**BOARD OF COUNTY COMMISSIONERS**

**DATE:** July 9, 2013
**AGENDA ITEM NO.** 13

**Consent Agenda** ☑ **Regular Agenda** ☐ **Public Hearing** ☐

**County Administrator's Signature:**

**Subject:**

Amendment No. 2 to the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for Advanced Traffic Management System (ATMS)/Intelligent Transportation System (ITS) Project Improvements on Belcher Road from Druid Road to Klosterman Road
FDOT Financial Project Number (FPN): 420628 1 53 01
Contract No. AP648
County PID No. 000116A (1626)

**Department:**

Department of Environment & Infrastructure

**Staff Member Responsible:**

David E. Scott, P.E., Executive Director

**Recommended Action:**

I RECOMMEND THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE AMENDMENT NO. 2 TO THE JPA WITH THE FDOT FOR THE ATMS/ITS PROJECT IMPROVEMENTS ON BELCHER ROAD FROM DRUID ROAD TO KLOSTERMAN ROAD FOR REDISTRIBUTION OF FUNDS, AND AUTHORITY BE GRANTED FOR THE CHAIRMAN TO SIGN AND THE CLERK TO ATTEST.

**Summary Explanation/Background:**

On May 20, 2008, the BCC approved the JPA with the FDOT for equipment purchases for the ATMS/ITS project improvements on Belcher Road from Druid Road to Klosterman Road. The FDOT provided funding in the amount of $1 million.

Amendment No. 1 to the JPA was approved by the BCC on November 17, 2009, and revised the JPA from $1 million to $2.2 million. This increase reflected the equipment purchase for the (State Road) S.R. 60 ATMS project from south of Hillcrest Avenue to Island Way, and installation of two (2) dynamic message signs along S.R. 60 eastbound at Keene Road and westbound at Damascus Road.

The purpose of this Amendment No. 2 is to reallocate the remaining $352,745 from this JPA to the construction phase of the Local Agency Program (LAP) Agreement. The redistribution of funds will be used for the purchase of software, associated hardware, and ATMS/ITS integration. This Amendment No. 2 is a companion item to Supplemental Numbers 5 and 6 for the Belcher Road Project LAP Agreement.

This Amendment No. 2 will be forwarded to the FDOT for execution following BCC approval.

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

N/A

**Exhibits/Attachments Attached:**

Amendment No. 2

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**JOINT PARTICIPATION AGREEMENT**
**AMENDMENT**
**No. 2**



Financial Project No: 420628 1 53 01 Fund: HPP FLAIR Approp: _____
Federal No: SFT2 282 R Org. Code: 55074010706 FLAIR Approp: _____
County No: 15 (Pinellas) Contract No: AP648 Vendor No: F596000800-216
Data Universal Number System (DUNS) No: 80-939-7102
Catalog of Federal Domestic Assistance (CFDA): 20.205

This AMENDMENT, entered into this _____day of_____, 2013 between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an Agency of the State of Florida, hereinafter called the Department, and PINELLAS COUNTY, hereinafter called the Agency.

WITNESSETH:

WHEREAS, on June 17, 2008, the DEPARTMENT and the COUNTY entered into a Joint Participation Agreement (JPA) to provide for the Department's participation in the procurement services activities of the Pinellas County Advanced Traffic Management System. The JPA was subsequently amended on December 22, 2009 to increase funding.

WHEREAS, the DEPARTMENT and the COUNTY shall act in accordance with the original JPA and this amendment upon its execution.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend the original JPA as follows:

**Amended Section - 1.01 Attachments:** Exhibits A, B and C are attached and made a part hereof.

**Amended Section - 3.00 Project Cost:**

**3.01 Total Cost, is amended to reduce the funding amount to:** $1,847,255.00 (one million, eight hundred forty-seven thousand, two hundred fifty-five dollars).

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**JOINT PARTICIPATION AGREEMENT**
**AMENDMENT**



IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

**PINELLAS COUNTY, BOCC**

By: _____

Chairman: Kenneth T. Welch

Attest: _____
Title: Clerk of the Circuit Court

Legal Review:

_____
Attorney

**STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**

By: _____
Debbie Hunt
Director of Transportation Development

Attest: _____
Title:

Legal Review:

_____
District General Counsel

See attached Encumbrance Form for date of funding approval by Comptroller.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**JOINT PARTICIPATION AGREEMENT**
**AMENDMENT**



EXHIBIT A
Project Description and Responsibilities

FPN: 420628 1 53 01

This exhibit forms an integral part of that certain Reimbursement Agreement between the State of Florida, Department of Transportation and the Pinellas County, dated_____, 2013.

