

MAINTENANCE AGREEMENT
BETWEEN THE CITY OF PINELLAS PARK AND
THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION
43rd Street Extension Project

This Maintenance Agreement (“Agreement”) is made and entered into this _____ day of _____, 2020 between the City of Pinellas Park, Florida, a Municipal Corporation (“City”), and the State of Florida, Department of Transportation (“FDOT”):

RECITALS

WHEREAS, FDOT construction project 256995-2-52-01 constructed the 43rd Street Extension from 118th Ave (Sta. 700+62.00) to 40th Street (Sta. 725+60.00) and the 40th Street Extension from the 43rd Street Extension (Sta. 80+00.00) to 40th Street (Sta. 83+81.85) in Pinellas Park (hereafter, the “Project”); and

WHEREAS, in conjunction with the Project, the FDOT constructed roadway and drainage structures (hereafter, the “Improvements”); and

WHEREAS, the City shall maintain the roadway and drainage structure improvements depicted in Exhibit “A”, Exhibit “A-1” Construction Plans for FPID 256995-2-52-01, Exhibit “A-2” Typical Section Plans, and Exhibit “B” Maintenance Plan.

NOW THEREFORE, in consideration of the mutual agreements herein, the parties agree as follows:

1. The Recitals set forth above are true, accurate and correct and are incorporated herein by reference.
2. The term of this Agreement shall be for a period of twenty-five years commencing on the date of execution of the Agreement, with ten year renewal options. The Department shall send the City an expiration notice six months prior to each expiration date. Any renewal must be agreed upon by both parties in writing ninety calendar days prior to the expiration of the existing Agreement.

In the event the City elects to not renew the Agreement, then the City shall, at its sole expense, be responsible for the restoration of the roadway and drainage structure improvements to a safe and functional condition prior to expiration of the Agreement.

3. The City's maintenance limits are as follows:

43rd Street Extension

- a. From the back of sidewalk (left) to the outside edge of paved shoulder (right) and;
- b. From Sta. 700+62.00 to Sta. 725+60.00

40th Street Extension

- a. From edge of pavement (left) to edge of pavement (right) and;
- b. From Sta. 80+00.00 to Sta. 83+81.85

4. The City shall maintain the pipe culverts associated with the drainage structures listed below and as depicted in Exhibit "A":

DRAINAGE STRUCTURE SYSTEMS			
STRUCTURE NOS.	STRUCTURE NOS.	STRUCTURE NOS.	STRUCTURE NOS.
S-800	S-1012	S-1308	S-1277
S-803	S-1013	S-1307	S-1279
S-811	S-1017	S-1304	
S-809	S-1008	S-1306	
S-807	S-1015	S-1302	
S-813	S-1019		
	S-1023		
	S-1025		
	S-1044		
	S-1033		
	S-1032		
	S-1020		
	S-1016		
	S-1037		

5. The City is authorized to enter FDOT right of way as described in Exhibit "A" to perform maintenance activities on the roadway and drainage improvements.

6. All formal notices, proposed changes and determinations between the parties hereto and those required by this Agreement, including, but not limited to, changes to the notification addresses set forth below, shall be in writing and shall be sufficient if mailed by regular United States mail, postage prepaid, to the parties at the contact information listed below:

CITY:

The City of Pinellas Park
Attn: Public Works Administrator
6520 82nd Avenue N.
Pinellas Park, FL 33781
Ph. (727) 369-5670

FDOT:

District Seven Director of Transportation Operations
Florida Department of Transportation
11201 N. McKinley Drive
Tampa, FL 33612
Ph. (813) 975-6274

7. This Agreement shall inure to and be binding upon the successors-in-interest or assigns of the parties hereto. Nothing in this Agreement is intended to confer any rights, privileges, benefits, remedies or obligations upon any other person or entity except as expressly provided herein.

8. The Operations Center Engineer shall be notified two (2) business days in advance of commencing any scheduled construction or maintenance activities. Emergency repairs shall be performed without delay and the Operations Center Engineer notified immediately. The Operations Center Engineer with responsibility for the roadway within this Project is located at 5211 Ulmerton Rd., Clearwater, FL 33760; Telephone 727-575-8300.

9. The FDOT's District Secretary shall decide all questions, difficulties, and disputes of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution, or fulfillment of the service hereunder and the character, quality, amount, and value thereof; and his decision upon all claims, questions, and disputes shall be final and conclusive upon the parties hereto.

10. No amendment of this Agreement shall be valid unless such amendment is made in writing and signed by all parties to the Agreement.

11. The City 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 City during the term of the Agreement and shall expressly require any subcontractors, assigned by the City's contractor to perform work pursuant to this Agreement 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.

12. No amendment of this Agreement shall be valid unless such amendment is made in writing and signed by all parties to the Agreement.

IN WITNESS HERETO, the parties herein have caused this these presents to be executed by their authorized representatives this

THE CITY OF PINELLAS PARK,
a municipal corporation of
the State of Florida

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____

Name: _____

Title: _____

By: _____

Francis Lewis, P.E.

Director of Transportation

Operations District Seven

Attest: _____

Title: _____

Date: _____

Attest: _____

Executive Secretary (SEAL)

Date: _____

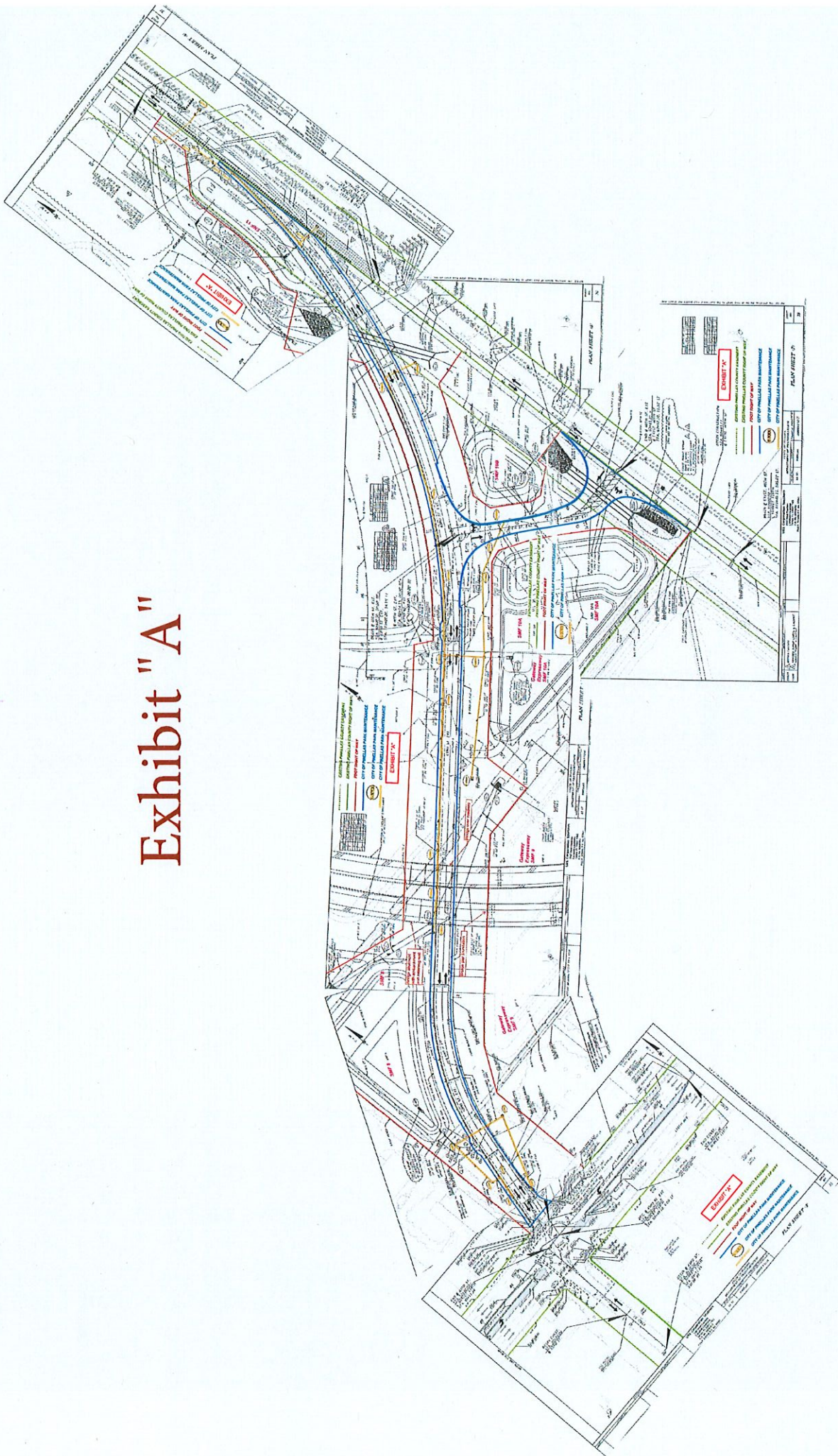
Legal Review:

Legal Review:

City Attorney

Office of the General Counsel, District 7

Exhibit "A"



COMPONENTS OF CONTRACT PLANS SET

ROADWAY PLANS
SIGNING AND PAVEMENT MARKING
SIGNALIZATION
LIGHTING

A DETAILED INDEX APPEARS ON THE
KEY SHEET OF EACH COMPONENT

INDEX OF ROADWAY PLANS

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
LIST OF REVISED INDEX DRAWINGS

INDEX NO.	SHEET NO.
N.A.	

GOVERNING STANDARDS AND SPECIFICATIONS:
FLORIDA DEPARTMENT OF TRANSPORTATION, 2014 DESIGN STANDARDS AND
REVISED INDEX DRAWINGS AS ADOPTED BY THE FLORIDA STANDARD
CONTRACT DOCUMENTS.

For Design Standards click on
"Design Standards" at the following web site:
<http://www.dot.state.fl.us/design/>

For the Standard Specifications for Road and Bridge
Construction click on the "Specifications" link at the following web site:
<http://www.dot.state.fl.us/specificationsoffice/>

REVISIONS  04/18/14
256995-2-52-01:
ADDED SHEET: 2D
REVISED SHEETS: 1, 3A-3G, 11
256995-2-56-01:
REVISED SHEETS: U-2

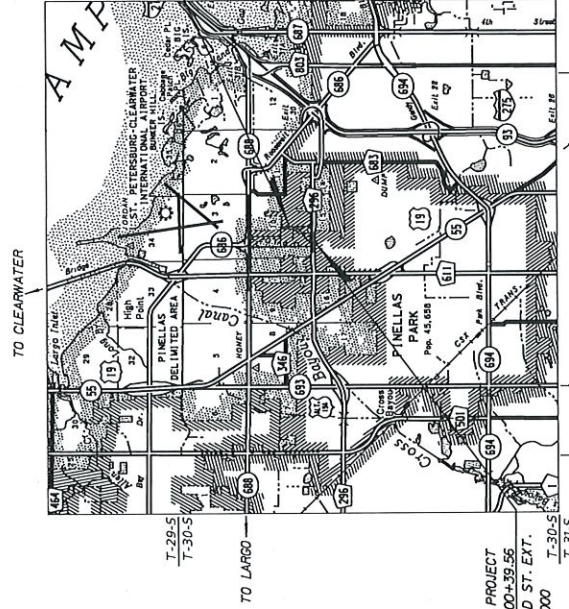
STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION
CONTRACT PLANS


FINANCIAL PROJECT ID 256995-2-52-01

(FEDERAL FUNDS)

PINELLAS COUNTY (15036)

43RD ST. EXTENSION FROM SOUTH
OF 118TH AVE. TO 40TH ST.

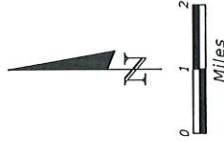
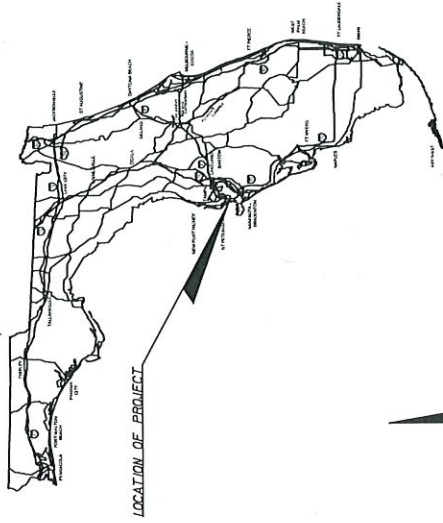


PROJECT LENGTH IS BASED ON  OF CONSTRUCTION

LENGTH OF PROJECT

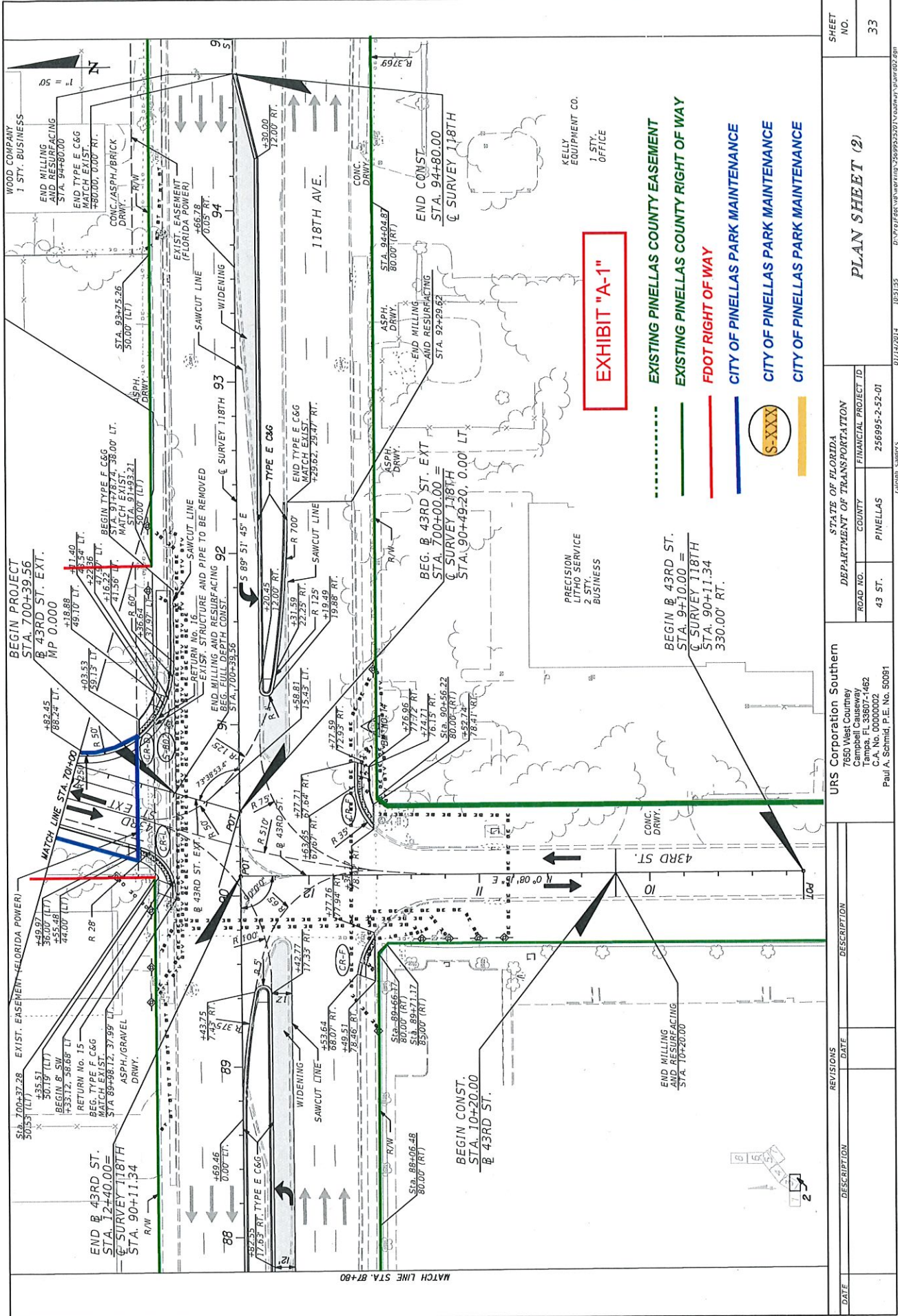
	LINEAR FEET	MILES
ROADWAY	2,608.95	0.494
BRIDGES	0	0.000
NET LENGTH OF PROJECT	2,608.95	0.494
EXCEPTIONS	0	0.000
GROSS LENGTH OF PROJECT	2,608.95	0.494

FDOT PROJECT MANAGER: EYRA CASH, P.E.



ROADWAY SHOP DRAWINGS
TO BE SUBMITTED TO:
URS CORPORATION SOUTHERN
ATTN: PAUL A. SCHMID, P.E.
7650 W. COURTNEY CAMPBELL CSWY.
TAMPA, FLORIDA 33607-1462

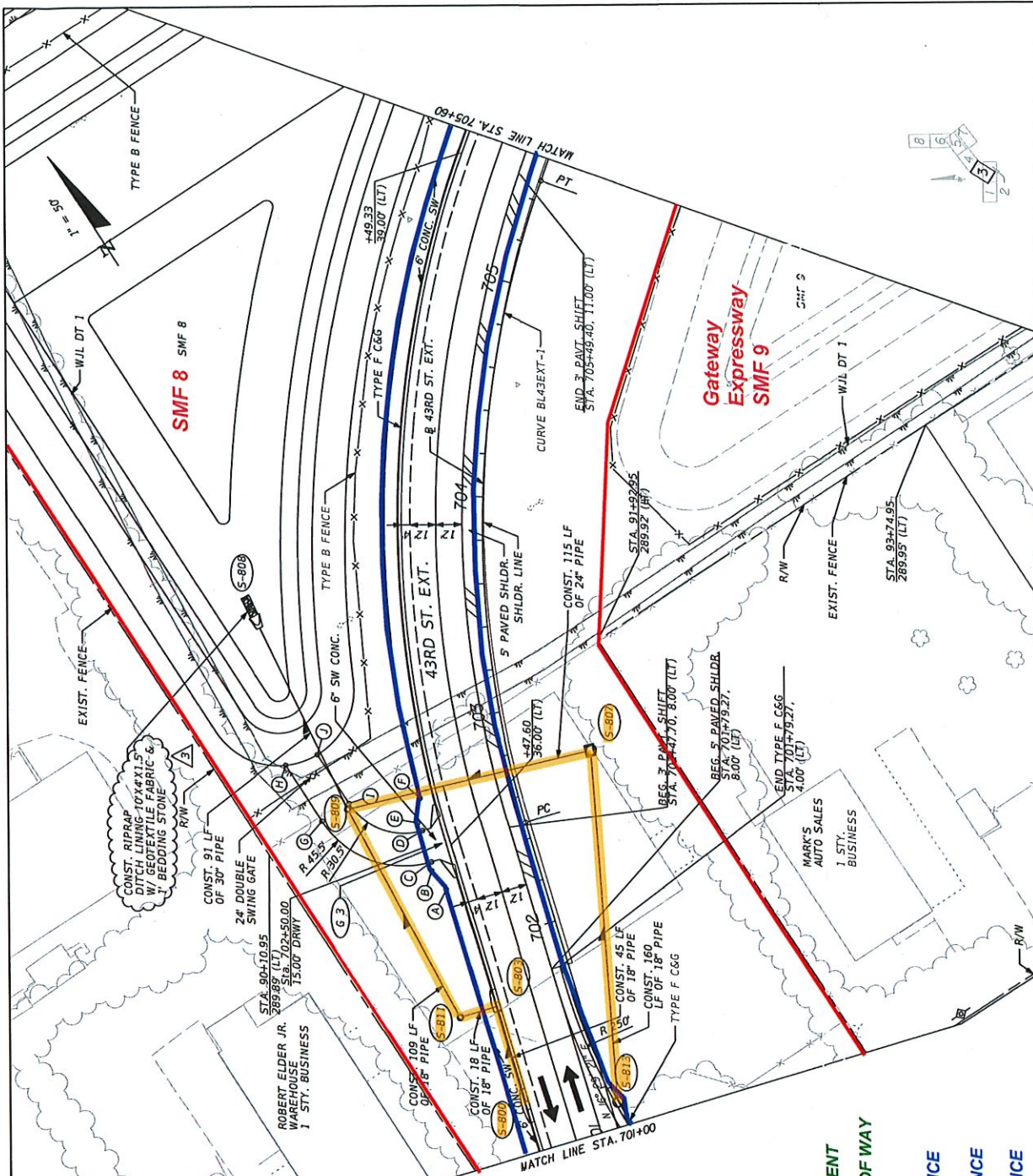
PLANS PREPARED BY:
URS Corporation Southern
15011 Highway 19
Carrollwood Causeway
Tampa, FL 33607-1462
Phone (813) 286-1711
C.A. No. 00000002
Vendor No. F592687895002
Contract No. C-739



POINT	STA.	OFFSET
A	+28.50	44.00' LT
B	+38.74	48.02' LT
C	+42.77	46.88' LT
D	+42.77	46.88' LT
E	+50.45	48.17' LT
F	+70.31	44.25' LT
G	+70.88	50.08' LT
H	+72.86	70.88' LT
I	+78.55	86.50' LT

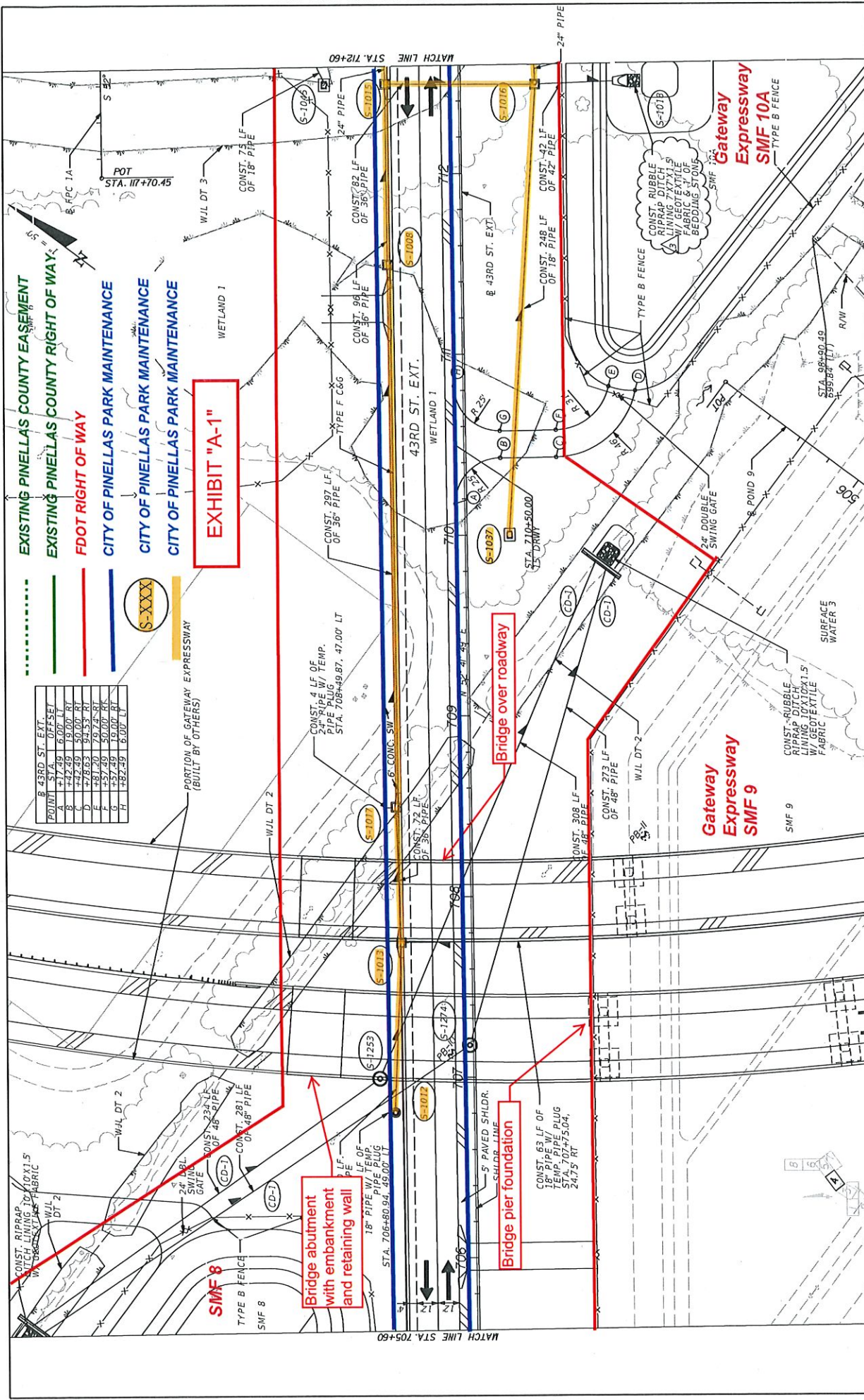
EXHIBIT "A-1"

- EXISTING PINELLAS COUNTY EASEMENT
- EXISTING PINELLAS COUNTY RIGHT OF WAY
- FDOT RIGHT OF WAY
- CITY OF PINELLAS PARK MAINTENANCE
- CITY OF PINELLAS PARK MAINTENANCE
- CITY OF PINELLAS PARK MAINTENANCE



		REVISIONS		DESCRIPTION		DATE	
2/05/15		3		REVISED CALLOUT			
URS Corporation Southern 7650 West Courtney Campbell Causeway Tampa, FL 33607-1462 C/A No. 00000002 Paul A. Schmid, P.E. No. 50091				STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 43 ST. COUNTY PINELLAS FINANCIAL PROJECT ID 256995-2-52-01			
PLAN SHEET (3)				SHEET NO. 34			

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 61G15-23.003, F.A.C.



DATE		DESCRIPTION		REVISIONS	
DATE	DESCRIPTION	DATE	DESCRIPTION	DATE	DESCRIPTION
2/05/15	5	ADDDING BEDDING STONE TO S-1018			

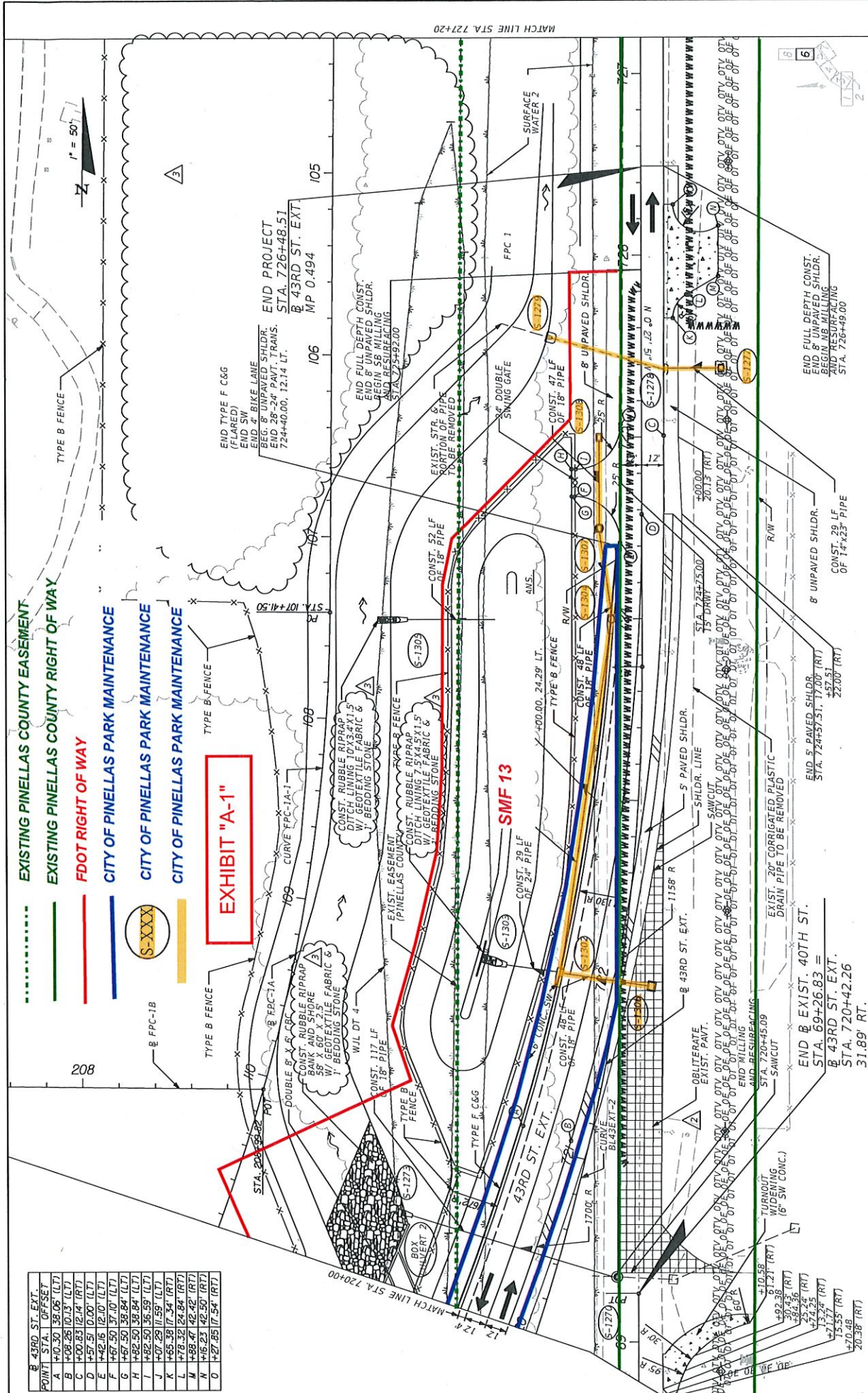
STATE OF FLORIDA		DEPARTMENT OF TRANSPORTATION		URS Corporation Southern	
ROAD NO.	COUNTY	FINANCIAL PROJECT ID	FINANCIAL PROJECT ID	7650 West Courtney Campbell Causeway Tampa, FL 33607-1462 C.A. No. 00000002 Paul A. Schmidt, P.E. No. 50091	
43 ST.	PINELLAS	256995-2-52-01			

PLAN SHEET (4)

SHEET NO. 35

4/12/2016 1:04:16 PM S:\Proj\JETS\JETS\Proj\400\Rev\400\400.dwg

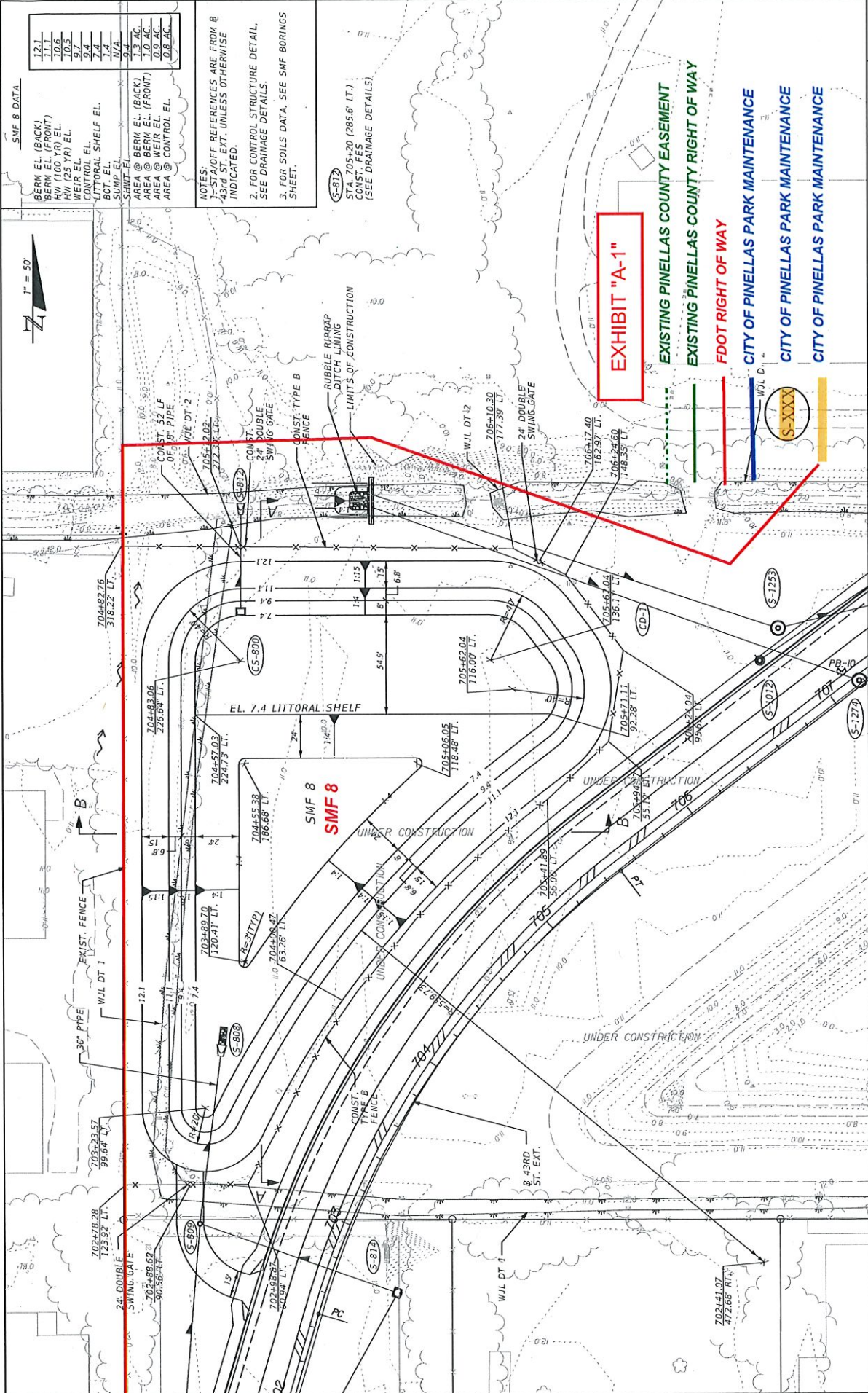
POINT	STA.	OFFSET
A	+0.30	32.06' (LT)
B	+0.26	10.13' (LT)
C	+0.83	12.14' (RT)
D	+57.51	0.00' (LT)
E	+42.16	12.10' (LT)
F	+67.50	37.10' (LT)
G	+67.50	38.84' (LT)
H	+82.50	36.59' (LT)
I	+07.29	11.59' (LT)
J	+65.38	17.34' (RT)
K	+78.32	24.84' (RT)
L	+88.47	42.42' (RT)
M	+16.23	42.50' (RT)
N	+27.85	17.54' (RT)



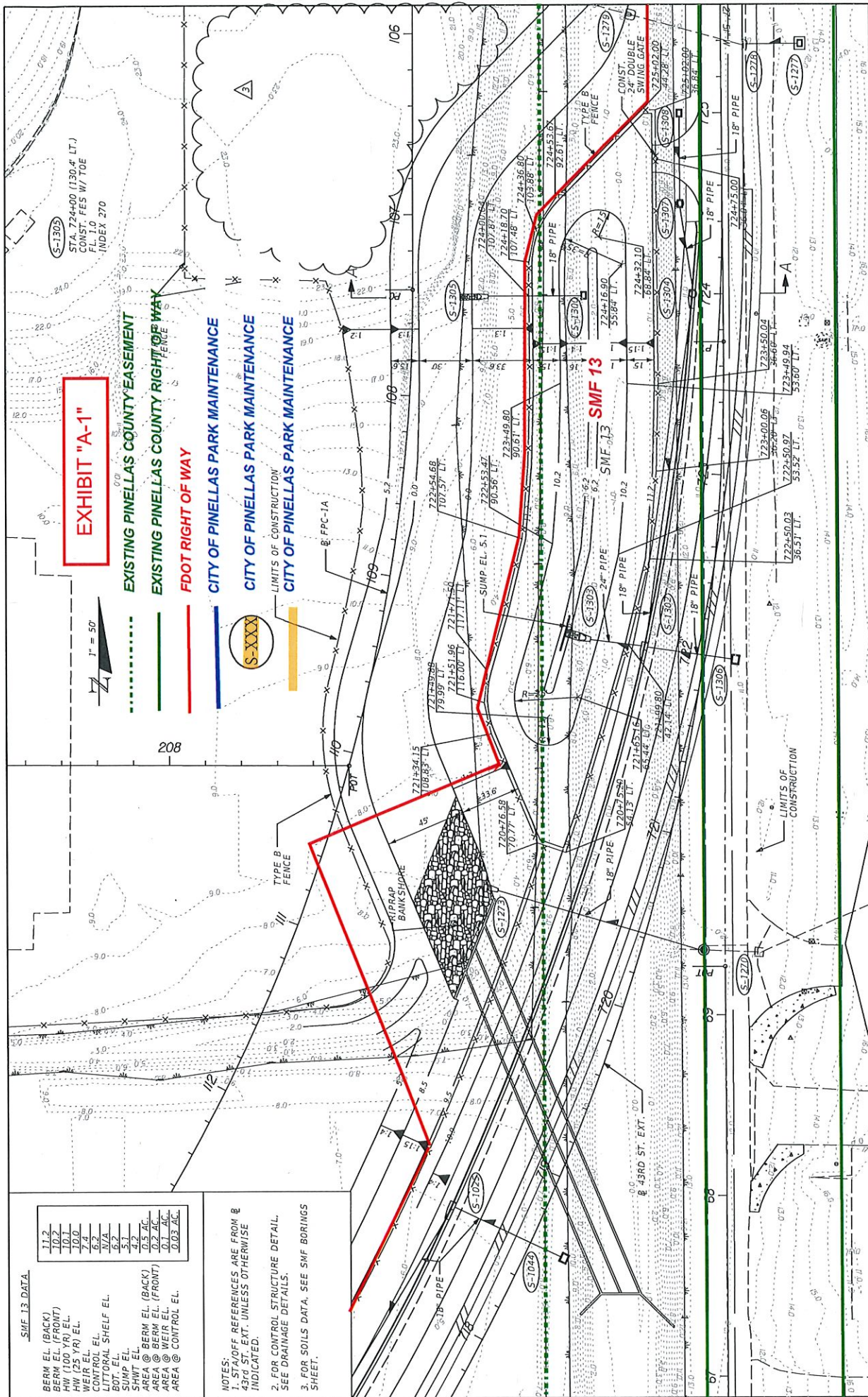
DATE	DESCRIPTION	REVISIONS	DATE	DESCRIPTION
11/06/14	2 REDUCED LENGTH OF PROPOSED 8" WM			
X/X/XX	3 REVISED FPC 1 SITE AND CALLOUTS			
URS Corporation Southern 7650 West Courtney Campbell Causeway Tampa, FL 33607-1482 C.A. No. 00000002 Paul A. Schmid, P.E. No. 50081			STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 43 ST. COUNTY PINELLAS FINANCIAL PROJECT ID 256995-2-52-01	
SYNTHA_1.jpg			11/17/2015 1:14:06 PM S:\Projects_Roadway\Proj\000\000\256995\2501\Rev2\Roadway\plan606.dwg	
PLAN SHEET (6)			SHEET NO. 37	

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 61G15-23.003, F.A.C.

NOTICE: THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE SIGNED AND SEALED UNDER RULE 61G15-23.003, F.A.C.



REVISIONS		STATE OF FLORIDA		DEPARTMENT OF TRANSPORTATION		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION	ROAD NO.	COUNTY	
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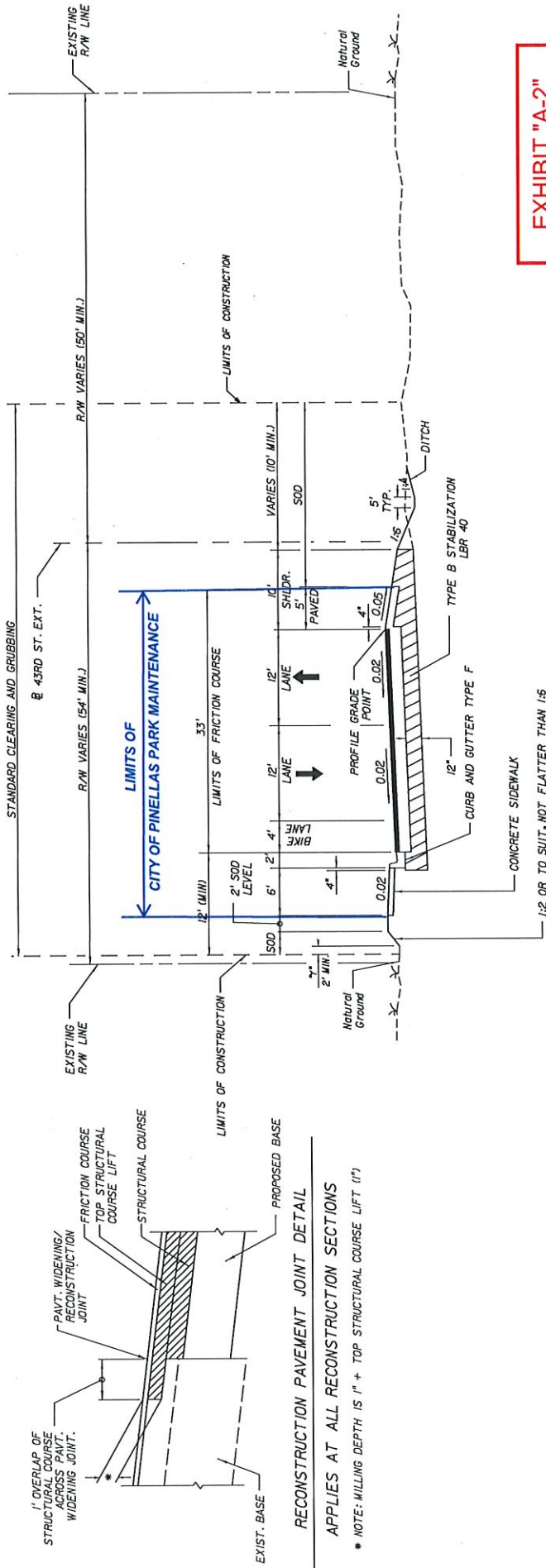
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TYPICAL SECTION
43RD ST. EXTENSION
STA. 700+39.56 TO STA. 726+48.51

SHOULDER PAVEMENT
STA. 701+79.27 TO STA. 724+57.51
OPTIONAL BASE GROUP 1 (TYPE B-12.5 ONLY) WITH
FRICTION COURSE FC-9.5 (TRAFFIC B)(1") (PG 76-22, ARB)

NEW CONSTRUCTION
STA. 700+39.56 TO NB STA. 723+80.00
STA. 700+39.56 TO SB STA. 724+10.00
OPTIONAL BASE GROUP 9 (TYPE B-12.5 ONLY) WITH
TYPE SP STRUCTURAL COURSE (TRAFFIC B)(2")
AND FRICTION COURSE FC-9.5 (TRAFFIC B)(1") (PG 76-22, ARB)

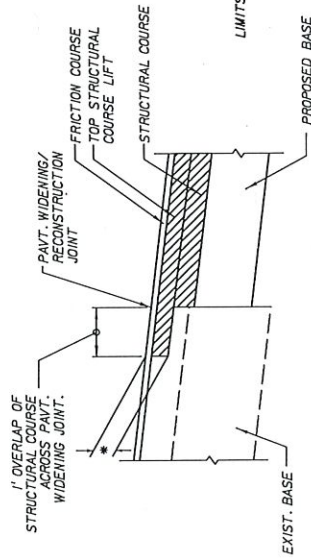
TRAFFIC DATA

CURRENT YEAR = 2013 AADT = N/A
ESTIMATED OPENING YEAR = 2017 AADT = 8,400
ESTIMATED DESIGN YEAR = 2037 AADT = 15,600
K = 10.52% D = 55.26% T = 3.00% (24 HOUR)
DESIGN HOUR T = 1.5%
DESIGN SPEED = 35 MPH

RECONSTRUCTION PAVEMENT JOINT DETAIL

APPLIES AT ALL RECONSTRUCTION SECTIONS

* NOTE: MILLING DEPTH IS 1" + TOP STRUCTURAL COURSE LIFT (1")



REVISIONS		DESCRIPTION	
DATE	DESCRIPTION	DATE	DESCRIPTION
04/18/14	ADJ. SHULDR. PAVT. DESIGN, LIMITS		
URS Corporation Southern 7650 West Courtney Campbell Causeway Tampa, FL 33607-1462 C.A. No. 00000002 Paul A. Schmid, P.E. No. 50091		STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION ROAD NO. 43 ST. COUNTY PINELLAS FINANCIAL PROJECT ID 256995-2-52-01	
TYPICAL SECTION 43RD ST. EXT.		SHEET NO. 11	

EXHIBIT " B" MAINTENANCE PLAN

Maintenance Memorandum of Agreement

43rd Street Extension and

40th Street Extension

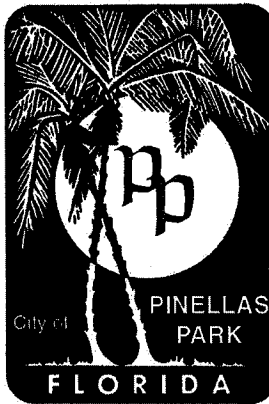
The City shall maintain the Project as depicted in the Construction Plans FPI 256995-2-52-01 according to the FDOT standards, which include, but are not limited to, the Americans with Disabilities Act, Standard Plans, and the Standard Specifications, and as amended from time to time as described in the following paragraphs.

- (a) Maintain the drainage structures and pipe culverts defined in the Maintenance Agreement and as depicted in the Construction Plans;
- (b) Remove graffiti from pavement surfaces;
- (c) Repair cosmetic or structural damage to any drainage structure and/or pipe culvert;
- (d) Maintain drainage structures so that they function as designed;
- (e) Keep sidewalk free from residue accumulation, algae, uneven pavement, or other slip or trip hazards;
- (f) Mow (if a higher standard than the FDOT is desired), sweep and provide weed control along the sidewalk and edge of pavement;
- (g) Maintain the striping, pavement symbols, and raised pavement markings; and
- (h) Maintain pavement.

City of

PINELLAS PARK

5141 78TH AVE. • P.O. BOX 1100
PINELLAS PARK, FL 33780-1100



FLORIDA

PHONE • (727) 369-0700
FAX • (727) 544-7448

Please Respond To:

James W. Denhardt, City Attorney
Lauren Christ Rubenstein, Assistant City Attorney
Denhardt and Rubenstein, Attorneys at Law
2700 First Avenue North
St. Petersburg, Florida 33713
(727) 327-3400 - Telephone
(727) 323-0888 - Facsimile

March 25, 2021

Mr. Aaron Petersen
Construction Services Director
City of Pinellas Park
P. O. Box 1100
Pinellas Park, Florida 33780-1100

RE: City Document #21-057
Maintenance Agreement, FDOT, 43rd St. Extension Project

Dear Mr. Petersen:

We have received and reviewed the revised Maintenance Agreement with FDOT regarding the 43rd Street Extension Project. FDOT stated that they were unable to waive the final authority of the District Secretary since the right-of-way will still belong to FDOT, and therefore FDOT's District Secretary under paragraph 9 of the Agreement has the authority to decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement. So long as the City is comfortable entering into an Agreement which gives the FDOT District Secretary the authority to issue a final decision upon all claims, questions and disputes under the Agreement, we would otherwise approve of the revised Agreement as to form and correctness.

Very truly yours,

Lauren C. Rubenstein
Assistant City Attorney

cc: Doug Lewis, City Manager
Diane M. Corna, MMC, City Clerk
Lisa Hendrickson, Assistant City Manager
Bart Diebold, Assistant City Manager

LCR/cb

21-057.03252021.LAP.Maintenance Agmt. FDOT 43 Ext. Proj.wpd



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