



Orange County Government

Orange County
Administration Center
201 S Rosalind Ave.
Orlando, FL 32802-1393

Legislation Text

File #: 25-226, **Version:** 1

Interoffice Memorandum

DATE: January 23, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A

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

CONTACT: Brian R. Sanders, Manager

PHONE: (407) 836-8022

DIVISION: Transportation Planning Division

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 State of Florida Department of Transportation Concerning Buck Road Bridge Project (FPN Number 439252-1-58/68-01) and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN 439252-1-58/68-01 Contract No. G2R43. District 5. **(Transportation Planning Division)**

PROJECT: N/A

PURPOSE:

The Public Works Department has solicited construction services for the Buck Road Bridge Project. The project consists of the Buck Road bridge replacement over the Little Econ River including the roadway approaches from west of Riverdale Road to Rouse Road and roadway improvements to Riverdale Road. The project includes existing bridge removal, new bridge construction, sheet pile walls, pedestrian railing, earthwork, milling and resurfacing, curb and gutter, concrete sidewalk, drainage pipes and structures, erosion control, sodding, pavement markings, signs, traffic signalization, maintenance of traffic, and utility coordination. The project length is approximately 1,126 feet.

The Board approved Supplemental Agreement Number two on October 8, 2024, which increased the project's federal fund amount to \$9,985,388 (formally \$7,266,104) and reduced the County's share to \$403,826 (formally \$3,123,110). This third supplemental agreement does not change any financial commitments, but it revises the project scope because consultation with the U.S. Fish and Wildlife

services resulted in additional County reporting requirements to the Florida Department of Transportation District Five Environmental Management Office.

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

BUDGET: N/A



OFFICE OF COMPTROLLER

**ORANGE
COUNTY
FLORIDA**

Phil Diamond, CPA

County Comptroller as
Clerk of the Board of County Commissioners
201 South Rosalind Avenue
Post Office Box 38
Orlando, FL 32802
Telephone: (407) 836-7300
Fax: (407) 836-5359

DATE: February 11, 2025

TO: Brian R. Sanders, Manager
Transportation Planning Division, BCC

FROM: David Rooney, Manager *MF for DR*
Comptroller Clerk of BCC

SUBJECT: Request for Execution of Document, Public Works Department Consent
Item 1, Legislative File 25-226, February 11, 2025

Enclosed is the State of Florida Department of Transportation Local Agency Program Supplemental Agreement Contract No. G2R43 FPN 439252-1-58/68-01 (1 original) which was approved by the Board of County Commissioners (BCC) at its regular meeting held on February 11, 2025.

Please forward the document to all required parties for signature.

Email copies of the fully-executed documents to ClerkofBCC@occompt.com and copy jennifer.mcgill@ocfl.net. Note: ClerkofBCC@occompt.com is used only for County staff submission of pending documents.

Please include in cover memo or subject line identification of the document by name, agenda item number, and date of BCC approval. Emailed copies must be in full-size PDF format. The documents will be processed and filed for the record upon receipt.

If you are unable to return a copy of the fully-executed document before March 11, 2025, notify Jennifer Lara-Klimentz by email of the reason for the delay prior to that date.

If you have any questions, please do not hesitate to call.

dr:mf

Enclosure (1)

dl: Joseph Kunkel, Director, Public Works Department, BCC [email]

Jon Weiss, Deputy County Administrator, BCC [email]

Avanti Minns-Griffith, Executive Assistant, Public Works Department, BCC [email]

Pending File

BCC Mtg. Date: February 11, 2025

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SUPPLEMENTAL NO.
3

FEDERAL ID NO. (FAIN)
D522 054 B

CONTRACT NO.
G2R43

FEDERAL AWARD DATE
11/01/2023 & 07/29/2024

FPN
439252-1-58/68-01

RECIPIENT UNIQUE ENTITY ID SAM NO.
ZAMZMX9ZHCM9

Recipient, (Orange County), and Florida Department of Transportation _____, desires to supplement the original Agreement entered into and executed on November 27, 2023 and amended on August 07, 2024, and November 12, 2024 _____ 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 Buck Road Bridge Length ~ 135 feet

Termini over Little Econ (Orange County) Bridge #754005

Description of Work:

This project with Orange County (Recipient) consists of the bridge replacement for the existing Buck Road Bridge spanning Little Econ River and construction of roadway improvements from approximately 200 feet west of Riverdale Road to Rouse Road for a total length of approximately 1,126 feet. There are additional roadway improvements along Riverdale Road for a total length of approximately 135 feet.

