



Agenda Item # 047H

## VILLAGE OF ROYAL PALM BEACH

### Agenda Item Summary

#### AGENDA ITEM:

**Approval and authorization for the Mayor to execute a supplemental grant agreement with the Florida Department of Transportation for the construction of ADA improvements in the neighborhoods of The Colony and Counterpoint Estates.**

#### ISSUE:

Village Council unanimously voted in favor of Resolution 19-01, authorizing the Mayor to execute the Agreement with the Florida Department of Transportation on January 17, 2019. The agreement was to provide the Village with grant funding in the amount of \$659,786.00. Grant funding will be utilized to partially fund ADA Curb ramps and sidewalk connections at approximately eighty seven (87) residential intersections located in the neighborhoods of The Colony and Counterpoint Estates; and the construction of a connecting sidewalk from Bobwhite Court to Business Parkway.

This Supplemental Agreement reduces the grant funding amount by \$10,202.00 for an updated total of \$649,584.00. The reduction is because the project cost estimate was slightly higher than the actual bid amount for the grant eligible work.

#### RECOMMENDED ACTION:

Staff recommends motion to approve.

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Initiator:	Village Manager	Agenda	Village Council
	Approval:	Date:	Action:
Village Engineer		9/19/2019	

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**RESOLUTION NO. 19-25**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AUTHORIZING THE VILLAGE TO ENTER INTO A “LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT” WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN ORDER TO SUPPLEMENT THE ORIGINAL AGREEMENT ENTERED INTO AND EXECUTED ON MARCH 20, 2019 REGARDING THE GRANT OF FEDERAL FUNDS FOR A PROJECT CONCERNING THE CONSTRUCTION OF ADA CURB RAMPS AND SIDEWALK CONNECTIONS AT APPROXIMATELY EIGHTY SEVEN (87) RESIDENTIAL INTERSECTIONS LOCATED IN THE NEIGHBORHOODS OF THE COLONY AND COUNTERPOINT ESTATES; AND THE CONSTRUCTION OF A CONNECTING SIDEWALK FROM BOBWHITE COURT TO BUSINESS PARKWAY; PROVIDING AUTHORIZATION FOR THE MAYOR TO EXECUTE THE SUPPLEMENTAL AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the *Local Agency Program Manual* and all policies and guidelines promulgated by the State of Florida Department of Transportation (“FDOT”), which accomplish the policies and objectives set forth in Title 23, U.S. Code, Highways and the Regulations issued pursuant thereto, provide the regulations for developing highway projects in conjunction with the FDOT; and

**WHEREAS**, FDOT has the authority under Sec. 339.12, *Florida Statutes*, to enter into funding agreements for projects on the Federal Aid Highway Systems in response to requests for Local Agency Program (“LAP”) Grant Funding concerning federal aid dollars; and

**WHEREAS**, on March 20, 2019, the Village of Royal Palm Beach (“Village”) and FDOT entered into a LAP Agreement (the “Agreement”) regarding the grant of federal LAP funds for Financial Project Number (“FPN”) 438290-1-58-01 concerning the construction of ADA Curb ramps and sidewalk connections at approximately eighty seven (87) residential intersections located in the neighborhoods of The Colony and Counterpoint Estates; and the construction of a connecting sidewalk from Bobwhite Court to Business Parkway; and

**WHEREAS**, the FDOT desires to supplement the original Agreement to decrease the Construction Phase 58 amount by \$169,894.00, resulting in a revised total project cost of \$659,787.00, utilizing federal and state financial assistance funds in the amount of \$649,584.00. Funding for the project in the amount of \$659,787.00 will come from Project No. EN1601 Village Wide ADA Sidewalks 2018.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: The Village Council of the Village of Royal Palm Beach, a municipal corporation, hereby authorizes its Mayor, Fred Pinto, to execute the “LAP Supplemental Agreement” (the “Supplemental Agreement”) for FPN # 438290-1-58-01 between the Village of Royal Palm Beach and the FDOT concerning the grant of reduced federal monies for the Village project referenced in the Agreement under the conditions provided for in the Agreement.

