

RESOLUTION NO. 13-293

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ATTACHED "LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT (#2)" BETWEEN THE CITY OF KEY WEST AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR ADDITIONAL FUNDING OF \$223,154.00 FOR THE DESIGN OF THE SOUTH ROOSEVELT BOULEVARD RECONSTRUCTION PROJECT; APPROVING ANY NECESSARY BUDGET AMENDMENTS; 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 attached Supplemental Local Area Program (LAP) grant agreement (#2) with the State of Florida Department of Transportation (FDOT) in order to provide additional funding in the amount of \$223,154.00 for the design of the South Roosevelt Boulevard Reconstruction Project is hereby approved, and the City Manager is authorized to execute the Agreement.

Section 2: That amendments to the budget reflecting any related adjustments in FDOT LAP grant revenue, 102-0000-334-39-00/GR0603, and to project expense account 102-4102-541-31-00/GR0603 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 19 day of November, 2013.

Authenticated by the presiding officer and Clerk of the Commission on November 20, 2013.

Filed with the Clerk November 20, 2013.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>

  
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CRAIG CATES, 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:** Bob Vitas, City Manager

**CC:** E. David Fernandez, Asst. City Manager – Operations  
Mark Finigan, Assistant City Manager - Administration

**FROM:** Carolyn Sheldon, Grants Administrator

**DATE:** October 25, 2013

**SUBJECT:** Approving and authorizing the City Manager to execute Local Agency Program (LAP) Supplemental Agreement #2 between the City of Key West and the Florida Department of Transportation (FDOT) for additional funding of \$223,154.00 for the design of the South Roosevelt Boulevard Reconstruction Project; approving any budget amendments or transfers necessary to accept the funding

**ACTION STATEMENT:**

This resolution will approve and authorize the City Manager to execute Local Agency Program (LAP) Supplemental Agreement #2 between the City of Key West and the Florida Department of Transportation (FDOT) for additional funding of \$223,154.00 for the design of the South Roosevelt Boulevard Reconstruction Project (GR0603) and approve any budget amendments or transfers necessary to accept the funding. The \$223,154.00 will be added to the \$596,940.33 currently funded for a total of \$820,094.33 in design funding. No matching funds are required.

**BACKGROUND:**

The LAP Agreement for the design of the South Roosevelt Boulevard Reconstruction Project (FM 250548-4) was ratified with Resolution 08-122 on May 6, 2008. The original LAP Agreement was in the amount of \$500,000.00 and was signed on December 12, 2004. Resolution 08-122 also approved LAP Supplemental Agreement #1 for additional funding of \$96,940.33 for the design of 400 L.F. of roadway and seawall that was not included in FDOT's South Roosevelt Boulevard project (east end of Smathers Beach to US1).

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

The missing roadway and seawall section was added to the City's project which begins at Bertha Street and continues to the east end of Smathers Beach to provide a complete project from Bertha Street to US1. This project addresses Infrastructure Goal #1 of the 2011 Strategic Plan, a transportation system which is aesthetically attractive, functional, and safe.

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

**PURPOSE & JUSTIFICATION:**

The additional funding is needed to complete the design of the South Roosevelt Reconstruction Project. Key factors affecting the completion of the design are: the North Roosevelt Reconstruction Project anticipated to be complete July 2014 and availability of construction funds not anticipated prior to 2016. A time extension to December 30, 2016 for the design phase was approved by FDOT. It is certain FDOT Standards and Criteria will change by the time funds are programmed for the construction of this project (anticipated in 2016). The cost of having a design and bid documents updated to current standards (when funds are programmed) is included in the additional funding.

The City is required to submit a LAP Supplemental Agreement to accept the additional \$223,154.00. The funding is 100% FDOT. There is no local match required.

**OPTIONS:**

1. Approve the LAP Supplemental Agreement and authorize the City Manager to execute the LAP Supplemental Agreement #2. This allows for an additional \$223,154.00 in FDOT funding to complete the design of the South Roosevelt Boulevard Reconstruction Project. Design funding will be increased to \$820,094.33 and the design would be 100% funded by FDOT.
2. Do not approve LAP Supplemental Agreement #2. With this option, the City would need to fund the additional \$223,154.00 needed to complete the design or repay the funding already reimbursed by FDOT (\$484,934.87) if the project will not be completed.

**FINANCIAL IMPACT:**

LAP Supplemental Agreement #2, if approved, will increase grant revenue by \$223,154.00 (FDOT LAP Grant revenue account 102-0000-334-39-00) / Project GR0603.

The project costs associated with the South Roosevelt Boulevard Reconstruction Project are budgeted in expense account 102-4102-541-31-00 / GR0603 and would need to be increased by \$223,154.00.

