



## Legislation Text

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**File #:** 17-761, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Deputy Director - Program and Project Management  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** October 17, 2017

ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR 2702 N. FEDERAL HIGHWAY

**Recommended Action:**

Motion to Approve and accept a Hold Harmless Agreement for 2702 N. Federal Hwy.

**Background:**

In July 2016, the owner (Delray Health and Wellness Inc.) submitted building permit #16-164517 to construct a new commercial building.

The contractor (Mason Development & Construction) is planning to relocate the City's water main within the State Right-of-Way on N. Federal Hwy. As a result, a utility permit from the Florida Department of Transportation (FDOT) is required. Since the City will be maintaining that part of the water main within the FDOT right-of-way, FDOT requires that the City sign the permit application. The Hold Harmless Agreement provides the City with a one year warranty for all work completed within FDOT right-of-way by Owner.

Attachments provided:

- 1) Hold Harmless Agreement
- 2) Utility Work Location 2702 N. Federal Hwy.
- 3) FDOT Utility Permit
- 4) PAPA Page
- 5) PAPA Map Location
- 6) Sunbiz Page
- 7) Legal review Checklist

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

N/A

**Timing of Request:**

The timing of this request is of high importance in order to process the utility permit for proposed work.