



Agency Amendment Form

FDOT Project/Program Manager: Peter McGilvray		Date of Request: March 31, 2020																																															
Address: Florida Department of Transportation, 605 Suwannee St., M.S. 37, Tallahassee, FL 32399-0450																																																	
Agency: United States Army Corps of Engineers	Start Date: 06/30/2015	End Date: 06/29/2020																																															
Agreement Type: Advance Pay	Contract Number: ARU65	Amendment Number: 3																																															
Vendor Number: F630288896010		Financial Numbers: 415064-3-28-12 (ETDM-005-A) / 415064-4-28-12 (ETDM-009-A) (FY2021)																																															
Purpose of Amendment (check all applicable terms): <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Request for No-Cost Time Extension through: _____ <input type="checkbox"/> Total amount for Advance Pay is increased/decreased by: _____ <input checked="" type="checkbox"/> Total amount for Compensation is increased/decreased by: <u>\$795,794.00</u> <input checked="" type="checkbox"/> For Personnel Approval <input type="checkbox"/> Request for Sub-Consultant </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Request for Overtime <input type="checkbox"/> Request for Travel <input type="checkbox"/> Request for Equipment Authorization <input type="checkbox"/> Request to Modify Agreement Provisions <input checked="" type="checkbox"/> Other (explain below) </td> </tr> </table>			<input type="checkbox"/> Request for No-Cost Time Extension through: _____ <input type="checkbox"/> Total amount for Advance Pay is increased/decreased by: _____ <input checked="" type="checkbox"/> Total amount for Compensation is increased/decreased by: <u>\$795,794.00</u> <input checked="" type="checkbox"/> For Personnel Approval <input type="checkbox"/> Request for Sub-Consultant	<input type="checkbox"/> Request for Overtime <input type="checkbox"/> Request for Travel <input type="checkbox"/> Request for Equipment Authorization <input type="checkbox"/> Request to Modify Agreement Provisions <input checked="" type="checkbox"/> Other (explain below)																																													
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Approval of above selections requested. Provide justification/explanation of the requested action: <p>Request to amend the existing contract to add additional resource and funding to help with Nationwide permits and assist in reducing processing times for Florida's highway projects.</p> <p>The Agency Operating Funding Agreement (AOFA) between the USACE, Florida Department of Transportation (FDOT), and the Federal Highway Administration (FHWA), which became effective June 30, 2015, and subsequently amended to remove FHWA, is requesting a total amount for compensation increase by \$795,794.00 and an extension to the agreement until June 29, 2021.</p> <p>Section 9, (A) Financial Statement, which authorizes reimbursement to USACE for a five (5) year term, is amended to read:</p> <p style="margin-left: 40px;">A. FDOT shall provide USACE, subject to appropriation, and the advance payment provision enumerated below (Section 9, Items C and E), an annual allocation of \$520,000.00 (Year 1), \$520,000.00 (Year 2), \$574,100.00 (Year 3), \$650,000.00 (Year 4 and Year 5), and \$795,794.00 (Year 6) and a total sum not to exceed \$3,709,894.00 according to the schedule shown in Appendix C, attached and incorporated herein, ending on June 29, 2021 or 6 years from the date of signature whichever comes later. This sum is based upon the parties' best estimate of the minimum funding required by USACE to participate in the ETDM process. If it becomes apparent that the funding amount established in this AOFA is inadequate for the services requested to be performed, the parties agree in good faith to renegotiate the level of funding and service or prioritize project reviews.</p> <p>In addition, Appendix C. Budget which is the annual allocation and total sum not to exceed is modified to Read:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Year 1(June 30,2015-June 29, 2016).....</td> <td style="text-align: right;">\$520,000.00</td> </tr> <tr> <td>Year 2(June 30, 2016-June 29, 2017).....</td> <td style="text-align: right;">\$520,000.00</td> </tr> <tr> <td>Year 3(June 30, 2017-June 29, 2018).....</td> <td style="text-align: right;">\$574,100.00</td> </tr> <tr> <td>Year 4(June 30, 2018-June 29, 2019).....</td> <td style="text-align: right;">\$650,000.00</td> </tr> <tr> <td>Year 5(June 30, 2019-June 29, 2020).....</td> <td style="text-align: right;">\$650,000.00</td> </tr> <tr> <td>Year 6(April 01, 2020-June 29, 2021).....</td> <td style="text-align: right;">\$795,794.00</td> </tr> </table> <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th></th> <th style="text-align: center;">Quarter 1</th> <th style="text-align: center;">Quarter 2</th> <th style="text-align: center;">Quarter 3</th> <th style="text-align: center;">Quarter 4</th> </tr> </thead> <tbody> <tr> <td>Year 1</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> </tr> <tr> <td>Year 2</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> </tr> <tr> <td>Year 3</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$130,000.00</td> <td style="text-align: right;">\$151,600.00</td> <td style="text-align: right;">\$162,500.00</td> </tr> <tr> <td>Year 4</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> </tr> <tr> <td>Year 5</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> <td style="text-align: right;">\$162,500.00</td> </tr> <tr> <td>Year 6</td> <td style="text-align: right;">\$198,948.50</td> <td style="text-align: right;">\$198,948.50</td> <td style="text-align: right;">\$198,948.50</td> <td style="text-align: right;">\$198,948.50</td> </tr> </tbody> </table> <p>Funding estimate is based on the average of the individual hourly rate for (3) GS-12, (1) GS-11 and (1) GS-6 assigned full-time. Any cost billed to FDOT under the AOFA will be based on the actual hours and actual salary rate of each employee that works on the FDOT tasks. Funds provided to USACE under this AOFA are to defray the expenses of salaries and associated benefits, including the pro rata cost of necessary equipment, supplies, office space, overhead, and training and to reimburse reasonable travel expenses in accordance with Federal Travel regulations, 41 CFR Chapters 300-304.</p> <p>Section 10.A. is amended to read: The term of this AOFA has been extended, in accordance with Section 13, to end on June 29, 2021, unless terminated sooner in accordance with Section 10(B) below. This AOFA can be further extended in accordance with the procedure set forth in Section 13 below. The payment for associated work shall be inclusive of all work performed up to and including the date of expiration or termination.</p> <p>In addition, Section 11. Project Officers is amended to read as follows: U.S. Army Corps of Engineers; Clif Payne or designee; Regulatory Division; 701 San Marco Boulevard Jacksonville, Florida 32207-8175; 904-232-3943; Lyl.C.Payne@usace.army.mil.</p>			Year 1(June 30,2015-June 29, 2016).....	\$520,000.00	Year 2(June 30, 2016-June 29, 2017).....	\$520,000.00	Year 3(June 30, 2017-June 29, 2018).....	\$574,100.00	Year 4(June 30, 2018-June 29, 2019).....	\$650,000.00	Year 5(June 30, 2019-June 29, 2020).....	\$650,000.00	Year 6(April 01, 2020-June 29, 2021).....	\$795,794.00		Quarter 1	Quarter 2	Quarter 3	Quarter 4	Year 1	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00	Year 2	\$130,000.00	\$130,000.00	\$130,000.00	\$130,000.00	Year 3	\$130,000.00	\$130,000.00	\$151,600.00	\$162,500.00	Year 4	\$162,500.00	\$162,500.00	\$162,500.00	\$162,500.00	Year 5	\$162,500.00	\$162,500.00	\$162,500.00	\$162,500.00	Year 6	\$198,948.50	\$198,948.50	\$198,948.50	\$198,948.50
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Agency Amendment Form

"I certify that the above requested action is necessary for the operation of this project and is in compliance with the terms of the executed agreement."

ETAT Authorized Agency Signature:

KELLY, ANDREW, DONALD, JR. 10255108
75 Digitally signed by
KELLY, ANDREW, DONALD, JR. 1025510875
Date: 2020.06.10 11:00:51 -0400

Andrew D. Kelly, Jr Jacksonville District Commander

(signature)

(title)

(date)

Compensation Element Description	Method of Compensation	Previous Amount	This Amendment Amount	Subtotal	Check if Estimate
Year 1 (June 2015-June 2016)	Advance Pay	\$520,000.00	0.00	\$520,000.00	X
Year 2 (June 2016-June 2017)	Advance Pay	\$520,000.00	0.00	\$520,000.00	X
Year 3 (June 2017-June 2018)	Advance Pay	\$574,100.00	0.00	\$574,100.00	X
Year 4 (June 2018-June 2019)	Advance Pay	\$650,000.00	0.00	\$650,000.00	X
Year 5 (June 2019-June 2020)	Advance Pay	\$650,000.00	0.00	\$650,000.00	X
Year 6 (April 2020-June 2021)	Advance Pay	\$0.00	\$795,794.00	\$795,794.00	X
			This Amendment Total	Agency Agreement Total	
			\$795,794.00	\$3,709,894.00	

Other Comments/Notes:

"I certify to that to the best of my knowledge and belief, the above requested action is not in violation of the terms of the agreement and is necessary for the continued operation of this agreement."

FDOT Authorized Signature:

DocuSigned by:

Kevin Thibault

Secretary, Florida Department of Transportation

6/23/2020 | 7:56 AM EDT

(signature)

(title)

(date)

FHWA Authorized Signature (required only if amendment changes agreement scope or increases funding):

NOT REQUIRED: FHWA Funds Approval Email

Dated March 18, 2020.

(signature)

(title)

(date)

Attachments: