



Interoffice Memorandum

November 21, 2019

TO: Mayor Jerry L. Demings and Board of County Commissioners

FROM: Diana M. Almodovar, P.E., Interim Public Works Director

CONTACT PERSON: **Diana M. Almodovar, P.E., Interim Director** *DMA*
Public Works Department

PHONE NUMBER: **(407) 836-7970**

SUBJECT: **Orange County and the Florida Department of Transportation
Highway Maintenance Memorandum of Agreement Contract No.
AS278 Renewal**

The Hunter's Creek Community Association (HCCA) performs additional maintenance to the unpaved portions of South Orange Blossom Trail (SR 500/441) adjacent to their development. This right of way is owned and under the jurisdiction of the State of Florida and a Memorandum of Agreement with the Florida Department of Transportation (FDOT) was required prior to performing any contractual maintenance work within the FDOT Right-of-Way. The FDOT is prohibited from entering into any contractual agreement for maintenance with a non-governmental agency such as the HCCA.

The HCCA has asked Orange County to act on its behalf and enter into this Memorandum of Agreement (MOA) with the FDOT. The MOA sets forth the responsibility for each party in regards to performance and compensation for maintenance of the FDOT Right-of-Way. Orange County will be compensated with the State funding budgeted for maintaining this portion of SR 500/441. This contract renewal will extend the period of the contract to January 8, 2023.

In addition, a separate agreement was required between Orange County and the HCCA describing how the HCCA is compensated through Orange County for actually maintaining this portion of the FDOT Right-of-Way. The Board approved this agreement on June 2, 2009. An amendment to the HCCA agreement was approved on December 13, 2016.

This Contract No.: AS278 renewal was reviewed and approved by the County Attorney's Office and the Risk Management Division.

Action Requested: **Approval of State of Florida Department of Transportation Contract Renewal Contract No.: AS278 Financial Project No(s): 426022-1-78-03 by and between the State of Florida Department of Transportation and Orange County to extend the period of the contract to January 8, 2023. District 1.**

DMA/JO/GS

Attachments



OFFICE OF COMPTROLLER

ORANGE
COUNTY
FLORIDA

Phil Diamond, CPA
County Comptroller as
Clerk of the Board of County Commissioners
201 South Rosalind Avenue
Post Office Box 38
Orlando, FL 32802
Telephone: (407) 836-7300
Fax: (407) 836-5359

DATE: December 5, 2019

TO: Diana Almodovar, Director
Public Works Department, BCC

FROM: Katie Smith, Deputy Clerk *NP for KS*
Comptroller Clerk of BCC

SUBJECT: Request for Execution of Document, Public Works Department Consent
Item 8, December 3, 2019

Enclosed is the State of Florida Department of Transportation Contract Renewal Contract No.: AS278 (1 original) which was approved by the Board of County Commissioners (BCC) at its regular meeting held on December 3, 2019.

Please forward the document to all required parties for signature.

Email copies of the fully-executed documents to ClerkofBCC@occompt.com and copy terese.parsons@ocfl.net. Note: ClerkofBCC@occompt.com is **used only for County staff submission of pending documents.**

Please include in cover memo or subject line identification of the document by name, agenda item number, and date of BCC approval. Emailed copies must be in full-size PDF format. The documents will be processed and filed for the record upon receipt.

If you are unable to return a copy of the fully-executed document before January 3, 2020, notify Katie Smith by email of the reason for the delay prior to that date.

If you have any questions, please do not hesitate to call.

ks:np

Enclosure (1)

dl: Chris Testerman, Deputy County Administrator, BCC [email]

Whitney Verrett, Executive Assistant, Public Works Department, BCC [email]

Terese Parsons, Executive Assistant, County Administrator's Office, BCC [email]

Pending File

DEC 03 2019

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
CONTRACT RENEWAL

Contract No.: AS278 Renewal: (1st, 2nd, etc.) 1st & Final
Financial Project No(s): 426022-1-78-03
County(ies): Orange

This Agreement made and entered into this _____ day of _____, 2019, by and between the State of Florida Department of Transportation, hereinafter called "Department", and Orange County, a Political Subdivision, hereinafter called "Contractor".

WITNESSETH:

WHEREAS, the Department and the Contractor heretofore on this 5th day of January, 2017 entered into an Agreement whereby the Department retained the Contractor to perform routine maintenance to include Activities 432, 433, 471, 485, 487, 490, 492, 494, 497, 541 and 545 on S.R. 500; and

WHEREAS, said Agreement has a renewal option which provides for a renewal if mutually agreed to by both parties and subject to the same terms and conditions of the original Agreement;

NOW, THEREFORE, this Agreement witnesseth that for and in consideration of the mutual benefits to flow each to the other, the parties agree to a renewal of said original Agreement for a period beginning the 9th day of January, 2020 and ending the 8th day of January, 2023 at a total cost of \$33,000.00 for the contract term.

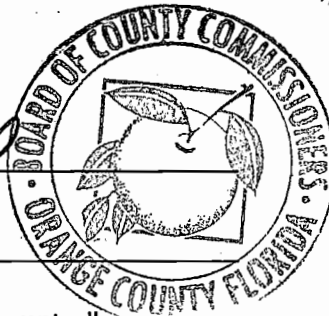
All terms and conditions of said original Agreement shall remain in force and effect for this renewal.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized officers on the day, month, and year set forth above.

"CONTRACTOR"

ORANGE COUNTY, FLORIDA
BY: Board of County Commissioners

BY: Jerry L. Demings
Jerry L. Demings, Mayor
Date: 3 Dec 19



STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

BY: _____
Alan E. Hyman, P.E.

Title: Director of Transportation Operations

Legal: _____

Fiscal: _____
Approval as to Availability of Funds

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: Heather Pez Date: DEC 03 2019
Deputy Clerk

N/A (SEAL)
Name of Surety

Countersigned: _____
Florida Licensed Insurance Agent Date