

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-102**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING AMENDMENT # 1 TO FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM AGREEMENT (LAP) NO. APW63 DATED APRIL 21, 2010, IN THE ORIGINAL AMOUNT OF \$95,000, REDUCING EARMARK AWARD AMOUNT BY \$6,080 FOR A NEW TOTAL AGREEMENT OF \$88,920; AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, The City of Marathon (the "City") was allocated \$95,000 in a Federal Government appropriation in fiscal year 2008/2009 for use in constructing and operating the City's stormwater utility; and

WHEREAS, the Florida Department of Transportation (the "FDOT") was designated as the State Agency to oversee dispersal of the Federal Government appropriation; and

WHEREAS, the FDOT requires that recipients of said Federal Government appropriation to enter into a Standard Local Agency Program Agreement; and

WHEREAS, the Federal Government appropriation has been reduced in the amount of \$6,080.00, and as a result, the Local Agency Program Agreement is subject to a corresponding reduction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

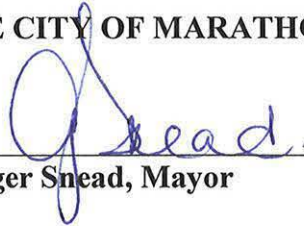
Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The first amendment to the FDOT Local Agency Program Agreement between the City and FDOT, a copy of which is attached hereto as Exhibit "A" is hereby approved. The City Manager is authorized to execute the First Amendment on behalf of the City.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 14th DAY OF SEPTEMBER, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

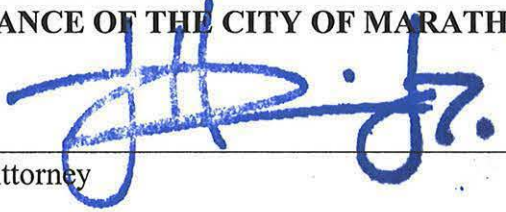
ATTEST:



Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND
RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney

SUPPLEMENTAL NO. 01 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT	FPN 421352-2 CONTRACT NO. APW63
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The Florida Department of Transportation desires to supplement the original Agreement entered into and executed on April 21, 2010 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:

PROJECT DESCRIPTION

Name Little Venice Storm-water Improvements Phase 1A Length .6 miles total

Termini From US 1 to end of 95th Street and from US 1 to end of 96th Street and from US 1 to end of 105th Street

Description of Work:
Little Venice stormwater and road Improvements at various locations.

Reason for Supplement:
Federal Funding was reduced.


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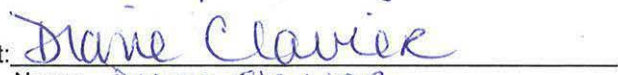
TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
Planning					
2007-2008					
2008-2009					
2009-2010					
2010-2011					
2011-2012					
2012-2013					
Total Planning Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Project Development & Environment (PD&E)					
2007-2008					
2008-2009					
2009-2010					
2010-2011					
2011-2012					
2012-2013					
Total PD&E Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Design					
2007-2008					
2008-2009					
2009-2010					
2010-2011					
2011-2012					
2012-2013					
Total Design Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Right-of-Way					
2007-2008					
2008-2009					
2009-2010					
2010-2011					
2011-2012					
2012-2013					
Total Right-of-Way Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Construction					
2007-2008					
2008-2009					
2009-2010					
2010-2011	\$95,000.00	(\$6,080.00)			\$88,920.00
2011-2012					
2012-2013					
Total Construction Cost	\$95,000.00	(\$6,080.00)	\$0.00	\$0.00	\$88,920.00
Construction Engineering and Inspection (CEI)					
2007-2008					
2008-2009					
2009-2010					
2010-2011					
2011-2012					
2012-2013					
Total CEI Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Construction & CEI Costs	\$95,000.00	(\$6,080.00)	\$0.00	\$0.00	\$88,920.00
TOTAL COST OF THE PROJECT	\$95,000.00	(\$6,080.00)	\$0.00	\$0.00	\$88,920.00

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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY City of Marathon

By: 
Name: Roger T. Hernstadt
Title: city manager


Attest: 
Name: Diane Clavier
Title: city clerk

Date: 9-21-10

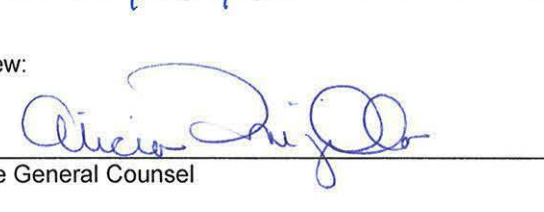
As to form: 
Attorney

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: 
Name: Gus Rego, P.E.
Title: District Secretary

Attest: 
Name: Margaret Higgins
Title: Executive Secretary

Date: 10/18/10

Legal Review: 
Office of the General Counsel

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