

RESOLUTION 2014-12

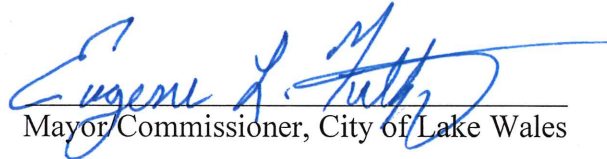
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT BETWEEN THE CITY OF LAKE WALES AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION INCLUDING ANY AMENDMENT THERETO FOR THE MAINTENANCE OF NEWLY INSTALLED SIDEWALKS AND OTHER IMPROVEMENTS.

WHEREAS, the City of Lake Wales and the State of Florida Department of Transportation hereto mutually recognize the need for entering into an Agreement pursuant to 339.2818 Florida Statutes, designating and setting forth the responsibilities of each party in regards to maintenance of certain new sidewalks and other improvements within the boundaries of the city.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of Lake Wales, that:

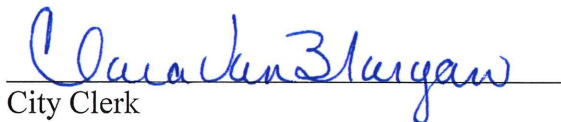
1. The City Commission approves entering into a Maintenance Agreement with the State of Florida Department of Transportation which Agreement is designated as Financial Project #430915-1-32/52/62-01 for maintenance of new sidewalks and improvements in accordance with the following federally accepted state standards: (a) Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (2011), as amended.
2. The Mayor is hereby authorized to execute the above referenced Maintenance Agreement on behalf of the City of Lake Wales.

THIS RESOLUTION INTRODUCED AND PASSED by the City Commission of the City of Lake Wales, Polk County, Florida at its regular meeting on October 7, 2014.



Mayor/Commissioner, City of Lake Wales

ATTEST:



City Clerk

**TRANSPORTATION POST PROJECT MAINTENANCE AGREEMENT
BETWEEN
FLORIDA DEPARTMENT OF TRANSPORTATION
AND
CITY OF LAKE WALES**

This is an Agreement, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (hereinafter, the "DEPARTMENT") and the CITY OF LAKE WALES (hereinafter, "LOCAL AGENCY") for the maintenance of Small County Outreach Program post project described below.

W I T N E S S E T H

1. WHEREAS, said project is identified and known to the parties as Financial Project #430915-1-32/52/62-01, which will benefit the LOCAL AGENCY; and
2. WHEREAS, in accordance with 339.2818 Florida Statutes regulations issued pursuant thereto, there must be an agreement from the LOCAL AGENCY to maintain the project; and
3. WHEREAS, the LOCAL AGENCY by Resolution No. 2014-12, dated October 7th 2014, a copy of which is attached hereto and made a part hereof, has consented to and approved the Agreement and has authorized its Chairman or designee to execute said Agreement.

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. The DEPARTMENT has undertaken the project and obtained approval for state participation to provide:
5' wide concrete sidewalk and miscellaneous improvements along the east side of 2nd Street from SR 60 to Polk Avenue, along the east side of 3rd Street from SR 60 to Polk Avenue and along the west side of 3rd Street from Steedly Ave to Polk Avenue. The project includes signing, crosswalk and school pavement markings.
2. It is understood and agreed by the parties that upon completion of the project, the LOCAL AGENCY shall be responsible, at its costs, for maintenance of said project in accordance with the following federally accepted state standards: (a) Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (2011), as amended.
3. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understanding concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representation or agreements whether oral or written.
4. This Agreement shall be governed, interpreted and construed according to the laws of the State of Florida.

IN WITNESS WHEREOF, CITY OF LAKE WALES has caused this Agreement to be executed in its behalf through its Chairman or designee, and THE FLORIDA DEPARTMENT OF TRANSPORTATION has caused this Agreement to be executed in its behalf through its District Secretary for District One, as indicated below. This Agreement shall become effective on:

November 12th 2014
Department to enter date.

CITY OF LAKE WALES, FLORIDA

ATTEST

BY: [Signature]

Jennifer J. Nadeau

PRINT NAME

Deputy City Clerk

TITLE

10/14/14
DATE

BY: [Signature]

CHAIRMAN OR DESIGNEE

Eugene L. Fultz

PRINT NAME

10/14/14
DATE

CITY OF LAKE WALES LEGAL REVIEW:

BY: [Signature]

10-17-14
DATE

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST

BY: [Signature]

Geraldine McCants

PRINT NAME

Administrative Assistant

TITLE

11/12/14
DATE

BY: [Signature]

DISTRICT ONE SECRETARY
OR DESIGNEE

Chris Smith
PRINT NAME

Director of Transportation Development

TITLE

11/7/14
DATE

PROJECT MANAGER APPROVED:

BY: [Signature]

FLA. DEPT. OF TRANS. LEGAL REVIEW:

BY: [Signature]

RESOLUTION 2014-12

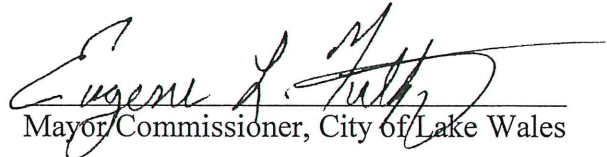
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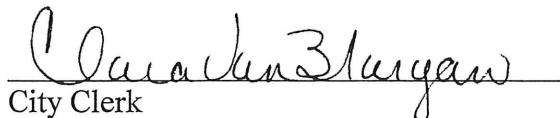
NOW, THEREFORE, BE IT RESOLVED by the City Commission of Lake Wales, that:

1. The City Commission approves entering into a Maintenance Agreement with the State of Florida Department of Transportation which Agreement is designated as Financial Project #430915-1-32/52/62-01 for maintenance of new sidewalks and improvements in accordance with the following federally accepted state standards: (a) Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (2011), as amended.
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THIS RESOLUTION INTRODUCED AND PASSED by the City Commission of the City of Lake Wales, Polk County, Florida at its regular meeting on October 7, 2014.


Mayor/Commissioner, City of Lake Wales

ATTEST:


City Clerk





Florida Department of Transportation

RICK SCOTT
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

ANANTH PRASAD, P.E.
SECRETARY

MEMORANDUM

Date: November 13, 2014

To: Teresa Allen, Assistant Public/Support Service Director

From: *JA* Jobin C. Abraham, Local Program Coordinator

Copies: File

Subject: Maintenance Agreement
Agency: City of Lake Wales
FM #: 430915-1-32/52/62-01
Description: Sidewalk – Polk Avenue Elementary SRTS Safety Sidewalks

Attached for your file is one (1) copy of the above referenced document, which has been fully executed by the Department of Transportation.

Also, please find attached the following documentation:

- 1) Resolution

Please advise if further information is needed.

Thank you.