



**BOARD OF COUNTY COMMISSIONERS**

**DATE:** January 15, 2013

**AGENDA ITEM NO.** 14

**Consent Agenda** ☒

**Regular Agenda** ☐

**Public Hearing** ☐

**County Administrator's Signature** 

**Subject:**

Amendment No. 2 to the County Incentive Grant Program (CIGP) Agreement with the Florida Department of Transportation (FDOT) for the Installation of Conduit and Fiber Optic Cable along Alternate U.S. 19/State Road (S.R.) 595 from Downtown Clearwater to U.S. 19 and along U.S. 19 from Alternate U.S. 19/S.R. 595 to 54<sup>th</sup> Avenue North

FDOT Financial Project No. 427005 1 58 01


Contract No. AQ909

County PID No. 000196A (2160)

**Department:**

Department of Environment & Infrastructure 

**Staff Member Responsible:**

William M. Davis, Interim Director  
Transportation & Stormwater 

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE THE AMENDMENT NO. 2 TO THE CIGP AGREEMENT WITH THE FDOT, FOR THE INSTALLATION OF CONDUIT AND FIBER OPTIC CABLE ALONG ALTERNATE U.S. 19/S.R. 595 FROM DOWNTOWN CLEARWATER TO U.S. 19 AND ALONG U.S. 19 FROM ALTERNATE U.S. 19/S.R. 595 TO 54<sup>TH</sup> AVENUE NORTH, INCLUDING THE INSTALLATION OF ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS) DEVICES ALONG THE PRIMARY ALTERNATE U.S. 19 CORRIDOR, ADOPT A RESOLUTION, AND AUTHORITY BE GRANTED FOR THE CHAIRMAN TO SIGN AND THE CLERK TO ATTEST.

**Summary Explanation/Background:**

On May 4, 2011 the FDOT executed a CIGP Agreement with Pinellas County to partially fund the installation of fiber optic cable along the Alternate U.S. 19/S.R. 595 Corridor from downtown Clearwater to U.S. 19 and along U.S. 19 from Alternate U.S. 19/S.R. 595 to 54<sup>th</sup> Avenue North. Included with this project is the installation of ATMS devices along the primary Alternate U.S. 19 Corridor.

An Amendment No. 1 to the CIGP Agreement was executed on February 6<sup>th</sup>, 2012, which extended the design, letting and construction completion dates. Since that time, changes in staff have occurred which have further delayed design completion. Pinellas County has requested the design and letting dates be modified as follows:

- a) Design to be completed on or before 12/31/2012.
- b) Construction contract to be let on or before 6/30/2013.
- c) Construction to be completed on or before 12/31/2015 (Unchanged).

This Amendment No. 2 will revise the Agreement to reflect these time extensions and should provide sufficient time for completion of design and letting of the project.

Upon the BCC's approval, the attached Amendment will be forwarded to the FDOT for execution.



**Fiscal Impact/Cost/Revenue Summary:**

There are no fiscal impacts as a result of this Amendment No. 2.

**Exhibits/Attachments Attached:**

Contract Review Transmittal  
Amendment No. 2  
Resolution

**NON-PURCHASING CONTRACT REVIEW TRANSMITTAL SLIP**

PROJECT: Amendment No. 2 to the County Incentive Grant Agreement (CIGP) with the Florida Department of Transportation (FDOT) for the Install of Fiber Optic Cable – ALT 19 from Downtown Clearwater to US 19-ALT 19 to 54<sup>th</sup> Avenue

PID NO.: County PID No. – 2160 <sup>000196A South Fiber Loop</sup> FDOT FPN No. 427005 1 58 01; Contract No. AQ909  
 REVENUE/EXPENDITURE: N/A – Time Only

In accordance with Contract Administration and its Review Process, the attached documents are submitted for your review and comment.

Please complete this Non-Purchasing Contract Review Transmittal Slip below with your assessment, and **forward to the next Review Authority on the list, skipping any authority marked "N/A."** Indicate suggested changes by noting those in "Comments" column, or by revising, in RED, the appropriate section(s) of the document(s) to reflect the exact wording of the desired change(s).

OTHER SPECIFICS RELATING TO THE CONTRACT: \_\_\_\_\_

REVIEW SEQUENCE	DATE	INITIALS/ SIGNATURE	COMMENTS (if any)	COMMENTS REVIEWED & ADDRESSED OR INCORPORATED
K. Jacobs, DEI	11/5/12	<i>KJ</i>	none	
W. Davis, Interim Director, Traffic & Stormwater, DEI	N/A			
Clerk's Finance	11/7/12	<i>CAW</i>		
Risk	11/9/12	<i>VBH</i>	Pub Entity to Pub Entity	
OMB	11/28	<i>EM</i>		
B. Oklesen, Legal	11/29/12	<i>BO</i>	NOTE - prepared for a 2012 meeting	

Please return to Merry Celeste, DEI. All inquiries should be made to Ken Jacobs ext. 4-8928. Thank you.

