

Meeting Date: February 10, 2015

Agenda Item 2

REQUESTED COMMISSION ACTION:

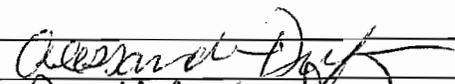
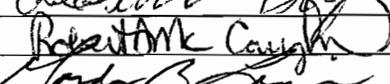
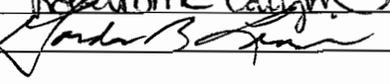
Consent Ordinance Resolution Consideration Workshop Initiative

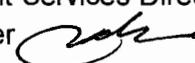
SHORT TITLE OR MOTION: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO NORTH ANDREWS AVENUE EXTENSION; PROVIDING AN EFFECTIVE DATE. (NO COST)

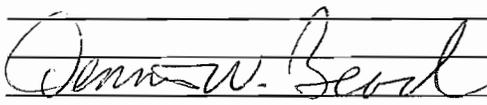
Summary of Purpose and Why: The City has jurisdiction over North Andrews Avenue between NW 33rd Street and Sample Road. The Florida Department of Transportation would like to improve this section of roadway as indicated in Exhibit A and the attached plans. The work entails rehabilitating the existing outside southbound merge lane for a distance of 850 feet due to roadway widening for the right turn conversion to a thru lane north of Sample Road.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Staff/ FDOT
- (2) Primary staff contact: Robert McCaughan/ Alessandra Delfico Ext 4507/4414
- (3) Expiration of contract, if applicable: _____
- (4) Fiscal impact and source of funding: N/A

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
Engineering	<u>1-27-15</u>	APPROVE	
Public Works	<u>1/28/15</u>	APPROVE	
City Attorney	<u>1/28/15</u>	—	

Advisory Board
 Development Services Director
 City Manager 



ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1st Reading	1st Reading	Results:	Results:
_____	_____	_____	_____
_____	_____	_____	_____
2nd Reading	_____	_____	_____
_____	_____	_____	_____



City Attorney's Communication #2015-469

January 26, 2015

TO: Alessandra Delfico, P.E., City Engineer

FROM: Gordon B. Linn, City Attorney

RE: Resolution -- District Four Highway Maintenance Memorandum of Agreement

Pursuant to your memorandum dated January 23, 2015, Engineering Department Memorandum No. 15-65, I have prepared the following captioned resolution:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO NORTH ANDREWS AVENUE EXTENSION; PROVIDING AN EFFECTIVE DATE.

Please feel free to contact me if I may be of further assistance.



GORDON B. LINN

GBL/jrm
l:cor/engr/2015-469

Attachment

RESOLUTION NO. 2015- _____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO NORTH ANDREWS AVENUE EXTENSION; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That an Agreement between the City of Pompano Beach and the State of Florida Department of Transportation, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

SECTION 2. That the proper City officials are hereby authorized to execute said Agreement between the City of Pompano Beach and the State of Florida Department of Transportation.

SECTION 3. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2015.

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

SECTION No.: 86028
FM No.: 434726-1-52-01
AGENCY: Pompano Beach
C.R. No.: N/A

DISTRICT FOUR
HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20__, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, a component agency of the State of Florida, hereinafter called the DEPARTMENT and the City of Pompano Beach, a political subdivision of the State of Florida, or a municipal corporation existing under the Laws of Florida, hereinafter called the AGENCY.

WITNESSETH:

WHEREAS, the AGENCY has jurisdiction over North Andrews Avenue Extension, as part of the City Roadway System from NW 33rd Street to SR 834/ Sample Road; and

WHEREAS, pursuant to Sections 339.07, 339.08 and 339.12, Florida Statutes and Federal funding provisions the DEPARTMENT is authorized to undertake projects within the AGENCY geographical limits and the AGENCY is desirous of having this improvement constructed; and

WHEREAS, in accordance with Title 23, U.S. Code, Section 116 and Federal Highway Administration regulations issued pursuant thereto, there must be an agreement from the AGENCY to maintain the project; and

WHEREAS, pursuant to such authority, the DEPARTMENT and the AGENCY are desirous of having the DEPARTMENT construct certain improvements more particularly described as Financial Project ID No 434726-1-52-01, including the milling, resurfacing, minor widening, and drainage improvements connecting to the existing AGENCY owned and maintained drainage system within the jurisdiction of the AGENCY ; hereinafter referred to as the "Project", as more particularly described in **Exhibit A**.

WHEREAS, upon acquisition of the necessary right-of-way, if needed, the DEPARTMENT will proceed to construct the Project; and

WHEREAS, the parties hereto mutually recognize the need for entering into an Agreement designating and setting forth the responsibilities of each party; and

WHEREAS, the AGENCY by Action on the _____ day of _____, 20__, a copy of which is attached hereto and by this reference made a part hereof, desires to enter into this Agreement and authorizes its officers to do so;

NOW THEREFORE, for and in consideration of the mutual benefits to flow each to the other, the parties covenant and agree as follows:

1. The DEPARTMENT has undertaken and obtained the approval of Federal participation for the Project, as more particularly described in **Exhibit A**.
2. The AGENCY shall allow the DEPARTMENT and its contractors to enter onto the existing AGENCY property, including easements on property acquired by the DEPARTMENT, to construct this Project. No further permit or agreement shall be required to construct this project.
3. The AGENCY shall continue to maintain the existing roadway and any property owned by AGENCY until the DEPARTMENT begins construction of the Project.
4. It is understood and agreed by the parties that upon "final acceptance" by the DEPARTMENT of the Project, (as that term is described in the Standard Specifications for Roadway and Bridge Construction dated 2015, as amended by contract documents), and Notice thereof to the AGENCY, the AGENCY shall be responsible for maintenance of said Project, at its own cost, in accordance with the following Federally and State accepted standards and all costs related thereto: (a) FDOT Plans Preparation Manual (PPM), current edition, (b) Florida Green Book dated 2011, as amended (c) Governing standards and specifications: FDOT Design Standards dated 2015, as amended (d) Standard Specifications for Roadway and Bridge Construction dated 2015, as amended by contract documents, and (e) Manual on Uniform Traffic Control Devices (MUTCD), current edition, or as amended. Maintenance of said Project includes, but is not limited to, maintenance of roadway, curb and gutter, drainage, and signage. Additionally, upon final acceptance the DEPARTMENT shall convey all acquired property interests to the AGENCY. The Department shall give the AGENCY ten (10) days notice before final acceptance.
5. The AGENCY grants herein to the DEPARTMENT all rights necessary to enter and construct the Project.
6. The AGENCY shall execute "Local Government Right of Way Certification Statement", attached as **Exhibit B**, indicating that the PROJECT can be completed within the public right of way, and/or that no additional right of way is required.
7. Warranties: The DEPARTMENT shall transfer any applicable warranties to the AGENCY.
8. Environmental permitting: If requested by the DEPARTMENT, the AGENCY shall sign as a joint applicant and be responsible for the permits related to the Project. Further the AGENCY shall be in compliance with all permits after the construction is complete and the right of way is transferred to the AGENCY. To the extent permitted by law, the AGENCY shall indemnify the DEPARTMENT for any violations by the AGENCY of any permits issued to the Department or jointly to the AGENCY and the DEPARTMENT after construction is complete. The AGENCY shall execute all documentation required by the permitting agencies in a timely manner to accept transfer of the Project. For various occupancy permits the AGENCY shall be the applicant.
9. Utilities: The AGENCY shall cooperate with the DEPARTMENT, to the extent necessary, to

accomplish utility relocations for this Project. This shall include, but not be limited to, entering into utility subordination agreements with the affected utility owners, thereby assuming liability for future utility relocations within the AGENCY right of way and proposed right of way. This shall also include having the AGENCY require the Utility to relocate or adjust if the utility is there by permit, as necessary.

10. Drainage: The AGENCY shall cooperate with the DEPARTMENT, to the extent necessary, to connect the proposed drainage system to the existing drainage system.
11. Unforeseen issues: If unforeseen issues shall arise, the AGENCY shall cooperate with the DEPARTMENT, to the extent necessary, in order to construct the Project including but not limited to executing documents, allowing the DEPARTMENT or its contractor to enter into any real property owned, possessed and controlled by the AGENCY or any other Occupancy right the AGENCY may have.
12. E-verify requirements: The AGENCY:
 - shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the AGENCY during the term of the contract; and
 - shall expressly require any contractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the contractor during the contract term.
13. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings as represented in the Final Proposed Construction plans. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.
14. This Agreement shall be governed, interpreted and construed according to the laws of the State of Florida.
15. LIST OF EXHIBITS
 - **Exhibit A:** Project Improvements and Scope
 - **Exhibit B:** Local Government Right-Of-Way **Certification Statement**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year provided below.

"CITY":

Witnesses:

CITY OF POMPANO BEACH

By: _____
LAMAR FISHER, MAYOR

By: _____
DENNIS W. BEACH, CITY MANAGER

Attest:

(SEAL)

MARY L. CHAMBERS
CITY CLERK

Approved As To Form:

GORDON B. LINN
CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instruments were acknowledged before me this _____ day of _____, 2015 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **MARY L. CHAMBERS**, City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

NOTARY PUBLIC, STATE OF FLORIDA

(Name of Acknowledger Typed, Printed or Stamped)

Commission Number

DEPARTMENT

ATTEST:

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

Executive Secretary
(SEAL)

By: _____
Transportation Development Director

_____ day of _____, 20_____

Approval :

Office of the General Counsel (Date)

SECTION No.: 86028
FM No.: 434726-1-52-01
AGENCY: Pompano Beach
C.R. No.: N/A

EXHIBIT A

PROJECT SCOPE

All of the improvements are to be completed by DEPARTMENT within the AGENCY's existing North Andrews Avenue Extension right-of-way. License Agreements will be needed in some areas.

Typical Section

- On N. Andrews Avenue Extension, the typical section for southbound traffic consists of 2-11' through lanes, 1-11' transition through lane, a 4' bike lane, curb & gutter type "F" with a new 6' concrete sidewalk, and a 4' traffic separator on the median side. The typical section for northbound traffic consist of dual left turns (10' & 11'), 3-11' through lanes, a 5' bicycle key hole, and a 10' right turn lane.

Signing and Pavement Markings

- All new Signing and Pavement markings within areas being milled and resurfaced.

Drainage

- All drainage will be constructed within existing Right-of-Way by permit.
- Construction of drainage inlets and pipe connecting to the existing AGENCY owned and maintained drainage system within the jurisdiction of the AGENCY.

