

RESOLUTION R-21-088

**A RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF MANATEE COUNTY,
FLORIDA, AUTHORIZING THE CHAIRMAN
TO EXECUTE THE TRANSPORTATION OFF SYSTEM
POST PROJECT MAINTENANCE AGREEMENT
BETWEEN FLORIDA DEPARTMENT
OF TRANSPORTATION.**

WHEREAS, pursuant to Fla. Stat. §339.08, and the Moving Ahead for Progress in the 21st Century (MAP-21), the Florida Department of Transportation (FDOT) is authorized to undertake a project within Manatee County (County) geographical limits; and

WHEREAS, said project is identified and known to the parties as Financial Project # 444856-2-52-01 FAP# D121-035-B which will benefit the County; and

WHEREAS, in accordance with Title 23, U.S. Code, Section 116 and Federal Highway Administration regulations issued pursuant thereto, there must be an agreement from the County to maintain the project; and

WHEREAS, the FDOT has provided the attached Agreement setting for the terms and conditions for Manatee County to maintain the devices moving forward; and

WHEREAS, the County has consented to and approved the Agreement and has authorized its Chairperson or designee to execute said Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Manatee County, Florida, that:

1. The Chairperson is hereby authorized to execute the Transportation Off System Post Project Maintenance Agreement with the FDOT.
2. The Chairperson or designee is authorized to transmit the executed agreement and this Resolution to the FDOT.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption.

BE IT FURTHER RESOLVED that any existing Resolution or portion thereof of the Board of County Commissions which contains terms or provisions which are in direct conflict with and cannot be harmonized with the provisions of the Resolution shall, as to such terms or provisions, be deemed as superseded by this Resolution.

BET IT FURTHER RESOLVED that the provisions of this Resolution are severable such that the invalidity of any one provision shall not operate to invalidate any other provision.

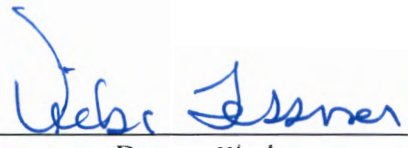
DULY ADOPTED with a quorum present and voting, this 8th day of June, 2021.



BOARD OF COUNTY COMMISSIONERS
MANATEE COUNTY, FLORIDA

By: 
Chairperson

ATTEST: ANGELINA M. COLONNESO
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: 
Deputy Clerk

**TRANSPORTATION OFF SYSTEM POST PROJECT MAINTENANCE AGREEMENT
BETWEEN
FLORIDA DEPARTMENT OF TRANSPORTATION
AND
MANATEE COUNTY**

This is an Agreement, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (hereinafter, the "DEPARTMENT") and Manatee County, a political subdivision of the State of Florida, (hereinafter, "LOCAL AGENCY") for the maintenance of off system post-project transportation enhancements described below.

WITNESSETH

1. WHEREAS, pursuant to Fla. Stat. §339.08, and the Moving Ahead for Progress in the 21st Century (MAP-21), the DEPARTMENT is authorized to undertake a project within the LOCAL AGENCY geographical limits; and
2. WHEREAS, said project is identified and known to the parties as Financial Project # **444856-2-52-01** FAP# **D121-035-B** which will benefit the LOCAL AGENCY; and
3. WHEREAS, in accordance with Title 23, U.S. Code, Section 116 and Federal Highway Administration regulations issued pursuant thereto, there must be an agreement from the LOCAL AGENCY to maintain the project; and
4. WHEREAS, the LOCAL AGENCY by Resolution No. R-21-088, dated _____, a copy of which is attached hereto and made a part hereof as **Exhibit A**, has consented to and approved the Agreement and has authorized its Chairperson 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 federal participation for the improvements at the locations shown in **Exhibit "B"**, (attached and incorporated by reference).
 - The scope of the project consists of installation and upgrades to the school zone warning signs at the following schools:
 - a. Bayshore Elementary School
 - b. Braden River Elementary School
 - c. Blanche H. Daugherty Elementary School
 - d. Sara Scott Harlee Middle School
 - e. Martha B. King Middle School
 - f. Electa Lee Magnet Middle School
 - g. Lincoln Middle School
 - h. Gilbert W. McNeal Elementary School

- i. Moody Elementary School
 - j. Myakka Elementary School
 - k. Oneco Elementary School
 - l. Palma Sola Elementary School
 - m. Rowlett Magnet Elementary School
 - n. Stewart Elementary School
 - o. James Tilman Elementary School
 - p. Wakeland Elementary School
 - q. Robert Willis Elementary School
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 (2012), as amended, and as to any future amendments and/or updates to said Manual.
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. This Agreement shall be governed, interpreted and construed according to the laws of the State of Florida.

**THE REMAINDER OF THIS PAGE IS
INTENTIONALLY LEFT BLANK**

IN WITNESS WHEREOF, Manatee County has caused this Agreement to be executed in its behalf through its Chairperson 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:

Department to enter date.

MANATEE COUNTY, FLORIDA

MANATEE COUNTY, a political subdivision of the State of Florida

ATTEST:

BY: its Board of County Commissioners

By: Wesley J. J. [Signature] 6/8/21
Date

By: [Signature]
Date: 6/8/2021



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST

BY: _____

BY: _____

DISTRICT ONE SECRETARY OR DESIGNEE

PRINT NAME

PRINT NAME

TITLE DATE

TITLE DATE

FLA. DEPT. OF TRANS. LEGAL REVIEW:

BY: _____

DS
DL