

RESOLUTION NO. 35-2010

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR COUNCIL APPROVAL OF THE LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the State of Florida Department of Transportation and Town of Malabar desire to facilitate the Drainage and Apron projects; and

**WHEREAS**, the State of Florida Department of Transportation has requested Malabar to execute and deliver to the State of Florida Department of Transportation the Local Agency Program Agreement for the aforementioned projects, FPN 426268, 426289-1, 426289-2, 426304, 426306 and 426310

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:**

**Section 1.** The Town Council of the Town of Malabar, Brevard County, Florida, approves the Local Agency Program Supplemental Agreement for the aforementioned projects.

**Section 2.** The Town Council hereby authorizes the Mayor to execute the Supplemental Agreement.

**Section 3.** The Town Council, hereby directs the Town Administrator to deliver the executed Supplemental Agreement to the State of Florida Department of Transportation and to administer the aforementioned projects, FPN 426268, 426289-1, 426289-2, 426304, 426306 and 426310.

**Section 4.** This resolution shall take effect immediately upon its adoption

This Resolution was moved for adoption by Council Member Borton. This motion was seconded by Council Member Rivet and, upon being put to vote, the vote was as follows:

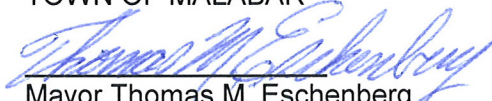
Council Member Nancy Borton	<u>Aye</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>

Council Member Marisa Acquaviva

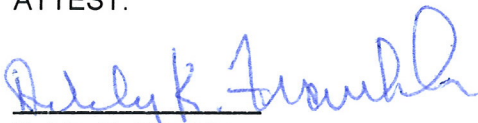
Aye

This Resolution was then declared to be duly passed and adopted this 4th day of January, 2010.

By:  
TOWN OF MALABAR

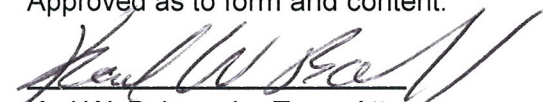
  
Mayor Thomas M. Eschenberg  
Town of Malabar

ATTEST:

  
Debby K. Franklin  
Town Clerk/Treasurer

(seal)

Approved as to form and content:

  
Karl W. Bohne, Jr., Town Attorney

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426310-1-58-01 CONTRACT NO. APQ54
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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name SR 514 Length ~300 feet

Termini intersection with Pine Street (southside)

**DESCRIPTION OF WORK:**

Mill 300 feet of roadway, install 1.5" type SP asphalt concrete, maintain temporary work zone, even shoulder and redo any that do not meet the 4% positive drainage grade, sod, install thermoplastic striping. Project length is approximately 300 feet.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Project shall be increased to match construction contract award of \$7,446.00. Funds from 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM                  SUPPLEMENTAL                  AGREEMENT</b>	FPN 426310-1-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$4,000.00	\$3,446.00	\$7,446.00	_____	\$7,446.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$4,000.00	\$3,446.00	\$7,446.00	\$0.00	\$7,446.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$4,000.00	\$3,446.00	\$7,446.00	\$0.00	\$7,446.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$4,000.00</b>	<b>\$3,446.00</b>	<b>\$7,446.00</b>	<b>\$0.00</b>	<b>\$7,446.00</b>

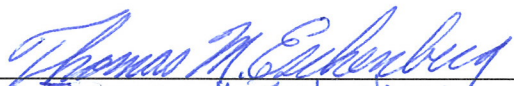
Project shall be increased to match construction contract award of \$7,446.00. funds from 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426310-1-58-01 CONTRACT NO. APQ54
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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:   
Name: THOMAS M. Eschenberg  
Title: MAYOR

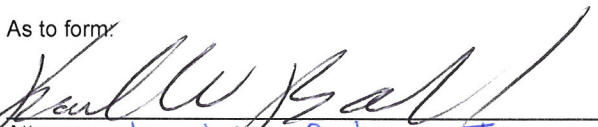
By: \_\_\_\_\_  
Name: Rise' K. Wall  
Title: Director of Transportation Support

Attest:   
Name: Debby K. FRANKLIN  
Title: clerk

Attest: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: 1/5/2010

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

As to form:   
Attorney KARL W. BOHWE, JR.