Permits

- South Florida Water Management District Minor Modification to Permit No. 06-02490-p Application No. 140910-19.
- Broward County Surface Water Management License Modification SWM1997-134-2.

EXHIBIT B

ADDITIONAL STATEMENT – Local Agency Program

No Additional Right of Way Required

R/W ITEM/SEGMENT NO.:	<u>N/A</u>	STATE ROAD:	<u>N/A (Off-system Road)</u>
CONST. ITEM SEGMENT NO.:	<u>434726-1-52-01</u>	DESCRIPTION:	<u>N. Andrews Avenue Extension from SR 834 / Sample Rd to NW 33rd Street</u>
F.A.P. NO.:	<u>N/A</u>		
PREFERRED LETTING DATE:	<u>5/20/2015</u>	LOCAL AGENCY:	<u>City of Pompano Beach, Florida</u>

The following interests in land (Right of Way) will NOT be required for the construction of this project.

- Fee Title – land on which a permanent improvement is to be placed and maintained.
- Perpetual Easement – may be used when permanent improvement is to be constructed and maintained on a parcel for which acquisition of fee title is impractical.
- Temporary Easement – used when it is necessary to temporarily occupy a parcel. No improvement that is a permanent part of the transportation facility or that requires maintenance beyond the term of the easement will be constructed on the temporary easement.

The right of way maps/sketches have been compared to the construction plans and the right of way, as shown, will accommodate the planned construction. The construction activities will be performed in the existing right of way. The contractor will not be required to temporarily enter upon property not owned by City of Pompano Beach, Florida for the purpose of restoration and harmonization. There are no encroachments within existing right of way that impact the construction project.


SIGNATURE

11-5-2014
DATE

Alessandra Delfico, PE
NAME (Printed)

Title: City Engineer

Agency: City of Pompano Beach, Florida

COMPONENTS OF CONTRACT PLANS SET

- ROADWAY PLANS
- SIGNING AND PAVEMENT MARKING PLANS
- SIGNALIZATION PLANS
- LIGHTING PLANS

A DETAILED INDEX APPEARS ON THE KEY SHEET OF EACH COMPONENT

INDEX OF ROADWAY PLANS

SHEET NO.	SHEET DESCRIPTION
1	KEY SHEET
2 - 4	SUMMARY OF PAY ITEMS
5 - 7	TYPICAL SECTION
8 - 9	TYPICAL SECTION DETAILS
10	DRIVEWAY DETAILS
50-1 - 50-10	SUMMARY OF QUANTITIES
11	SUMMARY OF DRAINAGE STRUCTURES
12	OPTIONAL MATERIALS TABULATION
13	PROJECT NOTES
14 - 18	ROADWAY PLAN
19 - 21	ROADWAY PROFILE
22 - 28	DRAINAGE STRUCTURES
29 - 30	CONNECTION DETAILS
31 - 50	CROSS SECTIONS
51	TEMPORARY TRAFFIC CONTROL NOTES
52 - 57	TEMPORARY TRAFFIC CONTROL PLAN
58 - 62	UTILITY ADJUSTMENTS
UTV-1 - UTV 2	SUMMARY OF VERIFIED UTILITIES
GR-1	ROADWAY SOILS SURVEY
CTL-1 - CTL-2	PROJECT NETWORK CONTROL

LIST OF REVISED INDEX DRAWING

INDEX NO.	SHEET NO.
600	1-12 OF 12
11860	4 OF 8
17302	1 OF 1
17347	1-5 OF 5

GOVERNING STANDARDS AND SPECIFICATIONS:

Florida Department of Transportation, 2015 Design Standards and revised Index Drawings as appended herein, and January 2015 Specifications for Road and Bridge Construction, as amended by Contract Documents.

For Design Standards click on the "Design Standards" link at the following web site:
<http://www.dot.state.fl.us/rddesign/>

For the Standard Specifications for Road and Bridge Construction click on the "Specifications" link at the following web site:
<http://www.dot.state.fl.us/specificationsoffice/>

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

CONTRACT PLANS

FINANCIAL PROJECT ID 434726-1-52-01

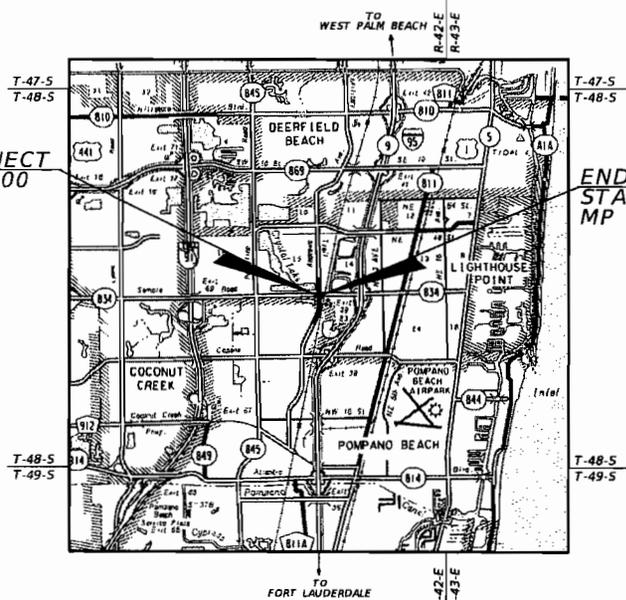
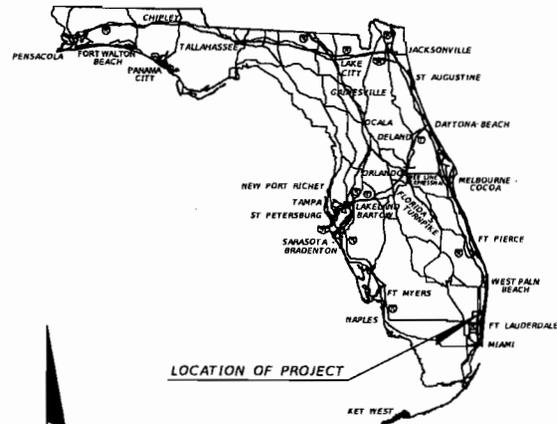
(FEDERAL FUNDS)

