



LEGAL REQUEST MEMORANDUM (LRM)

To: ☐ Matthew Minter, County Attorney ☐ Dana E. Olesky, Chief Asst County Attorney ☐ Elizabeth Alt, Sr Asst County Attorney ☒ Russell Ward, Asst County Attorney ☐ William Harris, Asst County Attorney

From: (Name) Couillard Jim (Dept) Parks & Recreation - 6120
 (Title) Director (Phone) 671-8559
 Signature [Signature] Date May 4 Friday, April 30, 2021

The Office of the County Attorney is requested to provide legal assistance as detailed in this legal request and supporting documents (attached).

Request for: ☐ New Document ☒ Review & Comment ☐ RESUBMIT LRM No. _____
☐ Approve as to Form ☐ Other

Description of Request

Pursuant to Resolution 20-R-243, the Board of County Commissioners (BCC) Approved a Public Transportation Grant Agreement with the Florida Department of Transportation (FDOT) for the construction of T-Hangars at the Marion County Airport. The Airport is requesting an extension of this funding Agreement due to delays associated with transitioning from the construction of Quad Box Hangars to T-Hangars. FDOT has provided an Amendment for Extension of Public Transportation Grant Agreement, which extends the Agreement to October 1, 2022, which must be executed by the BCC Chairman.

For more information or discussion, contact: ☒ Same as above
 (Name) _____ (Title) _____ (Phone) _____
 Last First

COMPLETION IS REQUESTED BY: _____ (specific date) _____ ASAP
 Please allow for a MINIMUM of five (5) working days from receipt of LRM:

Agenda Item? ☒ Yes ☐ No
 Agenda Deadline Date: Friday, May 7, 2021 Agenda Date: Tuesday, May 18, 2021

LRM No. 2021-352 DO NOT COMPLETE - Office of the County Attorney use ONLY

Outcome: _____ Date Received: _____

initial comments sent 5/4/21
see attached

Attorney Signature: [Signature] Date 5/5/21
 Staff Signature: [Signature] Completed
 Returned: ☒ Department ☐ Admin ☐ Procurement

5/5/2021

Ward, Russell

From: Ward, Russell
Sent: Tuesday, May 4, 2021 9:28 AM
To: Couillard, Jim
Subject: LRM 2021-352 Amendment for Extension of Public Transportation Grant Agreement

Good morning Jim,

I have no legal concerns about this document so long as it has the right contract number and financial management number.

If FDOT drafted it, I do not see a real need to ask them to alter it, but I will note here that when a date is in the format of "on the ____ day of ____, 2021," the date number should be an ordinal number. Similarly, the justification for the delay is phrased in the form of a narrative, rather than a list of reasons. It does not agree with the first sentence of the paragraph. Also, the first sentence is not grammatical as it does not have a subject.

I do not see this as a legal impediment to the agreement, but I wanted to note these style issues.

Sincerely,

Russell

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
AMENDMENT FOR EXTENSION OF PUBLIC TRANSPORTATION
GRANT AGREEMENT

Form 725-000-04
STRATEGIC
DEVELOPMENT
OGC 02/19

DATE: 5/3/21

TO: Mike Grawe
Marion County Airport

FROM: Allison McCuddy

CONTRACT NUMBER: G0J49

AMENDMENT NUMBER: 1

FINANCIAL MANAGEMENT NUMBER: 437011-1

The Public Transportation Grant Agreement ("Agreement") between the Florida Department of Transportation ("Department") and Marion County Airport ("Agency"), dated 05/25/2017, is scheduled to expire on the 1 day of June, 2021.

The Agency requests an Amendment of the Agreement, to extend the end date of the Agreement to the 1 day of October, 2022, for additional time to complete the Project for the following reasons: Recently requested a "program transition" for the FDOT funding associated with a Jet Port, Quad Box hangar project. Marion County identified a significantly higher-demand for T-hangars and the FDOT positively agreed these would better suit the needs of X35. This program transition had temporarily slowed our progress; however, we completed 100% design and put the project out for bid. Bids closed on April 1, 2021. All specs are configured and we are ready to mobilize for construction. Marion County is requesting an extension of this funding to October 1, 2022. We currently have 108 aviators on our wait-list for a t-hangar and are confident that we will fill the 20 new units included in this program immediately. Extending this program will greatly enhance X35's impact to Florida's general aviation community and increase the airport's capabilities for future improvements.

The Department agrees to the requested extension of the Agreement. All of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on _____ (to be completed by Department).

Agency: Marion County Board of County Commissi

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
Legal Review:
