

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

Form 725-000-03
 STRATEGIC
 DEVELOPMENT
 OGC 02/19

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

1. **Amendment Description.** The project is amended to add FY 2020 allocation
2. **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

3. **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)

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__ *Additional Exhibit(s):

4. Project Cost.

The estimated total cost of the Project is X increased/ __ decreased by \$1,319,776 bringing the revised total cost of the project to \$1,886,443.

The Department's participation is X increased/ __ decreased by \$989,832. The Department agrees to participate in the Project cost up to the maximum amount of \$1,414,832, 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, Key West, FL

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____

By: _____

Name: Gregory W. Veliz

Name: Harold Desdunes, P.E.

Title: City Manager

Title: Director of Transportation Development

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: Alicia Trujillo

EXHIBIT A

Project Description and Responsibilities

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): Port of Key West Mallory T-Pier Expansion and Monopile Installation.

B. Project Location (limits, city, county, map): Port of Key West, City of Key West

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size):

D. Deliverable(s): As stated in the Project Scope.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to): N/A

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants.

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**PUBLIC TRANSPORTATION
 GRANT AGREEMENT EXHIBITS**

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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	LF	088807	2019	751000	55.034	Seaport Investment Program	\$141,667
444447-1-94-01	PORT	088807	2019	751000	55.034	Seaport Investment Program	\$425,000
444447-1-94-01	PORT	088807	2020	751000	55.034	Seaport Investment Program	\$989,832
444447-1-94-01	LF	088807	2020	751000	55.034	Seaport Investment Program	\$329,944
Total Financial Assistance							\$1,886,443

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Planning	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Environmental/Design/Construction	\$989,832	\$329,944	\$0	\$1,319,776	75.00	25.00	0.00
Capital Equipment	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Match to Direct Federal Funding	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0	\$0	\$0	\$0	0.00	0.00	0.00
Totals	\$989,832	\$329,944	\$0	\$1,319,776			

*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.

 Department Grant Manager Name

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
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Signature

Date

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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
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EXHIBIT G

STATE FINANCIAL ASSISTANCE (FLORIDA SINGLE AUDIT ACT)

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: 55.034

***Award Amount:** \$989,832

*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>

To: Stephen.Anderson@dot.state.fl.us

**FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL**

G1767

8/6/2019

CONTRACT INFORMATION

Contract:	G1767
Contract Type:	GD - GRANT DISBURSEMENT (GRANT)
Method of Procurement:	G - GOVERNMENTAL AGENCY (287.057,F.S.)
Vendor Name:	CITY OF KEY WEST
Vendor ID:	F596000346036
Beginning Date of This Agreement:	05/21/2019
Ending Date of This Agreement:	06/30/2021
Contract Total/Budgetary Ceiling:	ct = \$1,207,029.00
Description:	PORT OF KEY WEST - T-PIER EXTENSION AND MANOPOLE INSTALLATION

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 8/6/2019

Action:	Supplemental
Reviewed or Approved:	APPROVED
Organization Code:	55062020629
Expansion Option:	A6
Object Code:	751000
Amount:	\$782,029.00
Financial Project:	44444719401
Work Activity (FCT):	215
CFDA:	
Fiscal Year:	2020
Budget Entity:	55100100
Category/Category Year:	088794/20
Amendment ID:	S001
Sequence:	00
User Assigned ID:	1
Enc Line (6s)/Status:	0003/04

Total Amount: \$782,029.00

To: Ta'rika.Green@dot.state.fl.us

**FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL**

G1767

10/2/2019

CONTRACT INFORMATION

Contract:	G1767
Contract Type:	GD - GRANT DISBURSEMENT (GRANT)
Method of Procurement:	G - GOVERNMENTAL AGENCY (287.057,F.S.)
Vendor Name:	CITY OF KEY WEST
Vendor ID:	F596000346036
Beginning Date of This Agreement:	05/21/2019
Ending Date of This Agreement:	06/30/2021
Contract Total/Budgetary Ceiling:	ct = \$1,414,832.00
Description:	PORT OF KEY WEST - T-PIER EXTENSION AND MANOPOLE INSTALLATION

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 10/2/2019

Action:	Supplemental
Reviewed or Approved:	APPROVED
Organization Code:	55062020629
Expansion Option:	A6
Object Code:	751000
Amount:	\$207,803.00
Financial Project:	44444719401
Work Activity (FCT):	215
CFDA:	
Fiscal Year:	2020
Budget Entity:	55100100
Category/Category Year:	088794/20
Amendment ID:	S001
Sequence:	01
User Assigned ID:	1
Enc Line (6s)/Status:	0004/04

Total Amount: \$207,803.00