BROWARD COUNTY (86028)

STATE ROAD NO. 834

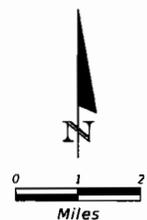
SAMPLE ROAD

FROM W. OF MILITARY TRAIL TO E. OF MILITARY TRAIL



BEGIN PROJECT
STA. 80+75.00
MP 7.064

END PROJECT
STA. 87+25.00
MP 7.187



LOCATION OF PROJECT

ROADWAY SHOP DRAWINGS
TO BE SUBMITTED TO:
EITHEL M. SIERRA, P.E.
APCTE, CORP.
10305 NW 41 STREET, SUITE 115
MIAMI, FLORIDA 33178

PLANS PREPARED BY:
**A&P Consulting Transportation
Engineers Corporation**
10305 N.W. 41 Street, Suite 115
Miami, FL 33178
(305) 592-7283 / fax: (305) 593-1594
Contract No. : C-9D10
Vendor No. : 65-0770583
CA No. : EB-0007797

NOTE: THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

LENGTH OF PROJECT		
	LINEAR FEET	MILES
ROADWAY	650.00	0.123
BRIDGES		
NET LENGTH OF PROJECT	650.00	0.123
EXCEPTIONS		
GROSS LENGTH OF PROJECT	650.00	0.123

KEY SHEET REVISIONS	
DATE	DESCRIPTION

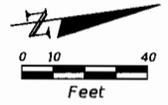
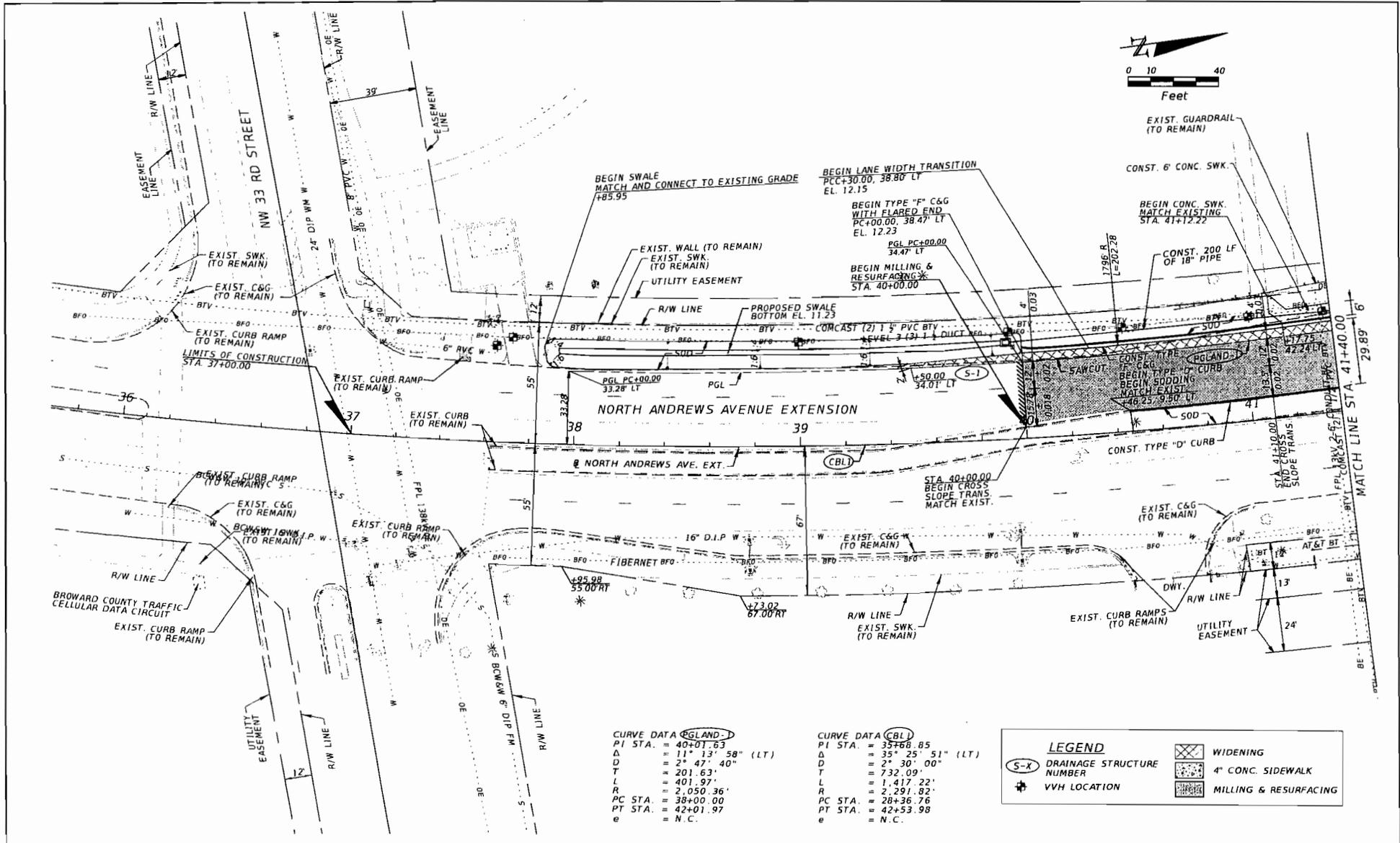
ROADWAY PLANS
ENGINEER OF RECORD: EITHEL M. SIERRA, PE