Structural improvements include removing the existing concrete slab bridge (Bridge Number 754005) and substructure and constructing a new substructure and concrete slab bridge (Bridge Number 754183) along with raising the profile of the bridge. Additional items proposed to be constructed as part of the bridge include sheet pile walls, pedestrian railing, conduit within open trench and within a concrete barrier wall, junction boxes, and rip rap and bedding stone under the bridge.

Roadway improvements are mainly due to the raised profile of the proposed bridge. Buck Road improvements include milling and resurfacing, full-depth roadway reconstruction to provide 12-foot thru lanes, paved shoulders, Type F curb and gutter, guardrail construction, 4-inch thick concrete sidewalk on both sides of the road, 6-inch thick concrete for curb ramps with detectable warning surfaces, fencing, installing new traffic loops, midblock crosswalk construction, installing new pedestrian signals and pedestrian detectors at the intersection with Rouse Road with clearance timing modifications, and signing and pavement markings. Improvements along Riverdale Road include milling and resurfacing, full-depth reconstruction, and type F curb and gutter.

Drainage improvements for Buck Road and Riverdale Road include ditch regrading, constructing new curb inlets, ditch bottom inlets, manholes, mitered end sections, piping, and concrete flume construction.

The following items are federal aid ineligible and will be locally funded:
107-1 Litter Removal

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

107-2 Mowing

All pedestrian facilities shall adhere to current ADA standards. Utility coordination will be required during construction and utility work schedules have been developed. Roadway lighting will be included with this project and will be completed by Duke Energy. The County (Recipient) is responsible for obtaining all permits necessary. The County (Recipient) shall construct the project within the limits of the existing right of way or easements.

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

1. Revisions to scope are as follows: Completion of the consultation with U.S. Fish and Wildlife Service (USFWS) has resulted in Project Commitments for this project. The Project Commitments have been added to Exhibit "A", Project Description and Responsibilities attached hereto and incorporated herein.

Upon project completion, the County must report to the District Five Environmental Management Office (D5-EnvironmentalManagement@dot.state.fl.us) detailing when and how each of the commitments were met prior to submission of the project close-out package. The Project Commitment completion information can be submitted via memo or email.

2. Revisions to the federal and local funding amounts attributed to the amounts referenced above are reflected in the Adjusted Exhibit "B" Schedule of Financial Assistance, and in Exhibit "E", Federal Financial Assistance (Single Audit Act), attached hereto and incorporated herein.
3. The Recipient Resolution authorizing entry into this Supplemental Agreement is attached and incorporated into this Supplemental Agreement as Exhibit "D".

The remainder of this page intentionally left blank.

LOCAL AGENCY PROGRAM

SUPPLEMENTAL AGREEMENT

ADJUSTED EXHIBIT "B" SCHEDULE OF FINANCIAL ASSISTANCE

RECIPIENT NAME & BILLING ADDRESS: Orange County
4200 South John Young Parkway
Orlando, Florida 32837

FINANCIAL PROJECT NUMBER: 439252-1-58/68-01

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: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
Total Design Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Right-of-Way						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Construction						
FY: 2023-2024 (LAP)	\$8,978,653.00	\$0.00	\$8,978,653.00	\$4,924,549.00	\$0.00	\$4,054,104.00
FY: 2024-2025 (LAP)	\$0.00	\$555,151.00	\$555,151.00	(\$2,194,849.00)	\$0.00	\$2,750,000.00
FY: 2024-2025 (LAP)	\$0.00	\$0.00	\$0.00	(\$2,719,284.00)	\$0.00	\$2,719,284.00
Total Construction Cost	\$8,978,653.00	\$555,151.00	\$9,533,804.00	\$10,416.00	\$ 0.00	\$9,523,388.00
Construction Engineering and Inspection (CEI)						
FY: 2023-2024 (LAP)	\$0.00	\$0.00	\$877,540.00	\$415,540.00	\$0.00	\$462,000.00
FY: 2024-2025 (LAP)	\$0.00	(\$22,130.00)	(\$22,130.00)	(\$22,130.00)	\$0.00	\$0.00
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
Total CEI Cost	\$ 0.00	(\$22,130.00)	\$855,410.00	\$393,410.00	\$ 0.00	\$462,000.00
(Insert Phase)						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
Total Phase Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL COST OF THE PROJECT	\$8,978,653.00	\$533,021.00	\$10,389,214.00	\$403,826.00	\$ 0.00	\$9,985,388.00

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.

