

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PUBLIC TRANSPORTATION**  
**AMENDMENT TO THE PUBLIC TRANSPORTATION**  
**GRANT AGREEMENT**

Form 725-000-03  
 STRATEGIC  
 DEVELOPMENT  
 OGC 11/19

Financial Project Number(s): <small>(item-segment-phase-sequence)</small>	Fund(s):	POED, PORT	FLAIR Category:	088807, 088794
444447-1-94-01	Work Activity Code/Function:	215	Object Code:	751000
444447-1-94-02	Federal Number/Federal Award Identification Number (FAIN) – Transit only:		Org. Code:	55062020629
Contract Number: G1767	Federal Award Date:		Vendor Number:	F596000346036
CFDA Number: N/A	Agency DUNS Number:	80-939- 7102	Amendment No.:	03
CFDA Title: N/A				
CSFA Number: 55.034, 55.005				
CSFA Title: Seaport Investment Program, Seaport Grant Program				

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT (“Amendment”) is made and entered into on \_\_\_\_\_, by and between the State of Florida, Department of Transportation (“Department”), and Port of Key West, City of Key West, (“Agency”), collectively referred to as the “Parties.”

**RECITALS**

WHEREAS, the Department and the Agency on 5/21/2019 (date original Agreement entered) entered into a Public Transportation Grant Agreement (“Agreement”).

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

- Amendment Description.** The project is amended to increase the Department's financial participation, the Agency's participation, and the total project cost.
- Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- Aviation
- Seaports
- Transit
- Intermodal
- Rail Crossing Closure
- Match to Direct Federal Funding (Aviation or Transit)  
 (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- Other

- Exhibits.** The following Exhibits are updated, attached, and incorporated into this Agreement:

- Exhibit A: Project Description and Responsibilities
- Exhibit B: Schedule of Financial Assistance
- \*Exhibit B1: Deferred Reimbursement Financial Provisions
- \*Exhibit B2: Advance Payment Financial Provisions
- \*Exhibit C: Terms and Conditions of Construction
- Exhibit D: Agency Resolution
- Exhibit E: Program Specific Terms and Conditions
- Exhibit F: Contract Payment Requirements
- \*Exhibit G: Financial Assistance (Single Audit Act)
- \*Exhibit H: Audit Requirements for Awards of Federal Financial Assistance

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\_\_\_ \*Additional Exhibit(s):

**4. Project Cost.**

The estimated total cost of the Project is X increased/ \_\_\_ decreased by \$466,667 bringing the revised total cost of the project to \$3,048,890.

The Department's participation is X increased/ \_\_\_ decreased by \$350,000. The Department agrees to participate in the Project cost up to the maximum amount of \$2,286,667, and, additionally the Department's participation in the Project shall not exceed 75.00% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above.

AGENCY Port of Key West, City of  
Key West

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Name: Patti McLaughlin  
Title: City Manager

By: \_\_\_\_\_  
Name: Daniel Iglesias, P.E.  
Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: Alicia Trujillo  
  
\_\_\_\_\_

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**EXHIBIT B**

**Schedule of Financial Assistance**

FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

**A. Fund Type and Fiscal Year:**

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
444447-1-94-01	POED	088807	2019	751000	55.034	Seaport Invest Program	\$425,000
444447-1-94-01	LF	088807	2019	-	-	Local Matching Funds	\$141,667
444447-1-94-01	PORT	088794	2020	751000	55.005	Seaport Grant Program	\$989,832
444447-1-94-01	LF	088794	2020	-	-	Local Matching Funds	\$329,944
444447-1-94-02	PORT	088794	2021	751000	55.005	Seaport Grant Program	\$426,835
444447-1-94-02	LF	088794	2021	-	-	Local Matching Funds	\$142,278
444447-1-94-02	POED	088807	2021	751000	55.034	Seaport Invest Program	\$95,000
444447-1-94-02	LF	088807	2021	-	-	Local Matching Funds	\$31,667
444447-1-94-02	PORT	088794	2022	751000	55.005	Seaport Grant Program	\$350,000
444447-1-94-02	LF	088794	2022	-	-	Local Matching Funds	\$116,667
<b>Total Financial Assistance</b>							<b>\$3,048,890</b>

**B. Estimate of Project Costs by Grant Phase:**

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Environmental/Design/Construction	\$2,286,667.00	\$762,223.00	\$0.00	\$3,048,890.00	75.00	25.00	0.00
Capital Equipment/ Preventative Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Match to Direct Federal Funding	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
<b>Totals</b>	<b>\$2,286,667.00</b>	<b>\$762,223.00</b>	<b>\$0.00</b>	<b>\$3,048,890.00</b>			

\*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

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

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

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Port of Key West

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Department Grant Manager Name

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Signature

Date

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**EXHIBIT D**

**AGENCY RESOLUTION**

***PLEASE SEE ATTACHED***

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**EXHIBIT G**

**AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE**

**THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:**

**SUBJECT TO SECTION 215.97, FLORIDA STATUTES:-**

**Awarding Agency:** Florida Department of Transportation

**State Project Title:** Seaport Grant Program

**CSFA Number:** 55.005

**\*Award Amount:** \$1,766,667

\*The award amount may change with amendments

Specific project information for CSFA Number 55.005 is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

**COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:**

State Project Compliance Requirements for CSFA Number 55.005 are provided at: <https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

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**AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE**

**THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:**

**SUBJECT TO SECTION 215.97, FLORIDA STATUTES:-**

**Awarding Agency:** Florida Department of Transportation

**State Project Title:** Seaport Investment Program

**CSFA Number:** 55.034

**\*Award Amount:** \$520,000

\*The award amount may change with amendments

Specific project information for CSFA Number 55.034 is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

**COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:**

State Project Compliance Requirements for CSFA Number 55.034 are provided at: <https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

## FLORIDA DEPARTMENT OF TRANSPORTATION FUNDS APPROVAL

G1767

12/8/2021

### CONTRACT INFORMATION

<b>Contract:</b>	G1767
<b>Contract Type:</b>	GD - GRANT DISBURSEMENT (GRANT)
<b>Method of Procurement:</b>	G - GOVERNMENTAL AGENCY (287.057,F.S.)
<b>Vendor Name:</b>	CITY OF KEY WEST
<b>Vendor ID:</b>	F596000346036
<b>Beginning Date of This Agreement:</b>	05/21/2019
<b>Ending Date of This Agreement:</b>	06/30/2023
<b>Contract Total/Budgetary Ceiling:</b>	ct = \$2,286,667.00
<b>Description:</b>	PORT OF KEY WEST - T-PIER EXTENSION AND MANOPOLE INSTALLATION

### FUNDS APPROVAL INFORMATION

**FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 12/8/2021**

Action:	Supplemental
Reviewed or Approved:	APPROVED
Organization Code:	55062020629
Expansion Option:	A6
Object Code:	751000
Amount:	\$350,000.00
Financial Project:	44444719402
Work Activity (FCT):	215
CFDA:	
Fiscal Year:	2022
Budget Entity:	55100100
Category/Category Year:	088794/22
Amendment ID:	S004
Sequence:	00
User Assigned ID:	S004
Enc Line (6s)/Status:	0008/04

**Total Amount: \$350,000.00**