P.E. NO.: 55401

FISCAL YEAR	SHEET NO.
15	1

FDOT PROJECT MANAGER: JOHN OLSON, PE

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 61G15-23.003, F. A. C.



REVISIONS	
DATE	DESCRIPTION

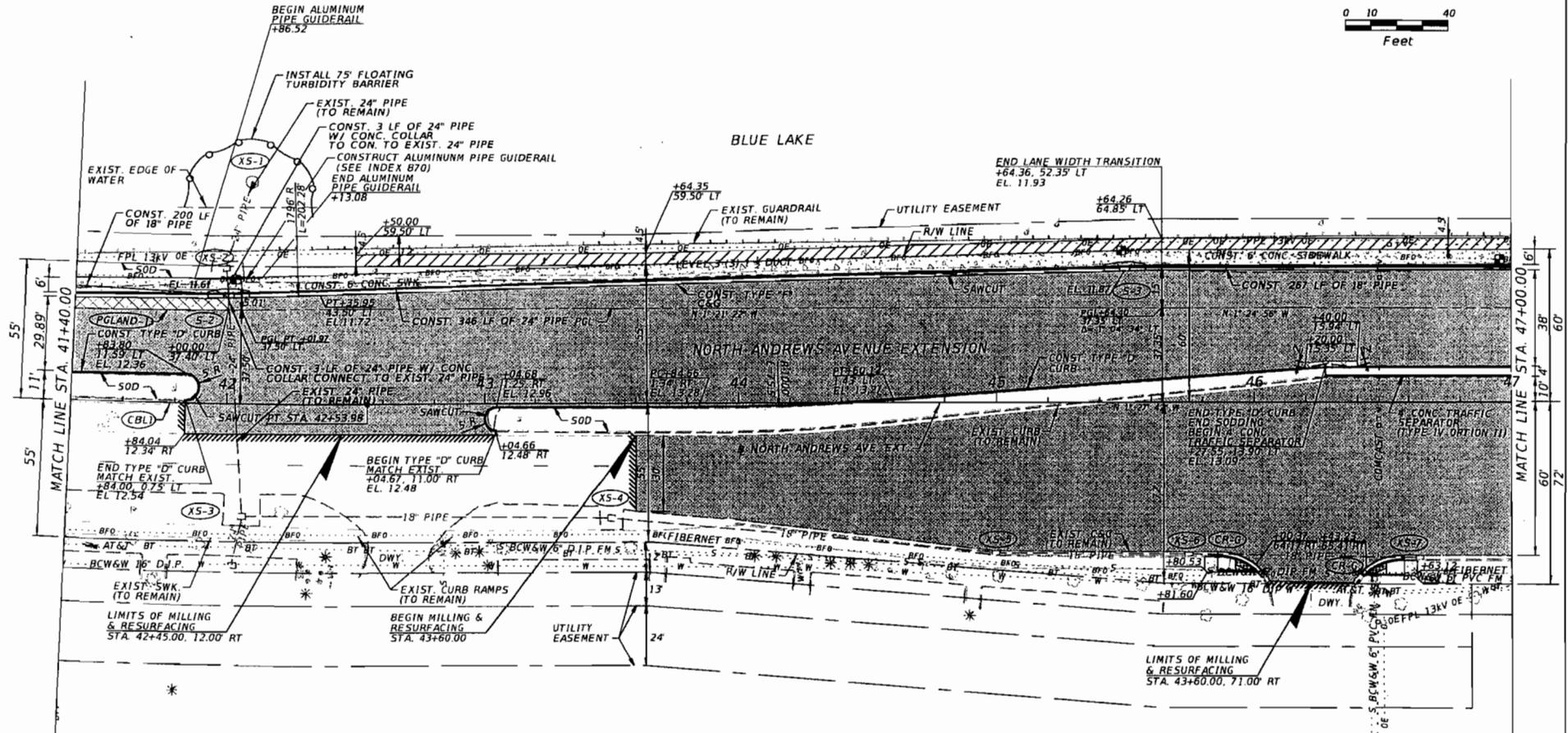
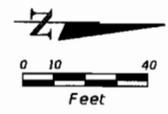
A&P Consulting Transportation Engineers Corp.
 10305 N.W. 41 Street, suite 115
 Miami, FL 33178
 (305) 592-7283 / fax: (305) 593-1594
 CA No.: EB-0007797
 Ethel M. Sierra, P.E. No. 55401

