

**Board of County Commissioners
Agenda Request**

Date of Meeting: March 5, 2024

Date Submitted: February 20, 2024

To: Honorable Chairman and Members of the Board

From: Edward J. Dixon, County Administrator
Curtis Young, Public Works Director

Subject: Approval of Agreement the State of Florida Department of Transportation Off-System Utility Adjustment Agreement for (High Bridge Road) over Little River Bridge

Statement of Issue:

This agenda item is presented to the Board for approval of the State of Florida Department of Transportation Off System Utility Adjustment Agreement for (High Bridge Road) over Little River Bridge to agree with the notification, construction, reconstruction, and relocation of utilities.

Background:

The Department of Transportation is preparing to undertake a project generally described as the replacement of Bridge No. 500045 along CR 268 (High Bridge Road) over Little River from Beginning Mile Post 6.234 to End Mile Post 0.085, Roadway Section No. 50620000 and 50580000.

Analysis:

Gadsden County hereby appoints the Department of Transportation as its agent for purposes of the notification, construction, reconstruction, and relocation of utilities under Sections 337.401, 337.402, 337.403, and 337.404, Florida Statutes. Gadsden County agrees to fully cooperate with the Department of Transportation in the construction, reconstruction and relocation of utilities that may be located within the existing or acquired right-of-way.

Fiscal Impact:

The responsibility for the costs associated with the relocation of utilities shall be based on Florida law as it relates to said matters.

Options:

1. Approve of the Department of Transportation Off-System Utility Adjustment Agreement and authorize the Chairman to sign all related documents.
2. Do not approve.
3. Board direction.

County Administrator's Recommendation:

Option 1.

Attachments:

1. The State of Florida Department of Transportation Off-System Utility Adjustment Agreement

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
OFF-SYSTEM UTILITY ADJUSTMENT AGREEMENT

This Off-System Utility Adjustment Agreement (“Agreement”) is between the State of Florida Department of Transportation (“DEPARTMENT”), and Gadsden County, a political subdivision of the State of Florida (“LOCAL AGENCY”). The DEPARTMENT and the LOCAL AGENCY are sometimes referred to in this Agreement as a “Party” and collectively as the “Parties.”

1. The DEPARTMENT is preparing to undertake a project within the LOCAL AGENCY identified and known to the Parties by Financial Project I.D. 439383-1-52-01, generally described as the replacement of Bridge No. 500045 along CR 268 (High Bridge Road) over Little River from Beginning Mile Post 6.234 to End Mile Post 0.085, Roadway Section No. 50620000 and 50580000 (“PROJECT”).

2 The LOCAL AGENCY hereby appoints the DEPARTMENT as its agent for purposes of the notification, construction, reconstruction and relocation of utilities under Sections 337.401, 337.402, 337.403, and 337.404, Florida Statutes. The LOCAL AGENCY agrees to fully cooperate with the DEPARTMENT in the construction, reconstruction and relocation of utilities that may be located within the existing or acquired right-of-way. The Parties agree to meet on a periodic basis, as determined to be necessary by the DEPARTMENT, during the planning, design, construction and post-construction phase to identify, plan and to relocate utilities. The responsibility for the costs associated with the relocation of utilities shall be based on Florida law as it relates to said matters. The Parties agree that if existing utilities owned by the LOCAL AGENCY are required to be reconstructed or relocated as a result of the PROJECT that the costs associated therewith shall be deemed to be a cost of the PROJECT to be paid for the by the LOCAL AGENCY. The Parties agree that it is in the best interest of each Party for the DEPARTMENT to undertake and to complete all aspects of the utility coordination and improvements as necessary for the PROJECT.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates exhibited by the signatures below.

DEPARTMENT:

LOCAL AGENCY:

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

**Gadsden County, a political
subdivision of the State of Florida**

By:

By:

Title:

Title:

Date: _____

Date: _____

Attest: _____

Attest: _____

Legal Review:

Legal Review:

Office of the General Counsel