Precious L. Lewis

District Grant Manager Name

Signature

Date

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

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:

By: _____

Name: C. Jack Adkins

Title: Director of Transportation Development

Date: _____

Legal Review:

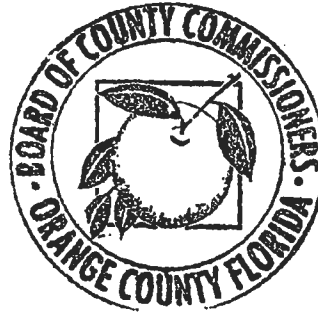
IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year written above.

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: *Jennifer Lara-Klimetz*

Deputy Clerk

Printed name: Jennifer Lara-Klimetz

EXHIBIT A**PROJECT DESCRIPTION AND RESPONSIBILITIES**FPN: 439252-1-58/68-01

This exhibit forms an integral part of the Agreement between the State of Florida, Department of Transportation and
Orange County (the Recipient)

PROJECT LOCATION:

- ☐ The project is on the National Highway System.
- ☐ The project is on the State Highway System.

PROJECT LENGTH AND MILE POST LIMITS: See Project Description Below

PROJECT DESCRIPTION:

This project with Orange County (Recipient) consists of the bridge replacement for the existing Buck Road Bridge spanning Little Econ River and construction of roadway improvements from approximately 200 feet west of Riverdale Road to Rouse Road for a total length of approximately 1,126 feet. There are additional roadway improvements along Riverdale Road for a total length of approximately 135 feet.

Structural improvements include removing the existing concrete slab bridge (Bridge Number 754005) and substructure and constructing a new substructure and concrete slab bridge (Bridge Number 754183) along with raising the profile of the bridge. Additional items proposed to be constructed as part of the bridge include sheet pile walls, pedestrian railing, conduit within open trench and within a concrete barrier wall, junction boxes, and rip rap and bedding stone under the bridge.

Roadway improvements are mainly due to the raised profile of the proposed bridge. Buck Road improvements include milling and resurfacing, full-depth roadway reconstruction to provide 12-foot thru lanes, paved shoulders, Type F curb and gutter, guardrail construction, 4-inch thick concrete sidewalk on both sides of the road, 6-inch thick concrete for curb ramps with detectable warning surfaces, fencing, installing new traffic loops, midblock crosswalk construction, installing new pedestrian signals and pedestrian detectors at the intersection with Rouse Road with clearance timing modifications, and signing and pavement markings. Improvements along Riverdale Road include milling and resurfacing, full-depth reconstruction, and type F curb and gutter.

Drainage improvements for Buck Road and Riverdale Road include ditch regrading, constructing new curb inlets, ditch bottom inlets, manholes, mitered end sections, piping, and concrete flume construction.

Indemnification will be locally funded.

All pedestrian facilities shall adhere to current ADA standards. Utility coordination will be required during construction and utility work schedules have been developed. Roadway lighting will be included with this project and will be completed by Duke Energy. The County (Recipient) is responsible for obtaining all permits necessary. The County (Recipient) shall construct the project within the limits of the existing right of way or easements.

SPECIAL CONSIDERATIONS BY RECIPIENT:

Exhibit O – Terms and Conditions of Construction in Department Right-of-Way is included in all agreements. This exhibit is only applicable if the Project involves construction on, under, or over the Department's right-of-way.

Completion of the consultation with U.S. Fish and Wildlife Service (USFWS) has resulted in Project Commitments for this project. The Project Commitments have been added to Exhibit "A", Project Description and Responsibilities attached hereto and incorporated herein.

Upon project completion, the County (Recipient) must report to the District Five Environmental Management Office (D5-EnvironmentalManagement@dot.state.fl.us) detailing when and how each of the commitments were met prior to submission of the project close-out package. The Project Commitment completion information can be submitted via memo or email.

Based on the Recipient's Moderate financial risk level, this project requires submission and review of the "Project Monitoring Status Report," invoices and supporting documentation on a quarterly basis. The initial invoice and progress report will be submitted within 180 days of the Department's Notice to Proceed and quarterly thereafter. Required documents should be submitted via email to D5-ConstructionSpecialProjects@dot.state.fl.us.

