



FILE COPY

Exhibit 6

STATE OF FLORIDA
DIVISION OF EMERGENCY MANAGEMENT

RICK SCOTT
Governor

BRYAN W. KOON
Director

March 22, 2013

Mr. Richard M. Labinsky, P.E.
City Engineer
City of Hallandale Beach
630 Northwest 2nd Street
Hallandale Beach, Florida 33009

**Re: FEMA Project Number 1609-75-R
City of Hallandale Beach, Broward County, Northeast Quadrant,
Drainage Project, Phase II**

Dear Mr. Labinsky:

Enclosed is the executed contract modification number four (4) for the Hazard Mitigation Grant Program (DEM No. 11HM-3B-11-16-02-006) between the City of Hallandale Beach and the Division of Emergency Management. Upon completion of the work identified in the contract, a Request for Reimbursement form (Attachment D) should be completed and submitted to the Division for processing in accordance with Paragraphs (17) and (18) of the Agreement. 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 sub-grantee close-out checklist.

If you have any specific questions regarding the contract, or the Request for Reimbursement form, please call Chad Smith at (850) 487-3219.

Respectfully,

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

MEA: myr

Enclosure

AGREEMENT NUMBER: 11HM-3B-11-16-02-006

PROJECT NUMBER: 1609-75-R

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN
THE DIVISION OF EMERGENCY MANAGEMENT AND
CITY OF HALLANDALE BEACH**

This Modification Number Four is made and entered into by and between the State of Florida, Division of Emergency Management, ("the Division"), and the City of Hallandale Beach ("Recipient") to modify Contract Number 11HM-3B-11-16-02-006, dated June 28, 2011 ("the Agreement").

WHEREAS, the Division and the Recipient desire to modify Attachment A and increase the funding by \$1,781,170.00 of Federal Funds; and

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

1. The Agreement is amended to increase the maximum amount payable under the Agreement to Fifteen Million Four Hundred Forty Two Thousand Seven Hundred Ninety Six and No/100 Dollars (\$15,442,796.00).
2. The Budget and Scope of Work, 3rd Revised Attachment A to the Agreement, is hereby deleted in its entirety, and the 4th Revised Attachment A to this Modification, which is attached hereto and incorporated herein by reference, is substituted in its place and stead.
3. 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.
4. 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 document as of the dates set out below.

RECIPIENT: CITY OF HALLANDALE BEACH DIVISION OF EMERGENCY MANAGEMENT

By: [Signature]

By: [Signature]

Name and Title: Jay Cooper, Mayor

Name and Title: Bryan W. Koon, Director

Date: 3/1/13

Date: 3/22/13

Approved as to Form
and Sufficiency

[Signature] for V L Whitfield
City Attorney 2-26-13

4th Revised Attachment A

Budget and Scope of Work

Scope of Work

As a Hazard Mitigation Grant Program, the Recipient, City of Hallandale Beach, will construct a drainage system capable of solving or reducing the flooding problem in the **NE Quadrant**: bounded by NE 8th Street, Federal Highway (US-1), Hallandale Beach Blvd, and NW 14th Avenue, Hallandale Beach, FL **AND** the **SW Quadrant**: bounded by SW 8th Street and Dixie Hwy, Hallandale Beach Blvd, and SW 11th Street, Hallandale Beach, FL **AND** the **SE Quadrant** bounded by NE 9th Street, Federal Highway (US-1), Hallandale Beach Blvd and NW 14th Avenue, Hallandale Beach, FL. The work will include the installation of drainage pipes, force mains, inlet and control structures, pump stations, drainage wells, grading of swales, and restoration work. The local municipal or county department will inspect and certify installation according to all applicable permits, environmental laws, requirements and specifications.

Environmental Review Project Conditions:

- The Recipient must follow all applicable state, local and federal laws regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. If project work is delayed for a year or more after the date of the CATEX, then coordination with and project review by regulatory agencies must be redone.
- Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time) will require re-submission of the application to FEMA for NEPA re-evaluation before starting project work.
- The Recipient must submit the Environmental Resource Permit (ERP) from the Broward County Environmental Protection & Growth Management Department (BCEPGMD). Construction will not commence before all permits are provided
- The Recipient must submit a drainage well permit from the Florida Department of Environmental Protection.
- A Public Notice shall be published as soon as possible. Recipient must provide copies of the public notice and affidavit for proof of publication along with the resolution of comments received (if any) at closeout.
- If any archaeological material is discovered during project work, the project shall immediately cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The Recipient shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333, as well as DHS/FEMA Region IV Environmental Officer and FDEM State Environmental Liaison Officer for further guidance. Project activities shall not resume without verbal and/or written authorization.
- In the event that unmarked human remains are encountered during permitted activities, all work must stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statute*.
- Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.
- Major activities, including placement of equipment, shall be confined to areas where soils have been previously disturbed by activities, such as site development, construction, surface grading, landscaping, utility trenching, etc. Applicant QA/QC Monitors shall identify areas of obvious soil disturbance and direct their contractor to work within these areas.

- When heavy equipment is not in use, it shall be staged on hard or firm surfaces where equipment is not susceptible to sinking. Paved surfaces shall be used to the fullest extent possible.
- Tracked vehicles or large-tired equipment shall be used whenever possible to reduce the depth of soil disturbance and minimize soil compaction to a depth of six inches or less.
- Applicant QA / QC monitors shall ensure that its contractors shall not operate heavy equipment on wet soils if the equipment begins to sink more than six inches below the current ground surface. Heavy equipment may be operated in the rain, but Applicant QA / QC monitors shall ensure that its contracts shall pay special attention to equipment sinkage.
- Excavation of on-site materials and burial of debris are not permitted.
- Best management practices will be used during project work to minimize soil erosion, sediment migration and turbidity. The Recipient will need to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The Recipient must obtain a National Pollutant Discharge Elimination System (NPDES) storm water permit (if area of disturbance will be greater than one acre). The Applicant will need to provide a copy of the Notice of Intent (NOI) submitted to use the State of Florida Generic Permit for storm water discharge from construction activities; response letter from Florida Department of Environmental Protection (FDEP) if provided; and a copy of the Notice of Termination (NOT) at project closeout.
- For projects involving groundwater dewatering activities at the construction site, provide documentation of coverage under the Florida Department of Environmental Protection (FDEP) "Generic Permit for the Discharge of Produced Ground Water from any Non-contaminated Site Activity."

This is FEMA project **1609-75-R**, funded under **1609-DR-FL**.

The Period of Performance for this project ends on **December 31, 2014**.

Schedule of Work

State Contracting:	1 Month
Bid and Award Process:	3 Months
Construction:	11 Months
Local Inspection and final reimbursement:	2 Months
State Final Inspection:	1 Month
<u>State Closeout Process:</u>	<u>1 Month</u>
Total Period of Performance:	19 Months

Budget

Line Item Budget*

	<u>Project Cost</u>	<u>Federal Share</u>	<u>Local Share</u>
Materials and Labor:	\$20,414,829.00	\$15,311,122.00	\$5,103,707.00
<u>Administrative Cost:</u>	<u>\$ 0.00</u>	<u>\$ 131,674.00</u>	<u>\$ 0.00</u>
Total:	\$20,414,829.00	\$15,442,796.00	\$5,103,707.00

²⁰

*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:	\$15,311,122.00 (75%)
<u>Local Share:</u>	<u>\$ 5,103,707.00 (25%)</u>
Total Project Cost:	\$20,414,829.00 (100%)

Recipient Administrative Allowance up to \$131,674.00