

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Amendment 1 to Agreement

This Amendment, entered into on June 11, 2013, serves to amend portions of the Agreement dated April 19, 2012, by and between the Department of Environmental Protection, whose address is 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, hereinafter referred to as "Department", and the Manatee County, Florida, whose address is Post Office Box 1000, Bradenton, Florida 34206 hereinafter referred to as "Grantee", pursuant to the Intermodal Surface Transportation Efficiency Act of 1991, (as amended), and the National Highway System Designation Act of 1995, for the project known as Neal Preserve Trail, Project T1141 ("Project").

WHEREAS, the Department has approved the Grantee's request for a no cost time extension; and,

WHEREAS, other changes to the Agreement are necessary.

NOW, THEREFORE, In and for the mutual covenants between them, the Department and the Grantee agree that the following amendment shall apply to the above referenced Agreement:

Attachment A, Grant Work Plan, which is attached hereto and made a part hereof, is hereby added to the Project Agreement and includes a description of the Project, detailed budget, and anticipated deliverables. Any revisions to Attachment A must be formally requested by the Grantee and if agreed upon by the Department, the modifications will be reduced to writing in an amendment to this Project Agreement.

In each and every respect the terms of the original Agreement, except as amended hereby, shall remain unchanged and the same are hereby ratified, approved and confirmed by the parties hereto as of the amendment date.

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The parties hereto have caused these presents to be duly executed the date and year first written above.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

MANATEE COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

By: [Signature]
Director or Designee,
Division of Recreation and Parks

By: [Signature]

Type/Print Name: Larry Bustle

Title: Chairman



Address:
Post Office Box 1000
Bradenton, Florida 34206

[Signature]
DEP Contract Manager

ATTEST: R. B. SHORE
CLERK OF CIRCUIT COURT
BY: [Signature]
DEPUTY CLERK

Approved as to Form and Sufficiency:

[Signature]
Department Attorney

N/A
Grantee Attorney (if required)

List of attachments/exhibits included as part of this Agreement:

Specify Letter/
Type Number Description (include number of pages)

Attachment A Grant Work Plan (3 Pages)

ATTACHMENT A
RECREATIONAL TRAILS PROGRAM PROJECT GRANT WORK PLAN / DELIVERABLES
Manatee County – Neal Preserve Trail
RTP Project #T11041

PART I: Project Deliverables, Associated Costs & Completion Dates

Project Task and Deliverable Descriptions	Amount of Costs to be Paid with RTP Funds	Amount of Costs to be Grantee Match (note if Grantee Labor)	Total Estimated Cost for Each Listed Deliverable (RTP + Match)	Completion Date for Each Deliverable
#1 Project Deliverable 25% Archaeological and A/E for construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$3,250	\$3,250	\$6,500	5/30/2013
#2 Project Deliverable 50% Archaeological and A/E for construction of 10' wide X 735' long wood and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$3,250	\$3,250	\$6,500	7/15/2013
#3 Project Deliverable 75% Archaeological and A/E for construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$3,250	\$3,250	\$6,500	8/1/2013

#4 Project Deliverable 100% Archaeological and A/E for construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$3,250	\$3,250	\$6,500	9/1/2013
#5 Project Deliverable 25% Construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$46,750	\$46,750	\$93,500	5/30/2013 To be bid.
#6 Project Deliverable 50% Construction of 10' wide X 750' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$46,750	\$46,750	\$93,500	7/15/2013 To be bid.
#7 Project Deliverable 75% Construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$46,750	\$46,750	\$93,500	8/1/2013 To be bid.
#8 Project Deliverable 100% Construction of 10' wide X 735' long wood boardwalk and 8' wide X 350' long concrete boardwalk including handrails, benches and trash receptacles	\$46,750	\$46,750	\$93,500	9/1/2013 To be bid.
TOTALS	\$200,000	\$200,000	\$ 400,000	

Performance Standard: Approval of deliverables is based upon review for compliance with the requirements for funding under the Recreational Trail grant program; approved plans and application approved for funding.

Financial Consequences: Failure to meet the performance standard will result in the rejection of the invoice for reimbursement and claim for match.

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PART I: Explanation of Project Deliverables Table

Work Plan - Specific Items/Tasks: Provide detailed description of the work to be performed for the project. Project descriptions should include specific tasks for the completion of the project and deliverables specific to the tasks.

Note: Under Item/Task Description if task will be contracted and/or subcontracted. If using contractual services, a copy of the fully executed contract between the RTP project sponsor and the contractor must be submitted to Alexandra H. Weiss, or her designee.

Number of Deliverables: Grantee should note as many deliverables as needed to properly complete project, and accommodate required cash flow.

RTP Funds and Grantee Match: Totals must equal amounts indicated in Project Agreement, Paragraph 10. RTP funds proportionately in every deliverable. Example - 80% RTP, 20% Grantee Match; must show 80% RTP funds in every deliverable.

Grantee Match (Other): Grantee Equipment, Grantee Stock.

Employee Salaries: If RTP funds go towards sponsor salaries, or sponsor salaries provided as match: provide the amount for salaries, the positions, hourly rate and number hours anticipated for completion of the project. List each position on a separate line.