As to form: \_\_\_\_\_  
District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426268-1-58-01 CONTRACT NO. APQ54
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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name Hall Road Length ~0.225 miles

Termini at westside of Corey Road

**DESCRIPTION OF WORK:**

Hall Road at Westside of Corey Road. Repair 48 feet of 42" pipe, provide for MOT saw cut roadway and remove asphalt, install bedding rock, repair roadway, compact test, replace base and asphalt, Project length .225 miles.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Project shall be increased \$5,375.00 to match construction contract award of \$18,375.00. Funds from 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM                  SUPPLEMENTAL                  AGREEMENT</b>	FPN 426268-1-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$13,000.00	\$5,375.00	\$18,375.00	_____	\$18,375.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$13,000.00	\$5,375.00	\$18,375.00	\$0.00	\$18,375.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$13,000.00	\$5,375.00	\$18,375.00	\$0.00	\$18,375.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$13,000.00</b>	<b>\$5,375.00</b>	<b>\$18,375.00</b>	<b>\$0.00</b>	<b>\$18,375.00</b>

Project shall be increased to match construction contract award of \$18,375.00. funds from 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM</b> <b>SUPPLEMENTAL</b> <b>AGREEMENT</b>	FPN 426268-1-58-01 CONTRACT NO. APQ54
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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: *Thomas M. Eschenberg*  
 Name: Thomas M. Eschenberg  
 Title: Mayor

By: \_\_\_\_\_  
 Name: Rise' K. Wall  
 Title: Director of Transportation Support

Attest: *Deby K. Franklin*  
 Name: Deby K. Franklin  
 Title: Clerk

Attest: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

Date: 11/5/2010

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

As to form: *Karl W. Bohne, Jr.*  
 Attorney Karl W. Bohne, Jr.

As to form: \_\_\_\_\_  
 District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.



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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name Atz Road Length ~0.230 miles

Termini at eastside of Corey Road

**DESCRIPTION OF WORK:**

Atz Road at eastside of Corey Road. Repair 54 feet of 36" pipe, provide for MOT saw cut roadway and remove asphalt, install bedding rock, repair roadway, compact test, replace base and asphalt. Project length .230 miles.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Pursuant to Paragraph 4.0 of the Local Agency Program Agreement, the Agency and the Department acknowledge and agree that the schedule of funding for construction that includes the authorized and encumbered federal funding for this American Recovery and reinvestment Act (ARRA) project shall be reduced to an amount equal to the Agency's construction contract award amount of **\$4,775.00**. Said revision is reflected on the Schedule of Funding, attached hereto and incorporated herein, as Exhibit "A".

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM          SUPPLEMENTAL          AGREEMENT</b>	FPN 426289-1-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$13,000.00	_____	\$4,775.00	_____	\$4,775.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$13,000.00	\$0.00	\$4,775.00	\$0.00	\$4,775.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Construction &amp; CEI Costs</b>	\$13,000.00	\$0.00	\$4,775.00	\$0.00	\$4,775.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$13,000.00</b>	<b>\$0.00</b>	<b>\$4,775.00</b>	<b>\$0.00</b>	<b>\$4,775.00</b>

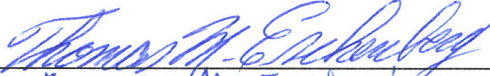
Project shall be reduced to an amount equal to the Agency's construction contract award amount of \$4,775.00. Project was reduced by \$8,225.00 funds to go to 426289-2 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426289-1-58-01 CONTRACT NO. APQ54
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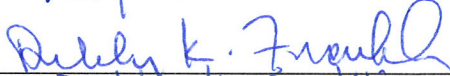
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:   
Name: Thomas M. Eschenberg  
Title: MAYOR

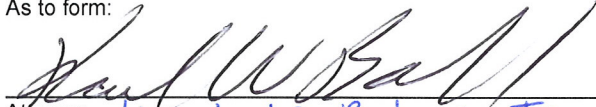
By: \_\_\_\_\_  
Name: Rise' K. Wall  
Title: Director of Transportation Support

Attest:   
Name: Debby K. Franklin  
Title: Clerk

Attest: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: 1/5/2010

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

As to form:   
Attorney KARL W. BOHNE, JR.

