



Orange County Government

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

Legislation Text

File #: 24-1467, **Version:** 1

Interoffice Memorandum

DATE: September 18, 2024

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 the State Road 434 (Alafaya Trail) at Corporate Boulevard Project (FPN Number 435526-1-58/68-01) and (2) State of Florida Department of Transportation Local Agency Program Supplemental Agreement FPN: 435526-1-58/68-01 Contract No.: G2M26. District 5.
(Transportation Planning Division)

PROJECT: N/A

PURPOSE:

The Public Works Department has solicited construction services for the Alafaya Trail at Corporate Boulevard intersection project. The project consists of widening eastbound Corporate Boulevard to provide an additional left turn lane, milling and resurfacing along the project limits, removal of existing concrete poles at the intersection and installation of four mast arms and associated signal improvements, curb and gutter, removal and replacement of drainage inlets, and pipes. Other construction activities include clearing and grubbing, mobilization, maintenance of traffic, erosion control, excavation, embankment, signing, and pavement markings and sodding.

This project is funded in accordance with the Local Agency Program Agreement that was approved by the Board on January 24, 2023. The Florida Department of Transportation and MetroPlan Orlando have agreed to increase the federal fund amount to \$2,571,850 (formally \$565,000) and reduce the County's share to \$298,702 (formally \$1,013,686). The Public Works Department will seek to reduce

or eliminate any future funding gaps by requesting additional funding through MetroPlan Orlando.

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

APPROVED BY ORANGE
COUNTY BOARD OF COUNTY
COMMISSIONERS

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

525-010-32
PROGRAM MANAGEMENT
03/22

BCC Mtg. Date: October 8, 2024

SUPPLEMENTAL NO.
1

FEDERAL ID NO. (FAIN)
D522 074 B

CONTRACT NO.
G2M26

FEDERAL AWARD DATE
06/16/2023, 9/10/2024, 11/1/2024,
11/8/2024

FPN
435526-1-58/68-01

RECIPIENT UNIQUE ENTITY ID SAM NO.
ZAMZMX9ZHCM9

Recipient, (Orange County), and the Florida Department of Transportation _____, desires to supplement the original Agreement entered into and executed on June 27, 2023 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 State Road 434 (Alafaya Trail) at Corporate Boulevard Length ~.001 miles

Termini from 780 feet west of the intersection, along Corporate Boulevard, through the intersection of State Road 434 (Alafaya Trail) and Corporate Boulevard.

Description of Work:

This project includes the construction of an additional eastbound left turn lane on Corporate Boulevard onto northbound State Road 434 (Alafaya Trail) including improvements at the intersection, within Orange County.

Improvements include widening eastbound Corporate Boulevard to provide an additional left turn lane at the intersection with State Road 434 (Alafaya Trail). The project limits are approximately 780 feet west of the intersection, along Corporate Boulevard, through the intersection of State Road 434 (Alafaya Trail) and Corporate Boulevard. The project will also include milling and resurfacing along the project limits on Corporate Boulevard as well as within the intersection. Other improvements include the removal of existing concrete poles at the intersection and installation of four mast arms and associated signal improvements, curb and gutter, removal and replacement of drainage inlets and pipes. Other construction activities include clearing and grubbing, mobilization, maintenance of traffic, erosion control, excavation, embankment, signing and pavement markings (including raised pavement markers), and sodding.

The proposed improvements at the intersection of State Road 434 (Alafaya Trail) and Corporate Boulevard include four new mast arms, signals and associated signal improvements including pull and splice boxes, conduit, signal priority and preemption system, traffic controller assembly, pedestrian detection system, adaptive signal control system, Intelligent Transportation Systems (ITS) Closed Circuit Television (CCTV) camera, and internally illuminated sign.

Work to be constructed within the County (Recipient) and Florida Department of Transportation (Department) Right-of-Way. All right-of-way and easements necessary for the proposed work have been acquired, and no additional acquisition is necessary.

All pedestrian features included shall adhere to current Americans With Disabilities Act (ADA) standards.

Utility coordination will be required during construction and utility work schedules have been developed.

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

The following items are not eligible for federal reimbursement as they are considered non-participating:

- Pay Item 107-1, Litter Removal
- Pay Item 107-2, Mowing

FDOT (Department) will provide a maximum amount of \$80,398 towards the cost of the proposed steel mast arms. Any amount above this maximum amount will be the County's (Recipient's) responsibility.

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 Funding for Construction that includes the authorized and encumbered Federal funding and the Local funding contribution on the project shall be increased to an amount equal to the Recipient's construction contract award amount of \$2,563,933.00. This results in an increase of total construction funding by \$2,063,933.00. The federal funding is to be increased by \$1,765,231.00, which is the difference between previous federal funding of \$500,000.00 and the current federal funding of \$2,265,231.00. Local Funds will be decreased by \$531,525.00, which is the difference between previous local funding of \$830,227.00 and the current local funding of \$298,702.00.

#2. 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 Funding for CEI services that includes authorized and encumbered Federal funding and the Local funding contribution on the project shall be increased to an amount equal to the Recipient's CEI contract award amount of \$309,619.00. This results in an increase of total CEI funding by \$58,160.00. The federal funding is to be increased by \$241,619.00, which is the difference between previous federal funding of \$65,000.00 and the current federal funding of \$306,619.00. Local Funds will be decreased by \$183,459.00, which is the difference between previous local funding of \$183,459.00 and the current local funding of \$0.00.

