

Meeting Date
July 25, 2017



AGENDA	
Section	Consent
Item No.	II.A.8

AGENDA REPORT
 BREVARD COUNTY BOARD OF COUNTY COMMISSIONERS

SUBJECT:	Approval Re: Resolution and Supplemental Agreement No. 1 to Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) for the Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Project FPN 438023-1-58/68/01 District 3 (Fiscal Impact: None – Town of Grant-Valkaria to Provide Local 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 Chairman to execute the Resolution and Supplemental Agreement No. 1 to the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) for the Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Project FPN 438023-1-58/68-01; adjusting the Local Funds depicted on the Schedule of Funding.

Summary Explanation & Background:
 On May 26, 2016, the Board of County Commissioners approved the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) for the Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road. Additionally, the Board entered into Interlocal Agreement with the Town of Grant-Valkaria in which the Town agreed that in the event the cost of constructing the project exceeds the LAP financial assistance amount, the Town will reimburse the County for the excess costs.
 On March 30, 2017, the County opened the bids submitted for the construction of the Valkaria Road Sidewalk. The apparent low bid (\$735,258.00) exceeded the total project construction cost (\$619,674.00). Public Works prepared a detailed bid analysis, as required by FDOT for LAP projects, and submitted the results to FDOT on April 20, 2017 with additional information provided by the County on May 11, 2017. On May 22, 2017, FDOT provided their concurrence to proceed with award. FDOT requested that the County execute a Supplemental Agreement to reflect the increase in the local funding amount given the difference between the apparent low bid and the total project construction cost. As such, FDOT has adjusted the Exhibit B Schedule of Funding to reflect this increase of \$115,584.00 in local funding of this project. The Town of Grant-Valkaria committed to providing the additional local funds at their April 12, 2017 Council meeting.
 Fiscal Impact: None to the County. The Town of Grant-Valkaria will provide the additional local funds.

Clerk to the Board Instructions: Please return Resolution and Supplemental Agreement No. 1 (3 originals) to the Public Works Department for further execution by FDOT.

Exhibits Attached: Resolution and Supplemental Agreement No. 1 (3 originals)

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

**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:	
2. Fund/Account #:	Department Name: Public Works
4. Contract Description: Supplemental Amendment 1 to LAP Agreement – Valkaria Road Sidewalk	
5. Contract Monitor: Jeanette Scott	6. Mail Stop #: EXT 52853
7. Dept./Office Director: Andrew J. Holmes, P.E., Interim Public Works Director	8. Contract Type: Grant
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	_____	_____	_____	_____
Risk Management	_____	_____	_____	_____
County Attorney	✓	_____	DEC	7/20/2017

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

SECTION III - CONTRACT MANAGEMENT DATABASE CHECKLIST

DATABASE REQUIRED FIELDS	Complete ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund and GL 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 database (Initial Contract Form with County Attorney/Risk Management Approval; Signed/Executed Contract)	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>
Note: Insurance Certificates uploaded under collapsible/expandable <u>Monitor Bar Section</u> Change Order/Task Order uploaded under collapsible/expandable <u>Monitor Bar Section</u> Contract Renewal documents uploaded under collapsible/expandable <u>Renewal /Bar Section</u>	

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, Executed/Attested Contract to department for contract to be entered and uploaded into the Contract Management System. See AO-29 for additional information.



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

July 26, 2017

M E M O R A N D U M

TO: Andrew Holmes, Interim Public Works Director

RE: Item II.A.8., Resolution and Supplemental Agreement No. 1 to Local Agency Program (LAP) Agreement with Florida Department of Transportation (FDOT) for Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Project FPN 438023-1-58/68-01

The Board of County Commissioners, in regular session on July 25, 2017, executed and adopted Resolution No. 17-127; executed and approved the Supplemental Agreement No.1 to the LAP Agreement with FDOT for the Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Project FPN 438023-1-58/68-01; and adjusting the local funds depicted on the schedule of funding. Enclosed are two fully-executed Resolutions, one certified copy of a Resolution, and three Supplemental Agreements.

Upon execution by Florida Department of Transportation please return a fully-executed Supplemental Agreement for inclusion in the official minutes.

Your continued cooperation is greatly appreciated.

