



Interoffice Memorandum

Date December 7, 2020

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Joseph C. Kunkel, P.E., Director, Public Works Department

CONTACT PERSON: Renzo Nastasi, AICP, Manager
Transportation Planning Division

PHONE NUMBER: (407) 836-8072

SUBJ: Resolution and Supplemental Agreement for Shingle Creek Trail Phase II

On February 25, 2020, the Board approved Resolution and Local Agency Program Agreement between the State of Florida Department of Transportation and Orange County to construct and inspect a new portion of the Shingle Creek Trail from Town Loop Boulevard to Taft-Vineland Road.

The purpose of Supplemental Agreement No. 1 is to revise the lump sum cost estimate of the original Agreement due to the bids for the improvement coming in lower than anticipated. The original County share for the improvement was \$5,401,637. The Florida Department of Transportation, MetroPlan Orlando, and the County have agreed to reduce the federal funding amount for the trail improvement to \$4,856,639 due to a lower than expected construction bid. Orange County will be responsible for Federal-Aid indemnification of \$100.

The County Attorney's Office, Risk Management Division, Highway Construction Division, Public Works Engineering Division, and the Transportation Planning Division have reviewed this Resolution and Agreement and find them acceptable.

Action Requested: Approval and execution of (1) Resolution of the Orange County Board of County Commissioners regarding the Local Agency Program Supplemental Agreement with the Florida Department of Transportation for the Shingle Creek Trail Phase II Project from Town Loop Blvd. to Taft Vineland Rd. and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement Supplemental No. 1 Contract No. G1L08 FPN 439878-2-58/68-01. District 1.

Attachments

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

525-010-32
PROGRAM MANAGEMENT
08/19

BCC Mtg. Date: January 12, 2021

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SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

D519 015 B

CONTRACT NO.

G1L08

FEDERAL AWARD DATE

4/8/2020

FPN

439878-2-58/68-01

RECIPIENT DUNS NO.

06-479-7251

Recipient, Orange County and the State of Florida Department of Transportation, desires to supplement the original Agreement entered into and executed on April 15, 2020, 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 Shingle Creek Trail Phase II Length ~2.844 miles

Termini Town Loop Boulevard to Taft Vineland

Description of Work:

The project consists of the construction of a 14-foot wide (typical) concrete multi-use trail along John Young Parkway, a 11-foot to 15-foot wide trail along Central Florida Parkway, and a 14-foot wide trail on Taft-Vineland, for a total distance of 2.844 miles.

The project includes the construction of a concrete trail, an approximate 67-foot long concrete pedestrian bridge, removal of existing structures/bridges, concrete gravity wall, concrete retaining wall, Type D concrete curb, Type F concrete curb and gutter, 4-inch thick concrete sidewalk/trail, 6-inch concrete sidewalk/trail and driveways, detectable warnings surfaces, pedestrian/bicycle picket railing, pedestrian signalization, signing and pavement markings, plastic erosion mat, landscaping, and performance turf (sod) installation.

Drainage improvements include constructing mitered end sections, manholes, new piping, and ditch regrading. Site preparation work includes erosion control, clearing and grubbing, excavation, and embankment. Trail amenities includes the construction of basic bike racks, trash receptacles, benches, rest shelters, water fountains, pet waste stations, and directional signage. Landscaping improvements include tree removal, tree protection, and tree and shrub plantings along the trail.

All pedestrian features are to adhere to current ADA standards. Utility coordination is required. Orange County shall construct the project within the limits of the existing right of way, except for the sidewalk removal at the Marriot property where a Right-of-Entry Agreement has been obtained.

6-inch thick concrete is eligible for reimbursement at curb ramps, driveways, sidewalk/trail directly adjacent to the back of curb, and sidewalk/trail from Sta. 2052+80 to Sta. 2057+68, Sta. 2058+34 to Sta. 2062+56, Sta. 2062+86 to Sta. 2076+02, & Sta. 2077+03 to Sta. 2102+77.

Local funds shall be required to pay for indemnification.