#3. 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.

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

#5. Exhibit "H", Alternative Advance Payment Financial Provisions, is attached and incorporated herein.

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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, 32839

FINANCIAL PROJECT NUMBER: 435526-1-58/68-01

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: 2022-2023 (LAP) \$1,330,227.00 FY: 2024-2025 (LAP) \$0.00 FY: (Insert Program Name) Total Construction Cost	\$1,330,227.00 \$0.00	(\$830,227.00) \$1,233,706.00	\$1,330,227.00 \$1,233,706.00	\$830,227.00 (\$531,525.00)	\$0.00 \$0.00	\$500,000.00 \$1,765,231.00
Construction Engineering and Inspection (CEI) FY: 2022-2023 (LAP) \$248,459.00 FY: 2024-2025 (LAP) \$0.00 FY: (Insert Program Name) Total CEI Cost	\$248,459.00 \$0.00	\$0.00 \$58,160.00	\$248,459.00 \$58,160.00	\$183,459.00 (\$183,459.00)	\$0.00 \$0.00	\$65,000.00 \$241,619.00
(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	\$1,578,686.00	\$461,639.00	\$2,870,552.00	\$298,702.00	\$ 0.00	\$2,571,850.00

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

DocuSigned by:
Precious L. Lewis
Signature

12/10/2024 | 6:05 PM EST

Date

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

525-010-32
PROGRAM MANAGEMENT
03/22

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 Brooks*
Name: Byron Brooks
Title: County Administrator

DocuSigned by:
By: *C. Jack Adkins*
Name: ~~C. Jack Adkins~~
Title: Director of Transportation Development
Date: 12/11/2024 | 9:13 AM EST



Legal Review:

DocuSigned by:
Daniel McDermott
585E81E26BBA45C...

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.

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 THE STATE ROAD 434 (ALAFAYA TRAIL) AT CORPORATE BOULEVARD PROJECT

(FPN Number 435526-1-58/68-01)

Resolution No. 2024-M-43

WHEREAS, today, the Board of County Commissioners is approving a Supplemental Local Agency Program Agreement with the State of Florida Department of Transportation concerning the State Road 434 (Alafaya Trail) at Corporate Boulevard Project (the "Project"), FPN Number 435526-1-58/68-01 ("SUPPLEMENTAL LAP");

WHEREAS, the State of Florida Department of Transportation and Orange County desire to facilitate the State Road 434 (Alafaya Trail) at Corporate Boulevard project;

WHEREAS, the State of Florida Department of Transportation has requested Orange County to execute and deliver to the State of Florida Department of Transportation the Local Agency Program Agreement for the aforementioned project, FPN 435526-1-58/68-01;

WHEREAS, Orange County is agreeing under this SUPPLEMENTAL LAP improvements of the project will also include milling and resurfacing along the project limits on Corporate Boulevard as well as within the intersection. Other improvements include the removal of existing concrete poles at the intersection and installation of four mast arms and associated signal improvements, curb and gutter, removal and replacement of drainage inlets and pipes. Other construction activities include clearing and grubbing, mobilization, maintenance of traffic, erosion control, excavation, embankment, signing and pavement markings (including raised pavement markers), and sodding. Improvements to the Project and be reimbursed

by the Department of Transportation in an updated total amount of \$2,571,850.00; 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 SUPPLEMENTAL 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 SUPPLEMENTAL LAP Agreement to the State of Florida Department of Transportation.

The County Mayor is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation the Local Agency Program Agreement, and any Supplemental Agreements to the Local Agency Program Agreement for the aforementioned project, FPN Number 435526-1-58/68-01.

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

ADOPTED this 8 day of October, 2024.

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 Site: https://beta.sam.gov/fal/1093726316c3409a8e50f4c75f5ef2c6/view?keywords=20.205&sort=-relevance&index=cfda&is_active=true&page=1
Award Amount: \$2,571,850.00
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/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.fsr.gov/>

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY PROGRAM AGREEMENT**EXHIBIT H****ALTERNATIVE ADVANCE PAYMENT FINANCIAL PROVISIONS**

If payments are authorized by the Chief Financial Officer of the State of Florida under Chapters 215 and 216, Florida Statutes or the Department's Comptroller under Section 334.044(29), Florida Statutes:

1. The invoiced amount to the Department for contractor(s) and consultant(s) cannot exceed the amount of the invoice received from the Recipient's contractor(s) or consultant(s).
2. All of the Recipient's costs must have been incurred and paid prior to the date of the invoice.
3. All invoices received from the Recipient shall clearly separate the cost of the contractor(s) or consultant(s) from the Recipient's costs billed to the Department.
4. All invoices submitted to the Department must provide complete documentation, including a copy of the contractor's or consultant's invoice(s), to substantiate the cost on the invoice.
5. The Recipient must certify on each invoice that the costs from the contractor(s) or consultant(s) are valid and have been incurred by the contractor(s) or consultant(s).
6. Each monthly invoice subsequent to the first invoice from the Recipient must contain a statement from the Recipient that the previous month's cost incurred by the contractor(s) or consultant(s) has been paid by the Recipient to the contractor(s) or consultant(s).