

SECTION No.: 860005000
S.R. No.: 838
PERMIT No(s): 2018-L-491-00026
COUNTY: BROWARD

**DISTRICT FOUR (4) AMENDMENT NUMBER FOUR (4) TO STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE
MEMORANDUM OF AGREEMENT**

THIS AMENDMENT Number Four (4) to the Agreement dated December 12, 2007, made and entered into this 30th day of May, 2019 by and between the State of Florida Department of Transportation hereinafter called the DEPARTMENT and the **CITY OF FORT LAUDERDALE**, a municipal subdivision of the State of Florida, hereinafter called the AGENCY.

W I T N E S S E T H

WHEREAS, the parties entered into the Landscape Inclusive Maintenance of Agreement dated, December 12, 2007 for the purpose of maintaining the landscape improvements by the AGENCY on various roads including State Road 838 (Sunrise Boulevard); and,

WHEREAS, the DEPARTMENT and the AGENCY have agreed to add additional landscape to be installed, per Permit #2018-L-491-00026 on State Road 838 (Sunrise Boulevard) issued to Sunrise 825 LLC, in accordance with the above referenced Agreement; and,

WHEREAS, the parties hereto mutually recognize the need for entering into an Amendment designating and setting forth the responsibilities of each party, and

NOW THEREFORE, for and in consideration of mutual benefits that flow each to the other, the parties covenant and agree as follows:

1. Pursuant to page 1, paragraph 1 of the Landscape Inclusive Maintenance Memorandum of Agreement Amendment Number Two (2) for State Road 838 (Sunrise Boulevard) dated January 3, 2014, the DEPARTMENT will allow the AGENCY to have constructed additional landscape improvements or to modify an improvement located as indicated in **Exhibit "A"**, State Road 838 (Sunrise Boulevard) from M.P. 1.119 to M.P. 1.149, in accordance with the plans attached as **Exhibit "B"**.
2. The AGENCY shall agree to maintain the additional landscape improvements in the Inclusive Agreement described above according the **Exhibit "C"** Maintenance Plan, of the original agreement and add the following provision:

II. Specific Project Site Maintenance Requirements and Recommendations:

Proposed trees shall be maintained to 8' clear trunk per original specification and pruned to keep canopy width within planter area and out of roadway and sidewalk. Juniper groundcover shall be maintained at 12' maximum height.

Except as modified by this Amendment, all terms and conditions of the original Agreement and all Amendments thereto shall remain in full force and effect.

LIST OF EXHIBITS

Exhibit A - Landscape Improvements Limits and Maintenance Boundaries and Location
Map

Exhibit B - Landscape Improvement Plans

In Witness whereof, the parties hereto have executed with this Amendment effective the ____ day _____ year written and approved.

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: [Signature]
Transportation Development Director

Attest: [Signature] (SEAL)
Executive Secretary

Legal Review Date
[Signature] 5/29/2019
Office of the General Counsel

CITY OF FORT LAUDERDALE, through its
CITY COMMISSIONERS

By: [Signature]
Christopher J. Lagerbloom, City Manager
14 day of May, 2019

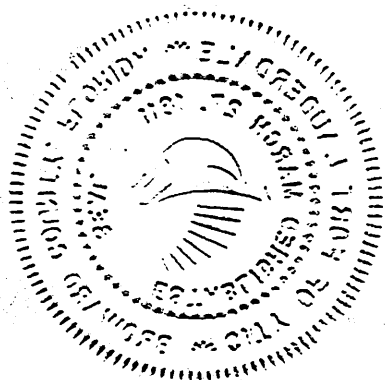
Approved as to form by Office of City Attorney

[Signature]
Kimberly Cunningham Mosley,
Assistant City Attorney

ATTEST:

[Signature]
Jeffrey A. Modarelli, City Clerk

(SEAL)



SECTION No.: 860005000
S.R. No.: 838
PERMIT No(s): 2018-L-491-00026
COUNTY: BROWARD

EXHIBIT A

LANDSCAPE IMPROVEMENTS PROJECT LIMITS

MAINTENANCE BOUNDARIES LIMITS AND LOCATION MAP

I. PERMIT LANDSCAPE PROJECT LIMITS:

Section 8602000

State Road 838 (Sunrise Boulevard) from M.P. 1.119 to M.P. 1.149

II. INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT LIMITS:

Section 86110000

State Road 838 (Sunrise Boulevard)

