



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: City Council **MEETING DATE:** February 17, 2023
FROM: Development Services Department
SUBJECT: Review and approval of Tri-Party Construction Agreement for Pearce Bridge Construction over CSXT Property

BACKGROUND

DR Horton, Inc. proposes to construct the proposed Pearce Bridge over CSXT to connect US 17 to the Rookery PUD. As a result, a Tri Party Construction Agreement has been created between CSXT, DR Horton and the City of Green Cove Springs to provide the terms and conditions upon which the project may proceed.

The agreement sections include:

1. Project Plans and Specifications
2. Allocation and Conduct of Work
3. Special Provisions
4. Cost of Project and Reimbursement Procedures
5. Developer's Assurances
6. Easements and Licenses
7. Permits
8. Termination of Project or Agreement
9. Insurance
10. Ownership, Maintenance and Alterations
11. Indemnification
12. Independent Contractor
13. Public Dedication of Project
14. Complete Understanding
15. Waiver
16. Assignment
17. Notices
18. Severability
19. Applicable Law

Subsequent to the approval of the Tri Party Agreement, DR Horton will need to provide a separate surety agreement including a performance and maintenance bond with the City of Green Cove Springs. Pursuant to the agreement, the work is expected to be completed within two years from the Agreement Date, however the applicant can request an extension if construction is ongoing.

The signed construction plans designed by Duane Merrell, PE are enclosed.

STAFF RECOMMENDATION

Staff recommends approval of the Tri-Party Construction Agreement for the Pearce Bridge Project

Recommended Motion:

Motion to approve the Tri-Party Agreement for the Pearce Bridge Project.