



## Legislation Details (With Text)

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<b>Type:</b>	Resolution	<b>Status:</b>		Passed	
<b>File created:</b>	8/22/2017	<b>In control:</b>		City Commission	
<b>On agenda:</b>	10/3/2017	<b>Final action:</b>		10/3/2017	
<b>Title:</b>	RESOLUTION NO. 70-17: LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE NE 2ND AVENUE / SEACREST BEAUTIFICATION PHASE 2 (NE 13TH STREET TO NE 22ND STREET) PROJECT.				
<b>Sponsors:</b>	Environmental Services Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. LOCATION MAP, 2. Legal Review Checklist FDOT LAP NE 2nd ave, 3. LAP agt, 4. Exhibit A, 5. Exhibit B, 6. Exhibit C, 7. Exhibit E, 8. Exhibit F, 9. Exhibit 1, 10. Resolution 70-17 LAP Agt - FDOT				

Date	Ver.	Action By	Action	Result
10/3/2017	1	City Commission	approved	

**TO:** Mayor and Commissioners  
**FROM:** Caryn Gardner-Young, Assistant City Manager  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** October 3, 2017

RESOLUTION NO. 70-17: LOCAL AGENCY PROGRAM AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE NE 2ND AVENUE / SEACREST BEAUTIFICATION PHASE 2 (NE 13TH STREET TO NE 22ND STREET) PROJECT.

### **Recommended Action:**

Motion to adopt Resolution No. 70-17; and consider approval to execute the Local Agency Program (LAP) Agreement with the Florida Department of Transportation (FDOT) for the funding of the NE 2nd Avenue Beautification Phase 2 (Project No. 16-032).

### **Background:**

The Seacrest Beautification projects are federally funded through the FDOT Local Agency Program. The project evolved into four phases. Phase 0 limits are from NE 4th Street/Lake Ida to NE 8th Street / George Bush Boulevard and construction was completed December 2016. Phase 1 limits are from NE 8th Street/George Bush Boulevard to NE 13th Street and anticipated to commence construction in October 2017. Phase 2 limits are from NE 13th Street to NE 22nd Street; and Phase 3 limits are from NE 22nd Street to Gulf Stream Boulevard.

In March 2015, the Mayor executed Resolution No. 07-15 thereby entering into a LAP agreement with FDOT for the construction of Phase 0 (NE 4th Street to NE 8th Street). In January 2017, the Mayor executed Resolution No. 01-17 for Phase 1 (NE 8th to NE 13th Street). In April 2016, City of Delray Beach (City) City Commission gave approval to move forward with design of Phase 2 (NE 13th Street to NE 22nd Street) and includes the following improvements:

- Reduction in travel lanes from 12' to 10'
- Dedicated 5' bike lanes on both sides of the road
- Concrete 5' sidewalks on both sides of the road
- Brick paver crosswalks

Phase 2 LAP agreement explains FDOT's project participation (refer to Exhibit "A" for project description); it states the terms and conditions of FDOT's financial assistance to the City; how funds will be provided; and the manner in which the project will be undertaken and completed. The City agrees to complete the project on or before December 31, 2019. The total estimated engineering cost of construction is \$1,372,047.00 with a maximum contribution from FDOT in the amount of \$695,829.00 and City's responsibility at \$676,218.00 (refer to Exhibit "B" for schedule of funding).

FDOT requires a resolution (Resolution 70-17, Exhibit "F") authorizing the Mayor to execute the Phase 2 LAP Agreement on behalf of the City. FDOT's funding commitment was awarded to the City in June 2015 and programmed in FDOT's District 4 work program for fiscal year 2017-2018. The City previously agreed to meet FDOT's schedule and financial responsibilities. FDOT encumbrance date (LAP commitment) is scheduled for November 2017 and is contingent upon this motion to adopt Resolution No. 70-17 and execute the Phase 2 LAP agreement. This will also facilitate construction activities to commence in the summer of 2018.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

Funding is available from account number 334-4134-0541-68.18 (General Construction Fund: Other Improvement-NE 2nd Ave/Seacrest Beautification).

**Timing of Request:**

This agreement is time sensitive in order to secure funding and keep the project on schedule.