

MEMORANDUM

5-H)

TO: James R. O'Connor, City Manager
VIA: Wayne R. Coment, City Attorney
FROM: Ericson W. Menger, Airport Director
DATE: April 11, 2016

SUBJECT: SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF VERO BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO REHABILITATE TAXIWAY C (FAA AIP-39; FDOT #430941-1-94-01)

Attached are five (5) copies of a Supplemental Joint Participation Agreement (SJPA) between the City of Vero Beach and the Florida Department of Transportation (FDOT) for the above-referenced airport project. Also, attached are three (3) copies of a proposed City Resolution authorizing the Mayor and City Manager to execute the SJPA on behalf of the City.

BACKGROUND:

This project was approved in the City's Five-Year Capital Program. The goal is to Rehabilitate Taxiway C, which serves as our primary taxiway. Pavement crack sealing and a small asphalt section was overlaid in 2010. Recent Pavement Condition Index (PCI) readings by FDOT indicate that it is time for the entire taxiway including run-up areas and connectors to be overlaid. Staff is also recommending to include upgrades to the lighting and signage.

The project is being funded by both Federal Aviation Administration (FAA) at 90% and Florida Department of Transportation (FDOT) at 5%, leaving the additional 5% for the Airport to fund. Design of this project has been completed and bids were opened on April 12, 2016. The final FAA grant application (after bidding the project to contractors) will be submitted in May/June 2016, and staff will be requesting that we award the bid subject to FAA funding.

FUNDING:

The total cost of the project is estimated at \$5,196,264. The attached SJPA provides additional funding from FDOT in the amount of \$628,600 to partially fund the project cost. In addition, the Federal Aviation Administration (FAA) has verbally committed \$4,114,064 (90%) of the project cost but has not yet offered a grant for the construction portion of the project. The additional \$628,600 will be at an 80/20 with FDOT and is to be used to offset portions of the project cost that the FAA will not fund (additional apron work, moving equipments out of the runway safety area, taxiway connector relocation, lighting and runway markings). Any cost not covered by grants will be the responsibility of the City (airport), which is estimated at \$353,600. No general fund expenditures are anticipated for this project. The funding for this project will come from account #443.4000.542.615032.

ANALYSIS:

Strengths: Taxiway C, our main taxiway, will be completely rehabilitated by the end of 2016.

Weaknesses: For a time, aircraft traffic will need to be re-directed around construction on the taxiway.

Opportunities: FDOT and FAA are very supportive of this project as this is our primary taxiway. Federal and state grants fund 95% of the project, with no cost to the City's general fund.

Threats: If the FAA does not fund the project, it will not go forward (unlikely).

RECOMMENDATION:

Staff respectfully request that this item be placed on the April 19, 2016, City Council Agenda, recommending approval of the proposed Resolution and acceptance of the SJPA.

EWM:drg
Attachments

cc: Airport Commission Members (via email/US mail)
City Manager's Office (via email)
Finance Department (via email)

RESOLUTION NO. 16-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE REHABILITATE TAXIWAY C (FDOT #430941-1-94-01) AT THE VERO BEACH REGIONAL AIRPORT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Vero Beach owns and operates the Vero Beach Regional Airport which serves the general aviation needs of the public; and

WHEREAS, the City Council finds that it is desirable to Rehabilitate Taxiway C at the Vero Beach Regional Airport (“Project”) in order to better serve the public; and

WHEREAS, the Florida Department of Transportation has agreed to participate with the City of Vero Beach in funding of the above-referenced Project pursuant to the Supplemental Joint Participation Agreement attached hereto as Exhibit “A” (“Agreement”); and

WHEREAS, the City Council finds that entering into said Agreement serves a municipal purpose and is in the public interest by helping facilitate completion of the Project,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA THAT:

Section 1 – Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution.

Section 2 – Approval and Execution of Agreement.

The City Council hereby approves the Supplemental Joint Participation Agreement between the City of Vero Beach and the Florida Department of Transportation attached hereto as Exhibit “A” and authorizes the Mayor to execute on behalf of the City of Vero Beach said Agreement and all other related documents required to implement the terms and conditions of the Agreement.

Section 3 – Effective Date.

This Resolution shall become effective upon adoption by the City Council.