M.P. 5.789 (east of N.W. 24th Avenue) to M.P. 8.161 (State Road 5/US 1)

Entire right of way

Section 86020000

State Road 838 (Sunrise Boulevard) / State Road 5 (US 1/Federal Highway) M.P. 1.060

(State Road 838/Sunrise Boulevard) to M.P. 1.911 (N.E. 18th Avenue)

Entire right of way

Section 86005000

State Road 838 (Sunrise Boulevard)

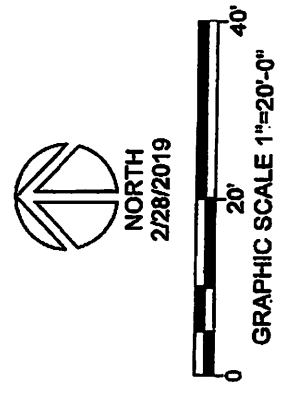
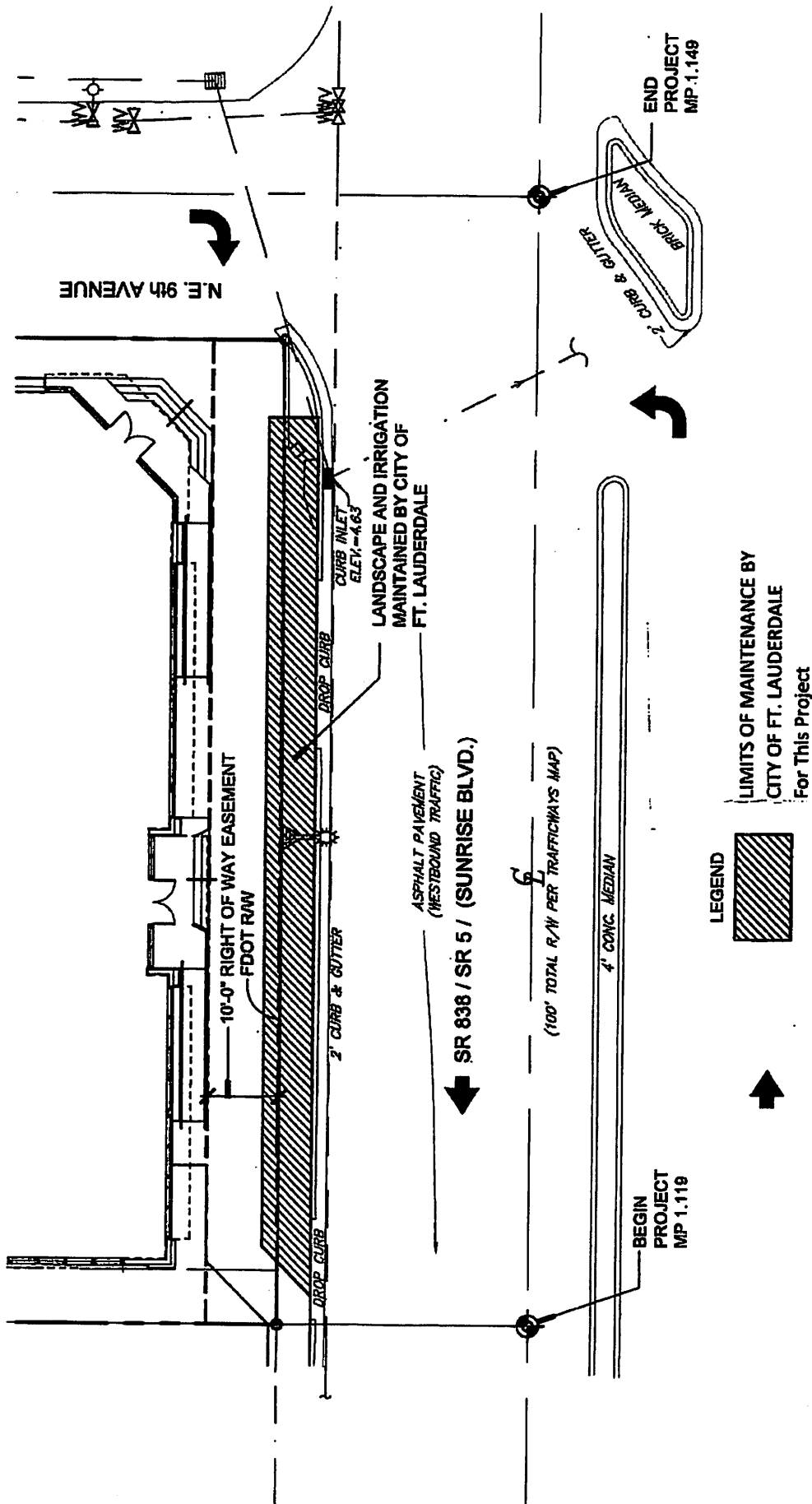
M.P. 0.000 (N.E. 18th Avenue) to M.P. 1.191 (State Road A1A)