Fringe Benefits, associated with salaries: Provide the amount for fringe benefits. Refer to RTP Grant & Accountability Procedures.

Schedule of Values: A schedule of values, developed per the construction industry standard, must be submitted with the Commencement Documentation. All invoices submitted as part of the reimbursement process must correspond with Attachment A and the Schedule of Values.

Schedules: Refer to Office of Greenways & Trails Grant Accountability Procedures – Reimbursement of Costs Schedules.

Reimbursements: No reimbursement will be made until deliverable item is completed as stated in table. Deliverables must be tied to a physical product, i.e. copy of permit, signed/sealed boundary map, construction documents, quarterly status report (with photos), viewed on site by Alexandra H. Weiss or her designee.

Change in Costs of Deliverables: If any individual deliverable increases in cost by 10% or more, a request to amend the Project Agreement must be submitted to Alexandra H. Weiss, or her designee.

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - May 21, 2013

May 21, 2013 - Regular Meeting
Agenda Item #25

Approved in Open Session 5/21/13,
Manatee Board of County Commissioners

Subject

Florida Department of Environmental Protection grant amendment for the development of trails at the Neal Preserve

Briefings

None

Contact and/or Presenter Information

Charlie Hunsicker, Director, Natural Resources

Action Requested

Authorization for the Chairman to execute Amendment No. 1 to the Agreement with the Florida Department of Environmental Protection for the development of trails at the Neal Preserve.

Enabling/Regulating Authority

Florida Administrative Code Chapter 62S-2

Background Discussion

Manatee County executed an agreement with the Florida Department of Environmental Protection on April 10, 2012. Part of the agreement consisted of a Grant Work Plan detailing project deliverables that also determined the timeline for any reimbursements.

Due to changes with the project's registered Architect, staff determined that the original timeline was not feasible and requested an amendment to the Work Plan in January 2013. This request has been approved by the FDEP staff and requires the execution of a formal amendment.

This amendment does not extend the grant period, which is April, 19, 2014. Staff anticipates completion of the project by the end of the calendar year.

Staff recommends that the Chairman be authorized to execute the Amendment No. 1 to the existing grant agreement.

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - May 21, 2013

Please return both executed copies of the grant amendment to Maggie Marr, Natural Resources Department (#4635) for transmittal to Tallahassee. Once the amendment has been executed by FDEP an original will be returned to Board Records.

Cost and Funds Source Account Number and Name
NA

Two Orig. - Maggie Marr, to return one,
fully executed original, 5/22/13, RLL

Amount and Frequency of Recurring Costs
NA

Attachment: [Nealamendment.pdf](#)

DATE: May 22, 2013

TO: Maggie Marr, Natural Resources Dept.
Ext. 4635

FROM: Robin Liberty – Board Records Dept.
Ext. 4181

SUBJECT: BCC Mtg 5/21/13: Item 25 – Neal Preserve

Attached are two original Amendment 1 to Agreement with FDEP. Please return one fully-executed agreement to Robin Liberty, Board Records Dept.

Thank you.

Robin Liberty

Attachments: Two original Amendment 1

From: [Robin Liberty](#)
To: "maggie.marr@mymanatee.org"
Subject: RE: BCC Mtg 5/21/13: Item 25: Neal Preserve
Date: Wednesday, May 22, 2013 3:32:00 PM
Attachments: [BC20130521DOCA25.pdf](#)
[image003.png](#)

Great. A yellow courier envelope is waiting for you on our counter. I've attached the [stamped agenda package approved 5/21/13.](#)

Robin Liberty
Board Records
For R.B. "Chips" Shore
Manatee County Clerk of the Circuit Court & Comptroller
www.manateeclerk.com
robin.liberty@manateeclerk.com
941-749-1800, ext. 4181

"Pride in Service with a Vision to the Future"

From: maggie.marr@mymanatee.org [mailto:maggie.marr@mymanatee.org]
Sent: Wednesday, May 22, 2013 3:27 PM
To: Robin Liberty
Subject: Re: BCC Mtg 5/21/13: Item 25: Neal Preserve

Thanks Robin,

I'll come over tomorrow around 9am to pick them up.

Maggie Marr

Natural Resources Department

Grants Coordinator
(941) 748-4501 ext. 4635
415 10th Street West
Bradenton, FL 34205

www.MyManatee.org/naturalresources



From: Robin Liberty <robin.liberty@ManateeClerk.com>
To: "'maggie.marr@mymanatee.org'" <maggie.marr@mymanatee.org>
Date: 05/22/2013 03:26 PM
Subject: BCC Mtg 5/21/13: Item 25: Neal Preserve



Hi Maggie,

Two original Amendment 1 to Agreement w/FDEP are ready for you to pick up at Board Records Counter at your convenience, or I can forward them by courier to you. Let me know.

Thank you.

Robin Liberty

Board Records

For R.B. "Chips" Shore

Manatee County Clerk of the Circuit Court & Comptroller

www.manateeclerk.com

robin.liberty@manateeclerk.com

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