Sincerely yours,

BOARD OF COUNTY COMMISSIONERS
SCOTT ELLIS, CLERK

Tammy Rowe, Deputy Clerk

/kp

Encls. (6)

cc: Contracts and Administration

file

Deborah Thomas

From: Scott, Jeanette <Jeanette.Scott@brevardfl.gov>
Sent: Friday, September 08, 2017 12:54 PM
To: Deborah Thomas
Subject: July 25, 2017 Item II.A.8 SA1 to LAP for Valkaria
Attachments: ClerksMemo_LAP_SA1_Valkaria.pdf; 1630022_Valkaria_SW_LAP_SA1.pdf

Hello Deborah,

As indicated in the clerk's memo, please find attached the fully-executed LAP SA1 to Valkaria Road Sidewalk from 7/25/17 Board meeting, Item II.A.8.

Jeanette Scott
Contracts Administrator
Public Works Department
2725 Judge Fran Jamieson Way
Building A, Room 201
Viera, FL 32940
321-617-7202

"Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing."

RESOLUTION NO. 2017- 127

A RESOLUTION AUTHORIZING THE EXECUTION OF LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE VALKARIA ROAD SIDEWALK FROM GRANT-VALKARIA PARK TO LEGHORN ROAD

WHEREAS, the State of Florida Department of Transportation (FDOT) and Brevard County desire to facilitate the construction of the Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road 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 Local Agency Program (LAP) Supplemental Agreement No. 1 for the aforementioned project, FPN 438023-1-58-01 and 438023-1-68-01.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brevard County, Florida, that Curt Smith, Chairman, of the Board of County Commissioners, is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation (FDOT) the Local Agency Program (LAP) Supplemental Agreement No. 1 for the aforementioned project, FPN 438023-1-58-01 and FPN 438023-1-68-01.

DONE AND RESOLVED in regular session this 25th day of July, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA



Scott Ellis, Clerk



Curt Smith, Chairman

As approved by the Board on 7/25/17

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

525-010-32
PROGRAM MANAGEMENT
03/17
Page 1 of 3

SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

8886-979-A

CONTRACT NO.
G0F55

FEDERAL AWARD DATE

9/19/2016

FPN
438023-1-58/68-01

LOCAL AGENCY DUNS NO.

78-324-8370

The Florida Department of Transportation and Brevard County desires to supplement the original Agreement entered into and executed on September 27, 2016, as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

PROJECT DESCRIPTION

Name Valkaria Road Sidewalk from Grant-Valkaria Park to Leghorn Road Length ~ 1.3 miles

Termini Grant-Valkaria Community Park to Leghorn Road (MP 1.680 to MP 2.980)

Description of Work:

The Valkaria Road Sidewalk project is located in The Town of Grant-Valkaria. The project includes the installation of approximately 6,780 linear feet of 8-foot wide concrete sidewalk. The sidewalk will run on the north side of Valkaria Road, from The Grant-Valkaria Community Park to Leghorn Road. Project elements include ADA compliant sidewalk, minor pipe culvert extensions, guardrail, curb ramps, detectable warning surfaces, signage, and thermoplastic striping. A timber wood boardwalk extending over the edge of a small body of water will be constructed. The boardwalk is 8 feet wide and approximately 500 feet in length. Mobilization, maintenance of traffic (MOT), erosion control, clearing and grubbing, and sodding are also included as part of this project.

The payment and performance bond (warranty bond) is a non-participating item and will not be federally funded. The proposed sidewalk which is 6" thick, 3,000 psi concrete with fiber reinforcement is considered an upgrade. The County will only be reimbursed for the basic cover 4" thick, 2,500 psi concrete sidewalk.

Reason for Supplement and supporting engineering and/or cost analysis:

1. Pursuant to Paragraph 4.0 Project Cost of the Local Agency Program Agreement, the Agency and the Department acknowledge that the total cost of the project has increased as a result of the Agency's construction contract award amount of \$735,258.00. The construction contract award of \$735,258.00, combined with the Construction Engineering and Inspection (CEI) amount of \$64,824.00, bring the total project cost to **\$800,082.00**. The Department participation remains at \$611,298.00, increasing the Local Funds to be contributed by the County by \$115,584.00 for total Local Funds of **\$188,784.00**. Said revisions are reflected in the Adjusted Schedule of Funding, attached hereto and incorporated herein, as Exhibit "B".
2. The Agency Resolution authorizing entry into this Supplemental Agreement is attached and incorporated into this Supplemental Agreement as Exhibit "F".

