



"A City for All Ages"

CITY OF PORT ST. LUCIE
ENGINEERING DEPARTMENT
Accredited Agency – American Public Works Association



MEMORANDUM

To: Jerry Bentrott, City Manager
Thru: James Angstadt, P.E. JEA
From: Larry Nadeau, Project Manager [Signature]
Date: September 1, 2011
Re: **HMGP DR-117-R Grant – Watershed A & B Drainage Improvements
Period of Performance Extension – Contract Modification #1**

The Florida Division of Emergency Management (FDEM) has petitioned the Federal Emergency Management Agency (FEMA) for a modification to reinstate and extend Agreement #11HM-2Y-10-66-02-008, Phase I DR-HMGP 117-R, Watershed A & B Drainage Improvements an extra 6 months. Attached herewith is the modification agreement and accompanying letter. The new period of performance end date will now be February 15, 2012.

This extension allows sufficient time for FDEM and FEMA to complete their plan reviews and to receive any additional information requested of City of Port St. Lucie. All other agreement provisions and conditions remain the same

We would respectfully request this item be placed on the next City Council agenda for formal approval. The contract modification must be received in Tallahassee by October 14, 2011.

If you have any questions or require additional information, please do not hesitate to contact me.

/ln
Attachments

cc: Jesus Merejo – Utility Systems Director
Patricia Roebling, P.E. – City Engineer
Kimberly Graham, P.E. – Assistant City Engineer

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City Manager's Office



STATE OF FLORIDA

DIVISION OF EMERGENCY MANAGEMENT

RICK SCOTT
Governor

BRYAN W. KOON
Director

September 01, 2011

Mr. Larry Nadeau
Project Manager
City of Port St. Lucie
Engineering Department
900 SE Ogden Lane
Port St. Lucie, FL 34983

Re: HMGP DR-1561-117-R (State Project Number 1561-101) St. Lucie County, City of Port Lucie, Watershed A & B Improvements, Drainage Project, - Period of Performance Extension - Contract Modification One

Dear Mr. Nadeau:

Please print four copies of the attached, proposed modification agreement between the City of Port St. Lucie and the Division of Emergency Management (DEM). The official representative, as listed below, will need to sign the signature page of each modification. All four (4) copies of the modification should then be sent to the Tallahassee address listed below for full execution no later than forty-five (45) days after receipt of this letter **but no later than Friday October 14, 2011**. One fully executed modification will be returned to the City for its files.

Additional assistance is available regarding your Project on the Florida Division of Emergency Management Website:

<http://www.floridadisaster.org/Mitigation/Hazard/index.htm>.

Please reference the heading: 'Grant Management Tools Listed Below', which contains sample documents that will provide guidance for completing requests for reimbursement, reporting requirements and supporting documents containing important points, and subgrantee close-out checklists.

Official Representatives:

County:	Chairman of the Board of Commissioners
City:	Mayor
Indian Tribe:	Chief or President
Water Management District:	Chairman
Non-Profit:	Chairman of the Board

Mr. Larry Nadeau
September 01, 2011
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If there is an official that is not listed above who is authorized to sign the modifications for your organization, please provide a copy of the organization's resolution or charter that specifically identifies the person or position that is authorized to sign.

If you have questions regarding this modification or who is authorized to sign it, please call Velma Ellis at (407) 888-3782.

Respectfully,



Miles E. Anderson
Bureau Chief, Mitigation
State Hazard Mitigation Officer

MEA/ve

Enclosure(s): Contract Modification #One

cc: Jason McCright, HMGP Planning Manager

Contract Number: 11HM-2Y-10-66-02-008

Project Number: 1561-117-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
THE CITY OF PORT ST. LUCIE**

This Modification Number One is made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the City of Port Saint Lucie ("the Recipient") to modify DEM Contract Number:11HM-2Y-10-66-02-008, dated November 30, 2010 ("the Agreement").

WHEREAS, the Agreement expired on August 15, 2011; and

WHEREAS, the Division and the Recipient desire to reinstate the Agreement and extend the terms of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. The Agreement is hereby reinstated as though it had never expired.
2. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin August 13, 2010, and shall end February 15, 2012, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

3. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in the Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
4. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
5. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
7. Quarterly reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

RECIPIENT: CITY OF PORT ST. LUCIE

DIVISION OF EMERGENCY MANAGEMENT

By: _____

By: _____

Name and Title: _____

Name and Title: Bryan W. Koon, Director

Date: _____

Date: _____

Attachment A (Revised)

Budget and Scope of Work

Scope of Work

As a Hazard Mitigation Grant Program project, the City of Port St. Lucie proposes to improve the drainage of Watershed A & B located in the city of Port St. Lucie. A Phase I study will be conducted to determine modifications needed to improve and upgrade the existing drainage system. The completed construction project will minimize recurring flooding and reduce repetitive flood loss to properties. Phase I will provide funding for completion of design, permitting and geotechnical surveying process for this proposal.

The Phase I deliverables should:

- Have an engineer's plan that clearly shows the engineer's estimate of the pre and post-mitigation effects of the proposed project and the relationship of the damages to be mitigated (commensurate with the level of funding requested). This includes, but is not limited to, the existing and proposed hydrology and hydraulics for the level of event being mitigated.
- Demonstrate mitigation effectiveness, in part, by showing the physical location(s) and elevation(s) of the infrastructure/structures that is being damaged and the Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas on the same plan.
- Meet all required environmental laws and policies. All environmental permits and approvals/concurrences must be obtained. A public notice must be published to notify interested parties of the proposed activity. Notices must be published in a manner that anyone that may be affected or interested in this project has access to the posting. The comment period expired and all comments addressed prior to initiating any construction activities.
- Refine the cost estimate (budget). A new Benefit Cost Analysis will be performed using the revised information.
- Provide a set of Community Approved, State reviewed construction plans (signed and sealed) for review and comment including milestones and timelines for completion of the final phase of the project and bid documents/award.

Phase I of this project is approved with the condition that the above list of deliverables will be submitted for review and approval by the State and FEMA before Phase II is considered. No construction work may begin until Phase II is approved.

This is FEMA project **1561-117-R**, funded under 1561-DR-FL

The Period of Performance for this project ends on February 15, 2012.

Schedule of Work

Phase I State Contracting:	3 Months
Survey:	5 Months
Engineering Design, Environmental:	5 Months
<u>Permitting:</u>	<u>5 Months</u>
Total Period of Performance	18 Months

Budget

Line Item Budget*

	Project Cost	Federal Share	Local Share
Phase I: Engineering, Design, Permitting:	\$491,150.00	\$368,363.00	\$122,787.00
<u>Administrative Cost:</u>	<u>\$ 0.00</u>	<u>\$ 10,824.00</u>	<u>\$ 0.00</u>
Total:	\$491,150.00	\$379,187.00	\$122,787.00

** Any line item amount in this Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.*

Funding Summary

Federal Share:	\$368,363.00 (75%)
<u>Local Share:</u>	<u>\$122,787.00 (25%)</u>
Total Project Cost	\$491,150.00 (100%)

Recipient Administrative allowance up to \$10,824.00.