PROJECT LOCATION AND DESCRIPTION:

This project includes the procurement services activities of the Pinellas County Advanced Traffic Management System, Phase 2, on Belcher Road from Klosterman Road to Druid Road and equipment purchase for SR 60 from south of Hillcrest to Island Way. The project will encompass arterial management strategies such as the approved Adaptive Control Signal software, Incident Management applications, communication network and DMS signs eastbound at Keene Road and westbound at Damascus Road.

SPECIAL CONSIDERATION BY AGENCY:

The audit report(s) required in the Agreement shall include a Schedule of Project Assistance that will reflect the Department's contract number, the Financial Project Number (FPN), the Federal Authorization Number (FAN), where applicable, the amount of State funding action (receipt and disbursement of funds), any Federal or local funding action and the funding action from any other source with respect to the project.

The Agency will provide progress billing invoices to the Department on a quarterly basis.

SPECIAL CONSIDERATION BY DEPARTMENT:

Upon receipt of an invoice, the DEPARTMENT will have sixty (60) working days to inspect, review and approve the goods and services submitted for payment.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**JOINT PARTICIPATION AGREEMENT**
**AMENDMENT**

## EXHIBIT B



### SCHEDULE OF FUNDING

This exhibit forms an integral part of that certain Reimbursement Agreement between the State of Florida, Department of Transportation and the Pinellas County, dated_____, 2013.

I. TOTAL COST.....$ 1,847,255.00

II. PARTICIPATION (as required)

Federal..... $ 1,847,255.00

State.....$ 0

Local.....$ 0

Total Project Cost ..... $ 1,847,255.00

III. The Department's fiscal year begins on July 1. For this project, funds are not projected to be available until after the 1st of July of each fiscal year. The Department will notify the Agency, in writing, when funds are available.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**JOINT PARTICIPATION AGREEMENT**
**AMENDMENT**



EXHIBIT C

**Federal Resources Awarded to the Recipient Pursuant to This Agreement Consist of the Following:**

**Federal Agency:** Federal Highway Administration

**CFDA #:** 20.205 Highway Planning and Construction

**FM #:** 420628 1 53 01

**Amount:** $1,847,255.00

**Compliance Requirement:**

**Allowable Activities**: To be eligible, most projects must be located on public roads that are not functionally classified as local. The major exceptions are the Highway Bridge Replacement and Rehabilitation Program, which provides assistance for bridges on and off the federal-aid highways, highway safety activities, bicycle and pedestrian projects, transportation enhancement activities, the recreational trails program, and planning, research, development, and technology transfer. Proposed projects meeting these and other planning, design, environmental, safety, etc., requirements can be approved on the basis of state and local priorities within the limit of the funds apportioned or allocated to each state.

**Allowable Costs:** Eligible activities and allowable costs will be determined in accordance with Title 23 and Title 49 C.F.R. and the OMB cost principles applicable to the recipient/sub-recipient.

**Eligibility:** By law, the federal-aid highway program is a federally assisted state program that requires each state to have a suitably equipped and organized transportation department. Therefore, most projects are administered by or through State Department of Transportation's (State DOTs). Projects to be funded under the federal-aid highway program are generally selected by state DOTs or Metropolitan Planning Organizations (MPOs), in cooperation with appropriate local officials, as specified in 23 U.S.C. and implementing regulations. Territorial highway projects are funded in the same manner as other federal-aid highway projects, with the territorial transportation agency functioning in a manner similar to a state DOT. Most Florida Land Highway Program (FLHP) projects are administered by the Federal Highway Administration (FHWA) Office of Federal Lands Highway and its Divisions or by the various Florida Land Management Agencies (FLMAs). Under the FLHP, projects in the Indian Reservation Road (IRR) Program are selected by Tribal Governments and are approved by the Bureau of Indian Affairs (BIA) and the FHWA. Due to recent legislation, Tribal Governments meeting certain requirements may now administer various IRR projects on behalf of the BIA and FHWA. The Fish and Wildlife Service (FWS) and the National Park Service (NPS) select projects in the Refuge Road and Park Roads and Parkways Programs, respectively. For the Forest Highway Program, the Forest Service, the States and the FHWA jointly select projects.

**Compliance Requirements Applicable to the Federal Resources Awarded Pursuant to This Agreement Are As Follows:** The Agency must comply with the statutory requirements in Sections 112.061, 215.422, 339.12, and 339.135, Florida Statutes, and Title 23 and Title 49, C.F.R.