

From: [McBriarty, Doug](#)
To: [Celeste, Merry E](#)
Cc: [Lawson, Erin](#); [Pemberton, Christy D](#); [Fernandez, Ivan J](#); [Cutrone, Gregory](#); [McWilliams, Robert W](#); [Hernandez, Martin](#)
Subject: RE: Drainage Connection Permit
Date: Wednesday, August 02, 2017 9:46:13 AM

Your very welcome.

Thank you:

Doug McBriarty, P.E. Florida Department of Transportation 11201 N. McKinley Drive, MS 7-800 Tampa, Florida 33612-6403	Senior Drainage Engineer- District 7/Atkins GEC Drainage and Environmental Permitting Office (813) 975-6787, Cell (904) 773-3484 Doug.McBriarty@dot.state.fl.us
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From: Celeste, Merry E [<mailto:mceleste@co.pinellas.fl.us>]
Sent: Wednesday, August 2, 2017 9:44 AM
To: McBriarty, Doug
Cc: Lawson, Erin; Pemberton, Christy D; Fernandez, Ivan J; Cutrone, Gregory; McWilliams, Robert W; Hernandez, Martin
Subject: RE: Drainage Connection Permit

Good morning,

Thank you for the quick response. We'll move this forward for signature approval. It will just take a little longer due to the indemnification requirement.

Thanks again,

Merry Celeste

Public Works
14 S. Ft. Harrison Ave., 4th Floor
727-464-3185

From: McBriarty, Doug [<mailto:Doug.McBriarty@dot.state.fl.us>]
Sent: Wednesday, August 02, 2017 9:41 AM
To: Celeste, Merry E <mceleste@co.pinellas.fl.us>
Cc: Lawson, Erin <elawson@co.pinellas.fl.us>; Pemberton, Christy D <cpemberton@co.pinellas.fl.us>; Fernandez, Ivan J <ifernand@co.pinellas.fl.us>; Cutrone, Gregory <gcutrone@co.pinellas.fl.us>; McWilliams, Robert W <rmcwilli@co.pinellas.fl.us>; Hernandez, Martin <Martin.Hernandez@dot.state.fl.us>
Subject: RE: Drainage Connection Permit

Merry – I consulted District Seven's Legal Department regarding the County's request. The clause will remain in the application as is. Also, other county's have accepted the indemnification clause.

Thank you for your inquiry.

Thank you:

Doug McBriarty, P.E. Florida Department of Transportation 11201 N. McKinley Drive, MS 7-800 Tampa, Florida 33612-6403	Senior Drainage Engineer- District 7/Atkins GEC Drainage and Environmental Permitting Office (813) 975-6787, Cell (904) 773-3484 Doug.McBriarty@dot.state.fl.us
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From: Celeste, Merry E [<mailto:mceleste@co.pinellas.fl.us>]

Sent: Tuesday, August 1, 2017 4:08 PM

To: McBriarty, Doug

Cc: Lawson, Erin; Pemberton, Christy D; Fernandez, Ivan J; Cutrone, Gregory; McWilliams, Robert W

Subject: Drainage Connection Permit

Good afternoon Mr. McBriarty,

The County is in receipt of an FDOT Drainage Connection Permit that we are trying to process for County project S.R. 590 (NE Coachman Road) at C.R. 535 (Old Coachman Road) Intersection Improvements.

The attached FDOT Drainage Connection Permit includes indemnification language (part 6, paragraph 7) that requires the County to indemnify FDOT. The County's Resolution No. 06-70 (also attached) does not allow our government entity to indemnify others. Since this permit will be issued from government agency to government agency, can the indemnification requirements be waived/removed, or modified as to the sovereign immunity limits set forth in Florida Statutes, Section 768.28(5)? The County's contractor will be performing the construction work, so insurance and indemnification requirements can be included in the bid documents and passed along to the County's contractor.

Please advise of this request at your earliest convenience, and please feel free to contact me if any questions or concerns.

Thank you,

Merry Celeste

Technical Services - Contracts

Pinellas County Public Works

14 S. Ft. Harrison Ave., 4th Floor

Clearwater, FL 33756

Office Phone: 727-464-3185, Email: mceleste@pinellascounty.org