

T12B16  
(RTP Contract Number)

T2B16  
(DEP Contract Number)

**SECOND AMENDMENT TO  
DEP AGREEMENT NUMBER T2B16  
CITY OF ORLANDO  
PARK OF THE AMERICAS TRAIL  
Non-Motorized Diverse Use**

**THIS SECOND AMENDMENT TO DEP AGREEMENT NO. T2B16** ("SECOND AMENDMENT") affects the **PARK OF THE AMERICAS TRAIL** and is made and entered into between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ("DEPARTMENT") and the **CITY OF ORLANDO** ("GRANTEE").

**RECITALS:**

**WHEREAS**, on or about **May 15, 2014**, the Department and Grantee entered into a Recreational Trails Program ("RTP") Project Agreement and as amended on **July 15, 2015**, RTP Project Agreement No. **T12B16**, DEP Agreement No. **T2B16** ("Agreement") for the recreation development project known as **PARK OF THE AMERICAS TRAIL** ("Project").

**WHEREAS**, the Agreement, collectively includes Attachments A, B, C, and D, and is incorporated herein by reference.

**WHEREAS**, Grantee has requested revisions to the Agreement, to extend the Project deadline to **November 15, 2016** for the Project Tasks identified in the Agreement's Attachment A-2, Project Work Plan.

**WHEREAS**, Paragraph 3 of the Agreement requires that revisions be reduced to writing in an Amendment to the Agreement.

**WHEREAS**, Department and Grantee agree such revisions are within the parameters of the RTP guidelines, Agreement, and Attachment A- 2 Project Work Plan, all as more particularly set forth in this Second Amendment.

**NOW THEREFORE**, in consideration of the foregoing Recitals, the Second Amendment, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties mutually agree as follows:

1. **Recitals.** The Recitals set forth hereinabove are true and correct and are incorporated herein by reference.
2. **Amendments to the Agreement.** The Agreement is hereby amended as follows:
  - a) The expiration date of the Agreement is hereby extended to **November 15, 2016**.
  - b) The Attachment A, from the First Amendment is hereby deleted in its entirety and replaced with Attachment A-2, Project Grant Work Plan annexed to this Amendment.

From and after the date of this Amendment, all references to the Project Grant Work Plan shall mean Attachment A-2, attached hereto and incorporated herein.

- c) Paragraphs 26 and 40 are hereby revised to update the name and address of the Department's Grant Manager, for the purpose of the Agreement, to: Pamela Lister (or her successor), Recreational Trails Program, Office of Operations, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 585, Tallahassee, FL 32399-3000.
3. **Ratification.** Except as modified by this Second Amendment and its Attachment A-2, the Agreement is hereby ratified and confirmed and remains in full force and effect. In the event of a conflict between the Agreement and this Second Amendment, this Second Amendment shall control.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

IN WITNESS **WHEREOF**, the parties have caused this Second Amendment to be duly executed as of the day and year last written below.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

CITY OF ORLANDO

By: \_\_\_\_\_  
Secretary or (or Designee)

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

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

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

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

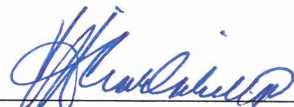
Address:  
1206 West Columbia Street  
Orlando, Florida 32805

\_\_\_\_\_  
DEP Grant Manager

Attest: \_\_\_\_\_

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

Approved as to form and legality:

 4/27/2016  
\_\_\_\_\_  
DEP Attorney

\_\_\_\_\_  
GRANTEE'S ATTORNEY (if required)

\*For amendment with governmental boards/commissions: If someone other than the Chairman signs this amendment, a resolution, statement, or other document authorizing that person to sign on behalf of the Grantee must accompany this amendment.

***LIST OF ATTACHMENTS/EXHIBITS INCLUDED AS PART OF THIS SECOND AMENDMENT:***

<u>Specify Type</u>	<u>Letter/Number</u>	<u>Description</u>
Attachment	A-2	Project Work Plan – (2 pages)



**ATTACHMENT A-2**  
**RECREATIONAL TRAILS PROGRAM PROJECT GRANT WORK PLAN**  
**City of Orlando – Park of the Americas Trail**  
**RTP Project #T12B16**

**Project Tasks, Deliverables, Associated Costs & Completion Dates**

<b>Project Task and Deliverable Descriptions</b>	<b>Amount of Costs to be Paid with RTP Funds</b>	<b>Amount of Costs to be Grantee Match (per ratio noted in Application)</b>	<b>Total Estimated Cost for Each Listed Deliverable (RTP + Match)</b>	<b>Completion Date for Each Deliverable</b>	<b>Indicate if to be bid or in-house or combination</b>
<b>#1 Task Description:</b> 100% Trail Construction including construction of +/- 3,000 Linear Feet (LF) of 12-foot-wide concrete trail, and installation of benches, waste receptacles, and exercise stations. <b>Task Deliverables:</b> 100% grading, demolition, and site preparation. 100% construction including +/- 3,000 LF, 12-foot-wide concrete trail, installation of trailside amenities to include benches, waste receptacles, exercise stations and related support facilities.	\$75,000	\$75,000	\$150,000	Due 60 days prior to the expiration of this Agreement.  <u>Agreement expiration is extended to 11/15/16</u>	Previously bid by city
<b>TOTALS</b>	\$75,000	\$75,000	\$150,000		

**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.



## Instructions and Explanation of Grant Work Plan

**Task Description:** Include description of task to be completed under this Agreement.

**Task Deliverable:** Identify what will be completed at the time of the request for reimbursement. If it is part of a construction task, identify what part of the construction will be completed at this point. May be the percentage of completion, amount/number, length, width, surface, etc. Identify what will be submitted as proof of completion (dated photographs, certification of completion, copies of permits, copies of approved plans, etc. One task can have multiple deliverables. Each deliverable must have a detailed budget and completion date.

**Note:** If task will be contracted and/or subcontracted, a copy of the fully executed contract between the RTP project sponsor and the contractor must be identified as a deliverable under the Task Description and submitted to Pamela Lister, her successor, 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.

**Amount of Costs to be paid with RTP Funds:** Provide description of the costs as follows: **Salaries:** identify the position title/hourly rate/# of hours to complete the deliverable; **Fringe benefits:** identify the % used to calculate the fringe benefits; **Contractual Services:** identify what service will be paid for under the contract for services; **Equipment:** the purchase of equipment is not allowed under this Agreement, the rental of equipment is the only costs allowed that are associated with equipment; **Supplies and Materials:** identify what supplies/materials will be purchased; **Other costs:** identify what other costs are being requested (such as printing costs, other costs that do not fit into the other established cost categories (salaries, fringe benefits, equipment, supplies, indirect, contractual services). The same level of detail must be identified for the match being claimed under this Agreement.

**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-2 and the Schedule of Values.

**Reimbursements:** No reimbursement will be made until deliverable item is completed as stated in table and documentation is submitted and approved by the Department Grant Manager. 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 Pamela Lister, her successor, or her designee.

**Change in Costs of Deliverables:** Any revisions to Attachment A-2 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.