

RESOLUTION NO. 214-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING A UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR DESIGN AND CONSTRUCTION SERVICES FOR THE RELOCATION OF CITY UTILITY INFRASTRUCTURE TO BE PERFORMED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION CONTRACTORS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (“City”) is authorized to enter into agreements to provide services, programming and products in accordance with its Charter; and

WHEREAS, the City owns utility infrastructure within Florida Department of Transportation (“FDOT”) right-of-way along State Road 5 from Bailey Street to south of Eve Street (“Subject ROW”); and

WHEREAS, FDOT will be making improvements along the Subject ROW; and

WHEREAS, the existing utility infrastructure in the Subject ROW will need to be modified or relocated as part of FDOT’s project; and

WHEREAS, the City desires to enter into an agreement with FDOT so that FDOT’s design consultant and construction contractor will relocate said City utility infrastructure impacted by the roadway work; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach has reviewed and hereby approves this Agreement between the City and Florida Department of Transportation, which is attached to this Resolution as Exhibit “A”.

Section 3. The City Commission authorizes the City Manager to execute any amendments and/or renewals to the Agreement and take any other actions necessary to effectuate this Agreement.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the \_\_\_\_ day of \_\_\_\_\_, 2023.

ATTEST:

\_\_\_\_\_  
Katerri Johnson, City Clerk

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Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

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Lynn Gelin, City Attorney