

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: March 14, 2018

FROM: Douglas R. Gonzales
City Attorney

SUBJECT: Proposed Railroad Reimbursement Agreement with the Florida Dept. of Transportation and South Florida Regional Transportation Authority for the reconstruction of the Johnson Street Railroad Grade Crossing and Maintenance for traffic control devices

I have reviewed the above captioned agreement for form and legality. The general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Dept. of Development Services/ Engineering Division
- 2) Type of Agreement – Reimbursement Agreement
- 3) Method of Procurement (RFP, bid, etc.) – **Best interest (Section 38.40(C), Purchasing Ordinance). This item requires a 5/7ths vote.**
- 4) Term of Contract
 - a) initial – Estimated construction time for this project is two weeks.
 - b) renewal - n/a
 - c) who exercises option to renew - n/a
- 5) Contract Amount – In the amount of \$ 359,786.57. Payable on a reimbursement basis.
- 6) Termination rights – Should use of crossing be abandoned due to removal of the roadway then all rights granted to the City shall cease and terminate and City at its sole cost shall remove said crossing and restore the property to the condition previously found, provided that SFRTA may, at its option, remove said crossing and restore the property, and City will pay entire cost.
- 7) Indemnity/Insurance Requirements – Liability for said services are governed in accordance with the terms and conditions of the Operating Agreement.
- 8) Scope of Services – SFRTA shall reconstruction the Johnson Street railroad grade crossing and maintenance of traffic control devices.
- 9) City's prior experience with Vendor (if any) - Yes.
- 10) Other significant provisions – n/a

cc: Wazir A. Ishmael, Ph.D., City Manager

