

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**STATE-FUNDED GRANT
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

1

CONTRACT NO.

G-1T03

FPN

446201-1-34-01

Recipient: BROWARD COUNTY

This Supplemental Agreement ("Supplemental"), dated _____ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on December 15, 2020 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

The parties agree that the Agreement is to be amended and supplemented as follows:

This amendment extends the term of this Agreement from June 30, 2023 to December 31, 2023.

Paragraph 3 of the Agreement is amended, in part, to read as follows:

This Agreement shall commence upon full execution by both Parties and the Recipient shall complete the Project on or before December 31, 2023. If the Recipient does not complete the Project within this time period, the Agreement will expire on the last day of the scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Recipient and granted in writing by the Department prior to the expiration of this Agreement. Expiration of this Agreement will be considered termination of the Project. The Recipient acknowledges that no funding for the Project will be provided by the State under this Agreement for work on the Project that is not timely completed and invoiced in accordance with the terms of this Agreement, or for work performed prior to full execution of the Agreement. Notwithstanding the expiration of the required completion date provided in the Agreement and the consequent potential unavailability of any unexpended portion of State funding to be provided under the Agreement, the Recipient shall remain obligated to complete all aspects of the Project identified in Exhibit "A" in accordance with the remaining terms of the Agreement, unless otherwise agreed by the Parties, in writing.

Reason for this Supplemental and supporting engineering and/or cost analysis:

The extension of design services for the Port Everglades By-Pass Road is required due to unforeseen conditions discovered during the design stage. The Project is delayed due to the following: 1) Unsuitable soil condition- additional soil boring up to 130' deep was required for bridge foundation structural analysis. 2) The Department's 60" Drainage Outfall- the MSE wall with 20' fill on top of the existing outfall is not allowed, resulting in design modifications that impacted the project schedule. 3) Active Fuel Line: Original concept assumed MSE wall on top of existing active fuel lines, however during the design phase individual utility owners including Port Everglades did not allow fill and MSE wall on top of existing fuel lines.

IN WITNESS WHEREOF, the COUNTY has caused this Supplement Agreement to be executed on its behalf this _____ day of _____, _____, by the Mayor or Vice Mayor, authorized to enter into and execute same by action of the Board on the _____ day of _____, _____, and the DEPARTMENT has executed this Agreement through its Director of Transportation Development for District _____, Florida Department of Transportation, this _____ day of _____, 2023.

BROWARD COUNTY, FLORIDA

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

MAYOR
_____ day of _____ 20__

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

By Al A DiCalvo Digitally signed by Al A DiCalvo
Date: 2023.02.14 09:20:54
-05'00'
Al DiCalvo (date)
Senior Assistant County Attorney

By Michael Kerr Digitally signed by Michael Kerr
Date: 2023.02.14 09:48:26 -05'00'
Michael J. Kerr (date)
Deputy County Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST: _____ (SEAL)
EXECUTIVE SECRETARY

BY: _____
DIRECTOR OF TRANSPORTATION
DEVELOPMENT

NAME: _____

DISTRICT _____

LEGAL REVIEW:

BY: _____
OFFICE OF THE GENERAL COUNSEL