

**RESOLUTION R-21-103**

**A RESOLUTION REAFFIRMING APPROVAL OF THE STATE-FUNDED GRANT SUPPLEMENTAL AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF AN EXTENSION OF 44TH AVENUE EAST, FROM 45TH STREET EAST TO 44TH AVENUE PLAZA EAST (FM 445848-1/54-01) AND REAFFIRMING AUTHORIZATION FOR THE CHAIRPERSON TO EXECUTE THE AGREEMENT ON ITS BEHALF; MAKING RELATED FINDINGS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Manatee County (County) is constructing the extension of 44th Avenue East, from 45th Street East to 44th Avenue Plaza East (Project); and

**WHEREAS**, the State of Florida (State) previously authorized a \$10 million dollar grant to the County to assist with the Project; and

**WHEREAS**, the State of Florida has authorized an additional \$10 million dollar grant to the County to assist with the Project; and

**WHEREAS**, to receive the additional grant funds from the State, the County must enter into a State-Funded Grant Supplemental Agreement with the Florida Department of Transportation (Agreement), and

**WHEREAS**, on May 11, 2021, the Board of County Commissioners of Manatee County, Florida, (Board) approved the Agreement and authorized the Chairperson to execute the Agreement on behalf of the County; and

**WHEREAS**, the State now requires adoption by the Board of a resolution evidencing proper authorization to execute the Agreement; and

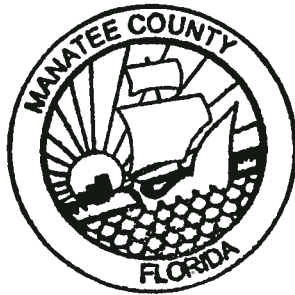
**WHEREAS**, the Board reaffirms its approval the Agreement, attached hereto as Exhibit A and by reference incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:**

1. The recitals set forth above are hereby adopted as findings of the Board and are incorporated herein by reference.

2. The Board hereby reaffirms its approval of the Agreement and authorization for the Chairperson of the Board to execute the Agreement, attached as Exhibit A.
3. The Chairperson or Vice Chairperson or designee is authorized to transmit the executed Agreement and this Resolution to the Florida Department of Transportation.
4. The Public Works Director or his designee is authorized to take such further action as is necessary and appropriate to proceed in accordance with the terms and conditions of the Agreement.
5. This Resolution shall be effective immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting, this 8th day of June, 2021.



**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_

Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_

Deputy Clerk

EXHIBIT A  
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

01

CONTRACT NO.

G1K67

FPN

445848-1-54-01/02

Recipient: Manatee County, a political subdivision of the State of Florida

This Supplemental Agreement ("Supplemental"), dated \_\_\_\_\_ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on March 19<sup>th</sup>, 2020 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

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The parties agree that the Agreement is to be amended and supplemented as follows:

Paragraph 6. a.) The estimated cost of the Project is \$20,000,000.00. This amount is based upon the Schedule of Financial Assistance in Exhibit "B", attached and incorporated in this Agreement. The Schedule of Financial Assistance may be modified by execution of an amendment of the Agreement by the Parties.

Paragraph 6. b.) The Department agrees to participate in the Project cost up to the maximum amount of \$20,000,000.00 and, additionally the Department's participation in the Project shall not exceed N/A% of the total cost of the Project, and as more described in Exhibit "B", Schedule of Financial Assistance. The Department's participation may be increased or reduced upon a determination of the actual bid amounts of the Project by the execution of an amendment. The Recipient agrees to bear all expenses in excess of the amount of the Department's participation and any cost overruns or deficits incurred in connection with completion of the Project.

Exhibit "B" Schedule of Financial Assistance is hereby deleted and replaced with attached Exhibit "B".

Exhibit "D" State Financial Assistance (Florida Single Audit Act) is hereby amended as follows:

\*Award Amount: \$20,000,000.00

Reason for this Supplemental and supporting engineering and/or cost analysis:

2021 State Legislative Earmark Funding

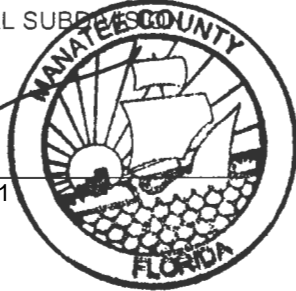
Title: House Bill 3409 & S2488

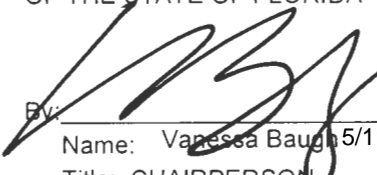
**STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT**

