

Board of County Commissioners Agenda Request

Date of Meeting: February 20, 2018

Date Submitted: February 1, 2018

To: Honorable Chairperson and Members of the Board

From: Dee Jackson, Interim County Administrator
Curtis Young, Public Works Director

Subject: Amendment to the Contract for the Resurfacing and Reconstruction of Howell Road

Statement of Issue:

This agenda item seeks Board approval of the amendment to the contract for resurfacing and reconstruction of the Howell Road Project, which is located in District 4.

Background:

The Board entered into an agreement for the Howell Road Project as a grant through the Florida Department of Transportation. This project was awarded funds in the amount of \$704,028.00.

Analysis:

Howell Road has been selected for funding by FDOT through their County Incentive Grant Program (CIGP) in the amount of \$704,028. The project will include widening and resurfacing of the existing roadway, as well as addressing all drainage issues within the project limits. The project was originally budgeted for \$704,028.00; however, the bids came in under budget in the amount of \$264,896.00. The new agreement amount will be decreased by \$380,143.00.

Therefore, an amendment was sent over by FDOT to be signed by the BOCC.

Fiscal Impact:

There will be no fiscal impact.

Options:

1. Approve the amendment to the contract for resurfacing and reconstruction of the Howell Road project and authorize the Chairperson to sign all related documents.
2. Do not approve.
3. Board direction.

Interim County Administrator's Recommendation:

Option 1

Attachment(s):

1. Amendment to Contract
2. Resolution 2018-003

**FIRST AMENDMENT TO
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
(County Letting)**

Financial Project No.: 410401-2-54-01

Contract No.: G0D89

Catalog of State Financial Assistance No.: 55.008

This First Amendment to the State of Florida Department of Transportation County Incentive Grant Program Agreement (the “Amendment”) is between the State of Florida, Department of Transportation (the “Department”), and Gadsden County (the “County”).

RECITALS

1. On November 15, 2016, in accordance with Section 339.2817, Florida Statutes, the Department and the County entered into a County Incentive Grant Program Agreement, contract number G0D89 (the “Agreement”), whereby the Department agreed to provide the County with financial assistance under Financial Project Number 410401-2-54-01 for widening and resurfacing Howell Road from State Road 10 to Spitz Farm Road (the “Project”), and the County agreed to furnish the services with which to construct the Project; and
2. The Department and the County mutually desire to amend the Agreement by **reducing** Department participating funds on the Project as set forth herein; and
3. The County, by resolution No. _____ dated _____, 201_, a copy of which is attached hereto and made a part hereof, has authorized the _____ to enter into this Amendment.

NOW, THEREFORE, the Department and the County hereto do agree as follows:

4. The aforementioned recitals are true and correct and are by this reference incorporated into and made a part of this Amendment.
5. The third sentence of Paragraph 3.A. of the Agreement is hereby amended by deleting the amount “Seven hundred four thousand twenty eight dollars (\$704,028.00)”, wherever appearing therein, and substituting the amount “Three hundred twenty three thousand eight hundred eighty five dollars (\$323,885.00)” in lieu thereof.
6. Exhibit “C” and Exhibit “F” of the Agreement are replaced with the attached Exhibit “C” (Page C-1) and Exhibit “F” (Page F-1), which are hereby incorporated into this Amendment and the Agreement.
7. This Amendment shall become effective on the last date of a signature by a Party.

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

IN WITNESS WHEREOF, the County and the Department have executed this Amendment on the date(s) below.

COUNTY:

GADSDEN COUNTY

By: _____
Printed Name: _____
Title: _____

Date: _____

Attest: _____
Printed Name: _____ (Seal)
Title: _____

County Legal Review:

By: _____
Title: _____

DEPARTMENT:

STATE OF FLORIDA,
DEPARTMENT OF TRANSPORTATION

By: _____
Printed Name: _____
Title: _____

Date: _____

Attest: _____
Executive Secretary (Seal)

Department Legal Review:

Office of the General Counsel

EXHIBIT "C"

SCHEDULE OF FUNDING

FINANCIAL PROJECT NO. 41040125401

This is a cost reimbursement agreement. This exhibit forms an integral part of the Agreement between the State of Florida, Department of Transportation and Gadsden County referenced by the above Financial Project Number.

Schedule of Funding:

	FY <u>2017</u>	FY	TOTAL
I. TOTAL PROJECT COST:	\$ 323,885	\$	\$
Design	\$ 30,000	\$	\$
Right of Way	\$	\$	\$
Construction	\$ 289,385	\$	\$
CEI	\$ 4,500	\$	\$
II. PARTICIPATION:			
Maximum Department Participation	\$ 323,885	\$	\$
Local Participation	(____%) or \$	(____%) or \$	(____%) or \$
In-Kind	\$	\$	\$
Cash	\$	\$	\$
Combination In-Kind/Cash	\$	\$	\$
Waiver or Reduction	\$	\$	\$
TOTAL PROJECT COST:	\$ 323,885	\$	\$

EXHIBIT “F”

STATE FINANCIAL ASSISTANCE (FLORIDA SINGLE AUDIT ACT)

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:** \$323,885.00

*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>

RESOLUTION 2018-003

A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE COUNTY INCENTIVE GRANT PROGRAM AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

WHEREAS, the Gadsden County Board of County Commissioners entered into a County Incentive Grant Program Agreement on November 15, 2016 for the widening and resurfacing of the existing roadway; and

WHEREAS, the Florida Department of Transportation has offered funding \$704,028.00 of the actual project costs, but the Department's participation may be increased or reduced based upon a determination of actual bid amounts of the Project; and

WHEREAS, the Florida Department of Transportation and the Gadsden County Board of County Commissioners mutually desire to amend the Agreement by reducing the Department's maximum participation under the Agreement to \$323,885, due to low bids.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GADSDEN COUNTY, FLORIDA THAT:

1. A First Amendment to the County Incentive Grant Program (FPID #41040125401) is entered into with the Florida Department of Transportation for a reduction in funds for the resurfacing and widening of Howell Road.
2. That Brenda Holt, Gadsden County Board of County Commissioners Chairperson, is hereby authorized and directed to execute and deliver the Agreement to FDOT.
3. An approved copy of this Resolution will be forwarded to FDOT along with the executed Agreement.

PASSED AND ADOPTED THIS _____ day of _____, 2017

GADSDEN COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

Brenda Holt, Chairperson

ATTEST:

Nicholas Thomas, Clerk