

DUNS No.: 80-989-7102
CSFA No.: 55.008

Contract No.: G-0B07
FM No: 433182-1-54-01
Vendor No: VF 596-046-527

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION,
CITY OF PEMBROKE PINES, AND
BROWARD COUNTY
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
AMENDMENT NUMBER ONE

THIS AMENDMENT, made and entered into this _____ day of _____, 20____, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT", BROWARD COUNTY, hereinafter referred to as the "COUNTY", and CITY OF PEMBROKE PINES, hereinafter referred to as the "CITY".

WITNESSETH

WHEREAS, on May 16, 2016 the parties entered into a County Incentive Grant Program Agreement, hereinafter referred to as the Agreement, wherein the CITY agreed to provide certain improvements in connection with Financial Management (FM) No. 433182-1-54-01 for the Construction and Construction Engineering Inspection (CEI) Services of SW 145TH Avenue from SW 5th Street to SR820/Pines Boulevard in Broward County, Florida and hereinafter referred to as the Project; and

WHEREAS, the parties desire to amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend that certain County Incentive Grant Program Agreement dated May 16, 2016 as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. This Amendment reduces the total funding needed for the construction and CEI services of the Project by TWENTY FOUR THOUSAND NINE HUNDRED FIFTEEN DOLLARS AND TWELVE CENTS (\$24,915.12). The funding is being reduced due to the final award amount being lower than the original estimate of the Project. Paragraph 4A of the Agreement is amended to read as follows:

The total Project cost is ONE HUNDRED EIGHTY NINE THOUSAND EIGHT HUNDRED TEN DOLLARS AND EIGHTY EIGHT CENTS (\$189,810.88). The CITY and the DEPARTMENT agree to share the cost of this Project. The CITY agrees to provide one-half of the cost of the Project expenditures and the DEPARTMENT agrees to provide the other one-half pursuant to Florida Statutes 339.2817. Based on the aforesaid amount, the parties further agree that the DEPARTMENT'S maximum participation is NINETY FOUR THOUSAND NINE HUNDRED FIVE DOLLARS AND FORTY FOUR CENTS (\$94,905.44) and all remaining costs of the Project will be borne by the

CITY. However, in the event the total Project cost is less than the amount stated above, the DEPARTMENT shall only pay 50% of the lesser amount and all remaining costs of the Project will be paid by the CITY.

3. **Exhibit D** of the Agreement, is deleted in its entirety hereby deleted and replaced with the **Exhibit D** of this Amendment, attached hereto and made a part hereof.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered into on May 16, 2016, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

The remainder of this page intentionally left blank.

IN WITNESS WHEREOF, the COUNTY has caused this Agreement to be executed in its behalf this day of _____, _____, by and through its Board County of Commissioners, signing by and through its Mayor or Vice-Mayor, authorized to enter into and execute same by Action of the Board on _____ day of _____, _____, the CITY has caused this Agreement to be executed in its behalf this _____ day of _____, _____, by the Mayor or Vice Mayor, authorized to enter into and execute same by Resolution Number _____ of the City Council on the _____ day of _____, _____, and the DEPARTMENT has executed this Agreement through its Director of Transportation Development for District 4, Florida Department of Transportation, this _____ day of _____, _____.

.....
CITY OF PEMBROKE PINES, FLORIDA

CITY OF PEMBROKE PINES
BY: [Signature]
NAME: Frank C. Ortis
TITLE: Mayor

ATTEST:
[Signature] 4/24/18
CITY CLERK (SEAL)
Marlene D. Graham



APPROVED TO FORM:
[Signature]
CITY ATTORNEY

BROWARD COUNTY, FLORIDA

ATTEST:

Broward County Administrator, as
Ex-Officio Clerk of the Broward County
Board of County Commissioners

BROWARD COUNTY, by and through
its Board of County Commissioners

BY: _____
Mayor
_____ day of _____, 20__

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

Insurance requirements
approved by Broward County
Risk Management Division
BY: Tim Lewey 4/26/18
Signature (Date)
Tim Lewey Property Specialist
Print Name and Title above

BY: [Signature] 4/26/18
Maya Moore (Date)
Assistant County Attorney
[Signature] 4/26/18
Michael J. Kerr
Deputy County Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST: _____(SEAL)
EXECUTIVE SECRETARY
NAME: _____

BY: _____
NAME: MARK PLASS, P.E.
ACTING DIRECTOR OF TRANSPORTATION
DEVELOPMENT

DISTRICT 4

Availability of Funds Approval:

LEGAL REVIEW:

(Date)

OFFICE OF THE GENERAL COUNSEL

EXHIBIT D

STATE FINANCIAL ASSISTANCE (FLORIDA SINGLE AUDIT ACT)

THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:

Awarding Agency: Florida Department of Transportation
State Project Title: COUNTY INCENTIVE GRANT PROGRAM
CSFA Number: 55.008
***Award Amount:** \$ 94,905.44

*The state award amount may change with supplemental agreements

Specific project information for CSFA Number 55.008 is provided at:
<https://apps.fldfs.com/fsaa/searchCatalog.aspx>

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number 55.008 are provided at:
<https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at:
<https://apps.fldfs.com/fsaa/compliance.aspx>

14. 2018-R-10 MOTION TO ADOPT PROPOSED RESOLUTION 2018-R-10.

PROPOSED RESOLUTION 2018-R-10 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, APPROVING AMENDMENT NUMBER ONE TO THE COUNTY INCENTIVE GRANT PROGRAM AGREEMENT BETWEEN THE CITY OF PEMBROKE PINES, THE FLORIDA DEPARTMENT OF TRANSPORTATION, AND BROWARD COUNTY, FOR THE CONSTRUCTION AND CONSTRUCTION ENGINEERING INSPECTION SERVICES FOR SW 145TH AVENUE FROM SW 5TH STREET TO PINES BOULEVARD TO PROVIDE FOR THE ADJUSTMENT IN THE TOTAL PROJECT COSTS AND THE FDOT'S MAXIMUM PARTICIPATION AS PROVIDED IN THE AMENDMENT NUMBER ONE WHICH IS ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE ALL NECESSARY ACTION CONSISTENT WITH THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Castillo, seconded by Commissioner Siple, to adopt Proposed Resolution 2018-R-10. The motion carried by the following vote:

Aye 5 - Mayor Ortis, Commissioner Castillo, Commissioner Schwartz, Commissioner Siple, and Vice Mayor Good Jr.

Nay 0

Enactment No: 3599



PRIOR TO THE VOTE BEING TAKEN:

City Attorney Goren read Proposed Resolution 2018-R-10 into the record, by title.

Commissioner Siple spoke on the item.

CITY OF PEMBROKE PINES

Marlene D. Graham, CMC
City Clerk

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY CERTIFY that the above foregoing is a true and correct copy of

4/4/18 Commission Minutes

as recorded in the Office of the City Clerk.

Witness my hand and official seal this 16th day of April A.D., 2018

CITY OF PEMBROKE PINES

By:
City Clerk