

RESOLUTION 43-06-24

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LOCALLY FUNDED AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Town of Lake Park, Florida (TOWN) is a municipality and given those powers and responsibilities enumerated by Chapter 166 Florida Statutes, and the Florida Constitution; and

WHEREAS, the Florida Department of Transportation (DEPARTMENT) will be performing certain construction work along SR-5/US-1 from 59th Street to SR-850/Northlake Blvd. in Palm Beach County, Florida. (the construction), which has been funded in Fiscal Year 2024/2025; and

WHEREAS, as part of the DEPARTMENT'S construction work, the TOWN has requested that the DEPARTMENT construct decorative lighting and stamped patterned pavement (FM Number 438386-2-52-05) as set forth in the attached Exhibit A, which is incorporated herein ("the Project"); and

WHEREAS, the TOWN has agreed to provide the DEPARTMENT with the funding needed for the Project; and

WHEREAS, the TOWN and the DEPARTMENT have agreed that it would be more practical, expeditious, and economical for the DEPARTMENT to incorporate the Project into the DEPARTMENT'S construction.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The recitals set forth above are true and correct and are deemed incorporated herein.

Section 2. The DEPARTMENT shall ensure that the Project complies with all applicable Federal, State, and Local laws, rules, regulations, guidelines, and standards.

1. The TOWN shall make available to the DEPARTMENT all of its previous studies, maps, drawings, surveys and other data and information pertaining to the Project in the TOWN'S possession to the DEPARTMENT at no extra cost.

2. The DEPARTMENT shall have the sole responsibility for resolving claims and requests for additional work for the Project. The DEPARTMENT will make reasonable efforts to obtain the TOWN'S input in its decisions.
3. The total cost for the DEPARTMENT'S construction along SR-5, which includes the TOWN'S Project, is estimated to be ELEVEN MILLION THREE HUNDRED FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS AND NO CENTS (\$11,304,590.00). The TOWN'S payment for the Project, which is to be included within the DEPARTMENT'S construction is an estimated to be SEVENTY-SIX THOUSAND ONE HUNDRED FIFTY-SIX DOLLARS AND NO CENTS (\$76,156.00). In the event the actual cost of the Project is less than the TOWN'S payment, the DEPARTMENT shall refund the difference to the TOWN. If the actual cost of the Project, without modifications, results in a sum greater than that paid by the TOWN, the additional costs of the Project shall be paid to the DEPARTMENT by the TOWN.
4. The TOWN and the DEPARTMENT'S responsibilities and obligations are more fully set out in the Locally Funded Agreement attached hereto and incorporated herein as Exhibit B.

EXHIBIT "A"

SECTION NO.: 93020000 & 93040000

FM No.(s): 438386-2-52-01

COUNTY: Palm Beach

S.R. No.: 5

PROJECT LOCATION, DESCRIPTION, AND AERIAL

I. Location:

The IMPROVEMENTS associated with this AGREEMENT are located in the Town of Lake Park, in Palm Beach County, Florida along SR 5/US-1 section 93020000 from M.P. 14.166 to M.P. 14.558 and from section 93040000 from M.P. 0.00 to M.P. 0.384

II. Description of Work:

Project Number 438386-2-52-01 to include decorative light and stamped crosswalk. The AGENCY shall be responsible for maintaining the IMPROVEMENTS described in this AGREEMENT.

III. Aerial:

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