Entire right of way

III. LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY LIMITS MAP:

**All limits of the original agreement and amendments shall apply*

Please See Attached



LANDSCAPE IMPROVEMENT MAINTENANCE BOUNDARY MAP **CITY OF FORT LAUDERDALE** **FDOT PERMIT NUMBER 2018-L-491-00026**

SECTION No.:	860005000
S.R. No.:	838
PERMIT No(s).:	2018-L-491-00026
COUNTY:	BROWARD

EXHIBIT B

LANDSCAPE IMPROVEMENT PLANS

The AGENCY agrees to install the landscape improvements in accordance with the plans and specifications attached hereto and incorporated herein.

Please see attached plans prepared by: Rhett Roy Landscape Architecture/Planning, P.A.
Rhett G. Roy, RLA.

Date: December 12, 2018

825 SUNRISE BLVD.
825 EAST SUNRISE BLVD.
FT. LAUDERDALE, FL 33304
BROWARD COUNTY

(SR 838 / SR 5 / SUNRISE BLVD.)

INDEX OF LANDSCAPE PLANS
 SHEET NO. SHEET DESCRIPTION

--- COVER SHEET
 LP-1 LANDSCAPE PLAN
 LR-1 IRRIGATION PLAN

END PROJECT
 MP 1.149
 BEGIN PROJECT
 MP 1.119
 ROADWAY DESIGN
 SPEED = 35 MPH

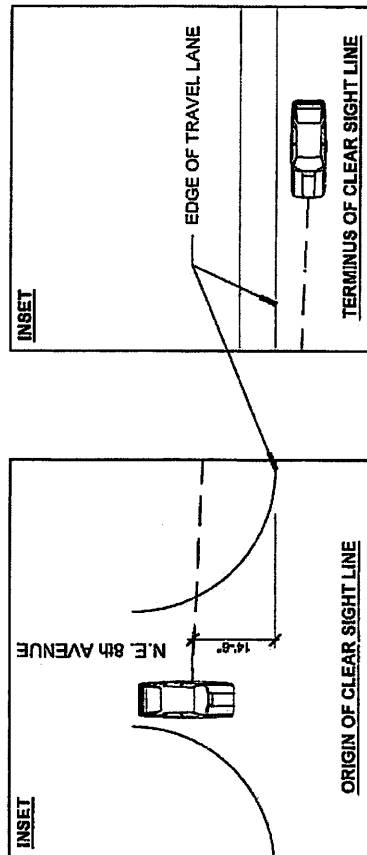
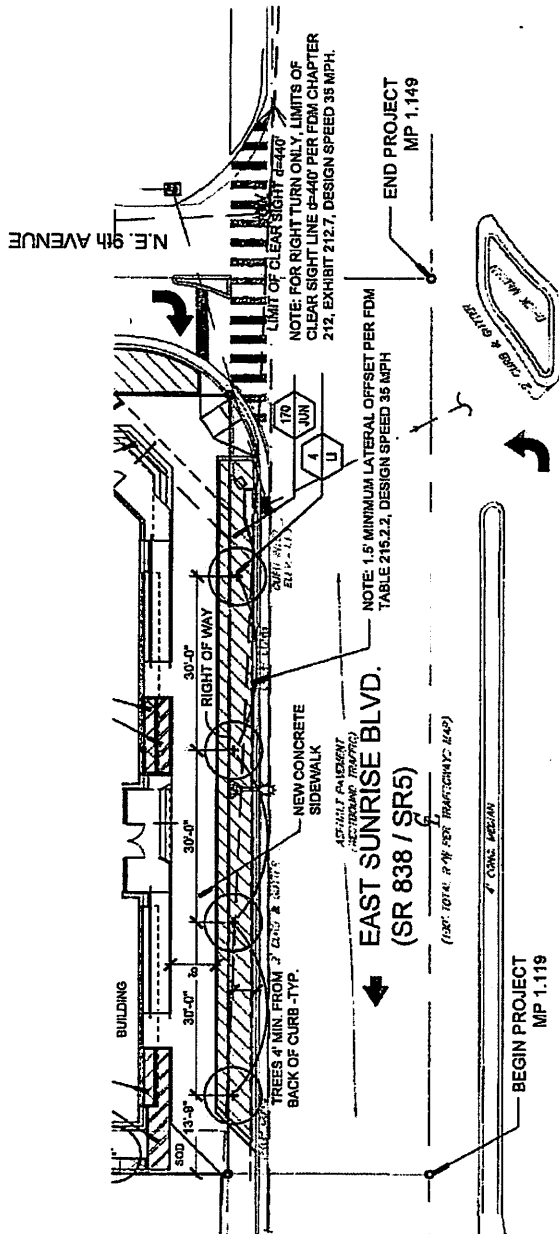


