



Brevard County Board of County Commissioners

2725 Judge Fran Jamieson
Way
Viera, FL 32940

Legislation Text

File #: 3094, **Version:** 1

Subject:

Approval Re: Local Agency Program Supplemental Agreement No. 1 and Resolution with the State of Florida Department of Transportation for the Construction and Construction Engineering and Inspection Services for John Rodes Boulevard from State Road 518 (West Eau Gallie Boulevard) to Aurora Road, FPN 441449-1-58/68-01- District 5

Fiscal Impact:

An amount of \$90,771 in federal funds is being unencumbered towards the construction of the project. Total federal funding for the project is reduced to \$404,386 from the original amount of \$495,157 to be reimbursed by the State of Florida Department of Transportation Local Agency Program. Projects costs not reimbursed with federal funds will be provided by the Public Works Transportation Reimbursement Fund.

Dept/Office:

Public Works/Finance and Contracts Administration

Requested Action:

It is requested the Board of County Commissioners: 1) approve and authorize the Chair to execute the Local Agency Program Supplemental Agreement No. 1 and Resolution with the Florida Department of Transportation for the construction and CEI services for John Rodes Boulevard from State Road 518 (West Eau Gallie Boulevard) to Aurora Road, FPN 441449-1-58/68-01; and 2) approve any necessary Budget Change Requests associated with this request.

Summary Explanation and Background:

On September 15, 2020, the Board approved and authorized the Chair to execute the Local Agency Program (L.A.P.) Agreement with the Florida Department of Transportation (F.D.O.T.) to provide Brevard County reimbursement from federal funds for John Rodes Boulevard from State Road 518 (West Eau Gallie Boulevard) to Aurora Road, FPN 441449-1-58/68-01. This project includes the construction and construction engineering inspection (C.E.I.) services for a new sidewalk on the west side of John Rodes Boulevard from West Eau Gallie Boulevard to Aurora Road, a total distance of approximately 4,320-feet. F.D.O.T. agreed to participate towards the project cost up to the maximum amount of \$495,157: \$438,753 for construction and \$56,404 for C.E.I. This amount included Federal-aid funds which would have been limited to the actual amount of Federal-aid participation. As provided for the in L.A.P. Agreement, F.D.O.T.'s participation may be increased or reduced upon determination of the actual bid amounts of the project by the mutual execution of an amendment.

On April 9, 2021, the County awarded the construction contract in the amount of \$373,606 (rounded). As such, F.D.O.T.'s participation will be reduced based on this award via the L.A.P. Supplemental Agreement No. 1 (amendment). An amount of \$90,771 in federal funds is being unencumbered from the construction phase of the project, and a total of \$347,982 in authorized and encumbered federal funding remains for the

construction of the project. This amount includes \$316,348 for Federal Aid eligible expenses and \$31,634 in encumbered funds for potential participation in reimbursement of eligible additional costs directly associated with construction contract modifications. F.D.O.T.'s participation in C.E.I. remains unchanged at \$56,404.00. Revisions to the funding are reflected in the Adjusted Exhibit "B" Schedule of Financial Assistance of the L.A.P. Supplemental Agreement No. 1.

The County agrees to bear all expenses in excess of the total cost of the project, including ineligible costs, and any deficits incurred in connection with the completion of the project. The County agrees to complete the project, FPN 441449-1-58/68-01 on or before November 30, 2021. If the project is not completed within this time period, an extension of time can be requested by the County and granted by F.D.O.T. in writing prior to the expiration of this Agreement.

In accordance with Administrative Order 29, Contract and Grant Administration, the L.A.P. Supplemental Agreement No. 1 has been reviewed and approved by the County Attorney's Office, Risk Management and Purchasing Services.

Clerk to the Board Instructions:

Please return the L.A.P. Supplemental Agreement No. 1 and Resolution for John Rodes Boulevard Project FPN 441449-1-58/68-01 to the Public Works Department for further execution by F.D.O.T.