BOARD OF COUNTY COMMISSIONERS

DATE: July 9, 2013
AGENDA ITEM NO. 14b.

Consent Agenda ☑ Regular Agenda ☐ Public Hearing ☐

County Administrator's Signature

Subject:

Supplemental No. 6 to the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) for the Belcher Road Advanced Traffic Management System (ATMS)/Intelligent Transportation System (ITS) Project
FDOT Financial Project Number (FPN): 420628 1 38/58 01/02/03/04
Contract No. AOU01
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 SUPPLEMENTAL NO. 6 TO THE LAP AGREEMENT WITH THE FDOT FOR THE BELCHER ROAD ATMS/ITS PROJECT FOR REDISTRIBUTION OF FUNDS, AND AUTHORITY BE GRANTED FOR THE CHAIRMAN TO SIGN AND THE CLERK TO ATTEST.

Summary Explanation/Background:

On June 5, 2007, the BCC approved the initial LAP Agreement for the ATMS/ITS design activities along Belcher Road, from Druid Road to Klosterman Road for funding in the amount of $349,000.00.

The purpose of this Supplemental No. 6 is to redistribute associated Joint Participation Agreement (JPA) funding, LAP funds, and boxed earmark funds, for a total of $2,255,247.00 to the LAP Agreement under a new sequence number, FPN 420628 1 58 04. The redistribution of funds will be used for the purchase of software, associated hardware, and ATMS/ITS integration.

Previous actions approved by the BCC for this LAP Agreement include the following:

- Supplemental No. 1 to the LAP Agreement with FDOT, approved by the BCC on May 20, 2008, incorporated the different phases and funding of the project as outlined in the funding schedule, for an estimated construction cost of $1,300,000.00.
- Supplemental No. 2 to the LAP Agreement with FDOT, approved by the BCC on February 17, 2009, provides for Phase 2 construction and adds the design and construction for the S.R. 60 ATMS project to the existing LAP Agreement in the amount of $1,700,000.00.
- Supplemental No. 3 to the LAP Agreement with FDOT, approved by the BCC on November 17, 2009, reallocates $1,200,000.00 to FPN 420628 1 53 01 to cover the purchase of ATMS/ITS equipment.
- Supplemental No. 4 to the LAP Agreement with FDOT, approved by the BCC on January 19, 2010, redistributes $98,060.07 from the construction phase to the design phase to cover additional design costs.

- Supplemental No. 5 to the LAP Agreement with FDOT reduces design and construction funding by $1,755,250.00 for the Belcher Road and S.R. 60 construction project. This Supplemental No. 5 reallocates these remaining funds to the LAP Agreement under a new sequence number, FPN 420628 1 58 04.

Additionally, the County Administrator approved a Time Only extension to the LAP Agreement on December 22, 2011. The LAP Agreement expiration date was extended to December 31, 2013.

This Supplemental No. 6 will be forwarded to FDOT for execution following BCC approval.

Fiscal Impact/Cost/Revenue Summary:

N/A

Exhibits/Attachments Attached:

LAP Supplemental No. 6

SUPPLEMENTAL NO. 6 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION **LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT**	FPN 420628 1 38/58 01/02/03/04 CONTRACT NO. AOU01

The Department of Transportation, District Seven and Pinellas County desires to supplement the original Agreement entered into and executed on June 21, 2007 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:

PROJECT DESCRIPTION

Name Pinellas County Advanced Management System Project Length

Termini Belcher Road from Klosterman Road to Druid Road and SR 60 from South Hillcrest to Island Way

Description of Work:

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

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

This Supplemental Agreement reallocates $1,755,251.00 of previously reduced design (420628 1 38 01/03) and construction (420628 1 58 01/02/03) funds LAP agreement, $147,251.00 of boxed earmark funds and $352,745.00 from the procurement services JPA (420628 1 53 01), to the construction phase of the project under a new sequence (420628 1 58 04) for a total of $2,255,247.00.

Exhibit 1, attached hereto, is also modified and supersedes the Exhibit of the original agreement.

ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

SUPPLEMENTAL NO. 6	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION **LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT**	FPN 420628 1 38/58 01/02/03/04
DUNS NO. 80-939-7102		CONTRACT NO. AOU01

TYPE OF WORK By Fiscal Year	FUNDING (1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
FY:					
FY:					
FY:					
FY:					
FY:					
FY:					
Total Planning Cost	$0.00	$0.00	$0.00	$0.00	$0.00
Project Development & Environment (PD&E)					
FY:					
FY:					
FY:					
FY:					
FY:					
FY:					
Total PD&E Cost	$0.00	$0.00	$0.00	$0.00	$0.00
Design					
FY: 06/07	$314,010.00		$314,010.00	$0.00	$314,010.00
FY: 08/09	$150,000.00		$150,000.00		$150,000.00
FY: 09/10	$98,061.00		$98,061.00		$98,061.00
FY:					
FY:					
FY:					
Total Design Cost	$562,071.00	$0.00	$562,071.00	$0.00	$562,071.00
Right-of-Way					
FY:					
FY:					
FY:					
FY:					
FY:					
FY:					
Total Right-of-Way Cost	$0.00	$0.00	$0.00	$0.00	$0.00
Construction					
FY: 07/08	$992,386.00		$992,386.00	$0.00	$992,386.00
FY: 09/10	$1,541,241.00		$1,541,241.00	$0.00	$1,541,241.00
FY: 13/14		$2,255,247.00	$2,255,247.00	$0.00	$2,255,247.00
FY:					
FY:					
FY:					
Total Construction Cost	$2,533,627.00	$2,255,247.00	$4,788,874.00	$0.00	$4,788,874.00
Construction Engineering and Inspection (CEI)					
FY:					
FY:					
FY:					
FY:					
FY:					
FY:					
Total CEI Cost	$0.00	$0.00	$0.00	$0.00	$0.00
Total Construction & CEI Costs	$2,533,627.00	$2,255,247.00	$4,788,874.00	$0.00	$4,788,874.00
TOTAL COST OF THE PROJECT	**$3,095,698.00**	**$2,255,247.00**	**$5,350,945.00**	**$0.00**	**$5,350,945.00**

SUPPLEMENTAL NO. 6 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION **LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT**	FPN 420628 1 38/58 01/02/03/04 CONTRACT NO. AOU01

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

AGENCY PINELLAS COUNTY

By:_____
Name: Kenneth T. Welch
Title: Chairman

Attest:_____
Name: Ken Burke
Title: Clerk of the Circuit Court

Date: _____

Legal Review:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:_____
Name: Debbie Hunt
Title: Director of Transportation Development

Attest:_____
Name:
Title:

Date:_____

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

EXHIBIT "1"

SINGLE AUDIT ACT

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 38 01/03, 420628 1 58 01/02/03/04 – Supplemental Agreement #6

Amount: $ 5,350,945.00

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 Departments of Transportation (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 Federal 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 recipient of Local Agency Program (LAP) funding 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.