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>DJH</u>	<u>1/22/18</u>

SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

<u>CM DATABASE REQUIRED FIELDS</u>	<u>Complete</u> ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status	<input type="checkbox"/>
Contract Title	<input type="checkbox"/>
Contract Type	<input type="checkbox"/>
Contract Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date	<input type="checkbox"/>
Contract Effective Date	<input type="checkbox"/>
Contract Expiration Date	<input type="checkbox"/>
Contract Absolute End Data (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Initial Contract Form with County Attorney/ Risk Management Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>



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

February 7, 2018

M E M O R A N D U M

TO: Andrew Holmes, Public Works Director

RE: Item II.A.6., Resolution and County Incentive Grant Program Agreement Supplemental Amendment Number 1 with Florida Department of Transportation (FDOT) for St. Johns Heritage Parkway Northern Segment

The Board of County Commissioners, in regular session on February 6, 2018, adopted Resolution No. 18-012; and executed County Incentive Grant Program Agreement Supplemental Amendment Number 1 with FDOT for St. Johns Heritage Parkway Northern Segment. Enclosed are three fully-executed Resolutions and three executed Amendments.

Upon execution by FDOT, please return a fully-executed County Incentive Grant Program Agreement Supplemental Amendment Number 1 to this office for inclusion in the official minutes.

Your continued cooperation is always appreciated.

Sincerely,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

Encls. (6)

cc: Contracts Administration
Finance
Budget



BOARD OF COUNTY COMMISSIONERS

Public Works Department

2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, Florida 32940

March 20, 2018

Tammy Rowe, Deputy Clerk
Clerk to the Board
Brevard County Clerk of Courts
400 South Street
Titusville, FL 32781

RE: Item II.A.6 Resolution and CIGP Agreement with FDOT re: SJHP N. Segment Construction

As indicated in the Clerk's Memorandum for the February 6, 2018 Board meeting, please find enclosed the fully-executed CIGP SA1 with FDOT re: SJHP N. Segment Construction for inclusion in the official minutes.

Thank you,

Jeanette Scott

Jeanette Scott, Contracts Administrator

Encl. Fully-Executed CIGP Agreement
Clerk's Memorandum

RESOLUTION NO. 2018- 012

A RESOLUTION AUTHORIZING THE EXECUTION OF COUNTY INCENTIVE GRANT PROGRAM AGREEMENT SUPPLEMENTAL AMENDMENT NUMBER 1 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ST. JOHNS HERITAGE PARKWAY FROM US 192 TO THE ELLIS ROAD INTERSECTION

WHEREAS, the State of Florida Department of Transportation (FDOT) and Brevard County desire to facilitate the construction of the St. Johns Heritage Parkway from US 192 to the Ellis Road Intersection and,

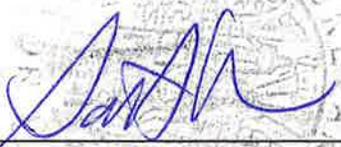
WHEREAS, the State of Florida Department of Transportation (FDOT) has requested Brevard County to execute and deliver to the State of Florida Department of Transportation (FDOT) the County Incentive Grant Program Supplemental Amendment Number 1 for the aforementioned project, FM# 428346-4-54-01.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that Rita Pritchett, Chair, of the Board of County Commissioners, is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation (FDOT) the County Incentive Grant Program Supplemental Amendment Number 1 for the aforementioned project, FM# 428346-4-54-01.

DONE AND RESOLVED in regular session this 6 day of February, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Scott Ellis, Clerk

Rita Pritchett, Chair

As approved by the Board on 2/6/18

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
SUPPLEMENTAL AMENDMENT NUMBER 1**

EXECUTION DATE: March 5, 2018

Agency: Brevard County Vendor No.: F596000523-164 Contract No: G0M20	Catalog of State Financial Assistance (CSFA) No.: 55-008 CSFA Title – County Incentive Grant Program	FM # 428346-4-54-01 Fund: CIGP/LF \$8,476,452.00
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Brevard County and the Florida Department of Transportation, parties to the original County Incentive Grant Program Agreement, executed on June 2, 2017, agree to amend the Agreement with this Supplemental Amendment.

