

**BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS**



# CONTRACT REVIEW AND APPROVAL FORM

## SECTION I - GENERAL INFORMATION

<b>1. Contractor:</b> N/A		<b>2. Amount:</b> \$482,000	
<b>3. Fund/Account #:</b> 1700		<b>4. Department Name:</b> Public Works	
<b>5. Contract Description:</b> Supplemental Amendment No. 1 to the Joint Participation Agreement - Viera Interchange Landscaping			
<b>6. Contract Monitor:</b> Jeanette Scott		<b>8. Contract Type:</b> INTERGOVT/STATE	
<b>7. Dept/Office Director:</b> Marc Bernath, Public Works Director			
<b>9. Type of Procurement:</b> Other			

## SECTION II - REVIEW AND APPROVAL TO ADVERTISE

### APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	_____
Risk Management	<input type="checkbox"/>	<input type="checkbox"/>	_____
County Attorney	<input type="checkbox"/>	<input type="checkbox"/>	_____

## SECTION III - CONTRACTS MANAGEMENT DATABASE CHECKLIST

### APPROVAL

<u>COUNTY OFFICE</u>	<u>YES</u>	<u>NO</u>	<u>SIGNATURE</u>
User Agency	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Thomas-Wood, Tammy <small>Digitally signed by Thomas-Wood, Tammy DN: cn=Thomas-Wood, Tammy, email=Tammy.Thomas-Wood@brevardfl.gov Date: 2020.08.05 09:50:14 -04'00'</small>
Purchasing	<input type="checkbox"/>	<input type="checkbox"/>	_____
Risk Management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lairsey, Matt <small>Digitally signed by Lairsey, Matt Date: 2020.08.05 09:50:14 -04'00'</small>
County Attorney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Esseesse, Alexander <small>Digitally signed by Esseesse, Alexander Date: 2020.08.05 15:43:01 -04'00'</small>

## SECTION IV - CONTRACTS MANAGEMENT DATABASE CHECKLIST

<b>CM DATABASE REQUIRED FIELDS</b>	<b>Complete</b> ✓
Department Information	<input type="checkbox"/>
Department	<input type="checkbox"/>
Program	<input type="checkbox"/>
Contact Name	<input type="checkbox"/>
Cost Center, Fund, and G/L Account	<input type="checkbox"/>
Vendor Information (SAP Vendor #)	<input type="checkbox"/>
Contract Status, Title, Type, and Amount	<input type="checkbox"/>
Storage Location (SAP)	<input type="checkbox"/>
Contract Approval Date, Effective Date, and Expiration Date	<input type="checkbox"/>
Contract Absolute End Date (No Additional Renewals/Extensions)	<input type="checkbox"/>
Material Group	<input type="checkbox"/>
Contract Documents Uploaded in CM database (Contract Form with County Attorney/ Risk Management/ Purchasing Approval; Signed/Executed Contract)	<input type="checkbox"/>
"Right To Audit" Clause Included in Contract	<input type="checkbox"/>
Monitored items: Uploaded to database (Insurance, Bonds, etc.)	<input type="checkbox"/>

**JOINT PARTICIPATION AGREEMENT  
BETWEEN  
THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
AND  
BREVARD COUNTY  
SUPPLEMENTAL AMENDMENT NUMBER 1**

**EXECUTION DATE: \_\_\_\_\_**

<b>Financial Management No.:</b> 428238-2-58-01 428238-3-58-01 <b>Agency: Brevard County</b> <b>Contract No: ASH64</b>	<b>Fund: DS Activity: 215</b>  <b>Contract Amount: \$482,000.00</b>	<b>FLAIR Approp: 088716</b> <b>FLAIR Obj.: 563000</b> <b>Org. Code: 55054010508</b> <b>Vendor No.: F 596000523164</b>
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The terms of the original Joint Participation Agreement (the AGREEMENT) between the Florida Department of Transportation (the DEPARTMENT) and Brevard County (the LOCAL GOVERNMENT) for the Project described as “Landscaping Improvements on State Road 9 (Interstate 95) from South of Viera Boulevard Interchange to North of Viera Boulevard Interchange”, executed on April 28, 2020, are hereby amended as follows:

The overall Project cost and DEPARTMENT participation is being reduced based on the County’s low-bid contract award amount.

**Compensation and Reimbursement**

A. Project Cost: The total estimated cost of the Project is **\$666,950.00 (Six Hundred Sixty-Six Thousand Nine Hundred Fifty Dollars and No/100)**. The DEPARTMENT agrees to compensate the LOCAL GOVERNMENT for services described in Exhibit “A”, Scope of Services of the AGREEMENT. The Method of Compensation is included in Exhibit “B” attached hereto.