GOVERNING STANDARD PLANS: FLORIDA DEPARTMENT OF
 TRANSPORTATION, FY 2018-19 STANDARD PLANS FOR ROAD AND
 BRIDGE CONSTRUCTION AND APPLICABLE INTERIM REVISIONS (IRS).
 GOVERNING STANDARD SPECIFICATIONS: FLORIDA DEPARTMENT OF
 TRANSPORTATION JULY 2018 STANDARD SPECIFICATIONS FOR ROAD
 AND BRIDGE CONSTRUCTION.



REVISED 12/12/2018

FDOT PERMIT # 2018-L-491-00026



NOTE: CYRESS MULCH IS NOT PERMITTED ON FOOT RIGHT OF WAY. MULCH PERMITTED TO BE USED ARE HARDWOOD MULCH CONTAINING NO CYRESS PRODUCTS. MULCH SHALL BE PERMITTED AT THEIR COST & EXPENSE FROM THE SITE TO THE BROADWAY OPERATIONS CENTER OR STOCKPILED IN THOSE AREAS AS DIRECTED BY THE DEPARTMENT, INCLUDING ASPHALT MILLINGS.

NOTE: OWNERSHIP OF ALL SUITABLE EXCAVATED MATERIAL AS DETERMINED BY THE DEPARTMENT WILL REMAIN WITH THE DEPARTMENT. ALL MATERIALS TO BE PERMITTED PROJECT IN FILLING, EXCAVATION, OR OTHER USES SHALL BE SUBMITTED FOR INSPECTION TO THE FOOT DISTRICT OPERATIONS PERMIT LANDSCAPE INSPECTOR UPON INSPECTION.

NOTE: CONTRACTOR SHALL REPAIR ANY AND ALL DAMAGE DONE TO FOOT PROPERTY DURING DEMOLITION, RELOCATION AND/OR INSTALLATION ACTIVITIES AT HIS SOLE EXPENSE.


NOTE:

- FOR THE PORTION OF LANDSCAPE MATERIAL THAT WILL BE INSTALLED WITHIN THE FOOT RIGHT OF WAY REFER TO FOOT STANDARD PLANS INDEX 690-001 LANDSCAPE
- LANDSCAPE INSTALLATION WITHIN FOOT RIGHT OF WAY SHALL COMPLY WITH CURRENT FOOT MAINTENANCE SPECIFICATIONS 590-021
- FOOT MAINTENANCE PLANTING VERTICAL CLEARANCE, AS REQUIRED BY THE FOOT MAINTENANCE RATING PROGRAM:
- MINIMUM VERTICAL CLEARANCE
- ROADWAY = 14'-0" VERTICAL CLEARANCE
- BIPODEUM = 14'-0" VERTICAL CLEARANCE
- INSTALL GRADE A EUCALYPTUS MULCH IN PLANTING BEDS
- SCODDED AREAS SHALL BE IN ACCORDANCE WITH STANDARD PLANS INDEX 570-010 AND STANDARD SPECIFICATIONS SECTIONS 162, 570, 811, 822, 883 AND 887 OF THE DEPARTMENT'S LATEST EDITION OF GOVERNING DESIGN STANDARDS AND STANDARD SPECIFICATIONS. UNPAVED AREAS WILL BE SCODDED WITHIN ONE (1) WEEK OF INSTALLATION OF SAND PERMITTED WORK.

