

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AND
CITY OF POMPANO BEACH
LOCALLY FUNDED AGREEMENT (LFA)
AMENDMENT NUMBER ONE

THIS Amendment, made and entered into this _____ day of _____, 2018 by and between the State of Florida Department of Transportation, an agency of the State of Florida, hereinafter called the DEPARTMENT, and the City of Pompano Beach located at 100 W. Atlantic Blvd., Pompano Beach, Florida 33060, hereinafter called the PARTICIPANT.

WITNESSETH

WHEREAS, on March 15, 2017 the parties entered into a Local Funded Agreement (LFA), wherein the AGENCY agreed to provide certain improvements in connection with the drafting of a Request For Proposal (RFP) for the DEPARTMENT's milling and resurfacing of Hammondville Road from Powerline Road to East of SR-9/I-95 in Broward County, Florida, as well as the projects, hereinafter set forth (Projects); and

WHEREAS the PARTICIPANT's project refers to FM numbers 440746-1-31-01 and 440746-1-32-01 (hereinafter referred to as "Project"); and

WHEREAS, the parties hereto intended to draft the RFP for the milling and resurfacing of Hammondville Road from Powerline Road to East of SR-9/I-95 in Broward County, Florida and not the development (Design) of a full set of signed and sealed construction plans; and

WHEREAS, the parties desire to further amend the Agreement; and

WHEREAS, the parties hereto mutually agree that this Amendment is in their best interest;

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations herein, the parties agree to amend that certain Local Funded Agreement (LFA) dated March 15, 2017, as follows:

1. The recitals set forth above are true and correct and are deemed incorporated herein.
2. This Amendment also adds eight (8) Financial Management Numbers to this Agreement. The First WHEREAS paragraph of the Agreement is amended to read as follows:

WHEREAS, the parties hereto intended to draft a Request For Proposal (RFP) for the milling and resurfacing of Hammondville Road from Powerline Road to East of SR-9/I-95 in Broward County, Florida as set forth below, and not the development (Design) of a full set of signed and sealed construction plans.

1. Hammondville Road from Powerline Road to east of SR-9/I-95
FM 440746-1-31-01 and 440746-1-32-01

2. NW 31st Avenue, from SR-870/Commercial Blvd to McNab Road
FM 440746-2-31-01 and 440746-2-32-01
3. SR845/Powerline Road from SR816/Oakland Park Blvd to SR870/Commercial Blvd
FM 440746-3-31-01 and 440746-3-32-01
4. Lauderdale Lakes Greenway, from NW 29th Avenue to NW 31st Avenue Intersection
FM 440746-4-31-01 and 440746-4-32-01
5. Riverland Road /SW 27th Avenue, from SR-7/US441 to SR-842/Broward Blvd
FM 440746-5-31-01 and 440746-5-32-01

3. Paragraph 5 of the Local Funded Agreement (LFA) is amended to read as follows:

The PARTICIPANT is responsible for 100% of the cost of their Project. In the event the actual cost of their Project, without modifications, results in a sum greater than that paid by the PARTICIPANT, then such sum shall be the sole responsibility of the PARTICIPANT and shall be paid to the DEPARTMENT.

The PARTICIPANT's cost for the FM Numbers set forth above in this paragraph is estimated at FIVE HUNDRED TWENTY SEVEN THOUSAND EIGHT HUNDRED TWENTY DOLLARS AND NO CENTS (\$527,820.00) which sum was received by the DEPARTMENT on June 6, 2017.

The payment made by the PARTICIPANT in accordance with the terms of the LFA, resulted in a fund balance amount of THREE HUNDRED EIGHTEEN THOUSAND THREE HUNDRED TWENTY-FOUR DOLLARS AND NINETY SIX CENTS (\$318,324.96) ("Fund Balances"). The DEPARTMENT and the PARTICIPANT hereby agree that the Fund Balances shall be assigned to the following Financial Management Numbers:

FM Number	Fund Balances Distribution Amount
440746-2-31-01	\$ 0.00
440746-2-32-01	\$ 7,467.93
440746-3-31-01	\$ 0.00
440746-3-32-01	\$ 108,939.87
440746-4-31-01	\$ 0.00
440746-4-32-01	\$ 120,933.81
440746-5-31-01	\$ 0.00
440746-5-32-01	\$ 80,983.35
Total Amount	\$ 318,324.96

In the event the Fund Balances are not utilized in its entirety, any unused Fund Balances will be refunded to the following Financial Project Numbers; 440746-1-31-01 and 440746-1-32-01.

4. The Scope of Services of the Agreement is deleted in its entirety and replaced with **Exhibit A** of this Amendment, attached hereto and made a part hereof.

All provisions, covenants, terms and conditions of the Agreement between the parties theretofore entered on March 15, 2017, as originally set forth therein, which are not hereby expressly amended or modified and not in conflict with the terms hereof, are hereby ratified and confirmed and shall remain the same and be unaffected by these presents.

IN WITNESS WHEREOF, this AMENDMENT to be executed by the parties below for the purposes specified herein. Authorization has been given to enter into and execute this Amendment by Resolution Number _____ hereto attached.

CITY OF POMPANO BEACH:

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
LAMAR FISHER MAYOR

BY: _____
NAME: _____
ACTING DIRECTOR OF TRANSPORTATION
DEVELOPMENT

BY: _____
GREGORY P. HARRISON, CITY MANAGER

Witnesses:

ATTEST:

LEGAL REVIEW:

BY: _____
ASCELETA HAMMOND, CITY CLERK

BY: _____
OFFICE OF THE GENERAL COUNSEL

APPROVED AS TO FORM:

APPROVED:

BY: _____
MARK BERMAN, CITY ATTORNEY

BY: _____
DISTRICT PROGRAM MGMT ADMINISTRATOR

EXHIBIT A

SCOPE OF WORK

The Scope of Services for the following DEPARTMENT Projects are as follows:

- 1) Hammondville Road from Powerline Road to east of SR-9/I-95 in Broward County, Florida
FM 440746-1-31-01 and 440746-1-32-01

The DEPARTMENT shall design a 4-lane divided roadway to be constructed along Hammondville Road from Powerline Road to east of SR-9/I-95. The Project shall include, but not be limited to the milling and resurfacing of Hammondville Road to restripe the pavement markings to reduce the lane widths and to accommodate buffered bike lanes in each direction. Existing sidewalks reconstructed/retrofitted to comply with ADA standards where needed.

- 2) NW 31st Avenue, from SR-870/Commercial Blvd to McNab Road
FM 440746-2-31-01 and 440746-2-32-01

The DEPARTMENT shall design a 6-lane divided roadway along NW 31st Avenue from SR870/Commercial Blvd. to McNab Road. The Project shall include, but not be limited to the design for the milling and resurfacing of NW 31st Avenue, reducing the three through lanes widths from 12 feet to 11 feet and widening of 2 feet towards inside of the median on both side of the segment in order to accommodate continuous bicycle lanes. Signal improvements have been included at three intersections within the Project limits.

- 3) SR845/Powerline Road from SR816/Oakland Park Blvd to SR870/Commercial Blvd
FM 440746-3-31-01 and 440746-3-32-01

The DEPARTMENT shall design a 4-lane divided roadway to be constructed along SR-845/Powerline Road from SR-817/Oakland Park Blvd. to SR-870/Commercial Blvd. The Project shall include, but not be limited to the elimination of outside through lane and convert it to a buffered bike lane and providing landscaped islands within the project limits.

- 4) Lauderdale Lakes Greenway, from NW 29th Avenue to NW 31st Avenue Intersection
FM 440746-4-31-01 and 440746-4-32-01

The DEPARTMENT shall design a multi-purpose path to be constructed within the limits of NW 29th Avenue to NW 31st Avenue Intersection. The enhancements will extend the Lauderdale Lakes Greenway from NW 29th Avenue to NW 31st Avenue intersection shall include pedestrian lighting, landscaping, and various aesthetic features.

- 5) Riverland Road /SW 27th Avenue, from SR-7/US441 to SR-842/Broward Blvd
FM 440746-5-31-01 and 440746-5-32-01

The DEPARTMENT shall design a 2-lane roadway and 3-lane roadway along Riverland Road/SW 27th Avenue from SR-7/US-441 to SR-842/Broward Blvd (SR-7/US-441 to SW 13th Court is a 2-lane roadway. Davie Blvd. to Broward Blvd is a 4-lane roadway). The Project shall include, but not be limited to the milling and resurfacing of Riverland Road, reducing through lane widths from 12ft. to 11ft. and widening by 4ft to provide bicycle lanes in both directions of Riverland Road from SR-7 to Davie Blvd; also milling and resurfacing of SW 27th Avenue for restriping existing lane configuration to remove a single travel lane in each direction to provide bicycle lanes from Davie Blvd. to Broward Blvd. Internally illuminated reflective pavement markings will be installed throughout the entire project and the strain pole at SW 34th Way will be replaced with a mast arm.