

RESOLUTION 2235-20

A RESOLUTION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY REGARDING UTILITY RELOCATION FOR THE STATE ROAD 434 PROJECT FROM EDGEWATER DRIVE TO THE SEMINOLE COUNTY LINE; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the State of Florida Department of Transportation ("FDOT") is reconstructing and improving a portion of State Road 434 from Edgewater Drive to the Seminole County line (Project #239422 1 56 02), which necessitates the City being required to relocate certain City-owned utilities within the FDOT right-of-way (the "Utility Project"); and

WHEREAS, the City desires to have FDOT's contractor that is performing the highway construction to also perform the Utility Project at the City's expense and FDOT is requesting that the City enter into a Utility Work By Highway Contractor Agreement and related Three Party Escrow Agreement; and

WHEREAS, the City has determined that it is in the best interest of the citizens of the City to enter into a Utility Work By Highway Contractor Agreement for the performance of the Utility Project.

NOW, THEREFORE, BE IT RESOLVED BY THE PEOPLE OF THE CITY OF WINTER PARK, FLORIDA:

SECTION 1: Recitals. The above recitals are true and correct and constitute findings of the City Commission.

SECTION 2: FDOT Agreement Approval. The City Commission hereby approves the Utility Work by Highway Contractor Agreement with the State of Florida Department of Transportation and its appendices for the Utility Project and related Three Party Escrow Agreement. The City Commission further authorizes the Mayor or the City Manager to execute the Utility Work by Highway Contractor Agreement and related Three Party Escrow Agreement on behalf of the City.

SECTION 3: Conflicts. All resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4: Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida held in City Hall, Winter Park, on this 28th day of October 2020.

Mayor Steven Leary

ATTEST:

City Clerk Rene Cranis