

**MAINTENANCE MEMORANDUM OF AGREEMENT
FOR ADVANCED TRAFFIC MANAGEMENT SYSTEM
(ATMS/ITS) ON I-175, I-375, AND BAYSHORE DRIVE**

THIS AGREEMENT, entered on the ____ day of _____ 2023, between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, a component agency of the State of Florida, (the “Department”) and PINELLAS COUNTY (the “County”)

W I T N E S S E T H

WHEREAS, the Department and the County entered into a State-Funded Grant Agreement (“Agreement”) pursuant to Section 339.2819 Florida Statutes on _____, 2023; and

WHEREAS, the purpose of the Agreement was to provide for the Department’s participation in the County’s construction of an ATMS/ITS Improvement Project on I-175/I-375/Bayshore Drive in Downtown St. Petersburg, (the “Project”) to enhance the regional operation of the transportation network; and

WHEREAS, the Project includes construction of improvements on Department right-of-way to be maintained for their useful life by the County after final acceptance; and

WHEREAS, the Agreement requires, before disbursement of any State funds, execution of a Maintenance Memorandum of Agreement by the County in a form acceptable to the Department; and

WHEREAS, the County by Resolution No. _____, a copy of which is attached hereto as Exhibit “A”, has authorized its officers to execute this Agreement on its behalf.

NOW THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties mutually agree as follows:

1. Upon final acceptance of the Project by the Department, County shall be responsible for and shall provide all necessary maintenance of the Project in a reasonable manner and with due care in accordance with Project standards for its useful life.
2. Maintenance of the Project shall be subject to periodic inspections by the Department.
3. The Department's Pinellas Operations Office shall be notified forty-eight (48) hours in advance of commencing any scheduled construction or maintenance activities. Emergency repairs shall be performed without delay and the Pinellas Operations Office notified immediately. The Pinellas Operations Engineer with responsibility for the roadway within this Project is located at 5211 Ulmerton Road, Clearwater, FL 33760, telephone number (727) 575-8300.
4. If the County desires to position vehicles, equipment, or personnel, or to perform maintenance activities closer than fifteen feet to the edge of pavement, or to close a traffic lane, a Maintenance of Traffic shall be in accordance with all Departmental Maintenance of Traffic Regulations. The County shall have Maintenance of Traffic certified personnel supervise the set up and operation of such Maintenance of Traffic devices at the site of the construction or maintenance activity.
5. The County shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the County during the term of the Agreement and shall expressly require any subcontractors, assigned by the County's contractor to perform work pursuant to the contract with the Department to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new persons employed by the subcontractor during the Agreement term.
6. This Agreement may not be assigned or transferred by the County, in whole or in part without consent of the Department.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

EXHIBIT "A"
RESOLUTION