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
COUNTY INCENTIVE GRANT PROGRAM AGREEMENT  
AMENDMENT No. 2**

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Financial project Numbers (FPNs): Fund: CIGP FLAIR Appropriation: 088572  
427005 1 58 01 Function 215 FLAIR Object: 750008  
Org. Code: 55074010706 Contract No.: AQ909 Vendor No.: F596000800218  
Catalog of State Financial Assistance (CSFA): 55.008 County Code: 15 Pinellas

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THIS AMENDMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the "DEPARTMENT", and PINELLAS COUNTY, hereinafter referred to as the "COUNTY"

**WITNESSETH**

WHEREAS, the DEPARTMENT and the COUNTY entered into a County Incentive Grant Program Agreement, on May 4, 2011, providing \$1,997,250 (*One Million, Nine Hundred Ninety-Seven Thousand, Two Hundred Fifty Dollars*) for the installation of fiber optic cable along Alt US 19/SR 595, from Downtown Clearwater to US 19 and US 19 from Alt US 19/SR 595 to 54<sup>th</sup> Avenue North, including ATMS devices along the primary Alt 19 corridor in support of a countywide ATMS/ITS (Advanced Traffic Management System/Intelligent Transportation System) under Financial Project No. 427005 1 58 01, hereinafter referred to as the "PROJECT," in accordance with Section 339.2817, Florida Statutes; and

WHEREAS, the Agreement was amended on February 6, 2012 to modify Exhibit "B", Schedule of Services; and

WHEREAS, the COUNTY has requested another modification to the Schedule of Services; and

WHEREAS, the COUNTY by Resolution Number \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_, 2013, a copy of which is attached hereto and made a part of the Amendment, has authorized its Chairman to enter into this Agreement.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Agreement is amended as follows:

**Exhibit B**  
**SCHEDULE OF SERVICES**

The COUNTY shall perform the PROJECT activities in accordance with the following schedule:

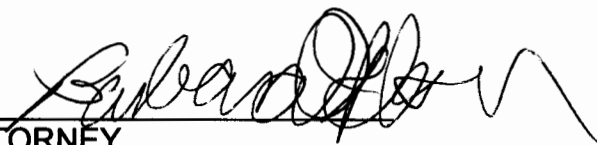
- a) Design to be completed on or before 12/31/2012.
- b) Construction contract to be let on or before 06/30/2013.
- c) Construction to be completed on or before 12/31/2015.

IN WITNESS WHEREOF, the COUNTY has caused this Agreement to be executed in its behalf this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the Chairman of the Board of Commissioners, authorized to enter into and execute same by Resolution Number \_\_\_\_\_ of the Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, and the DEPARTMENT has executed this Agreement through its Director of Transportation Development, District Seven, Florida Department of Transportation, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**PINELLAS COUNTY**

ATTEST: \_\_\_\_\_ (SEAL)  
CLERK

BY: \_\_\_\_\_  
KENNETH T. WELCH, CHAIRMAN  
BOARD OF COUNTY  
COMMISSIONERS

  
\_\_\_\_\_  
ATTORNEY  
COUNTY

**STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION**

ATTEST \_\_\_\_\_ (SEAL) BY: \_\_\_\_\_  
EXECUTIVE SECRETARY

DEBBIE HUNT  
DIRECTOR OF TRANSPORTATION  
DEVELOPMENT, DISTRICT SEVEN

\_\_\_\_\_  
DATE

\_\_\_\_\_  
ATTORNEY  
DEPARTMENT OF TRANSPORTATION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE AND THE CLERK TO ATTEST TO AMENDMENT NO. 2 TO THE COUNTY INCENTIVE GRANT PROGRAM AGREEMENT NEGOTIATED BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND PINELLAS COUNTY FOR THE DESIGN AND INSTALLATION OF FIBER OPTIC CABLE ALONG THE ALTERNATE US 19/SR 595 CORRIDOR (FROM DOWNTOWN CLEARWATER TO US 19) AND ALONG US 19 (FROM ALTERNATE US 19/SR 595 TO 54<sup>TH</sup> AVENUE N) INCLUDING THE INSTALLATION OF ADVANCED TRAFFIC MANAGEMENT SYSTEM DEVICES ALONG THE PRIMARY ALTERNATE US 19 CORRIDOR THROUGH THE COUNTY INCENTIVE GRANT PROGRAM.

WHEREAS, the County Incentive Grant Program has been created by Section 339.2817, Florida Statutes, to provide grants to counties to improve a transportation facility which is located on the State Highway System or which relieves traffic congestion on the State Highway System; and

WHEREAS, Pinellas County, hereinafter referred to as the County, entered into an Agreement executed May 4, 2011 with the Florida Department of Transportation, hereinafter referred to as the Department, for partial funding for the installation of fiber optic cable along the Alternate US 19/SR 595 Corridor from Downtown Clearwater to US 19 and along US 19 from Alternate US 19/SR 595 to 54<sup>th</sup> Avenue N and for the installation of Advanced Traffic Management System devices along the primary Alternate US 19 Corridor, hereinafter referred to as the Project; and

WHEREAS, the County has entered into an agreement amendment executed February 6, 2012 with the Department for time extensions due to delays in obtaining consultant services; and

WHEREAS, recent staffing changes have resulted in additional delay and the need to revise the design completion and construction contract letting dates; and

WHEREAS, it is necessary to amend the Agreement to reflect the revision in these dates.

NOW THEREFORE, BE IT RESOLVED, the Board of County Commissioners of Pinellas County, Florida, duly assembled this \_\_\_\_\_ day of \_\_\_\_\_, 2013 authorizes the Chairman to execute and the Clerk to attest Amendment No. 2 to the County Incentive Grant Program agreement to reflect a revised Schedule of Services.

Commissioner \_\_\_\_\_ offered the foregoing resolution and moved its adoption which was seconded by Commissioner \_\_\_\_\_, and upon roll call the vote was:

AYES:

NAYS:

ABSENT OR NOT VOTING:

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By Barbara O'Hase  
Attorney