

1 RESOLUTION NO. 2020-

2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS OF BROWARD COUNTY, FLORIDA,
4 APPROVING AMENDMENT NUMBER ONE TO THE
5 PUBLIC TRANSPORTATION GRANT AGREEMENT WITH
6 THE STATE OF FLORIDA DEPARTMENT OF
7 TRANSPORTATION FOR FINANCIAL PROJECT
8 NO. 434832-2-94-01; INCREASING THE TOTAL COST OF
9 THE PROJECT FOR PROJECT NO. 434832-2-94-01 AND
EACH PARTY'S SHARE OF SUCH COSTS; AUTHORIZING
THE MAYOR OR VICE-MAYOR TO EXECUTE SAME;
AUTHORIZING THE COUNTY ADMINISTRATOR TO TAKE
THE NECESSARY ADMINISTRATIVE AND BUDGETARY
ACTIONS; AND PROVIDING FOR SEVERABILITY AND AN
EFFECTIVE DATE.

10 WHEREAS, on April 24, 2019, the State of Florida Department of Transportation
11 ("FDOT") and Broward County ("County") entered into a Public Transportation Grant
12 Agreement for Financial Project No. 434832-2-94-01 ("PTGA") to fund the Airport Access
13 Roadway System Phase II project at Fort Lauderdale-Hollywood International Airport
14 ("Project"), with an estimated project cost of Twenty-five Million Five Hundred Three
15 Thousand Four Hundred Thirty-four Dollars (\$25,503,434) ("Project Cost"), with FDOT
16 contributing fifty percent (50%) of the Project Cost up to a maximum amount of Twelve
17 Million Seven Hundred Fifty-one Thousand Seven Hundred Seventeen Dollars
18 (\$12,751,717) and the County contributing the remaining fifty percent (50%) of the Project
19 Cost, then determined to be Twelve Million Seven Hundred Fifty-one Thousand Seven
20 Hundred Seventeen Dollars (\$12,751,717), and any Project Cost overruns; and

21 WHEREAS, FDOT and the County desire to amend the PTGA pursuant to
22 Amendment Number One to the PTGA ("Amendment 1") to increase the Project Cost to
23 Thirty-five Million Five Hundred Three Thousand Four Hundred Thirty-four Dollars
24 (\$35,503,434), and increase each party's share of the Project Cost as follows: FDOT's

1 share of the Project Cost will increase to a maximum amount of Seventeen Million Seven
2 Hundred Fifty-one Thousand Seven Hundred Seventeen Dollars (\$17,751,717), or fifty
3 percent (50%) of the Project Cost, whichever is lower; and the County's share of the
4 Project Cost will increase to Seventeen Million Seven Hundred Fifty-one Thousand Seven
5 Hundred Seventeen Dollars (\$17,751,717), or fifty percent (50%) of the Project Cost,
6 whichever is lower, while continuing to cover any Project Cost overruns, NOW,
7 THEREFORE,

8

9 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
10 BROWARD COUNTY, FLORIDA:

11

12 Section 1. The Broward County Board of County Commissioners hereby
13 approves Amendment 1 (attached hereto as Exhibit 1), and authorizes the Mayor or Vice-
14 Mayor to execute Amendment 1, which increases FDOT's share of the Project Cost to a
15 maximum amount of Seventeen Million Seven Hundred Fifty-one Thousand Seven
16 Hundred Seventeen Dollars (\$17,751,717), or fifty percent (50%) of the Project Cost,
17 whichever is lower, and increases the County's share of the Project Cost to Seventeen
18 Million Seven Hundred Fifty-one Thousand Seven Hundred Seventeen Dollars
19 (\$17,751,717), or fifty percent (50%) of the Project Cost, whichever is lower, with the
20 County continuing to cover any Project Cost overruns.

21 Section 2. Severability.

22 If any portion of this Resolution is determined by any court to be invalid, the invalid
23 portion will be stricken, and such striking will not affect the validity of the remainder of this
24 Resolution. If any court determines that this Resolution, in whole or in part, cannot be

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT

Form 725-000-03
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Financial Project Number(s): <small>(item-segment-phase-sequence)</small> <u>434832-2-94-01</u>	Fund(s): <u>DIS,GMR,SIWR</u>	FLAIR Category: <u>088719</u>	
	Work Activity Code/Function: <u>215</u>	Object Code: <u>751000</u>	
	Federal Number/Federal Award Identification Number (FAIN) – Transit only: _____	Org. Code: <u>55042010429</u>	
Contract Number: <u>G1647</u>	Federal Award Date: _____	Vendor Number: <u>VF596000531107</u>	
CFDA Number: <u>N/A</u>	Agency DUNS Number: _____	Amendment No.: <u>1</u>	
CFDA Title: <u>N/A</u>			
CSFA Number: <u>55.004</u>			
CSFA Title: <u>Aviation Grant Program</u>			

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT (“Amendment”) is made and entered into on _____, by and between the State of Florida, Department of Transportation (“Department”), and Broward County, (“Agency”), collectively referred to as the “Parties.”

RECITALS

WHEREAS, the Department and the Agency on 4/24/2019 (date original Agreement entered) entered into a Public Transportation Grant Agreement (“Agreement”).

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

1. **Amendment Description.** The project is amended Second year of planned funding
2. **Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- Aviation**
- Seaports**
- Transit**
- Intermodal**
- Rail Crossing Closure**
- Match to Direct Federal Funding** (Aviation or Transit)
- (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- Other**

3. **Exhibits.** The following Exhibits are updated, attached, and incorporated into this Agreement:

- Exhibit A: Project Description and Responsibilities
- Exhibit B: Schedule of Financial Assistance
- *Exhibit B1: Deferred Reimbursement Financial Provisions
- *Exhibit B2: Advance Payment Financial Provisions
- *Exhibit C: Terms and Conditions of Construction
- Exhibit D: Agency Resolution
- Exhibit E: Program Specific Terms and Conditions
- Exhibit F: Contract Payment Requirements
- *Exhibit G: Financial Assistance (Single Audit Act)
- *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

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__ *Additional Exhibit(s):

4. Project Cost.

The estimated total cost of the Project is X increased/ __ decreased by \$10,000,000 bringing the revised total cost of the project to \$35,503,434.

The Department's participation is X increased/ __ decreased by \$5,000,000. The Department agrees to participate in the Project cost up to the maximum amount of \$17,751,717, and, additionally the Department's participation in the Project shall not exceed 50.00% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above.

AGENCY Broward County

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____

By: _____

Name: _____

Name: Steven C Braun, P.E.

Title: _____

Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: _____

Reviewed and approved as to form:
Andrew J. Meyers, County Attorney

By: Yesenia Alfonso Digitally signed by Yesenia Alfonso
Date: 2020.04.13 09:42:26 -04'00'
Yesenia Alfonso Date
Assistant County Attorney

By: Sharon V. Thorsen Digitally signed by Sharon V.
Thorsen
Date: 2020.04.13 09:47:31 -04'00'
Sharon V. Thorsen Date
Senior Assistant County Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

EXHIBIT A

Project Description and Responsibilities

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): Airport Access Roadway System Phase II

B. Project Location (limits, city, county, map): Fort Lauderdale/Hollywood International Airport/Dania Beach, FL/Broward

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): No change to original scope.