SYM	ITEM	SPECIFICATION	QUAN
U	Lagerstroemia indica Standard	14"t, 6"sp., 6"e.l., 5' d.b.h.	4
JUN	Crape Myrtle	8' Ht. x 24" sp., 24" o.c.	170
	Juriparus chinensis Blue Pacific		
	Shore Juniper		

REVISED 12/12/2018

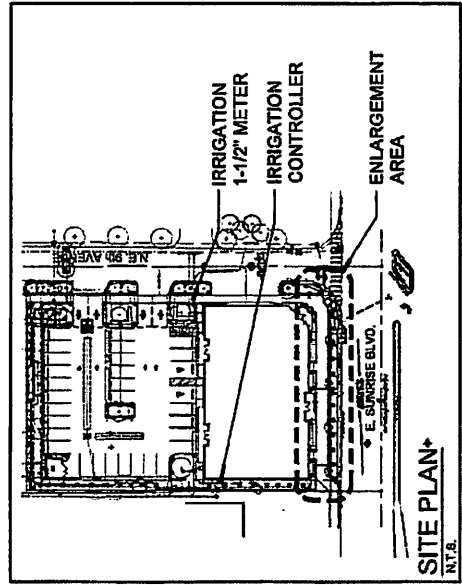
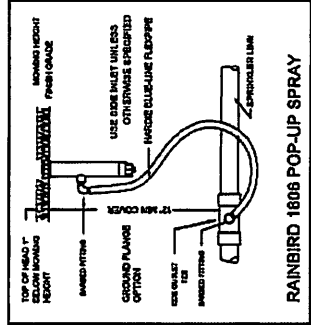
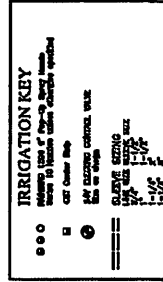
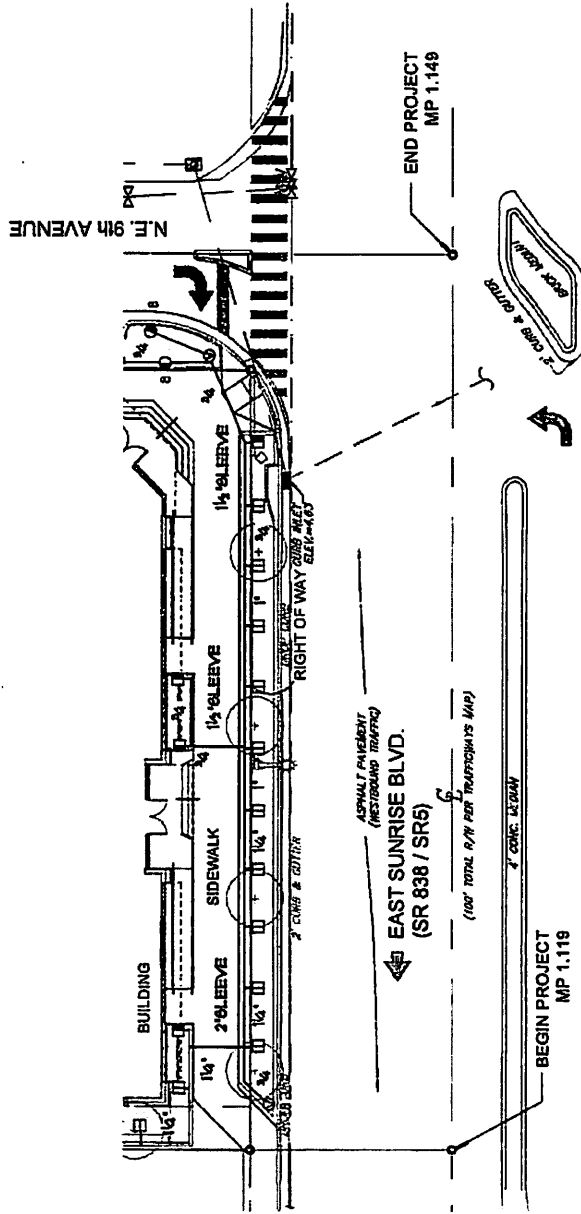
LANDSCAPE PLAN
825 SUNRISE BLVD.
FT. LAUDERDALE, FLORIDA
LP-1