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT
ADJUSTED EXHIBIT B SCHEDULE OF FUNDING**

FPN
438023-1-58/68-01

TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Design					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction					
FY: 2016-2017	\$619,674.00	\$115,584.00	\$735,258.00	\$175,784.00	\$559,474.00
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total Construction Cost	\$619,674.00	\$115,584.00	\$735,258.00	\$175,784.00	\$559,474.00
Construction Engineering and Inspection (CEI)					
FY: 2016-2017	\$64,824.00	\$0.00	\$64,824.00	\$13,000.00	\$51,824.00
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
Total CEI Cost	\$64,824.00	\$0.00	\$64,824.00	\$13,000.00	\$51,824.00
Total Construction & CEI Costs	\$684,498.00	\$115,584.00	\$800,082.00	\$188,784.00	\$611,298.00
TOTAL COST OF THE PROJECT	\$684,498.00	\$115,584.00	\$800,082.00	\$188,784.00	\$611,298.00

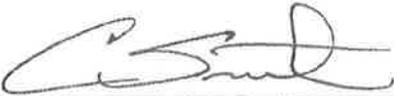
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

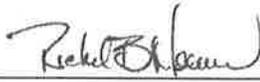
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PROGRAM MANAGEMENT
03/17
Page 3 of 3

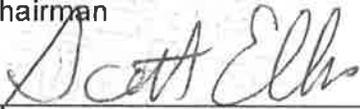
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

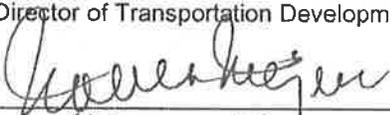
AGENCY BREVARD COUNTY

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: 
Name: Curt Smith
Title: Chairman

By: 
Name: Richard B. Morrow, P.E.
Title: Director of Transportation Development

Attest: 
Name: Scott Ellis
Title: Clerk

Attest: 
Name: Norma Hejiss
Title: Executive Secretary

Date: July 25, 2017

Date: 8/11/17

Legal Review:


Assistant County Attorney


LEGAL REVIEW JS

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

525-D10-40F
PROGRAM MANAGEMENT
OGC - 08/15
Page 1 of 1

EXHIBIT "F"

AGENCY RESOLUTION

The agency Resolution authorizing entry into this Agreement is attached and incorporated into this Agreement.

RESOLUTION NO. 2017- 127

A RESOLUTION AUTHORIZING THE EXECUTION OF LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE VALKARIA ROAD SIDEWALK FROM GRANT-VALKARIA PARK TO LEGHORN ROAD

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DONE AND RESOLVED in regular session this 25th day of July, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

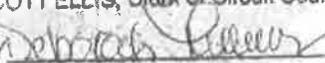


Scott Ellis, Clerk



Curt Smith, Chairman

As approved by the Board on 7/25/17

STATE OF FLORIDA
COUNTY OF BREVARD
This is to certify that the foregoing
is a true and current copy of Resolution
NO. 2017-12 witness my hand
and official seal this 25 day of
July 2017
SCOTT ELLIS, Clerk of Circuit Court
BY  D.C.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

525-010-40
PROGRAM MANAGEMENT
1/15
Page 1 of 1

EXHIBIT 1

FEDERAL FINANCIAL ASSISTANCE (SINGLE AUDIT ACT)

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE AS FOLLOWS:

CFDA No.: 20.205
CFDA Title: Highway Planning and Construction
Federal-Aid Highway Program, Federal Lands Highway Program
CFDA Program Site: <https://www.cfda.gov/>
Award Amount: \$611,298.00
Awarding Agency: Florida Department of Transportation
Award is for R&D: No
Indirect Cost Rate: N/A

FEDERAL RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles & Audit Requirements for Federal Awards
<http://www.ecfr.gov/>

OMB Circular A-133, *Audits of States, Local Governments and Non-Profit Organizations*
http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf

OMB Circular A-133 Compliance Supplement 2014
http://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2014

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT MAY ALSO BE SUBJECT TO THE FOLLOWING:

OMB Circular A-87 (Revised), *Cost Principles for State, Local and Indian Tribal Governments*
http://www.whitehouse.gov/omb/circulars_a087_2004/

OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments*
http://www.whitehouse.gov/omb/circulars_a102/

Title 23 – Highways, United States Code
<http://uscode.house.gov/browse/prelim@title23&edition=prelim>

Title 49 – Transportation, United States Code
<http://uscode.house.gov/browse/prelim@title49&edition=prelim>

Map-21 – Moving Ahead for Progress in the 21st Century, Public Law 112-141
<http://www.gpo.gov/fdsys/pkg/PLAW-112publ141/pdf/PLAW-112publ141.pdf>

Federal Highway Administration – Florida Division
<http://www.fhwa.dot.gov/fldiv/>

Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS)
<https://www.fsrs.gov/>