

RESOLUTION NO. 32-18

A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING A UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION TO HAVE THE UTILITY RELOCATIONS DESIGN AND CONSTRUCTION PERFORMED BY FDOT CONTRACTORS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; 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 and the Florida Department of Transportation (FDOT) wishes to make improvements along US-1/Federal Highway from North of George Bush Boulevard to the C-16 Canal (State Road 5) that will impact the City's water and sewer pipe lines.

WHEREAS, the City desires to enter into an agreement with Florida Department of Transportation (FDOT) so that the FDOT's design consultant and construction contractor relocate said pipe lines that are impacted by their roadway work.

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 ORDAINED 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 the Agreement and any amendments and/or renewals thereto, 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 _____, 2018.

ATTEST:

M A Y O R

Katerri Johnson, City Clerk

Approved as to form and legal sufficiency:

R. Max Lohman, City Attorney