As to form: \_\_\_\_\_  
District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426289-2-58-01 CONTRACT NO. APQ54
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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name Atz Road Length ~0.293 miles

Termini eastside of Weber Road

**DESCRIPTION OF WORK:**

Atz Road-eastside of Weber Road. Furnish & Install 56 feet of 24" pipe, provide MOT, install 24" Vertical rip rap headwalls, Sod, compact test, survey, install and replace base and type SP asphalt to match existing, Project length .293 miles.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Project shall be increased \$7,105.00 to match construction contract award of \$20,105.00. Funds from 426289-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM          SUPPLEMENTAL          AGREEMENT</b>	FPN 426289-2-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$13,000.00	\$7,105.00	\$20,105.00	_____	\$20,105.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$13,000.00	\$7,105.00	\$20,105.00	\$0.00	\$20,105.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$13,000.00	\$7,105.00	\$20,105.00	\$0.00	\$20,105.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$13,000.00</b>	<b>\$7,105.00</b>	<b>\$20,105.00</b>	<b>\$0.00</b>	<b>\$20,105.00</b>

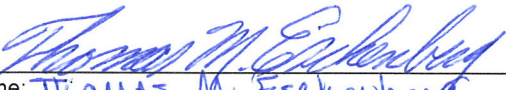
Project shall be increased to match construction contract award of \$20,105.00. Funds from 426289-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426289-2-58-01 CONTRACT NO. APQ54
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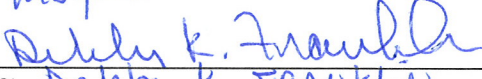
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:   
Name: THOMAS M. Eschenberg  
Title: Mayor

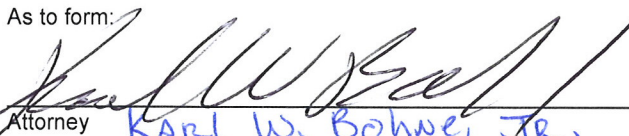
By: \_\_\_\_\_  
Name: Rise' K. Wall  
Title: Director of Transportation Support

Attest:   
Name: Debby K. FRANKLIN  
Title: Clerk

Attest: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: 1/5/2010

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

As to form:   
Attorney KARL W. BOHWE, JR.

As to form: \_\_\_\_\_  
District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426306-1-58-01 CONTRACT NO. APQ54
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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name SR 514 Length ~300 feet

Termini intersection with Marie Street (northside and southside)

**DESCRIPTION OF WORK:**

Mill 300 feet of roadway, install 1.5" type SP asphalt concrete, maintain temporary work zone, even shoulder and redo any that do not meet the 4% positive drainage grade, sod, install thermoplastic striping. Project length is approximately 300 feet.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Project shall be increased to match construction contract award of \$10,525.00. Funds from 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM                  SUPPLEMENTAL                  AGREEMENT</b>	FPN 426306-1-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$6,500.00	\$4,025.00	\$10,525.00	_____	\$10,525.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$6,500.00	\$4,025.00	\$10,525.00	\$0.00	\$10,525.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Construction &amp; CEI Costs</b>	\$6,500.00	\$4,025.00	\$10,525.00	\$0.00	\$10,525.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$6,500.00</b>	<b>\$4,025.00</b>	<b>\$10,525.00</b>	<b>\$0.00</b>	<b>\$10,525.00</b>

Project shall be increased to match construction contract award of \$10,525.00. funds from 426280-1 per GG memo dated 12-21-2009.