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
834	BROWARD	4347261-52-01

ROADWAY PLAN

SHEET NO.
14

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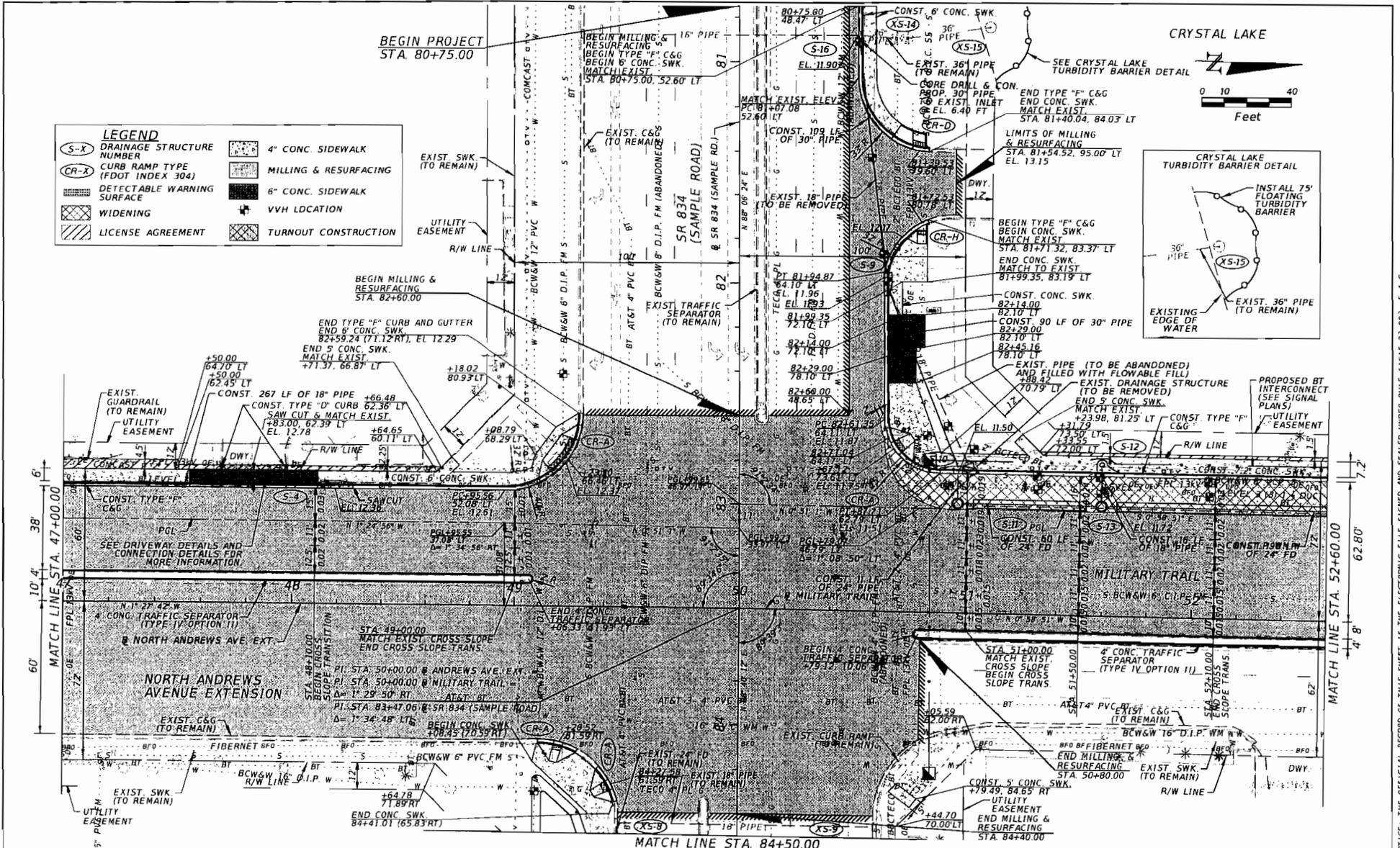


CURVE DATA (GLAND)		CURVE DATA (CBL)	
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Δ	= 11° 13' 58" (LT)	Δ	= 35° 25' 51" (LT)
D	= 2° 47' 40"	D	= 2° 30' 00"
T	= 201.63'	T	= 732.09'
L	= 401.97'	L	= 1,417.22'
R	= 2,050.36'	R	= 2,291.82'
PC STA.	= 38+00.00	PC STA.	= 28+36.76
PT STA.	= 42+01.97	PT STA.	= 42+53.98
e	= N.C.	e	= N.C.