The purpose of this Amendment is to revise the Estimated Schedule of Funding for this Project, and to incorporate the commitments of the Project Commitment Record (PCR), as follows:

- 1) Section 3 (A) has been updated to the following:
 - A. The COUNTY and the DEPARTMENT agree to share the cost of this PROJECT pursuant to 339.2817, F.S. The parties agree that the estimated total PROJECT costs are Sixteen Million Nine Hundred Fifty-Two Thousand Nine Hundred Four and No/100 Dollars (\$16,952,904.00). The parties further agree that the DEPARTMENT'S maximum participation is Eight Million Four Hundred Seventy-Six Thousand Four Hundred Fifty-Two and No/100 Dollars (\$ 8,476,452.00), and all remaining costs of the PROJECT will be borne by the COUNTY. These amounts are outlined in Revised Exhibit C (Schedule of Funding) attached hereto and made a part hereof.
- 2) The DEPARTMENT is adding an additional amount of \$3,554,000.00 in CIGP funding, and the COUNTY is responsible for all costs over the DEPARTMENT'S current share of \$8,476,452.00 (Eight Million Four Hundred Seventy-Six Thousand Four Hundred Fifty-Two Dollars and No/100) for the Construction Phase of this Project.
- 3) The COUNTY shall provide documentation stating how the commitments in the PCR were fulfilled. This documentation shall be provided to the Environmental Management Office (EMO) upon completion of construction. The PCR has been attached as Exhibit G, for reference.

The following attachments are hereby incorporated into this Amendment:

Revised Estimated Schedule of Funding, Revised Exhibit "C"

Revised Audit, Revised Exhibit "F"

Project Commitment Record, Exhibit "G"

Except as hereby modified, amended or changed, all 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 to be executed, the day and year first above written.

BREVARD COUNTY

By: 
Name: Rita Pritchett
Title: Chair

Attest: 
Scott Ellis, Clerk

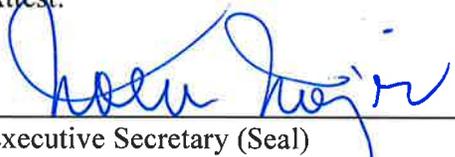
County Legal Review:

Assistant County Attorney



**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

By: 
Name: LOREEN BOBO, P.E.
Title: Director of Transportation Development

Attest: 
Executive Secretary (Seal)

Department Legal Review:


REVISED EXHIBIT "C"
Financial Management Number: 4283464-54-01

REVISED ESTIMATED SCHEDULE OF FUNDING

Total Project cost: \$16,952,904.00

Total Department share: \$ 8,476,452.00

All costs over \$8,476,452.00 will be the responsibility of the COUNTY.

Please note:

For this project, Exhibit D of the original agreement is not applicable.

REVISED EXHIBIT F
AUDIT

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

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:

Awarding Agency: Florida Department of Transportation
State Project Title: COUNTY INCENTIVE GRANT PROGRAM
CSFA Number: 55.008
***Award Amount:** \$8,476,452.00

*The state award amount may change with supplemental agreements

Specific project information for CSFA Number 55.008 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 55.008 are provided at:
<https://apps.fldfs.com/fsaa/searchCompliance.aspx>

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

EXHIBIT "G"
Financial Management Number: 4283464-54-01
Project Commitment Record
(3 pages to follow)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PROJECT COMMITMENTS RECORD

PROJECT DEVELOPMENT & ENVIRONMENT

Project Name: St. Johns Heritage Pkwy/Palm Bay Rd from Malabar Rd to John Rhodes Blvd at Ellis Rd

Project Manager: William Walsh

Environmental Document Type: Type 1 CE Type 2 CE EA EIS MSA SER

Environmental Document Approval Date: 12/11/2003

File: 404605-1

FAPC:

Project Segment Number	Commitment	Essential Stakeholder	Env. Commitment?	Implementation Phase	Status	Transmittal Date	Completion Date	Comments
423046-4	Impact to conditions of a half-acre tract of land owned by the State of Florida in the study area are indicated by due to the proximity of agricultural land within the study area. The study area is a historic survey and analysis for the presence of listed species and critical habitats will be conducted during the design and permitting phase of the project.	FLDOCS/USFWS	Yes	Construction	Transmitted to Design	4/9/2012		Checked Carolina survey, have been completed and the USFWS concurred that the project may affect, but is not likely to adversely affect Carolina. No further review is anticipated. Sarah Crane field survey is planned as a part of the Permit Conditions for SFRVAD. The Carolina crane survey will be completed prior to construction.
423046-4	Impervious surfaces within wetland protection boundaries will be tracked during and construction phases.	USACE/SR/VAD	Yes	Construction	Transmitted to Design	4/9/2012		The protection boundaries have been re-confirmed and the construction plan general notes, and surface water impacts were evaluated and mitigated for during the permitting phase. There are 1.51 acres of wetland impact and 12.42 acres of surface water impacts for the project. The project is currently in the design phase. USACE and SR/VAD provided the project with a letter dated 4/2/12 regarding the project. USACE and SR/VAD have been advised. Impact mitigation measures such as all screen, synthetic turf, and other discharge prevention measures will be implemented during construction.
423046-4	It is anticipated that approximately 128.2 acres of 100-year floodplain will be impacted by the proposed construction of Palm Bay Parkway. The proposed drainage scheme includes retaining or equal volume of fill independent to the proposed project area to mitigate floodplain encroachment.	USACE/SR/VAD	Yes	Construction	Transmitted to Design	4/9/2012		This 100-year FEMA floodplain impacts are 17.7 ac-ft. The watershed property provides 100.7 ac-ft of compensating storage.
423046-4	No receipt of business relocation will be required as a result of the proposed construction of Palm Bay Parkway. All of the currently occupied parcels of the study area, no impacts to existing community and social patterns will occur as a result of the proposed project.	Adjacent property owners	Yes	Construction	Transmitted to Design	4/9/2012		There is no danger in the impact studies regarding residential relocations or business displacements. These statements are all accurate.
423046-4	Agricultural operations exist along the project alignment. Future design efforts will coordinate with adjacent property owners to minimize impacts to their agricultural operations.	SFRVAD	Yes	Design	Commitment Fulfilled		7/12/2016	SFRVAD concurrence was received 12/25/2010. During the design process the SFRVAD signed reviewed the project and in a letter dated 7/12/2016 determined that the project will still have no impact on cultural resources.
423046-4	Additional coordination with Brevard County (regarding Limited or Confined Access).	Brevard County	Yes	Construction	Transmitted to Design	4/9/2012		Coordination with the City of Palm Bay and Brevard County has resulted in the determination that the roadway will be designed as a controlled access facility and will be constructed as such.
423046-4	If there are any wetlands to be impacted that provide suitable cover and water resources for suitable state nesting, the St. Johns River Water Management District requests that the wetlands be modified during the later part of the nesting season.	USFWS/USACE	Yes	Construction	Transmitted to Design	4/9/2012		Sarah Crane field survey is required as a part of the Permit Conditions for SFRVAD. The Sarah Crane survey will be completed prior to construction.
423046-4	The project is located within the 15-Scenic Corridor (along SR 102) for two wood stork colonies. Additional coordination with USFWS will be required during the permitting and construction phases.	USFWS/USACE	Yes	Construction	Transmitted to Design	4/9/2012		The project has been permitted by the USACE and SFRVAD. USFWS concurrence has been received. All wetland mitigation for the project has been purchased from Betty A. Magellan Bank for the Brevard County Segment. Additional construction during construction will occur if needed.

