

MODIFICATION TO SUBGRANT AGREEMENT BETWEEN  
THE DIVISION OF EMERGENCY MANAGEMENT AND  
THE CITY OF FORT LAUDERDALE

This Modification Number Six is made and entered into by and between the State of Florida, Division of Emergency Management, ("the Division"), and the City of Fort Lauderdale ("Recipient") to modify Contract Number 09HM-37-11-16-02-052, dated October 7, 2008 ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to Recipient under the Hazard Mitigation Grant Program of \$1,306,171.00; and

WHEREAS, the Agreement expired on July 31, 2012; and

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

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 February 28, 2008 and shall end November 30, 2012 unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

3. The Revised Attachment A, Budget and Scope of Work, to the Agreement, is hereby deleted in its entirety, and the 2<sup>nd</sup> Revised Attachment A, Budget and Scope of Work to this Modification, which is attached hereto and incorporated herein by reference, is substituted in its place and stead.
4. All provisions of the Agreement being modified and any attachments thereto in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective as of the date of the last 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.

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

**RECIPIENT: CITY OF FORT LAUDERDALE**

**DIVISION OF EMERGENCY MANAGEMENT**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Name and Title: Bryan W. Koon, Director

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

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

## 2<sup>nd</sup> Revised Attachment A

### Budget and Scope of Work

#### **Scope of Work**

As a Hazard Mitigation Grant Program project, the Recipient, the City of Fort Lauderdale, will wind retrofit the Police Department Headquarters building, located at 1300 West Broward Boulevard, Fort Lauderdale, Florida 33312, by purchasing and installing protection generators, tie-downs for roof equipment, lightning protection, and wind protection for all of the openings that are not already protected in order to install impact glass on all windows and doors opening, replacement an existing old EIFS wall with a Strukturoc Stucco wall. If deemed necessary, wind protection will be provided on any other openings such as skylights, vents, louvers and exhaust fans. In addition this project will replace four windows that currently have air conditioning units with impact resistant windows. All installations will be done in strict compliance with the following standards of the Florida Building Code:

*Glazing in buildings shall be impact resistant or protected with an impact resistant covering meeting the requirements of SST D 12, ASTM E 1886 and ASTM E 1996, ANSI/DASMA 115 (for garage doors and rolling doors) or Miami-Dade TAS 201, 202 and 203 or AAMA 506 referenced therein as follows:*

- a) Glazed openings located within 30 feet (9.1 m) of grade shall meet the requirements of the Large Missile Test.*
- b) Glazed openings located more than 30 feet (9.1 m) above grade shall meet the provisions of the Small Missile Test.*
- c) Louvers protecting intake and exhaust ventilation ducts not assumed to be open that are located within 30 feet (9144 mm) of grade shall meet requirements of the Large Missile Test.*

*Impact-resistant coverings shall be tested at 1.5 times the design pressure (positive or negative) expressed in pounds per square feet as determined by the Florida Building Code, Building Section 1609 for which the specimen is to be tested.*

All materials will be certified to meet the wind and impact standards of the current local codes. The local municipal or county building department will inspect and certify installation according to the manufacture's specification, and ensure that the above referenced standards have been met.

This is FEMA project **1609-42-R**, funded under 1609-DR-FL.

The Period of Performance for this project ends on **November 30, 2012**.

#### **Schedule of Work**

State Contracting	6 Months
Design:	2 Months
Contracting:	4 Months
Permitting:	3 Months
Installation of Window Protection:	6 Months
Installation of Roof Top Equipment Straps:	2 Months
Installation of Generator Protection:	3 Months
Installation of Lightning Mitigation Measures	3 Months
State Closeout Process	3 Months
<u>State Final Inspection Process</u>	<u>3 Months</u>
<b>Total Period of Performance:</b>	<b>35 Months</b>

*The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural man made disaster.*

*The funding provided by the Division of Emergency Management under this subgrant shall compensate for the materials and labor for the installation of storm shutters and/or other hardening activities as a retrofit measure for the Recipient's building to reduce and/or mitigate the damage that might otherwise*

occur from severe weather or other hazards. The funding of this project by the Department does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement. The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.

This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency (FEMA) guidance manual FEMA 361-Design and Construction for Community Shelter, and thus does not provide "near absolute protection." It is understood and agreed by the Department and the Recipient that the building may have vulnerabilities due to age, design and location which may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Department and the Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety of survival of building occupants.

### **Budget**

#### **Line Item Budget\***

	<b>Project Cost</b>	<b>Federal Share</b>	<b>Local Share**</b>
Materials:	\$ 964,169.00	\$ 964,169.00	\$0.00
Labor:	\$ 318,179.00	\$ 318,179.00	\$0.00
<b>Sub-Total:</b>	\$1,282,348.00	\$1,282,348.00	\$0.00
<b>Administrative Cost:</b>	\$ 0.00	\$ 23,823.00	\$0.00
<b>Total:</b>	\$1,282,348.00	\$1,306,171.00	\$0.00

\* 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.

\*\*The non-federal share will be met using a Global Match, which allows credit for similar eligible projects undertaken in the area that did not involve federal funds. The effect is that 100% of the project is covered by federal HMGP funds. FEMA project 1609-64-R, City of Fort Lauderdale, Broward County, Police Department South Station, Wind Retrofit (Global Match to 1609-235) provides the Global Match for the non-federal share for this project.

### **Funding Summary**

Federal Share:	\$1,282,348.00 (100%)
Local Share:	\$ 0.00 ( 0%)
<b>Total Project Cost:</b>	<b>\$1,282,348.00 (100%)</b>

Recipient Administrative Allowance up to \$23,823.00.