Section 2: The Village Clerk is hereby directed to attach this Resolution to the Supplemental Agreement along with any necessary documentation in connection with this Supplemental Agreement and to provide these documents to the State of Florida Department of Transportation under the terms of the Agreement.

Section 3: This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 19th day of September, 2019.

VILLAGE OF ROYAL PALM BEACH

\_\_\_\_\_  
FRED PINTO, MAYOR

ATTEST:

(SEAL)

\_\_\_\_\_  
DIANE DISANTO, VILLAGE CLERK

**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

1

FEDERAL ID NO. (FAIN)

D418-119-B

CONTRACT NO.

G1632

FEDERAL AWARD DATE

2.28.2019

FPN

438290-1-58-01

RECIPIENT DUNS NO.

025-144-536

Recipient, The Florida Department of Transportation, desires to supplement the original Agreement entered into and executed on March 20<sup>th</sup>, 2019 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name Village of Royal Palm Beach Length 15.786

Termini Various Locations

**Description of Work:**

The project area includes various residential neighborhoods with missing sidewalk connections: Palm Beach Colony and Counterpoint Estates. The proposed improvements is necessary for connectivity within the Village of Royal Palm Beach sidewalk network. The proposed work is within sidewalk network with deficient connection. The typical section of all improvements included but not limited to sidewalk, detectable warning surface, valley gutter, restriping of stop bars and crosswalk.

**Reason for Supplement and supporting engineering and/or cost analysis:**

This supplemental Agreement decreases the Construction Phase 58 amount by \$169,894.00. The revised construction Phase 58 amount is \$659,787.00, as follows:

- The Local Funds amount is being decreased by \$159,692.00; the revised Local Funds amount is \$10,203.00.
- The Federal Funds amount is being decreased by \$10,202.00; the revised Federal Funds amount is \$649,584.00.

Refer to Exhibit "B" attached hereto and made apart hereof which replaces Exhibit "B" attached to the Original Agreement.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM**  
**SUPPLEMENTAL AGREEMENT**  
**ADJUSTED EXHIBIT B SCHEDULE OF FUNDING**

525-010-32  
PROGRAM MANAGEMENT  
11/18

RECIPIENT NAME & BILLING ADDRESS: Mr. Adamo DiSisto, E.I.  
Project Engineer  
Engineering Department  
1050 Royal Palm Beach Blvd.  
Royal Palm Beach, FL 33411

FINANCIAL PROJECT NUMBER: 438290-1-58-01

PHASE OF WORK By Fiscal Year	FUNDING					
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL LOCAL FUNDS	(5) TOTAL STATE FUNDS	(6) TOTAL FEDERAL FUNDS
<b>Design</b>						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
<b>Total Design Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Right-of-Way</b>						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
<b>Total Right-of-Way Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>Construction</b>						
FY: 2018-2019 (Federal)	\$659,786.00	(\$10,202.00)	\$649,584.00	_____	_____	\$649,584.00
FY: 2018-2019 (Local)	\$169,894.00	(\$159,692.00)	\$10,203.00	\$10,203.00	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
<b>Total Construction Cost</b>	\$829,680.00	(\$169,894.00)	\$659,787.00	\$10,203.00	\$ 0.00	\$649,584.00
<b>Construction Engineering and Inspection (CEI)</b>						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
<b>Total CEI Cost</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>(Insert Phase)</b>						
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
FY: (Insert Program Name)	_____	_____	_____	_____	_____	_____
<b>Total Phase Costs</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>TOTAL COST OF THE PROJECT</b>	\$829,680.00	(\$169,894.00)	\$659,787.00	\$10,203.00	\$ 0.00	\$649,584.00

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

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

\_\_\_\_\_  
District Grant Manager Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**LOCAL AGENCY PROGRAM  
SUPPLEMENTAL AGREEMENT**

525-010-32  
PROGRAM MANAGEMENT  
07/17

IN WITNESS WHEREOF, the parties have executed this Agreement on the date last ascribed herein.

RECIPIENT

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_

Name:

Title:

By: \_\_\_\_\_

Name: Steve Braun, P.E.

Title: Director of Transportation Development

Date: \_\_\_\_\_

Legal Review:

\_\_\_\_\_