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
PROJECT COMMITMENTS RECORD

Project Number	Project Name	Project Manager	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments
428346-4	DESIGN St. Johns Heritage Parkway from US 192 to the Ellis Road Interchange	FM# 428346-4	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments

Project Number	Project Name	Project Manager	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments
428346-4	RIGHT OF WAY	FM#	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments

Project Number	Project Name	Project Manager	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments
	CONSTRUCTION	FM#	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments

Project Number	Project Name	Project Manager	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments
	OPERATION & MAINTENANCE	FM#	External Stakeholder	Err. Comm. (year)	Confined Comm. (year)	Comm. need (year)	Implementation Phase	Status	Time-est. (Date)	Complete (Date)	Comments

Suggestions incorporated from the FDOT Value Engineering Team include:

- Use more path strips shoulders. The two-lane shoulder incorporated into the right-of-way boundary. Right-of-way boundary should be established to provide clearance from the barrier walls on each side of the multi-lane path. While FDOT Design Manuals were unclear on the need for shoulders on multi-lane path strips, other FDOT projects that incorporated multi-lane path strips do not have shoulders on the shoulder. Shoulders will be eliminated from the multi-lane path strip.
- FDOT prefers to have clearance. Based on the project scope, the Design High Water elevation will be determined only for the recommended shoulder. A 10-year flood elevation will be determined for the proposed multi-lane path strip. Based on County ordinance, which requires a 10-year flood elevation, we will refer to the determination of the Design High Water elevation. A more conservative base distance was used to meet both requirements. As discussed with S. S. S. and recommended with Grand County engineering staff, the use of the three-foot clearance is the preferred conservative approach to be maintained through the PD&C study effort.
- Change from 4' to 3' at C&D. Approx. 4' total across. Changing the base offset to a 3' distance will be studied as part of the design phase assessment, particularly at the suggested location, will be analyzed to compare costs that maintain property access.

The Value Engineering Committee has been addressed to the extent practical during final design. The local municipalities (City of Palm Bay and Brevard County) will maintain their respective engineering, minimum design standards, were used in each design project's design.

The multi-lane path concept proposed in the original PD&C Study has been replaced by a 3-foot wide shoulder on either side of the Parkway at all design segments. Shoulder a multi-lane path project will not be needed.

The design team has been developed using the most current design criteria including a 3-foot base distance. The design team reviewed the design to ensure no overloading would occur in the 100-year flood event. Potential accident impacts have been addressed in the design phase and have been reviewed by applicable permitting agencies.

If construction is proposed during the calendar year ending November 1, April 30, then 21-04-01C includes USFWS

Approved by Planning shall be necessary for active needs or recovery activity, should an active need be located within the proposed recovery corridor. Please contact our office immediately for additional consultation.

Not be required to during the design phase plan.

STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION
PROJECT COMMITMENTS RECORD

Project Segment Number	Commitment	External Stakeholder	Entry Commitment (year/quarter)	Confirmed Commitment (year/quarter)	Comments (Approval Date)	Implementation Phase	Status	Transmittal Date	Completion Date	Comments

To: teresa.hutson@dot.state.fl.us

**FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL**

G0M20

2/27/2018

CONTRACT INFORMATION

Contract:	G0M20
Contract Type:	GD - GRANT DISBURSEMENT (GRANT)
Method of Procurement:	G - GOVERNMENTAL AGENCY (287.057, F.S.)
Vendor Name:	BREVARD COUNTY BOCC
Vendor ID:	F596000523164
Beginning Date of This Agreement:	06/01/2017
Ending Date of This Agreement:	06/30/2020
Contract Total/Budgetary Ceiling:	ct = \$8,476,452.00
Description:	St. Johns Heritage Parkway Intersection Improvements from US192 to Ellis Road

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 2/27/2018

Action:	Supplemental
Reviewed or Approved:	APPROVED
Organization Code:	55054010508
Expansion Option:	AC
Object Code:	751000
Amount:	\$3,554,000.00
Financial Project:	42834645401
Work Activity (FCT):	215
CFDA:	
Fiscal Year:	2018
Budget Entity:	55150200
Category/Category Year:	088572/18
Amendment ID:	S001
Sequence:	00
User Assigned ID:	1
Enc Line (6s)/Status:	0002/04

Total Amount: \$3,554,000.00