The Recipient shall commence the project's activities subsequent to the execution of this Agreement and shall perform in accordance with the following schedule:

- a) Construction contract to be let (Bid Opening) by June 7, 2023.
- b) Construction Duration of 450 days.
- c) Construction to be completed (Final Acceptance) by December 13, 2024.

If this schedule cannot be met, the Recipient will notify the Department in writing with a revised schedule or the project is subject to the withdrawal of funding.

SPECIAL CONSIDERATIONS BY DEPARTMENT:

Invoice payments will be made on a pro-rata basis as a percentage of the federal funding amount compared to the actual award amount. Any contract changes/claims which result in federal aid ineligible cost and/or time will be the sole responsibility of the Recipient. Such changes may include, but are not limited to, premium costs due to Design or CEI errors or omissions, repairing items that had not been properly maintained, additional contract time and/or costs occurring from utility delays, differing site conditions or other unforeseen conditions.

In the event the Project costs exceed the cost included in Exhibit "B", Schedule of Financial Assistance, the Recipient will be solely responsible to provide the additional funds that are necessary to complete the Project.

The project funding may be reduced to an amount equal to the award amount and/or the actual contract costs.

The remainder of this page intentionally left blank.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT

EXHIBIT D

RECIPIENT RESOLUTION

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

BCC Mtg. Date: February 11, 2025

RESOLUTION

of the

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

regarding the

LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION CONCERNING BUCK ROAD BRIDGE PROJECT

(FPN Number 439252-1-58/68-01)

Resolution No. 2025-M-05

WHEREAS, today, the Board of County Commissioners is approving a Local Agency Program Agreement with the State of Florida Department of Transportation concerning the University Boulevard at Dean Road Intersection Project (the “Project”), FPN Number 439252-1-58/68/01 (“LAP”);

WHEREAS, Orange County is agreeing under this LAP to complete bridge replacement for the existing Buck Road Bridge spanning Little Econ River and construction of roadway improvements from approximately 200 feet west of Riverdale Road to Rouse Road improvements to the Project; and

WHEREAS, Orange County agrees to participate in the amount of \$403,826.00; and

WHEREAS, the Department of Transportation is requesting that the Orange County Board of County Commissioners adopt a Resolution authorizing its officials to make, execute, and deliver this LAP to the Department of Transportation.

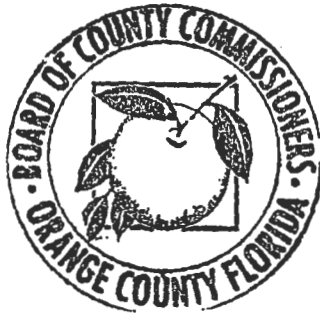
**NOW, THEREFORE, BE IT RESOLVED BY THE ORANGE COUNTY
BOARD OF COUNTY COMMISSIONERS:**

Section 1. Authorization for the County Mayor to Make, Execute, and Deliver this LAP Agreement to the State of Florida Department of Transportation.

The County Mayor is hereby authorized to make, execute, and deliver the LAP for the Project, FPN Number 439252-1-58/68-01 to the State of Florida Department of Transportation.

Section 2. Effective Date. This Resolution shall take effect on the date of its adoption.

ADOPTED this 11 day of February, 2025.



ORANGE COUNTY, FLORIDA
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: *Jennifer Lara-Klimetz*
Deputy Clerk

Print Name: Jennifer Lara-Klimetz

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT**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 https://beta.sam.gov/fal/1093726316c3409a8e50f4c75f5ef2c6/view?keywords=20.205&sort=-relevance&index=cfd&is_active=true&page=1
Site: https://beta.sam.gov/fal/1093726316c3409a8e50f4c75f5ef2c6/view?keywords=20.205&sort=-relevance&index=cfd&is_active=true&page=1
Award Amount: \$9,985,388.00
Awarding Agency: Florida Department of Transportation
Award is for: No
R&D:
Indirect Cost: N/A
Rate:

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/cgi-bin/text-idx?node=2:1.1.2.2.1>

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>

Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the “Bipartisan Infrastructure Law”)

<https://www.congress.gov/117/bills/hr3684/BILLS-117hr3684enr.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/>