

RESOLUTION NO. 20-183

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A LOCAL AGENCY PROGRAM (LAP) SUPPLEMENTAL AGREEMENT #6 BETWEEN THE CITY OF KEY WEST AND FDOT IN THE AMOUNT OF \$461,660.76 FOR ADDITIONAL DESIGN SERVICES ASSOCIATED WITH PROJECT 250548-4: US 1/S. ROOSEVELT FROM BERTHA TO SMATHERS BEACH (FM# 250548-4); AUTHORIZING ANY NECESSARY BUDGET TRANSFERS OR ADJUSTMENTS; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Manager is authorized to execute the attached Local Area Program (LAP) grant Supplemental Agreement #6 with the State of Florida Department of Transportation (FDOT) for Additional Project Design Services associated with Project 250548-4: US 1/S. Roosevelt from Bertha to Smathers Beach (FM#250548-4), in the amount of \$461,660.76.

Section 2: That local funding share is budgeted under account 102-4102-541-6300/EN1406 (Internal Improvements/Streets/Infrastructure) for FY 20/21 and LAP grant funding in account 102-0000-331-4901 (Internal Improvements/Revenue/FDOT (LAP)). Any

necessary budget transfers or adjustments are hereby authorized.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 16th day of September, 2020.

Authenticated by the Presiding Officer and Clerk of the Commission on 17th day of September, 2020.

Filed with the Clerk on September 17, 2020.

Mayor Teri Johnston	<u>Yes</u>
Vice Mayor Sam Kaufman	<u>Yes</u>
Commissioner Gregory Davila	<u>Yes</u>
Commissioner Mary Lou Hoover	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>


TERI JOHNSTON, MAYOR

ATTEST:


CHERYL SMITH, CITY CLERK



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

MEMORANDUM

EXECUTIVE SUMMARY

TO: Gregory W. Veliz, City Manager
Patti McLaughlin, Assistant City Manager

FROM: Carolyn Sheldon, Senior Grants Administrator

DATE: September 4, 2020

RE: **Authorizing the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) to receive \$461,660.76 for additional design services associated with Project 250548-4: US-1/S. Roosevelt from Bertha to Smathers Beach**

ACTION STATEMENT:

This resolution will authorize the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) to receive \$461,660.76 for additional design services associated with Project 250548-4: US-1/S. Roosevelt from Bertha to Smathers and approve any budget amendments or transfers as necessary. City matching funds are not required.

BACKGROUND:

Resolution 08-122 (May 6, 2008) ratified the LAP Agreement in the amount of \$500,000.00 for the design of the South Roosevelt Boulevard Reconstruction Project (FM 250548-4). There have been five (5) supplemental agreements to the original contract. The following is a summary of the previous supplemental agreements:

- Supplemental Agreement #1 for additional funding of \$96,940.00 for the design of roadway and seawall not included in the original project (east end of Smathers Beach to US1).
- Supplemental Agreement #2 (Resolution 13-293, November 19, 2013) was for \$223,154.00 completing design to current FDOT Standards and Criteria.
- Supplemental Agreement #3 (Resolution 15-294, October 7, 2015) in the

Key to the Caribbean – Average yearly temperature 77° F.

amount of \$60,288.00 was for additional survey, legal descriptions, preparing quit claim deeds and right-of-way mapping.

- Supplemental Agreement #4 (Resolution 18-070, February 21, 2018) in the amount of \$34,341.00 was to provide a drainage concept to the Keys Condo Association and a back up plan in the event the association and FDOT do not reach an agreement.
- Supplemental Agreement #5 (Resolution 19-124, May 7, 2019) in the amount of \$162,802.00 was to complete the design with the intent of avoiding the need to acquire right of way from Key West by the Sea and avoid any impacts to the existing width of the promenade.

Metric Engineering, Inc., formerly Sanchez-Zeinali and Associates, is under contract with the City to perform engineering services related to the South Roosevelt Boulevard Project.

PURPOSE AND JUSTIFICATION:

While reviewing the drainage plans for the project, staff learned that previous project teams did not take sea level rise into account for the overall design. The current project team conferred and agreed on updated drainage design criteria that will provide resilience to sea level rise. The new criteria resulted in the need for a pump station which was not within the scope of Supplemental Agreement #5. Supplemental Agreement #6 adds the design of a pump station into the plans and accounts for the necessary revisions to the remainder of the plans and specifications to reflect this change.