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

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 Recipient and the Department acknowledge and agree that the Schedule of Financial Assistance for Construction that includes the authorized and encumbered Federal funding and the Local funding contribution on the project shall be reduced to an amount equal to the Recipient's construction contract award amount of \$4,313,811.00. This results in a reduction of total construction funding by (\$544,998.00). This contract award amount includes the cost of Federal-Aid ineligible indemnification cost in the amount of \$100.00.

Revisions to the funding amounts are reflected in the Adjusted Schedule of Financial Assistance, attached hereto and incorporated herein, as Exhibit "B", and in Exhibit "E," Federal Financial Assistance (Single Audit Act).

2. The Recipient Resolution authorizing entry into this Supplemental Agreement is attached and incorporated into this Supplemental Agreement as Exhibit "D".

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

LOCAL AGENCY PROGRAM
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ADJUSTED EXHIBIT "B" SCHEDULE OF FINANCIAL ASSISTANCE

RECIPIENT NAME & BILLING ADDRESS:

Orange County
4200 S. John Young Parkway
Orlando, FL 32839

FINANCIAL PROJECT NUMBER:

439878-2-58/68-01

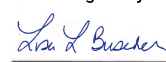
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PHASE OF WORK By Fiscal Year	FUNDING					
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL LOCAL FUNDS	(5) TOTAL STATE FUNDS	(6) TOTAL FEDERAL FUNDS
Design FY: () FY: () FY: ()						
Total Design Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Right-of-Way FY: () FY: () FY: ()						
Total Right-of-Way Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Construction FY: 2019-2020 (LAP) FY: () FY: ()	\$4,858,809.00	(\$544,998.00)	\$4,313,811.00	\$100.00	\$0.00	\$4,313,711.00
Total Construction Cost	\$4,858,809.00	(\$544,998.00)	\$4,313,811.00	\$ 100.00	\$ 0.00	\$4,313,711.00
Construction Engineering and Inspection (CEI) FY: 2019-2020 (LAP) FY: () FY: ()	\$542,928.00	\$0.00	\$542,928.00	\$0.00	\$0.00	\$542,928.00
Total CEI Cost	\$542,928.00	\$ 0.00	\$542,928.00	\$ 0.00	\$ 0.00	\$542,928.00
() FY: () FY: () FY: ()						
Total Phase Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL COST OF THE PROJECT	\$5,401,737.00	(\$544,998.00)	\$4,856,739.00	\$ 100.00	\$ 0.00	\$4,856,639.00

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

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

DocuSigned by:


 Signature

1/19/2021 | 10:37 AM EST

Lisa Buscher

District Grant Manager Name

Date

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

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IN WITNESS WHEREOF, the parties have executed this Agreement on the date last ascribed herein.

RECIPIENT ORANGE COUNTY

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: See attached signature page

Name:

Title:

DocuSigned by:

By:

Loreen Bobo

1EBD7ED7E5924D5

Name: Loreen C. Bobo, P.E.

Title: Director of Transportation Development

1/19/2021 | 2:43 PM EST

Date:

Legal Review:

DocuSigned by:

Daniel McDermott

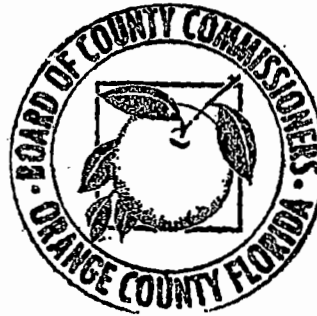
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IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

RECIPIENT ORANGE COUNTY

By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings, County Mayor



Attest: Phil Diamond, CPA, County Comptroller
as Clerk of the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk

Printed name: Katie Smith

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

525-010-40D
PROGRAM MANAGEMENT
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EXHIBIT "D"

RECIPIENT RESOLUTION

The Recipient's Resolution authorizing entry into this Agreement is attached and incorporated into this Agreement.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

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EXHIBIT "E"

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: \$4,856,639.00
Awarding Agency: Florida Department of Transportation
Award is for R&D: No
Indirect Cost Rate: N/A

FEDERAL RESOURCES AWARDED PURSUANT TO THIS AGREEMENT ARE SUBJECT TO THE FOLLOWING:

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

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

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.fsrc.gov/>