



## Cover Memorandum/Staff Report

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**File #:** 24-196

**Agenda Date:** 2/20/2024

**Item #:** 6.G.6.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Director Public Works  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** February 20, 2024

APPROVAL OF RESOLUTION NO. 42-24 APPROVING THE LOCAL AGENCY PROGRAM AGREEMENT (444377-1-58-01) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING RECEIPT OF GRANT FUNDS FOR THE OLD GERMANTOWN ROAD BICYCLE AND PEDESTRIAN IMPROVEMENTS PROJECT FROM OLD GERMANTOWN ROAD TO CONGRESS AVENUE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND DIRECTING AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE SAME; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

### **Recommended Action:**

Motion to approve Resolution No. 42-24 and to approve the Local Agency Program agreement (444377-1-58-01) with the Florida Department of Transportation regarding receipt of grant funds for the Old Germantown Road Bicycle and Pedestrian Improvements Project from Old Germantown Road to Congress Avenue in a maximum amount of \$4,706,455 (Federal Funds). The total estimated construction cost (inclusive of contingencies, construction engineering and inspection) is \$8,328,000; therefore, the City is responsible for providing funds in excess of the \$4,706,455 grant funds.

### **Background:**

The Palm Beach Transportation Planning Agency (TPA) administers competitive grant application processes annually for the funding of projects located within Palm Beach County. The grant application process typically commences in January, when the Transportation Planning Agency (TPA) posts online application materials. The Long-Range Transportation Plan Directions 2040 carved out future allocations of TPA Surface Transportation funds to be used at the TPA's discretion. As a result, the Local Initiatives (LI) program was created as an annual application process to identify and evaluate potential funding for lower-cost, non-regionally significant transportation projects identified by local communities. This is a cost reimbursement program where projects are selected by the TPA but administered by the Florida Department of Transportation (FDOT).

The program funds on and off-road pedestrian and bicycle facilities; infrastructure for improving non-driver access to public transportation for enhanced mobility; community improvement activities; environmental mitigation; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.

Following a 2017 application, the City of Delray Beach (City) was awarded a federally-funded grant by the Transportation Planning Agency of Palm Beach (TPA) under its Local Initiatives Program for "widening and/or restriping roadways to provide designated bike lanes, construction of pedestrian

facilities, shared use paths, greenway/trail corridors, bike and pedestrian supporting facilities”. The project is partially funded through federal funds administered by the FDOT under the Local Agency Program (LAP), as well as local agency funds provided by the City.

The Old Germantown Road Bicycle and Pedestrian Improvements project plans to construct shared-use paths on both sides of the existing roadway. Currently, there are intermittent sidewalks and no bicycle facilities throughout the corridor. This project will fill the gaps, as well as add safe and protected bicycle facilities. These improvements will provide an alternative pedestrian and bicycle route to Linton Boulevard and expand bicycle network connections in Delray Beach. All work will be constructed in existing right-of-way and will comply with ADA accessibility requirements.

This motion is in accordance with Administrative Policies and Procedures BF-24, Rev. 2.

**Attachments:**

1. Legal Review Checklist
2. FDOT Local Agency Program Agreement No. 444377-1-58-01
3. Resolution No. 42-24

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Funding for this project is available from Acct #334-41-340-541-63.05 (Capital Outlay Germantown Rd Improvements) in the amount of \$1,275,000 for FY24 (Finance Project Number 41020). The estimated construction cost for the Old Germantown Road Bicycle and Pedestrian Improvement project is \$8,328,000 (inclusive of contingencies, construction engineering and inspection), which includes a maximum Federal Funding amount of \$4,706,455. Remaining Local Funding amounts for construction and CEI to be determined upon bid award and CEI RFQ negotiations.

**Timing of Request:**

Approval of this agreement is time sensitive to meet FDOT’s fund encumbrance deadline of March 1, 2024.