**RECOMMENDATION:**

Staff recommends the City Commission select option 1, approve the LAP Supplemental Agreement and authorize the City Manager to execute LAP Supplemental Agreement #2 allowing for an additional \$223,154.00 in FDOT funding to complete the design of the South Roosevelt Boulevard Reconstruction Project.

SUPPLEMENTAL NO. 2 DUNS NO. 07-986-4898	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 250548-4 CONTRACT NO. ANT08
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The 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:

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### PROJECT DESCRIPTION

Name Reconstruction of SR A1A (South Roosevelt Boulevard) in the City of Key West 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:

The Local Agency is requesting additional funding of \$223,154.00 for Phase 38 with Supplemental Agreement #2. This will increase funding from \$596,940.33 to \$820,094.33. The design of this project is ongoing. Key factors affecting the completion of the design are: the North Roosevelt Reconstruction Project anticipated to be complete July 2014 and availability of construction funds not anticipated prior to 2016. A time extension to December 30, 2016 for Phase 38 was approved by FDOT on October 15, 2012.

The additional \$223,154.00 is needed as a result of the time delay mentioned in the previous paragraph. Some of the items that are included in the funding are revising of the typical section to meet current FDOT Design Standards and PPM requirements, a new pavement design, a pedestrian crosswalk study, updating drainage design to the latest standards and obtaining South Florida Water Management District (SFWMD) permits.

The \$223,154.00 is an amount negotiated between FDOT and Metric Engineering, Inc.

**ADJUSTED EXHIBIT B SCHEDULE OF FUNDING**

SUPPLEMENTAL NO. 2 DUNS NO. 07-986-4898	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM                  SUPPLEMENTAL                  AGREEMENT</b>	FPN 250548-4 CONTRACT NO. ANT08
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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
<b>Planning</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Planning Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total PD&amp;E Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
FY: 2004-2005	\$500,000.00	_____	\$500,000.00	_____	\$500,000.00
FY: 2008-2009	\$96,940.33	_____	\$96,940.33	_____	\$96,940.33
FY: 2013-2014	_____	\$223,154.00	\$223,154.00	_____	\$223,154.00
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Design Cost</b>	\$596,940.33	\$223,154.00	\$820,094.33	\$0.00	\$820,094.33
<b>Right-of-Way</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Right-of-Way Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Construction Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction Engineering and Inspection (CEI)</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total CEI Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Construction &amp; CEI Costs</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$596,940.33</b>	<b>\$223,154.00</b>	<b>\$820,094.33</b>	<b>\$0.00</b>	<b>\$820,094.33</b>

SUPPLEMENTAL NO. 2 DUNS NO. 07-986-4898	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM          SUPPLEMENTAL          AGREEMENT</b>	FPN 250548-4 CONTRACT NO. ANT08
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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY: City of Key West

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: *Bob Vitas*  
 Name: Bob Vitas  
 Title: City Manager

By: *Harold A. Desdunes, P.E.*  
 Name: Harold A. Desdunes, P.E.  
 Title: District Director of Transportation Development

Attest: *Cheri Smith*  
 Name: Cheri Smith  
 Title: City Clerk

Attest: *Margaret A. Higgins*  
 Name: Margaret A. Higgins  
 Title: Executive Secretary

Date: 21 November 2013

Date: 12/13/2013

Legal Review: City Attorney *Shawn Smith*

*Alicia Duplo*

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



## Florida Department of Transportation

RICK SCOTT  
GOVERNOR

District Six  
1000 NW 111<sup>th</sup> Avenue  
Miami, FL 33172

ANANTH PRASAD  
SECRETARY

December 17, 2013

Carolyn D. Sheldon  
Grants Administrator  
City of Key West  
3140 Flagler Avenue  
Key West, Florida 33040

Project Description: SR A1A/S. ROOSEVELT FROM BERTHA ST (STA 0+00)  
TO RIGGS WILDLIFE PRESERV.

FM No. 250548-4  
Contract No. ANT08  
Federal ID: 6239-028-U  
County: Monroe

RE: **LAP Agreement Notice to Proceed**

Dear Ms. Carolyn,

Enclose you will find a copy of the executed Supplemental Agreement # 2. The City of Key West is now authorized to proceed with Design services (Phase 38) with the terms of the Supplemental Agreement No. 2.

For further reference, please contact District 6 LAP coordinator, Alfredo Reyna, at (305) 470-5288

Sincerely,

A handwritten signature in blue ink that reads "Vicki Gatani".

Vicki Gatani,  
District LAP Administrator

Cc: Alfredo Reyna, File