

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

Financial Project Number(s): (item-segment-phase-sequence) 433414-1-94-03	Fund(s): Work Activity Code/Function: Federal Number/Federal Award Identification Number (FAIN) – Transit only:	DIS, SIWR 215	FLAIR Category: Object Code: Org. Code: Vendor Number:	088794 751000 55045010429 VF596000531022
Contract Number: G1761	Scope ALLI Code:			
CFDA Number: N/A	Agency SAM/UEI Number:	08-595-9792	Number:	6
CFDA Title: N/A				
CSFA Number: 55.005				
CSFA Title: Seaport Grant Program				

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, a political subdivision of the State of Florida, (“Agency”), collectively referred to as the “Parties.”

RECITALS

WHEREAS, the Department and the Agency on 4/15/2019 (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 to revise the project's funding match and clarify project scope for the Port Everglades Dredging & Widening project.

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 B3: Alternative Advanced Pay (Transit 5310/5339 Programs)
- 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
- Exhibit I: Certification of Disbursement of Payment to Vehicle and/or Equipment Vendor
- Additional Exhibit(s): _____

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4. Project Cost.

The estimated total cost of the Project is increased/ decreased by _____ bringing the revised total cost of the project to _____

The Department's participation is increased/ decreased by _____. The Department agrees to participate in the Project cost up to the maximum amount of \$ 39,861,363, and, additionally the Department's participation in the Project shall not exceed 75% 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, a political
subdivision of the State of Florida

By: _____
Name: _____
Title: _____

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____
Name: John P. Krane, P.E.
Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:

PUBLIC TRANSPORTATION GRANT AGREEMENT EXHIBITS

DEVELOPMENT
OGC 03/25

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)): This Agreement provides for the Department's participation in the construction phase of Port Everglades' Dredging and Widening project, including the deepening of berthing infrastructure (e.g. Slip 1) to 48 feet. The entire Dredging and Widening project is estimated to cost \$337,000,000 million dollars, as identified by the United States Army Corps of Engineers (USACE). The project is comprised of at least nine components.

B. Project Location (limits, city, county, map): Fort Lauderdale, Florida

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): This Project includes the environmental work, design work, and construction work required to complete the dredging, deepening, and widening activities described in the Project Description, including: deepening of the port's berthing infrastructure (e.g. Slip 1), channel deepening; channel stabilization; channel widening; construction; construction inspection services; contractor stand-by; debris removal; debris placement; demobilization; demolition; design; engineering; geotechnical activities; materials testing; mobilization; permitting; surveys; temporary structures; turning notch improvements; and, water quality protection structures.

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): Travel costs are not allowed; Stored materials unless prior written approval from FDOT is obtained.

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. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.

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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:

433414-1-94-03	DIS	088794	2019	751000	55.005	Seaport Grant Program	\$15,000,000.00
433414-1-94-03	LF	088794	2019	751000	55.005	Seaport Grant Program	\$5,000,000.00
433414-1-94-03	DIS	088794	2020	751000	55.005	Seaport Grant Program	\$10,059,321.00
433414-1-94-03	SIWR	088794	2020	751000	55.005	Seaport Grant Program	\$13,802,042.00
433414-1-94-03	LF	088794	2020	751000	55.005	Seaport Grant Program	\$7,953,788.00
433414-1-94-03	SIWR	088794	2021	751000	55.005	Seaport Grant Program	\$1,000,000.00
433414-1-94-03	LF	088794	2021	751000	55.005	Seaport Grant Program	\$333,333.00
Total Financial Assistance							\$53,148,484.00

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Environmental/ Design/ Construction	\$39,861,363.00	\$13,287,121.00	\$0.00	\$53,148,484.00	75.00	25.00	0.00
Capital Equipment/ Preventative Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Match to Direct Federal Funding	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Totals	\$39,861,363.00	\$13,287,121.00	\$0.00	\$53,148,484.00			

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

Scope Code and/or Activity Line Item (ALI) (Transit Only)	
Common Name/UZA Name (Transit Only)	

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.

Kadian Foster

Department Grant Manager Name

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EXHIBIT B

Schedule of Financial Assistance

Kadian Foster

Department Grant Manager Name

Signature

Date

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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: Seaport Grant Program

CSFA Number: 55.005

***Award Amount:** \$39,861,363.00

*The award amount may change with amendments

Specific project information for CSFA Number 55.005 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 55.005 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>