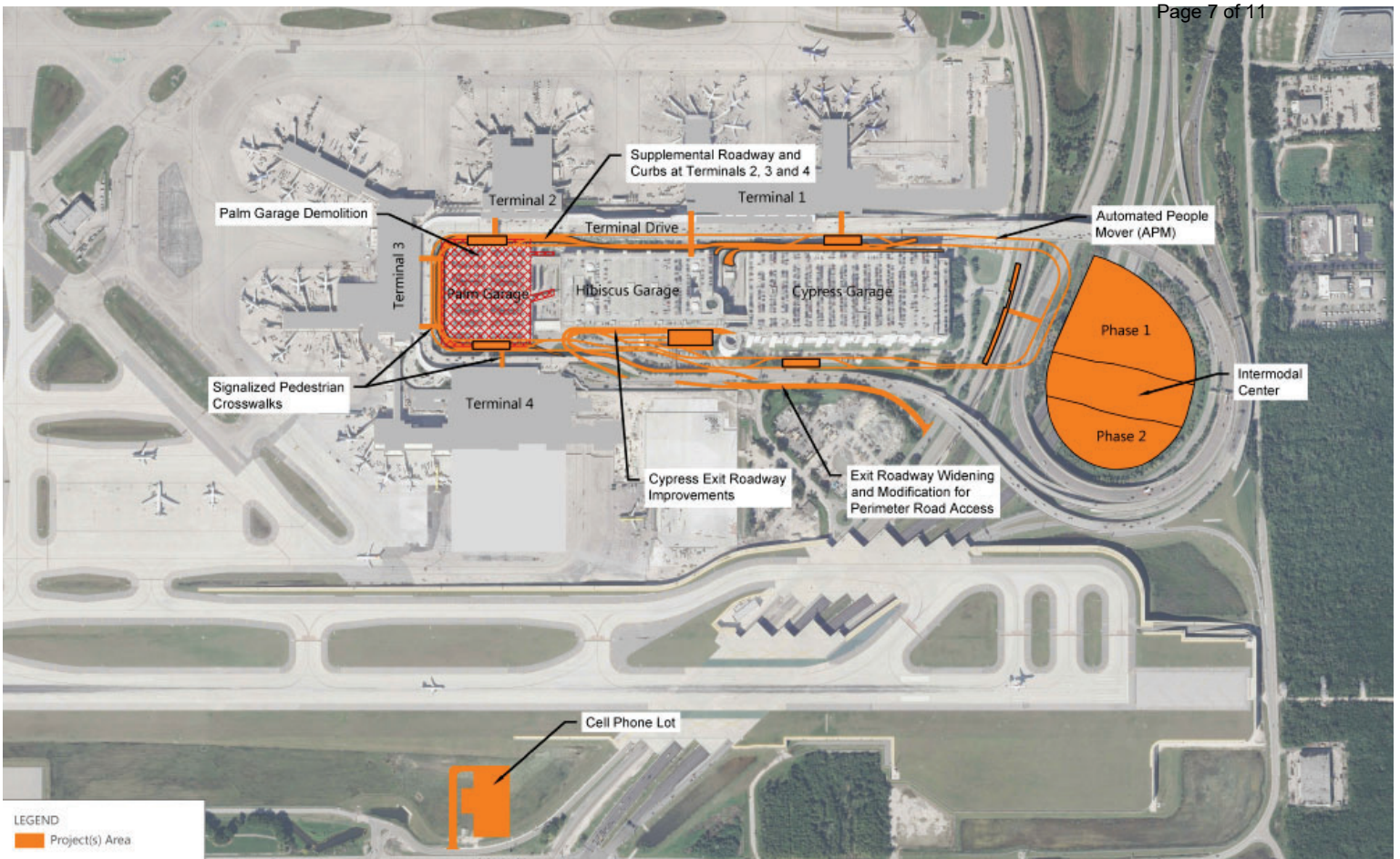
D. Deliverable(s):

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to):

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

EXHIBIT B

Schedule of Financial Assistance

FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
434832-2-94-01	DIS	088719	2019	751000	55.004	Aviation Grant Program	\$10,643,308
434832-2-94-01	DIS	088719	2020	751000	55.004	Aviation Grant Program	\$5,000,000
434832-2-94-01	GMR	088719	2019	751000	55.004	Aviation Grant Program	\$5,825
434832-2-94-01	LF	088719	2020	751000	55.004	Aviation Grant Program	\$5,000,000
434832-2-94-01	LF	088719	2019	751000	55.004	Aviation Grant Program	\$12,751,717
434832-2-94-01	SIWR	088719	2019	751000	55.004	Aviation Grant Program	\$2,102,584
Total Financial Assistance							\$35,503,434

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Planning	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Environmental/Design/Construction	\$17,751,717	\$17,751,717	\$0	\$35,503,434	50.00	50.00	0.00
Capital Equipment	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Match to Direct Federal Funding	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Totals	\$17,751,717	\$17,751,717	\$0	\$35,503,434			

*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category (grant phase) has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Laurie McDermott

Department Grant Manager Name

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
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Signature

Date

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**PUBLIC TRANSPORTATION
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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
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EXHIBIT G

AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE

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: Aviation Grant Program

CSFA Number: 55.004

***Award Amount:** \$17,751,717

*The award amount may change with amendments

Specific project information for CSFA Number 55.004 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 55.004 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>