FDOT does not operate and maintain pump stations and will require the City of Key West to provide perpetual operations and maintenance for the new pump station. Both the City of Key West and FDOT will enter into maintenance agreement prior to construction. This pump station would be the second FDOT pump station operated and maintained by the city. In 2011, the City of Key West entered into a maintenance agreement with FDOT to operate and maintain the pump station at Truman Avenue and Eisenhower Drive. The new pump station will provide greatly improved drainage performance along South Roosevelt and mitigate roadway flooding.

The services for Supplemental Agreement #6 include such tasks as plan updates; meeting attendance for roadway, drainage, utility, etc.; environmental; structures miscellaneous; roadway, drainage, signalization, and signing/pavement marking analyses and plans; and lighting analysis. Scope of work and associated costs have been incorporated into Supplemental Agreement #6 (attached) as directed by FDOT.

The City is required to submit this LAP Supplemental Agreement to accept the additional \$461,660.76 from FDOT.

FINANCIAL IMPACT:

Supplemental Agreement #6, if approved, will increase grant revenue by \$461,660.76 in account 102-0000-331-49-01 / EN1406 (Internal Improvements/Revenue/FDOT (LAP) Grant). Project costs associated with Supplemental Agreement #5 are budgeted in expense account 102-4102-541-63-00 / EN1406 (Internal Improvements/Streets/Infrastructure).

Approval of Supplemental Agreement #6 will increase total project design funding to \$1,539,185.76. City matching funds are not required for the design and construction of this project. City funded operations and maintenance costs for the pump station are anticipated to be approximately \$30,000 on an average yearly basis.

RECOMMENDATION:

Staff recommends authorizing the City Manager to execute the attached Local Agency Program (LAP) Supplemental Agreement #6 with the Florida Department of Transportation (FDOT) to receive \$461,660.76 for additional design services associated with Project 250548-4: US-1/S. Roosevelt from Bertha to Smathers and approve any budget amendments or transfers as necessary.

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

6

FEDERAL ID NO. (FAIN)

6239-028-U

CONTRACT NO.

ANT08

FEDERAL AWARD DATE

11/23/2004

FPN

250548-4-38-01

RECIPIENT DUNS NO.

079864898

Recipient, City of Key West, desires to supplement the original Agreement entered into and executed on December 12, 2004 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 Reconstruction of SR A1A (South Roosevelt Blvd.) in the City of KW Length 0.777 mile

Termini From Bertha Street to East End of Smathers Beach

Description of Work:

This project consists of the complete reconstruction of SR A1A (South Roosevelt Boulevard) from Bertha Street to the east end of Smathers Beach in the City of Key West. As part of this project, new drainage will be provided as well as signing and pavement markings.

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

Additional funding of \$461,660.76 is being requested for Phase 38 with Supplemental Agreement #6. This will increase funding from \$1,077,525.00 to \$1,539,185.76.

The additional \$461,660.76 is needed to provide additional services for the design phase such as plan updates; meeting attendance for roadway, drainage, pump station design, utility, etc.; environmental; structures miscellaneous; roadway, drainage, signalization, and signing/pavement marking analyses and plans; and lighting analysis.

**LOCAL AGENCY PROGRAM
SUPPLEMENTAL AGREEMENT**

ADJUSTED EXHIBIT "B" SCHEDULE OF FINANCIAL ASSISTANCE

RECIPIENT NAME & BILLING ADDRESS: City of Key West
1300 White Street
Key West, Florida 33040

FINANCIAL PROJECT NUMBER: 250548-4-38-01

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
Design FY: 2004-2020 (TAP up to SA-5) FY: 2020-2021 (SA-6) FY: (Insert Program Name)	\$1,077,525.00	\$461,660.76	\$1,077,525.00 \$461,660.76			\$1,077,525.00 \$461,660.76
Total Design Cost	\$1,077,525.00	\$461,660.76	\$1,539,185.76	\$ 0.00	\$ 0.00	\$1,539,185.76
Right-of-Way FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
Total Right-of-Way Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Construction FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
Total Construction Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Construction Engineering and Inspection (CEI) FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
Total CEI Cost	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
(Insert Phase) FY: (Insert Program Name) FY: (Insert Program Name) FY: (Insert Program Name)						
Total Phase Costs	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL COST OF THE PROJECT	\$1,077,525.00	\$461,660.76	\$1,539,185.76	\$ 0.00	\$ 0.00	\$1,539,185.76

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
08/19

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

RECIPIENT City of Key West

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____

Name: Gregory W. Veliz

Title: City Manager

By: _____

Name:

Title:

Date: _____

Legal Review:
