



Pinellas County

Legislation Details (With Text)

File #: 19-038A **Version:** 1

Type: Contract/Agreement **Status:** Passed

File created: 1/8/2019 **In control:** Utilities

On agenda: 2/5/2019 **Final action:** 2/5/2019

Title: Utility Work by Highway Contractor Agreement and Three Party Escrow Agreement with the Florida Department of Transportation for the State Road 699/Gulf Boulevard project, from Park Boulevard to Walsingham Road.

Sponsors:

Indexes:

Code sections:

Attachments: 1. FE Utility Work by Highway Contractor Agreement with FDOT, 2. FE Three-Party Escrow Agreement with FDOT, 3. Three Party Escrow Agreement-AATF'd.pdf, 4. UWHCAgreement-AATF'd.pdf, 5. 436697-1 Pinellas UWHCA.pdf, 6. FDOT Bridge and Road Specs.pdf, 7. Email from FDOT re Indemnification, 8. Resolution 06-70.pdf, 9. Project Map.PDF, 10. Wire_ACH inst 2017.pdf, 11. Three Party Escrow Agreement.pdf, 12. 436697-1 UWHCA Changes to Form.pdf

Date	Ver.	Action By	Action	Result
2/5/2019	1	Board of County Commissioners	approved	Pass

Subject:

Utility Work by Highway Contractor Agreement and Three Party Escrow Agreement with the Florida Department of Transportation for the State Road 699/Gulf Boulevard project, from Park Boulevard to Walsingham Road.

Recommended Action:

Approval of the Utility Work by Highway Contractor Agreement and Three Party Escrow Agreement with the Florida Department of Transportation (FDOT) for the State Road 699/Gulf Boulevard Project, from Park Boulevard to Walsingham Road.

- Work is for relocation of underground water, sewer, and reclaimed water infrastructure to accommodate drainage and roadway improvements by FDOT within their right-of-way.
- All work is expected to be completed within 430 consecutive calendar days.
- The Agreement includes 2% FDOT administrative fee for mobilization and maintenance of traffic, plus 10% contingency to address any unforeseen circumstances during construction activities.

County PID No. 003748A and FDOT Financial Project ID No. 436697-1-56-01 for an amount not to exceed \$8,564,547.57. Authorize the Chairman to sign and the Clerk of the Court to attest.

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.4 Invest in infrastructure to meet current and future needs

Deliver First Class Services to the Public and Our Customers

5.3 Ensure effective and efficient delivery of county services and support

Summary:

The purpose of this Utility Work by Highway Contractor Agreement is to provide for the relocation of underground water, sewer, and reclaimed water infrastructure in conjunction with drainage and roadway improvements by the Florida Department of Transportation (FDOT) along Gulf Boulevard from Park Boulevard to Walsingham Road, within the city limits of Indian Shores and Indian Rocks Beach. The Three Party Escrow Agreement is for the purpose of establishing an escrow account for payment by FDOT to the contractor for the County's utility relocation work.

The planned date for FDOT's contractor to begin construction work is March 2019. The agreement is effective upon full execution and will remain in effect until project completion, or approximately 430 consecutive calendar days.

Background Information:

The County requested to participate in FDOT's Utility Work by Highway Contractor Agreement (UWHCA) in December 2016, which provides the ability for the County and FDOT to utilize the same contractor for construction of this project. As such, this agreement will result in cost savings and efficiencies to both the County and FDOT by reducing the costs for mobilization, maintenance of traffic, site restoration, and project administration since one contractor will be performing all the work at the same time.

Finally, County Resolution No. 06-70 prohibits the County from indemnifying others under most circumstances. The FDOT has standard boilerplate language they cannot modify that requires the County to indemnify FDOT to the extent provided by law. Staff and the County Attorney's Office agree that the indemnification requirement is within an acceptable level of risk.

Fiscal Impact:

Cost for the utility relocation work:	\$7,646,917.47
Administrative fee for mobilization of equipment, additional maintenance of traffic costs, administrative costs of field work, tabulation of quantities, and final estimate processing and project accounting (2% of cost of utility work):	\$152,938.35
Amount of contingency as authorized by FDOT and County (10% of cost of utility work):	\$764,691.75
Total expenditure not to exceed:	\$8,564,547.57

The total project funding currently budgeted in the FY19 Adopted Budget is \$500,000 in the Sewer Renewal and Replacement Fund and \$500,000 in the Water Renewal and Replacement Fund and is not consistent with the revised project estimate noted above. Additional funding will be requested for this project as part of the FY20 budget development.

Staff Member Responsible:

Megan Ross, Director, Utilities

Partners:

FDOT

Attachments:

Utility Work by Highway Contractor Agreement
Changes to Utility Work by Highway Contractor Agreement
Three Party Escrow Agreement
Escrow Wiring Instructions
Project Location