



Interoffice Memorandum

January 29, 2019

TO: Mayor Jerry L. Demings
and the County Commissioners

FROM: Mark V. Massaro, 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 Number 1 to the Local Agency Program Agreement Between the State of Florida Department of Transportation and Orange County (Re-Intersection Improvements Wallace Road at Dr. Phillips Boulevard)**

The purpose of the Supplemental Agreement Number 1 is to revise the lump sum cost estimate of the original agreement (attached) due to the bids for the improvement coming in higher than anticipated. The original County share for the improvement had been \$1,301,328. The Florida Department of Transportation (FDOT), MetroPlan Orlando and the County have agreed to increase the federal funding amount for the intersection improvement to \$1,483,782.

The County Attorney's Office, Risk Management and the Transportation Planning Division have reviewed both the Resolution and the Local Agency Program 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 Wallace Road and Dr. Phillips Boulevard Project and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN 435587-1-58/68-01 Supplemental No. 1 in the amount of \$182,545, for a revised estimated total cost of \$1,483,782. District 1.

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

SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

D517 119 B

CONTRACT NO.

G0Y59

FEDERAL AWARD DATE

6/18/2018

FPN

435587-1-58/68-01

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 June 25, 2018, 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 Intersection improvements, Wallace Road at Dr. Phillips Boulevard Length ~0.214 miles

Termini Teasel Drive to Dr. Phillips Boulevard

Description of Work:

This project includes intersection improvements on Wallace Road from Teasel Drive to Dr. Phillips Boulevard, located in Orange County, Florida. The total project length is approximately 0.214 miles. Roadway improvements include widening, milling and resurfacing, adding raised medians and concrete islands, and addition of curb and gutter. This also includes reconstructing a full depth 11-foot wide westbound left turn lane into the YMCA west of the intersection and reconstructing an 11-foot wide full depth eastbound right turn onto Dr. Phillips Boulevard. Pedestrian improvements include 4" thick concrete sidewalk and crosswalks. All pedestrian features are to adhere to current ADA standards. Drainage improvements include regrading open ditches, pipe extensions, desilting existing pipe, new riprap, drainage structures (including constructing mitered end sections, new manholes, and new curb inlets). Signalization improvements include new pedestrian signal poles with detectors, new strain poles, and CCTV relocation. Additional improvements include signing and pavement markings. Utility coordination is required.

Local funds will be used for Indemnification.

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 and agree that the total cost of the Project has increased to an amount equal to the sum of the Agency's construction and consultant contract award amounts of **\$1,483,882.00**. Based on the federally eligible construction contract award amount of \$1,301,328.00, the MetroPlan MPO has approved an increase in federal funding for the construction phase in the amount of **\$54,126.00**. The total amount of authorized and encumbered Federal Funding and the maximum amount of Department participation for the project is **\$1,483,782.00**.

Revisions to the federal and local funding amounts attributed to the amounts referenced above are reflected in the Adjusted Schedule of Funding, attached hereto and incorporated herein, as Exhibit B, and in Exhibit "E," Federal Financial Assistance (Single Audit Act) which hereby replaces Exhibit "1" in the original Agreement.

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
 SUPPLEMENTAL AGREEMENT**
ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

525-010-32
 PROGRAM MANAGEMENT
 11/18

RECIPIENT NAME & BILLING ADDRESS: Orange County
 4200 S. John Young Parkway
 Orlando, FL 32839

FINANCIAL PROJECT NUMBER: 435587-1-58/68-01

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: 2017-2018 (LAP) FY: 2018-2019 (LAP) FY: ()	\$1,247,202.00 \$0.00	\$0.00 \$54,126.00	\$1,247,202.00 \$54,126.00	\$100.00 \$0.00	\$0.00 \$0.00	\$1,247,102.00 \$54,126.00
Total Construction Cost	\$1,247,202.00	\$54,126.00	\$1,301,328.00	\$ 100.00	\$ 0.00	\$1,301,228.00
Construction Engineering and Inspection (CEI) FY: 2017-2018 (LAP) FY: () FY: ()	\$182,554.00	\$0.00	\$182,554.00	\$0.00	\$0.00	\$182,554.00
Total CEI Cost	\$182,554.00	\$ 0.00	\$182,554.00	\$ 0.00	\$ 0.00	\$182,554.00
() FY: () FY: () FY: ()						
Total Phase Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL COST OF THE PROJECT	\$1,429,756.00	\$54,126.00	\$1,483,882.00	\$ 100.00	\$ 0.00	\$1,483,782.00

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.

Lisa L Buscher
 District Grant Manager Name

DocuSigned by:

 Signature

3/27/2019 | 11:58 AM EDT

Date

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

525-010-32
PROGRAM MANAGEMENT
07/17

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: *Byron W. Brooks*
Name: *Byron W. Brooks*
Title: *County Administrator*

DocuSigned by:
By: *Loreen C. Bobo*
Name: *Loreen C. Bobo, P.E.*
Title: *Director of Transportation Development*
Date: *3/27/2019 | 12:16 PM EDT*



Legal Review:
DocuSigned by:
Fredrick Loose
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STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

525-010-40D
PROGRAM MANAGEMENT
OGC – 10/18
Page 1 of 1

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

525-010-40E
PROGRAM MANAGEMENT
10/18
Page 1 of 1

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: \$1,483,782.00
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.fsrs.gov/>