



Cover Memorandum/Staff Report

File #: 25-1560

Agenda Date: 12/8/2025

Item #: 6.B.

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: December 8, 2025

APPROVAL OF AN INTERLOCAL AGREEMENT (ILA) BETWEEN THE CITY OF BOYNTON BEACH AND THE CITY OF DELRAY BEACH FOR FUNDING THE CONSTRUCTION PHASE OF SE 36TH AVENUE/GULFSTREAM BOULEVARD IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$1,500,000.00

Recommended Action:

Motion to approve an ILA between the City of Boynton Beach and City of Delray Beach and for funding the Construction Phase of SE 36th Avenue/Gulfstream Boulevard Improvements in an amount not to exceed \$1,500,000.00.

Background:

SE 36th Avenue/Gulfstream Boulevard is jointly owned by both the City (eastbound lane/southern portion) and Boynton Beach (westbound lane/northern portion). Both the City and Boynton Beach previously entered into an ILA, dated May 19, 2020, as amended by the First Amendment dated February 25, 2021, to provide for the shared expenses of the engineering design for improvements from Seacrest Boulevard eastward to the Florida East Coast Railway (FEC) right-of-way (ROW). The scope of work consists of roadway widening for an existing two-lane road with milling and resurfacing; a new 10-foot-wide concrete shared-use path on Boynton Beach's side, and an 8-foot-wide concrete shared-use path on Delray Beach's side; landscape removals and new plantings; irrigation; reconstruction of medians; 24-inch drainage pipe inclusive of drainage structures and 6-foot-wide exfiltration trenches; water service replacement; swale re-grading; lighting; and incidental construction of curbs, sidewalks, driveways, sod, pavement markings, signage, and utility reconstruction (the "Streetscape Portion") and construction of a new watermain ("Watermain Portion Phase I").

The planning/design phase of the project has been completed. The proposed ILA between the City and Boynton Beach is required to allocate each party's pro rata share of expenses for the construction phase.

Each party agrees to pay its share of the actual cost of construction expenses for the Streetscape Portion of the project. The total cost of construction of the Streetscape Portion of the Project is estimated to be \$2,657,411.20. The parties agree to the following estimated pro rata expense allocation:

Boynton Beach Portion	\$1,343,135.60
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Delray Beach Portion \$1,314,275.60

In conjunction with Streetscape Portion of the project, Boynton Beach is constructing a new watermain in the project area. The construction expenses related to the Watermain Portion Phase I and Phase II (extends from the west side of the FEC ROW) of the project shall be paid for solely by Boynton Beach.

If the actual cost of the Streetscape Portion of the project deviates from the estimated cost, the final pro rata portion of each party shall be automatically adjusted upward or downward to reflect such deviation, without the need for a written amendment, provided that neither party's portion shall exceed \$1,500,000.00 (the "Estimated Maximum Cost") without further approval by the applicable City Commission, and execution of a written amendment to this agreement; which accounts for the base estimated construction cost plus a 10% allowance for estimation accuracy, and a 10% contingency for unforeseen conditions.

The ILA shall remain in effect until the project is completed, and City pays its pro rata share to Boynton Beach for the project. This ILA shall not be terminated by either party, at any time during the term, unless agreed to in writing by both parties; or as otherwise provided in the agreement.

The ILA is scheduled for review and approval by the City Commission of the City of Boynton Beach at the meeting scheduled for December 2, 2025.

Attachments:

1. ILA for Construction Phase of SE 36th Avenue/Gulfstream Boulevard
2. Legal Review Checklist
3. Amendment No. 1 to ILA for Engineering/Design Services of SE 36th Avenue/Gulfstream Boulevard
4. ILA for Engineering/Design Services of SE 36th Avenue/Gulfstream Boulevard

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Funding in the amount of \$1,650,000.00 is available in Account No. 334-41-340-541-63-90 (Capital Outlay Other Improvements) as approved in the Fiscal Years 2026 through 2030 Capital Improvements Program (CIP) Budget (Finance Project Code 41043). The City has also been awarded an appropriation of \$1,000,000 (Agreement L0179) by the Florida Department of Environmental Protection (FDEP) to partially fund this project.

Timing of Request:

Timely approval is requested to initiate pending projects.