LEGEND	
(S-X)	4" CONC. SIDEWALK
[Hatched Box]	MILLING & RESURFACING
[Diagonal Lines Box]	WIDENING
[Cross-hatched Box]	LICENSE AGREEMENT
[Star Symbol]	VVH LOCATION
[Circle with Line Symbol]	FLOATING TURBIDITY BARRIER

REVISIONS				A&P Consulting Transportation Engineers Corp. 10305 N.W. 41 Street, suite 115 Miami, FL 33178 (305) 592-7283 / fax: (305) 593-1594 CA No.: EB-000797 Elthel M. Sierra, P.E. No. 55401	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROADWAY PLAN	SHEET NO. 15
DATE	DESCRIPTION	DATE	DESCRIPTION		ROAD NO.	COUNTY	FINANCIAL PROJECT ID		
					834	BROWARD	434726-1-52-01		

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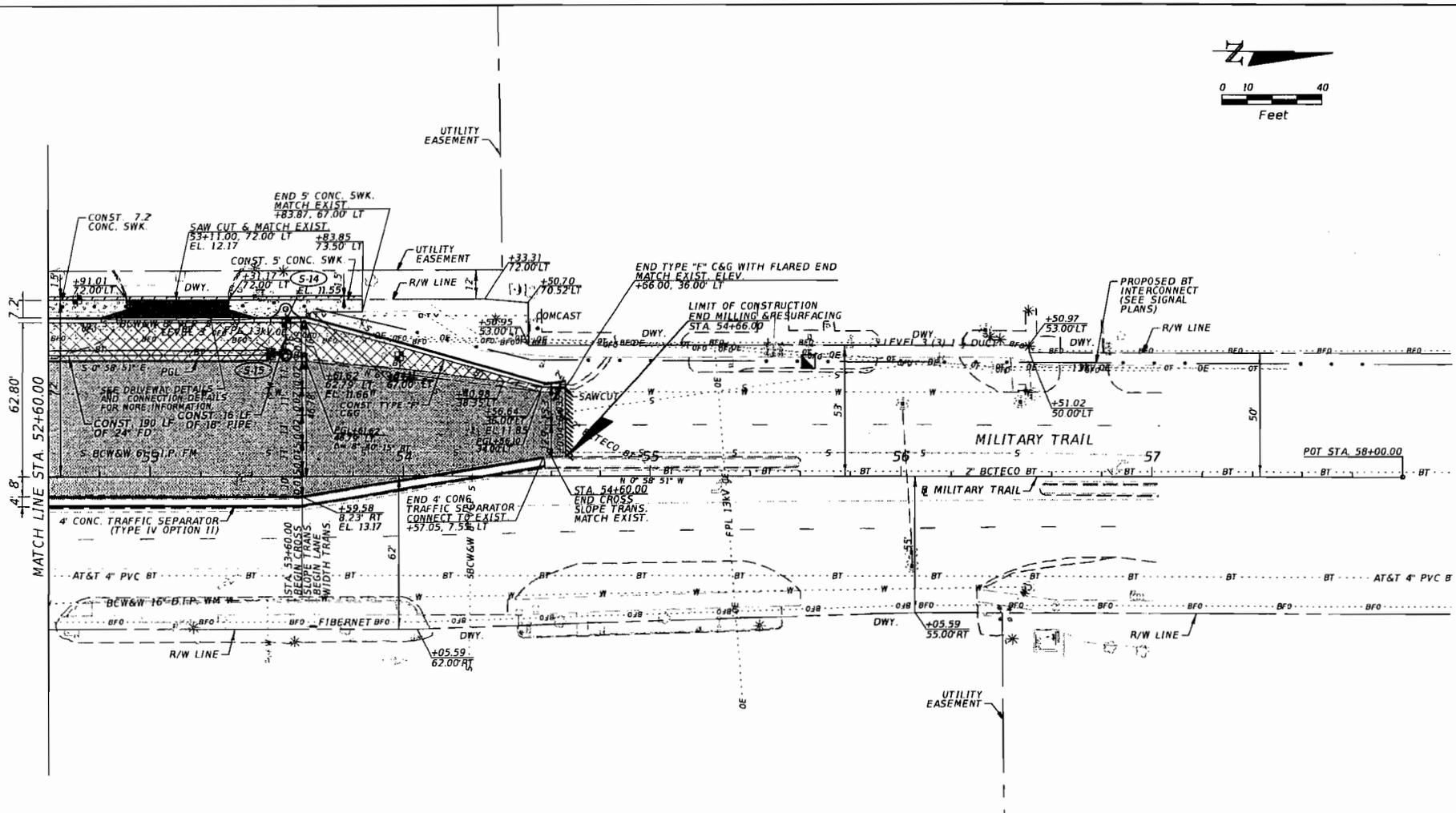
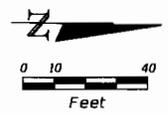
REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

A&P Consulting Transportation Engineers Corp.
 10305 N.W. 41 Street, suite 115
 Miami, FL 33178
 (305) 592-7283 / fax: (305) 583-1594
 CA No. : EB-0007797
 Ethel M. Sierra, P.E. No. 55401

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION			ROAD NO.	COUNTY	FINANCIAL PROJECT ID	SHEET NO.
834	BROWARD	434726-1-52-01				