B. DEPARTMENT Participation: The DEPARTMENT agrees to reimburse the LOCAL GOVERNMENT in an amount not to exceed **\$482,000.00 (Four Hundred Eight-Two Thousand Dollars and No/100)** for actual costs incurred, excluding LOCAL GOVERNMENT overhead.

IN WITNESS WHEREOF, the LOCAL GOVERNMENT has executed this Amendment on \_\_\_\_\_, and the DEPARTMENT has executed this Amendment on \_\_\_\_\_.

**BREVARD COUNTY  
BOARD OF COUNTY COMMISSIONERS**

By: See Attached Signature Page

Name: \_\_\_\_\_

Title: \_\_\_\_\_

As approved by the Board on:

\_\_\_\_\_

Attest:

\_\_\_\_\_

Legal Review:

\_\_\_\_\_

Local Government Attorney

**STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

Name: Loreen C. Bobo, P.E.

Title: Director of Transportation Development

Attest:

\_\_\_\_\_  
Executive Secretary

Legal Review:

\_\_\_\_\_

Department Attorney

Joint Participation Agreement  
FM#428238-2-58-01 and 428238-3-58-01

Signature Page: Brevard County (Recipient)

By: \_\_\_\_\_

Bryan Andrew Lober, Chair

As approved by the Board on August 25, 2020

Attest:

\_\_\_\_\_  
Scott Ellis, Clerk

Reviewed for legal form and content for Brevard County:



\_\_\_\_\_  
Alex Essee, Assistant County Attorney

## Exhibit “B”

### METHOD OF COMPENSATION

#### **428238-2-58-01**

For this segment of this Project, the DEPARTMENT agrees to reimburse the LOCAL GOVERNMENT in an amount up to but not to exceed **\$419,130.00 (Four Hundred Nineteen Thousand One Hundred Thirty Dollars and No/100)** for actual costs incurred, excluding LOCAL GOVERNMENT overhead, for satisfactory completion of all services related to the purchase of the plant materials, fertilizer, soil amendments, mulches, staking, and the cost for labor associated with the installation of the planting detailed in Exhibit “A” (Scope of Services) of the AGREEMENT.

#### **428238-3-58-01**

For this segment of this Project, the DEPARTMENT agrees to reimburse the LOCAL GOVERNMENT in an amount up to but not to exceed **\$62,870.00 (Sixty-Two Thousand Eight Hundred Seventy Dollars and No/100)** for actual costs incurred, excluding LOCAL GOVERNMENT overhead, for satisfactory completion of all services related to clearing and grubbing, erosion control/sediment barrier/inlet protection and the purchase and installation of sod. Additional costs that may be reimbursed include mobilization, maintenance of traffic, and consultant construction engineering and inspections services.

The LOCAL GOVERNMENT may receive progress payments for actual costs incurred for deliverables based on a percentage of services that have been completed, approved and accepted to the satisfaction of the DEPARTMENT when properly supported by detailed invoices and acceptable evidence of payment. Invoices submitted for reimbursement must clearly delineate reimbursable costs from other ineligible costs. The final balance due under this Agreement will be reimbursed upon the completion of all Project services, receipt of final construction cost documentation and proper submission of a detailed invoice and when the Project has been inspected, approved and accepted to the satisfaction of the DEPARTMENT in writing.

## **RESOLUTION**

**Resolution No. 2020-**

**A Resolution authorizing the execution of the Joint Participation Agreement between the State of Florida Department of Transportation and Brevard County Supplemental Amendment Number 1 for the Landscaping Improvements on State Road 9 (Interstate 95) from South of Viera Boulevard Interchange to North of Viera Boulevard Interchange**

**WHEREAS**, the State of Florida Department of Transportation and Brevard County desire to facilitate the project: Landscaping Improvements on State Road 9 (Interstate 95) from South of Viera Boulevard Interchange to North of Viera Boulevard Interchange; and

**WHEREAS**, the State of Florida Department of Transportation has requested Brevard County to execute and deliver to the State of Florida Department of Transportation the Joint Participation Agreement Supplemental Amendment Number 1 for the aforementioned project, FM#428238-2-58-01 and 428238-3-58-01.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Brevard County, Florida, that Bryan Andrew Lober, Chair, of the Board of County Commissioners, is hereby authorized to make, execute, and deliver to the State of Florida Department of Transportation the Joint Participation Agreement Supplemental Amendment Number 1 for the aforementioned project, FM#428238-2-58-01 and 428238-3-58-01.

**DONE AND RESOLVED** in regular session this 25<sup>th</sup> day of August, 2020.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA

\_\_\_\_\_  
Scott Ellis, Clerk

By: \_\_\_\_\_  
Bryan Andrew Lober, Chair

As approved by the Board on August 25, 2020