

# CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

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## MEMORANDUM

TO: Jack Andrews, City Engineer

FROM: Karen Emerson, Esq., Assistant City Attorney

THROUGH: Robert V. Schwerer, Esq., City Attorney

SUBJECT: **FDOT LOCAL AGENCY PROGRAM GRANT AGREEMENT  
SUPPLEMENTAL AGREEMENT NO. 1  
SOUTH 31<sup>ST</sup> SIDEWALK IMPROVEMENTS**

DATE: August 20, 2014

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Attached are the five (5) copies of Supplemental Agreement No. 1 , approved as to form, for the Local Agency Program Grant Agreement, reducing the amount of the original agreement by \$109,258..00 for the sidewalk improvements along South 31<sup>st</sup> Street. Also attached are the two (2) original Resolutions, approved as to form.



Karen Emerson, Esq.  
Assistant City Attorney

attachments

SUPPLEMENTAL NO. ONE DUNS NO. 122714744	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 427613-1-58/68-01 CONTRACT NO. ARC-09
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The City of Fort Pierce desires to supplement the original Agreement entered into and executed on February 19, 2014 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 South 31<sup>st</sup> St Length 0.423 Miles

Termini Tennessee Ave. to Okeechobee Rd

Description of Work:  
Construction of sidewalk on South 31<sup>st</sup> St from Tennessee Ave to Okeechobee Rd.

Reason for Supplement and supporting engineering and/or cost analysis:  
Reduce the amount to be paid in the original agreement by \$109,258.00. This reduction is due to the fact that the bid for the project is less than the amount originally anticipated. See adjusted Exhibit "B" attached hereto.

**ADJUSTED EXHIBIT B SCHEDULE OF FUNDING**

SUPPLEMENTAL NO. ONE DUNS NO. 122714744	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM          SUPPLEMENTAL          AGREEMENT</b>	FPN 427613-1-58/68-01 CONTRACT NO. ARC-09
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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: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
<b>Total Design Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<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: 2013-2014 (TALU)	\$337,536.00	(\$109,258.00)	\$228,278.00		
FY: _____					
FY: _____					
FY: _____					
FY: _____					
FY: _____					
<b>Total Construction Cost</b>	\$337,536.00	(\$109,258.00)	\$228,278.00	\$0.00	\$0.00
<b>Construction Engineering and Inspection (CEI)</b>					
FY: 2013-2014 (TALT)	\$26,202.00	\$0.00	\$26,202.00		
FY: 2013-2014 (TALU)	\$19,825.00	\$0.00	\$19,825.00		
FY: _____					
FY: _____					
FY: _____					
FY: _____					
<b>Total CEI Cost</b>	\$46,027.00	\$0.00	\$46,027.00	\$0.00	\$0.00
<b>Total Construction &amp; CEI Costs</b>	\$383,563.00	(\$109,258.00)	\$274,305.00	\$0.00	\$0.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$383,563.00</b>	<b>(\$109,258.00)</b>	<b>\$274,305.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

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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 Fort Pierce

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name: Gerry O'Reilly P.E.  
Title: Director of Transportation Development

Attest: \_\_\_\_\_  
Name:  
Title:

Attest: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Legal Review:

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

**APPROVED AS TO FORM AND CORRECTNESS**

BY:  \_\_\_\_\_  
City Attorney