ROADWAY PLAN

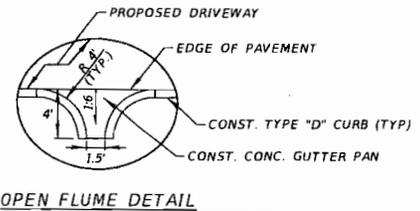
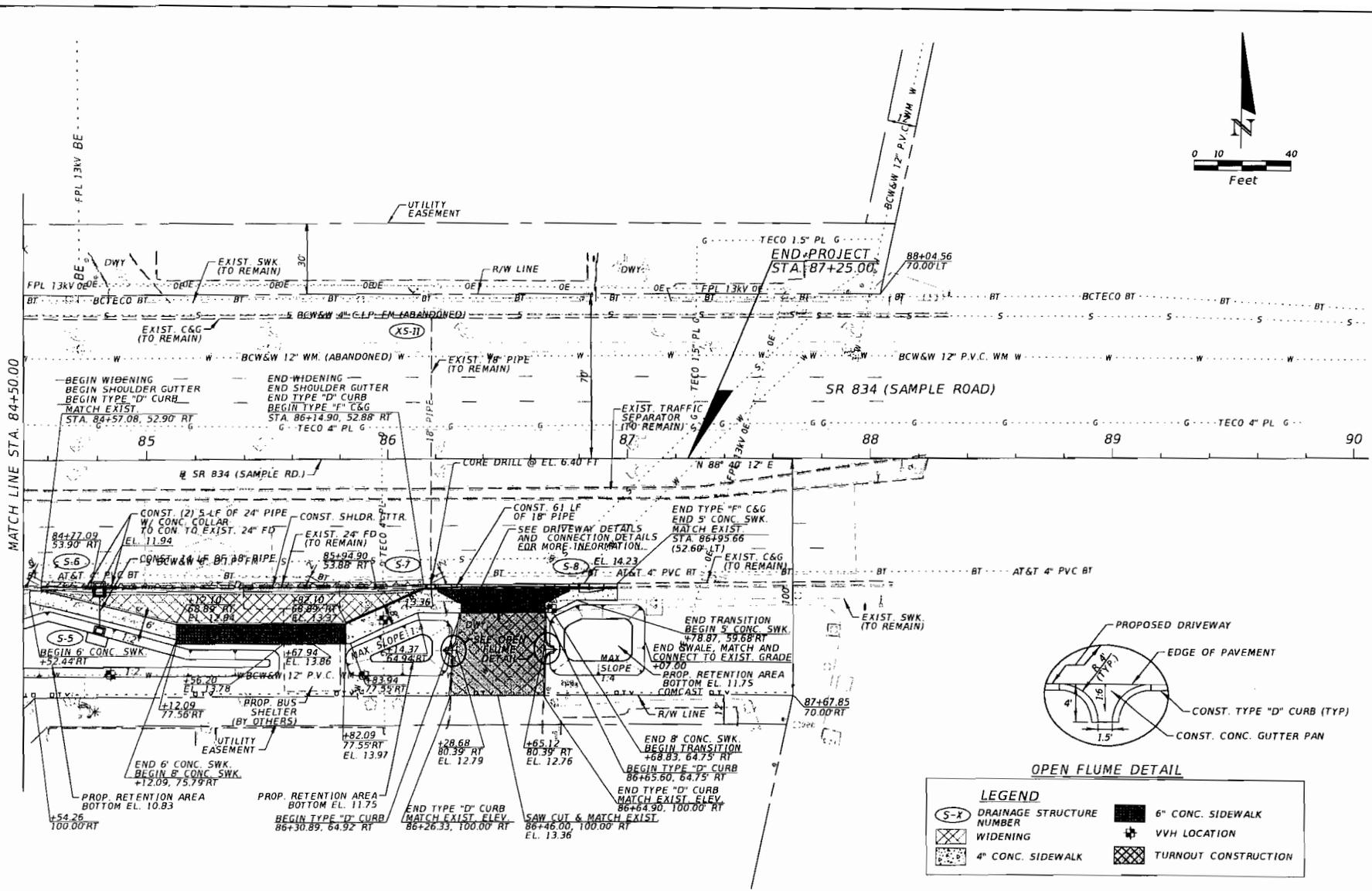
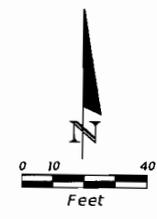
NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 61G15-23.003, F.A.C.



LEGEND	
(S-X)	DRAINAGE STRUCTURE NUMBER
[Cross-hatched box]	WIDENING
[Stippled box]	4" CONC. SIDEWALK
[Diagonal lines box]	LICENSE AGREEMENT
[Grid pattern box]	MILLING & RESURFACING
[Solid black box]	6" CONC. SIDEWALK
[Square with cross symbol]	VVH LOCATION

REVISIONS		A&P Consulting Transportation Engineers Corp. 10305 N.W. 41 Street, suite 116 Miami, FL 33178 (305) 592-7283 / fax: (305) 593-1594 CA No.: EB-0007797 Ethel M. Sierra, P.E. No. 55401	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		ROADWAY PLAN	SHEET NO. 17
DATE	DESCRIPTION		ROAD NO.	COUNTY		
			834	BROWARD	434726-1-52-01	

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE STORED AND SEALED UNDER RULE 61013-23.003, F.A.C.



LEGEND

(S-X)	DRAINAGE STRUCTURE NUMBER	[Solid Black Box]	6\"/>
[Cross-hatched Box]	WIDENING	[Square with Plus Sign]	VVH LOCATION
[Dotted Box]	4\"/>		
[Diagonal-hatched Box]	TURNOUT CONSTRUCTION		

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

A&P Consulting Transportation Engineers Corp.
 10305 N.W. 41 Street, suite 115
 Miami, FL 33178
 (305) 592-7283 / fax: (305) 593-1594
 CA No.: EB-0007797
 Ethel M. Sierra, P.E. No. 55401

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION		
ROAD NO.	COUNTY	FINANCIAL PROJECT ID
834	BROWARD	4347 26-1-52-01

ROADWAY PLAN		SHEET NO. 18
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