 NORTH
 SCALE: 1"=20'-0"
 OCT. 26, 2018

Rhett Roy
 Landscape Architecture - Planning
 412 North Andrews Avenue
 Fort Lauderdale, FL 33301
 954-482-0704



FDOT PERMIT # 2018-L-491-00026



NOTE: OWNERSHIP OF ALL SUITABLE EXCAVATED MATERIAL, AS DETERMINED BY THE DEPARTMENT, SHALL REMAIN IN THE DEPARTMENT UNTIL FINAL ACCEPTANCE OF THE PERMITTED PROJECT IS FULFILLED. EXCAVATED MATERIALS SHALL BE HAULED BY THE PERMITTEE, AT THEIR COST & EXPENSE FROM THE SITE TO THE BROWARD OPERATIONS CENTER OR STOCKPILED IN THOSE AREAS AS DIRECTED BY THE DEPARTMENT, INCLUDING ASPHALT MILLINGS.

NOTES:

- CONTRACTOR SHALL REPAIR ANY AND ALL DAMAGE DONE TO FDOT PROPERTY DURING DEMOLITION, RELOCATIONS AND/OR INSTALLATION ACTIVITIES AT HIS SOLE EXPENSE
- FDOT REQUIRES 24 HOUR EMERGENCY ACCESS TO WATER SOURCE.
- CONTRACTOR SHALL PROVIDE FDOT DISTRICT OPERATIONS MANAGER WITH A SET OF "AS-BUILT" IRRIGATION PLANS.

REVISED 12/12/18

IRRIGATION PLAN
825 SUNRISE BLVD.
FT. LAUDERDALE, FLORIDA
LR-1



Rhett Roy
Landscape Architecture - Planning
412 North Andrews Avenue
Fort Lauderdale, FL 33301
954-462-0704

NORTH
SCALE: 1"=20'-0"
OCT. 26, 2018



FDOT PERMIT # 2018-L-491-00026



COMMISSION AGENDA ITEM
DOCUMENT ROUTING FORM

P 3 L
5/15/19

Today's Date: 5/14/2019

DOCUMENT TITLE: FDOT – DISTRICT (4) AMENDMENT NUMBER FOUR (4) TO STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE MEMORANDUM OF AGREEMENT

COMM. MTG. DATE: 5/7/2019 **CAM #:** 19-0335 **ITEM #:** CR-6 **CAM attached:** ☒ YES ☐ NO

Routing Origin: CAO **Router Name/Ext:** K.Nembhard/5001 **Action Summary attached:** ☒ YES ☐ NO

CIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept.: TAM **Router Name** Laura M X3764 **# of originals routed:** 3 **Date to CAO:** 5/10/2019

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO **# of originals attached:** 3

Is attached Granicus document Final? ☒ YES ☐ NO

Approved as to Form: ☒ YES ☐ NO

Date to CCO: 5/14/2019

Kimberly Mosley
Attorney's Name

[Signature]
Initials

3) City Clerk's Office: # of originals: 3 **Routed to:** MJ Matthews/CMO/X5364 **Date:** 5/14/19

4) City Manager's Office: **CMO LOG #:** May 65 **Document received from:** CCO
Assigned to: CHRIS LAGERBLOOM ☒ LINDA LOGAN-SHORT ☐ RHODA MAE KERR ☐
CHRIS LAGERBLOOM as CRA Executive Director ☐

☐ APPROVED FOR C. LAGERBLOOM'S SIGNATURE ☐ N/A FOR C. LAGERBLOOM TO SIGN

PER ACM: **PER ACM:** L. L-SHORT (Initial/Date) **R. KERR** (Initial/Date)

☐ **PENDING APPROVAL** (See comments below)

Comments/Questions: _____

Forward 3 originals to ☐ Mayor ☒ CCO **Date:** 5/14/19

5) Mayor/CRA Chairman: Please sign as indicated. Forward ___ originals to CCO for attestation/City seal (as applicable) **Date:** _____

6) City Clerk's Office: Forwards 3 Originals to: Laura Morton/TAM/Ext. 3764 for routing to Florida Dept. of Transportation

PLEASE EMAIL FULLY EXECUTED AGREEMENT TO KATHRYN NEMBHARD

Attach ___ certified Reso # ___ ☐ YES ☒ NO

Original Route form to CAO/K. Nembhard

Rev. 12/22/16