



## Legislation Details (With Text)

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<b>Type:</b>	Request	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	9/20/2017	<b>In control:</b>		City Commission	
<b>On agenda:</b>	10/17/2017	<b>Final action:</b>			
<b>Title:</b>	ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR 2702 N. FEDERAL HIGHWAY				
<b>Sponsors:</b>	Environmental Services Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Hold Harmless Agreement 2702 N. Federal Hwy., 2. Utility Work Location 2702 N. Federal Hwy., 3. FDOT Utility Permit 2702 N. Federal Hwy., 4. PAPA Page -Delray Health & Wellness, 5. PAPA Map Location 2702 N. Federal Hwy., 6. Sun Biz Page -Delray Health & Wellness, 7. Legal Review Checklist HH for Work in State ROW Delray Health & Wellness				

Date	Ver.	Action By	Action	Result
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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.