This Resolution was heard on the ___ day of _____ 2016, after which hearing it was moved for adoption by Councilmember _____, seconded by Councilmember _____, and adopted by the following vote of the City Council:

Mayor Jay Kramer _____
Vice Mayor Randolph B. Old _____
Councilmember Pilar E. Turner _____
Councilmember Richard G. Winger _____
Councilmember Harry Howle III _____

ATTEST:

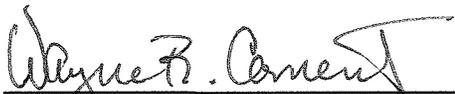
CITY COUNCIL
CITY OF VERO BEACH, FLORIDA

Tammy K. Vock
City Clerk

Jay Kramer
Mayor

Approved as to form and legal sufficiency:

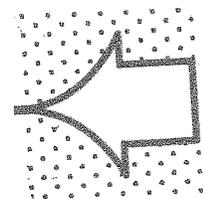
Approved as conforming to municipal policy:



Wayne R. Coment
City Attorney



James R. O'Connor
City Manager

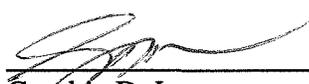


Approved as to technical requirements:

Approved as to technical requirements:



Ericson W. Menger
Airport Director



Cynthia D. Lawson
Finance Director

**PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

Number 1

| | | |
|---|---|---|
| Financial Project No.: <u>430941-1-94-01</u> <small>(item-segment-phase-sequence)</small> | Fund: <u>DPTO</u> Function: <u>637</u> Federal No.: <u>405413</u> DUNS No.: <u>80-939-7102</u> | FLAIR Approp.: <u>088719</u> FLAIR Obj.: <u>740100</u> Org. Code: <u>55042010429</u> Vendor No.: <u>VF596000445004</u> |
| Contract No.: <u>ARU75</u> | DUNS No.: <u>80-939-7102</u> | Vendor No.: <u>VF596000445004</u> |
| CFDA Number: _____ | CSFA Number: <u>55.004</u> | |

THIS AGREEMENT, made and entered into this _____ day of _____
by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,
hereinafter referred to as the Department, and City of Vero Beach
3400 Cherokee Drive P.O. Box 1389 Vero Beach, FL 32961-1389
hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the _ day of _____
entered into a Joint Participation Agreement; and
WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended
hereto; and
WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment
"A" for a total Department Share of \$ 728,600.00
NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow
from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended
and supplemented as follows:

1.00 Project Description: The project description is amended
Rehabilitate Taxiway C

EXHIBIT A

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased decreased by \$ 3,196,264.00
bringing the revised total cost of the project to \$ 5,196,264.00

Paragraph 4.00 of said Agreement is increased decreased by \$ 628,600.00
bringing the Department's revised total cost of the project to \$ 728,600.00

3.00 Amended Exhibits:

Exhibit(s) B & D of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 18.00 of said Agreement 5/31/2017.

5.00 E-Verify:

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 430941-1-94-01

Contract No. ARU75

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated _____ and any subsequent supplements shall remain in full force and effect.

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

AGENCY

City of Vero Beach
AGENCY NAME

SIGNATORY (PRINTED OR TYPED)

SIGNATURE

TITLE

FDOT

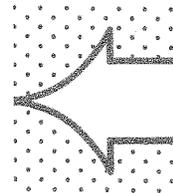
See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

Stacy L. Miller, P.E.
DEPARTMENT OF TRANSPORTATION

Director of Transportation Development
TITLE

| CITY OF VERO BEACH | APPROVED | DATE |
|--------------------|--------------------|---------|
| City Manager | <i>[Signature]</i> | 4/12/16 |
| City Attorney | <i>[Signature]</i> | 4/12/16 |
| City Clerk | | |
| Utilities | | |
| Public Works | | |
| Finance | <i>[Signature]</i> | 6/13/16 |
| Human Resources | | |
| Planning | | |
| | | |
| | | |



ATTACHMENT "A" SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and City of Vero Beach

3400 Cherokee Drive P.O. Box 1389 Vero Beach, FL 32961-1389

dated _____

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Add funding and expand scope to include sign replacement and relocation on 12R30L PAPI's out of safety area. FAA non participating work at 80/20.

| | | As Approved | As Amended | Net Change |
|-------|--------------------|----------------|----------------|----------------|
| I. | Project Cost | \$2,000,000.00 | \$5,196,264.00 | \$3,196,264.00 |
| | | As Approved | As Amended | Net |
| II. | Fund | DPTO | DPTO | DPTO |
| | Department: | \$100,000.00 | \$728,600.00 | \$628,600.00 |
| | Agency: | \$100,000.00 | \$353,600.00 | \$253,600.00 |
| | Federal: | \$1,800,000.00 | \$4,114,064.00 | \$2,314,064.00 |
| <hr/> | | | | |
| | Total Project Cost | \$2,000,000.00 | \$5,196,264.00 | \$3,196,264.00 |

Comments:

ATTACHMENT "A"
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

III. MULTI-YEAR OR PREQUALIFIED PROJECT FUNDING

If a project is a multi-year or prequalified project subject to paragraphs 4.10 and 17.20 of this agreement, funds are programmed in the Department's Work program in the following fiscal year(s):

| FY | Amount |
|-----------|---------------|
| 2015 | \$ 100,000.00 |
| 2016 | \$ 628,600.00 |
| 2017 | \$ 500,000.00 |