DEP CONTRACT / GRANT REVIEW FORM

DEP Contract No. T2B16 - Original Contract / Agreement, Amendment No. 1

CONTRACTOR / GRANTEE INFORMATION

Name	Address	City, State, Zip	Contact Person	Phone	FY End	FEID
Orlando, City of	1206 West Columbia Street	Orlando FL 32805	Beth Gruber	(407) 246-2212	09/30	59-6000396

DEP CONTRACT / GRANT INFORMATION

DEP Contract/Grant No.:	T2B16	DEP Original Contract / Grant Agreement:	X	Amendment No.	1	Funding Increment No.:	
Type:	☐ Services ☑ Grants ☐ Commodities ☐ Visitor Services ☐ Other Type			Procurement Method:		Exempt (Grants)	
Change Order No.:		Is travel cost reimbursable? N	DMS/Class Group: 337-050	Program Reference:		Recreational Trails Program	
Grant Information	Are federal funds supporting this Contract?	Y	Are State funds supporting this contract being used as match to a federal grant?	N	Enter Federal Grant here & CFDA# in FUNDING INFORMATION section.	20.219	
Land/Equipment Ownership	Are equipment purchases authorized under this Contract?	N	Will DEP retain ownership? N	Are land purchases authorized under Contract?	N	Will DEP/BOT retain ownership?	N
Is this a Certified Minority Business?	N	If Yes, Certified MBE:		Registered Minority Business?	N	If Yes, Registered MBE Code:	

Contract Period				Payment Method
Contract Begin Date:	May 15, 2014	End Date:	May 15, 2016	☑ Cost Reimb. ☐ Cost Reimb./Fixed Fee ☐ Fixed Price ☐ Fee Schedule ☐ Advance Pyt.

Subject/Brief Description of Contract:

Recreational Trails Program funds will assist the grantee in developing and improving recreational trail facilities for the general public. The project is on the RTP Priority List as signed Herschel T. Vinyard, Secretary of DEP, on March 26, 2013. Project Name: Park of the Americas Recreational Trail; Project Category: Nonmotorized/Diverse use

FUNDING INFORMATION

Contract Ceiling Amount, if any	$0.00	Funding Change Type	○ Increase Funding Amount ○ Decrease Funding Amount ◉ No Change to Funding	Change Amount		Contract Funding Amount	$75,000.00

Org Code	EO	Object Code	Fund/ FID	BE	Category	YR	GAA LI	CSFA/ CFDA	Rec. Type	Grant No.	OCA/ Module No.	Project No.	Amount
37500900000	LR	780001	261019	37500300	140185	13		20.219	C	RTP14	RT11	T12B16	$75,000.00

Specify County or Counties where work is being performed.	For projects containing an object code of 75XXXX or 79XXXX, CFSA or CFDA and Recipient Type must be completed.	Journal Transfer Info (29 digit code)	B/F Object
Orange			

MANAGEMENT INFORMATION

Division/District/Office:	Office of Operations	Bureau/Office:	Financial Management, Land and Recreation Grants		
Contract Manager:	Robin Birdsong	Phone No. of Manager:	(850) 245-2065	Mail Station #:	585

REVIEW AND EXECUTION INFORMATION

Review Role	Approved By - Signature	Date Approved
Contract Manager:	[signature]	6/30/15
Budget Representative:		
Bureau Chief:	[signature]	7/7/15
Division/District Director:	[signature]	7-15-15
Quality Assurance:		
Contracts Administrator:		
General Counsel:	[signature]	7/6/15
Division/District IRM:		
Department CIO:		

Identify Delegation of Authority for Person Executing Contract:

Reviewer Comments & Checks *(for Procurement Section use only)*

	DOS Registered? ☐ Y ☐ N/A
☐ Required	MFMP Registered?
	Transaction Fee Exemption Form? ☐ Y ☐ N/A
☐ Required	Vendor/Recipient Relationship Checklist?
	Insurance Certificates? ☐ Y ☐ N/A
☐ Required	Summary of Contractual Services Agreement (CSA) Form?
Other Requirements?	

Procurement Initials

CONTRACT/GRANT REVIEW PROCESS

Note: The Contract/Grant Review Process should only be initiated after the Department's Procurement Section has developed and/or approved the contractual agreement. The purpose of this review process is to demonstrate concurrence with the contractual or grant agreement as written. It is the Contract/Grant Manager's responsibility to insure that the Contract/Grant Review Process has been completed prior to contract/grant execution.

Position	Purpose/Requirement
Contract/Grant Manager	Signature indicates concurrence with the contract or grant agreement as written. If the Contract/Grant Manager has the authority to execute contracts/grant agreements, he/she must not do so. Someone with proper delegated authority in a supervisory role over the Contract/Grant Manager must be responsible for contract/grant agreement execution.
Budget Representative	Signature indicates concurrence with the payment arrangements included in the contract/grant, including the funding sources depicted on the Contract/Grant Review Form. If changes to the funding information are made, the Procurement Section must be contacted regarding possible impacts to the contract or grant agreement language as a result of the funding change.
Bureau Chief or Comparable Position	Signature indicates concurrence with the contract or grant agreement as written. If the Bureau Chief is delegated authority to execute the contract or grant agreement, review and approval by the Division/District Director may not be required.
Division/District Director	Signature indicates concurrence with the contract or grant agreement as written. If the Bureau Chief is delegated authority to execute the contract or grant agreement, then the review and approval of the Division/District Director may not be required.
Quality Assurance	Signature demonstrating concurrence with the quality assurance language contained in the contract must be obtained in cases where water, soil or air sampling and/or analysis will performed under the contract. The Division of Air Resources Management will be responsible for approving all quality assurance language regarding air sampling/analysis activities. The Environmental Assessment Section with the Division of Environmental Assessment and Restoration will be responsible for approving all quality assurance language regarding water and soil sampling/analysis activities.
Contracts Administrator	Unless specifically waived by DEP Directives 315, 316, and 317, review and approval by the Department's Contract Administrator (Procurement Administrator or designee) is required on all agency contracts.
General Counsel	The Office of General Counsel is required to review and approve all Department contracts or grant agreements which exceed the purchasing threshold category three. In addition, review and approval of contracts and grant agreements funded with federal dollars which fall under the purchasing threshold category three must be conducted by the General Counsel's Office. The Office of General Counsel reviews and approves contracts or grant agreements regarding form and legality. Review/approval by the Office of General Counsel is not required for state funded activities which utilize DEP 55-205 and are not in excess of Purchasing Category Three.
Division/District IRM and Department CIO	Approval required for contracts or grant agreements in which the Department is procuring information technology goods or services.

CONTRACT/GRANT AGREEMENT DISTRIBUTION PROCESS

Upon full execution of the contract, the Contract/Grant Manager is responsible for distributing copies of the Contract or Amendment and this form as follows:

Entity	Distribution Process Steps
Procurement Section (MS93)	Send original executed contract, grant agreement, or contract/grant amendment and a photocopy of the Contract Review Form. This is not required for agreements that fall under DEP Directive 316.
Contracts Disbursements Section (MS78)	Send two photocopies of the executed contract or grant agreement and two photocopies of the Contract/Grant Review Form.
Contract Manager	Maintain a photocopy of the executed contract or grant agreement and the original Contract/Grant Review Form.
Contractor	Send the remaining originally executed contract or grant agreement to the Contractor for its records.

RECIPIENT TYPE CODES FOR STATE AND FEDERAL FINANCIAL ASSISTANCE

A	B	C	D	E	F	G	H	I	J
Non-Profit Corporation	For-Profit Entity	Local Government & WMD	State Community College	District School Board	Another State Agency	State Universities	No Subrecipient	Mixed Sub-recipient (federal assistance only)	Federal Agency

T12B16
(RTP Contract Number)

T2B16
(DEP Contract Number)

FIRST AMENDMENT TO

DEP AGREEMENT NO. T2B16

CITY OF ORLANDO – PARK OF THE AMERICAS RECREATIONAL TRAIL

Non-Motorized Diverse Use

THIS FIRST AMENDMENT TO DEP AGREEMENT NO. T2B16 ("First Amendment") affects the Park of the Americas Recreational Trail Project and is made and entered into between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (the "DEPARTMENT") and the CITY OF ORLANDO (the "GRANTEE").

RECITALS:

WHEREAS, on or about May 15, 2014, the Department and Grantee entered into a Florida Recreational Trails Program Project Agreement No. T12B16 (the "Agreement") for the recreational trail project known as the Park of the Americas Recreational Trail ("Project").

WHEREAS, the Agreement collectively includes Attachments A, B, C, and D, and such Agreement and its Attachments are incorporated herein by reference.

WHEREAS, Grantee has requested revisions to the Agreement, to provide consistency between the Project Elements, the Work Plan deliverable tasks and deliverable dates.

WHEREAS, the Department and the Grantee have confirmed that such revisions are within the parameters of the Agreement.

WHEREAS, Paragraph 3 of the Agreement also requires that revisions to Attachment A be reduced to writing in an amendment to the Agreement.

WHEREAS, the Department is willing to revise the Agreement, all as more particularly set forth in this First Amendment.

NOW THEREFORE, in consideration of the foregoing Recitals, the Agreement, 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 revised and/or modified as follows:

a.) Attachment A is hereby deleted in its entirety, and the Attachment A annexed to this First Amendment, entitled "Recreational Trails Program Project Work

City Council Meeting: 5.18.15
Item: D-1 Documentary: 150518D01

Plan" (Revised 4/7/15), is hereby substituted in lieu thereof. From and after the date of this First Amendment, the phrase "Attachment A" shall mean the Attachment A annexed to this First Amendment.

b.) Paragraph 5 is hereby modified as follows (deletions are shown as stricken and additions are underlined):

> The following shall be considered the Project Elements, which may be modified by the Department upon a showing of good cause and that the spirit and intent of the Project is maintained: construct <u>+/-</u> 3,000 linear feet, 12-foot wide, ~~asphalt~~ **<u>concrete</u>** trail, with ~~four~~ benches, ~~four~~ waste receptacles, ~~four~~ exercise stations and related support facilities.

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: Robin Birdsong (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. <u>Ratification</u>. Except as modified by this First Amendment and its Attachment A, 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 First Amendment, this First Amendment shall control.

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

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: ______________________

Director (or Designee)

Office of Operations

Date: 7-15-15

DEP Grant Manager

Approved as to form and legality:

DEP Attorney

CITY OF ORLANDO

By: ______________________

Printed Name: Robert Stuart

Title: Mayor / Mayor Pro Tem

Date: 5/18/15

Address:
1206 West Columbia Street
Orlando, Florida 32805

GRANTEE'S ATTORNEY (if required)

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

LIST OF ATTACHMENTS/EXHIBITS INCLUDED AS PART OF THIS FIRST AMENDMENT:

Specify Type	Letter/Number	Description
Attachment	A	Recreational Trails Program Project Grant Work Plan City of Orlando – Park of the Americas Recreational Trail RTP Project # T12B16 (Revised 4/7/15) (3 pages)

ATTACHMENT A
RECREATIONAL TRAILS PROGRAM PROJECT GRANT WORK PLAN
City of Orlando – Park of the Americas Recreational Trail – Nonmotorized/Diverse Use
RTP Project #12B16

Project Tasks, 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 (per ratio noted in Application)	Total Estimated Cost for Each Listed Deliverable (RTP + Match)	Completion Date for Each Deliverable	Indicate if to be bid or in-house or combination
#1 Task Description: 100% design and construction of +/-3,000 Linear Feet (LF) of 12-foot- wide concrete trail, and installation of benches, waste receptacles, and exercise stations. **#1 Task Deliverables:** 100% grading, demolition, and site preparation. 100% trail Construction including +/-3,000 Linear Feet (LF) of 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	5/15/2016	Previously bid city contract will be used.
TOTALS	$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 Robin Birdsong, 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. 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 and the Schedule of Values.

Reimbursements: No reimbursement will be made until deliverable item is completed, 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 Robin Birdsong or her designee.

Change in Costs of 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.

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