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

RECIPIENT:  
MANATEE COUNTY, A POLITICAL SUBDIVISION  
OF THE STATE OF FLORIDA


STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION



By:   
Name: Vanessa Baugh 5/11/21  
Title: CHAIRPERSON

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: DISTRICT SECRETARY OR DESIGNEE

Attest: Manatee County Clerk of the Circuit  
Court and County Comptroller

By:   
Deputy Clerk

Legal Review:  
DS  
DC  
\_\_\_\_\_

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**STATE-FUNDED GRANT AGREEMENT**

**EXHIBIT B**  
**SCHEDULE OF FINANCIAL ASSISTANCE**

<b>RECIPIENT NAME &amp; BILLING ADDRESS:</b> <u>Manatee County</u> <u>P.O. Box 1000</u> <u>Bradenton, Florida 34206-1000</u>	<b>FINANCIAL PROJECT NUMBER:</b> <u>445848-1-54-01/02</u>
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<b>I. PHASE OF WORK by Fiscal Year:</b>	<b>FY 19/20</b>	<b>FY20/21</b>	<b>FY21/22</b>	<b>TOTAL</b>
<b>Design- Phase 34</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
Local Participation (Any applicable waiver noted in Exhibit "A")	% or \$ 0.00	% or \$ 0.00	% or \$ 0.00	% or \$0.00
In-Kind Contribution	\$	\$	\$	\$ 0.00
Cash	\$	\$	\$	\$ 0.00
Combination In-Kind/Cash	\$	\$	\$	\$ 0.00
<b>Right of Way- Phase 44</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
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Local Participation (Any applicable waiver noted in Exhibit "A")	% or \$ 0.00	% or \$ 0.00	% or \$ 0.00	% or \$0.00
In-Kind Contribution	\$	\$	\$	\$ 0.00
Cash	\$	\$	\$	\$ 0.00
Combination In-Kind/Cash	\$	\$	\$	\$ 0.00
<b>Construction/CEI - Phase 54</b>	\$ 10,000,000.00	\$ 10,000,000.00	\$ 0.00	\$20,000,000.00
Maximum Department Participation - ( <u>Local Transportation Projects, EM 20</u> )	% or \$ 10,000,000.00	% or \$	% or \$	% or \$ 10,000,000.00
Maximum Department Participation - ( <u>Local Transportation Projects, EM 21</u> )	% or \$	% or \$ 10,000,000.00	% or \$	% or \$ 10,000,000.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
Local Participation (Any applicable waiver noted in Exhibit "A")	% or \$ 0.00	% or \$ 0.00	% or \$ 0.00	% or \$0.00
In-Kind Contribution	\$	\$	\$	\$ 0.00
Cash	\$	\$	\$	\$ 0.00
Combination In-Kind/Cash	\$	\$	\$	\$ 0.00



**APPROVED** in Open Session  
**6/8/2021**  
Manatee County Board of County  
Commissioners



## Board of County Commissioners June 8, 2021 – Regular Meeting

### **SUBJECT**

ADOPTION OF RESOLUTION R-21-103 REAFFIRMING APPROVAL OF THE STATE-FUNDED GRANT SUPPLEMENT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE CONSTRUCTION OF AN EXTENSION OF 44TH AVENUE EAST, FROM 45TH STREET EAST TO 44TH AVENUE PLAZA EAST (FM445848-1/54-01) AND REAFFIRMING AUTHORIZATION FOR THE CHAIRPERSON TO EXECUTE THE AGREEMENT

### **Category**

CONSENT AGENDA

### **Briefings**

None

### **Contact and/or Presenter Information**

Scott May, P.E., County Engineer, Ext.7650, [scott.may@mymanatee.org](mailto:scott.may@mymanatee.org)

### **Action Requested**

Adoption of Resolution R-21-103 reaffirming approval of the State Funded Grant Supplement Agreement with FDOT for the Construction of the extension of 44ht Avenue East.

### **Enabling/Regulating Authority**

Manatee County, a political subdivision empowered pursuant to Section 125/01 and Section 336.02, Florida Statutes, to undertake and fund development and construction of County roadways within its boundaries.

### **Background Discussion**

- In 2019, Manatee County submitted a request for State funding for the 44th Avenue East project. Subsequently, a Florida Department of Transportation (FDOT) State -Funded Grant Agreement for \$10,000,000.00 was executed by the Board of County Commissioners at the February 11, 2020 Board meeting. A second request for State funding was made by Manatee County in the next legislative session for another \$10 million, which was approved.

- On May 11, 2021, the Board of County Commissioners executed a State-Funded Grant Supplemental Agreement for the additional \$10 million of State funding for the construction of the 44th Avenue East project.
- FDOT now requires adoption by the Board of a Resolution evidencing proper authorization to execute the State-funded Grant Supplement Agreement.

**Attorney Review**

Formal Written Review (Opinion memo must be attached)

**Reviewing Attorney**

D'Agostino

**Instructions to Board Records** [6/10/21 QA emailed resolution to Janice Haas who also picked up certified copy](#)

Please provide Scott May, P.E., County Engineer with a certified copy of the fully executed Resolution R-21-03.

Please call or e-mail Janette Girard, Ext. 7391 or [janette.girard@mymanatee.org](mailto:janette.girard@mymanatee.org) to arrange for pick-up of the executed document so it may be forwarded to FDOT for their records.

**Cost and Funds Source Account Number and Name**

N/A

**Amount and Frequency of Recurring Costs**

N/A



**RESOLUTION R-21-103**

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**WHEREAS**, the Board reaffirms its approval the Agreement, attached hereto as Exhibit A and by reference incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:**

1. The recitals set forth above are hereby adopted as findings of the Board and are incorporated herein by reference.

2. The Board hereby reaffirms its approval of the Agreement and authorization for the Chairperson of the Board to execute the Agreement, attached as Exhibit A.
3. The Chairperson or Vice Chairperson or designee is authorized to transmit the executed Agreement and this Resolution to the Florida Department of Transportation.
4. The Public Works Director or his designee is authorized to take such further action as is necessary and appropriate to proceed in accordance with the terms and conditions of the Agreement.
5. This Resolution shall be effective immediately upon adoption.

**DULY ADOPTED** with a quorum present and voting, this 25th day of May, 2021.

**BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
Chairperson

ATTEST: ANGELINA COLONNESO  
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: \_\_\_\_\_  
Deputy Clerk

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT**

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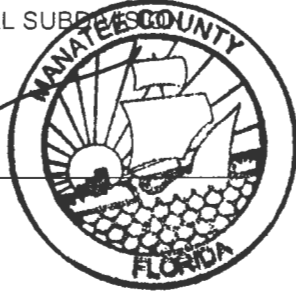
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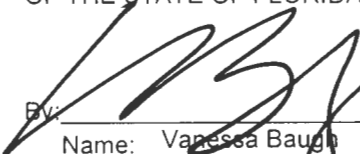
**STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT**

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

RECIPIENT:  
MANATEE COUNTY, A POLITICAL SUBDIVISION  
OF THE STATE OF FLORIDA

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION




By:   
Name: Vanessa Baugh  
Title: CHAIRPERSON

By: \_\_\_\_\_  
Name:  
Title: DISTRICT SECRETARY OR DESIGNEE

Attest: Manatee County Clerk of the Circuit  
Court and County Comptroller

Legal Review:  
DS  
DC  
\_\_\_\_\_

By:   
Deputy Clerk

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**STATE-FUNDED GRANT AGREEMENT**

**EXHIBIT B**  
**SCHEDULE OF FINANCIAL ASSISTANCE**

<b>RECIPIENT NAME &amp; BILLING ADDRESS:</b> <u>Manatee County</u> <u>P.O. Box 1000</u> <u>Bradenton, Florida 34206-1000</u>	<b>FINANCIAL PROJECT NUMBER:</b> <u>445848-1-54-01/02</u>
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<b>I. PHASE OF WORK by Fiscal Year:</b>	<b>FY 19/20</b>	<b>FY20/21</b>	<b>FY21/22</b>	<b>TOTAL</b>
<b>Design- Phase 34</b>	\$ 0.00	\$ 0.00	\$ 0.00	\$0.00
Maximum Department Participation - ( <u>Insert Program Name</u> )	% or \$	% or \$	% or \$	% or \$ 0.00
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Local Participation (Any applicable waiver noted in Exhibit "A")	% or \$ 0.00	% or \$ 0.00	% or \$ 0.00	% or \$0.00
In-Kind Contribution	\$	\$	\$	\$ 0.00
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Combination In-Kind/Cash	\$	\$	\$	\$ 0.00
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In-Kind Contribution	\$	\$	\$	\$ 0.00
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Combination In-Kind/Cash	\$	\$	\$	\$ 0.00
<b>Construction/CEI - Phase 54</b>	\$ 10,000,000.00	\$ 10,000,000.00	\$ 0.00	\$20,000,000.00
Maximum Department Participation - ( <u>Local Transportation Projects, EM 20</u> )	% or \$ 10,000,000.00	% or \$	% or \$	% or \$ 10,000,000.00
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Cash	\$	\$	\$	\$ 0.00
Combination In-Kind/Cash	\$	\$	\$	\$ 0.00