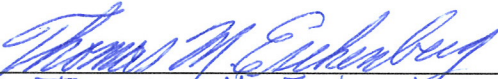


SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426306-1-58-01 CONTRACT NO. APQ54
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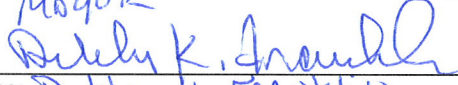
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:   
Name: Thomas M. Eschenberg  
Title: Mayor

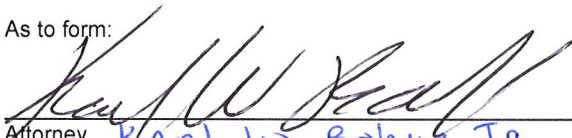
By: \_\_\_\_\_  
Name: Rise' K. Wall  
Title: Director of Transportation Support

Attest:   
Name: Debby K. Franklin  
Title: Clerk

Attest: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Date: 1/5/2010

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

As to form:   
Attorney KARL W. BOHNE, JR.

As to form: \_\_\_\_\_  
District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426304-1-58-01 CONTRACT NO. APQ54
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The STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and TOWN OF MALABAR desires to supplement the original Agreement entered into and executed on October 28, 2009 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name SR 514 Length ~300 feet

Termini intersection with Weber Road (southside)

**DESCRIPTION OF WORK:**

Mill 300 feet of roadway, install 1.5" type SP asphalt concrete, maintain temporary work zone, even shoulder and redo any that do not meet the 4% positive drainage grade, sod, install thermoplastic striping. Project length is approximately 300 feet.

**SPECIAL CONSIDERATIONS BY AGENCY:**

Project shall be increased to match construction contract award of \$9,525.00. Funds from 426289-1 and 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM                  SUPPLEMENTAL                  AGREEMENT</b>	FPN 426304-1-58-01 CONTRACT NO. APQ54
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	\$4,142.00	\$5,383.00	\$9,525.00	_____	\$9,525.00
2010-2011	_____	_____	_____	_____	_____
Total Construction Cost	\$4,142.00	\$5,383.00	\$9,525.00	\$0.00	\$9,525.00
<b>Construction Engineering and Inspection (CEI)</b>					
2007-2008	_____	_____	_____	_____	_____
2008-2009	_____	_____	_____	_____	_____
2009-2010	_____	_____	_____	_____	_____
2010-2011	_____	_____	_____	_____	_____
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$4,142.00	\$5,383.00	\$9,525.00	\$0.00	\$9,525.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$4,142.00</b>	<b>\$5,383.00</b>	<b>\$9,525.00</b>	<b>\$0.00</b>	<b>\$9,525.00</b>

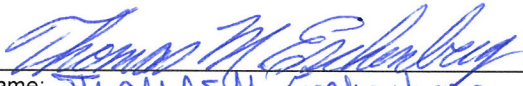
Project shall be increased to match construction contract award of \$9,525.00. funds from 426289-1 and 426280-1 per GG memo dated 12-21-2009.

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 426304-1-58-01 CONTRACT NO. APQ54
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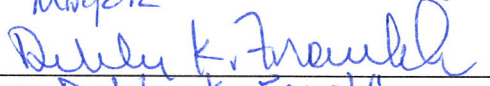
IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY (Town of Malabar)

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By:   
 Name: THOMAS M. Eschewberg  
 Title: Mayor

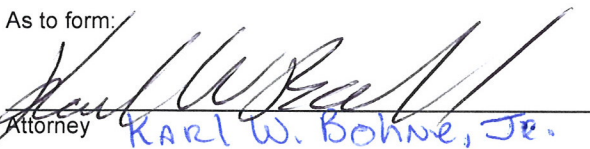
By: \_\_\_\_\_  
 Name: Rise' K. Wall  
 Title: Director of Transportation Support

Attest:   
 Name: Debby K. Franklin  
 Title: Clerk

Attest: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

Date: 11/5/2010

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

As to form:   
 Attorney KARL W. BOHNE, JR.

As to form: \_\_\_\_\_  
 District Attorney

See attached Encumbrance Form for date of funding approval by Comptroller.