



Agency Amendment Form

| FDOT Project/Program Manager: Peter McGilvray | | Date of Request: September 10, 2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|---|--|--|--|--------------|--|--------------|--|--------------|--|--------------|--|--------------|--|-----------|-----------|-----------|-----------|--------|--------------|--------------|--------------|--------------|--------|--------------|--------------|--------------|--------------|--------|--------------|--------------|--------------|--------------|--------|--------------|--------------|--------------|--------------|--------|--------------|--------------|--------------|--------------|--------|--------------|--------------|--------------|--------------|
| Address: Florida Department of Transportation, 605 Suwannee St., M.S. 37, Tallahassee, FL 32399-0450 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agency: United States Army Corps of Engineers (USACE) | Start Date: 06/30/2015 | End Date: 10/30/2021 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Agreement Type: Advance Pay | Contract Number: ARU65 | Amendment Number: 5 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Vendor Number: F621642142003 | | 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 checked="" type="checkbox"/> Request for No-Cost Time Extension through: <u>10/30/2021</u> <input type="checkbox"/> Total amount for Advance Pay is increased/decreased by: _____ <input type="checkbox"/> Total amount for Compensation is increased/decreased by: _____ <input 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 checked="" type="checkbox"/> Request for No-Cost Time Extension through: <u>10/30/2021</u> <input type="checkbox"/> Total amount for Advance Pay is increased/decreased by: _____ <input type="checkbox"/> Total amount for Compensation is increased/decreased by: _____ <input 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) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Request for No-Cost Time Extension through: <u>10/30/2021</u> <input type="checkbox"/> Total amount for Advance Pay is increased/decreased by: _____ <input type="checkbox"/> Total amount for Compensation is increased/decreased by: _____ <input 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) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Approval of above selections requested. Provide justification/explanation of the requested action: Request to amend the existing 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 No-Cost Time extension to the agreement until October 30, 2021. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Section 9.A Financial Statement , which authorizes reimbursement to USACE for a five (5) year term, is amended to read: <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 October 30, 2021. 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> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Section 10.A. Period of Performance and Evaluation is amended to read: <p style="margin-left: 40px;">The term of this AOFA has been extended, in accordance with Section 13, to end on October 30, 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> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| In addition, Appendix C. Budget which is the annual allocation and total sum not to exceed is modified to Read: <table style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 40%;">Year 1(June 30,2015-June 29, 2016).....</td> <td style="width: 60%; 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-Oct 30, 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> | | | 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-Oct 30, 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 |
| 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-Oct 30, 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 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |



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:

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-Oct 2021) | Advance Pay | \$795,794.00 | \$0.00 | \$795,794.00 | X |
| | | | This Amendment Total | Agency Agreement Total | |
| | | | \$0.00 | \$3,709,894.00 | |

Other Comments/Notes:

Amendment is to allow the additional time with no additional funding to allow the additional time needed to complete the negotiations of the new Agency Operating and Funding Agreement (AOFA).

"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:

Statewide Environmental Quality and Performance
Administrator

9/16/2021 | 9:43 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: