

SECTION No.: 860005000  
S.R. No.: 838  
PERMIT No(s): 2018-L-491-014  
COUNTY: BROWARD

**DISTRICT FOUR (4) AMENDMENT NUMBER FIVE (5) TO STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION LANDSCAPE INCLUSIVE  
MEMORANDUM OF AGREEMENT**

**THIS AMENDMENT** Number Five (5) to the Agreement dated December 12, 2007, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ 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 on State Road 838 (Sunrise Boulevard) 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. 7.537 to M.P. 7.653, 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:**

All sodding shall be kept free of sunken, bare, or dead spots. Trees shall only be pruned to structurally manage tree architecture with the objective of reducing the failure risk by improving structure and removing dead branches, providing more clearance by raising or reducing the crown, and thinning of the crown to increase light and air penetration. Dead or dying plant materials shall be replaced with the Florida Number 1 materials of the same species and specification as the approved plan. A 3-inch layer of sterilized organic mulch derived from invasive tree species shall be provided no closer than 6" to the base of trees and shall be replenished annually. In other area, a special system of proprietary resin-aggregate pervious tree pit medium of Addapave is provided for trees in sidewalk planter cutouts. The surface shall be restored as needed with identical materials and kept at a maximum slope of 2% in any direction, free of debris and obstruction to allow for safe pedestrian circulation. Invasive exotics shall be removed and eradicated from all landscape areas. Regular inspection to assess the condition of plant materials and landscape areas is recommended to take place as part of regular maintenance operations. Live Oak trees installed in the Right-of-way at this site are best trimmed during the early spring to optimize growth and minimize susceptibility to pests and pathogens associated with wounding when pruned during their dormancy period. Palms and trees may be fertilized during the growing season 2-3 times a year. Lawn fertilization shall take place 3 times during each growing season. Fertilizers shall be kept off impervious surfaces & minimum 15' away from well points and surface water bodies. Structural soil areas shall be maintained free of sunken areas and shall be replenished with structural soils meeting the original specification as needed.

3. Nothing herein shall constitute a waiver of sovereign immunity by the AGENCY.

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

CITY OF FORT LAUDERDALE, through its  
CITY COMMISSIONERS

By: \_\_\_\_\_  
Transportation Development Director

By: \_\_\_\_\_  
Dean J. Trantalis, Mayor  
\_\_\_\_\_ day of \_\_\_\_\_, 2019

Attest: \_\_\_\_\_ (SEAL)  
Executive Secretary

\_\_\_\_\_  
Christopher J. Lagerbloom, City Manager

Legal Review \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_  
Office of the General Counsel

Approved as to form by Office of City Attorney

\_\_\_\_\_  
Kimberly Cunningham Mosley,  
Assistant City Attorney

ATTEST:

\_\_\_\_\_  
Jeffrey A. Modarelli, City Clerk

(SEAL)

SECTION No.: 860005000  
S.R. No.: 838  
PERMIT No(s): 2018-L-491-014  
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. 7.537 to M.P. 7.653

II. INCLUSIVE LANDSCAPE MAINTENANCE AGREEMENT LIMITS:

Section 86110000

State Road 838 (Sunrise Boulevard)

M.P. 5.789 (east of N.W. 24<sup>th</sup> 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. 18<sup>th</sup> Avenue)

Entire right of way

Section 86005000

State Road 838 (Sunrise Boulevard)

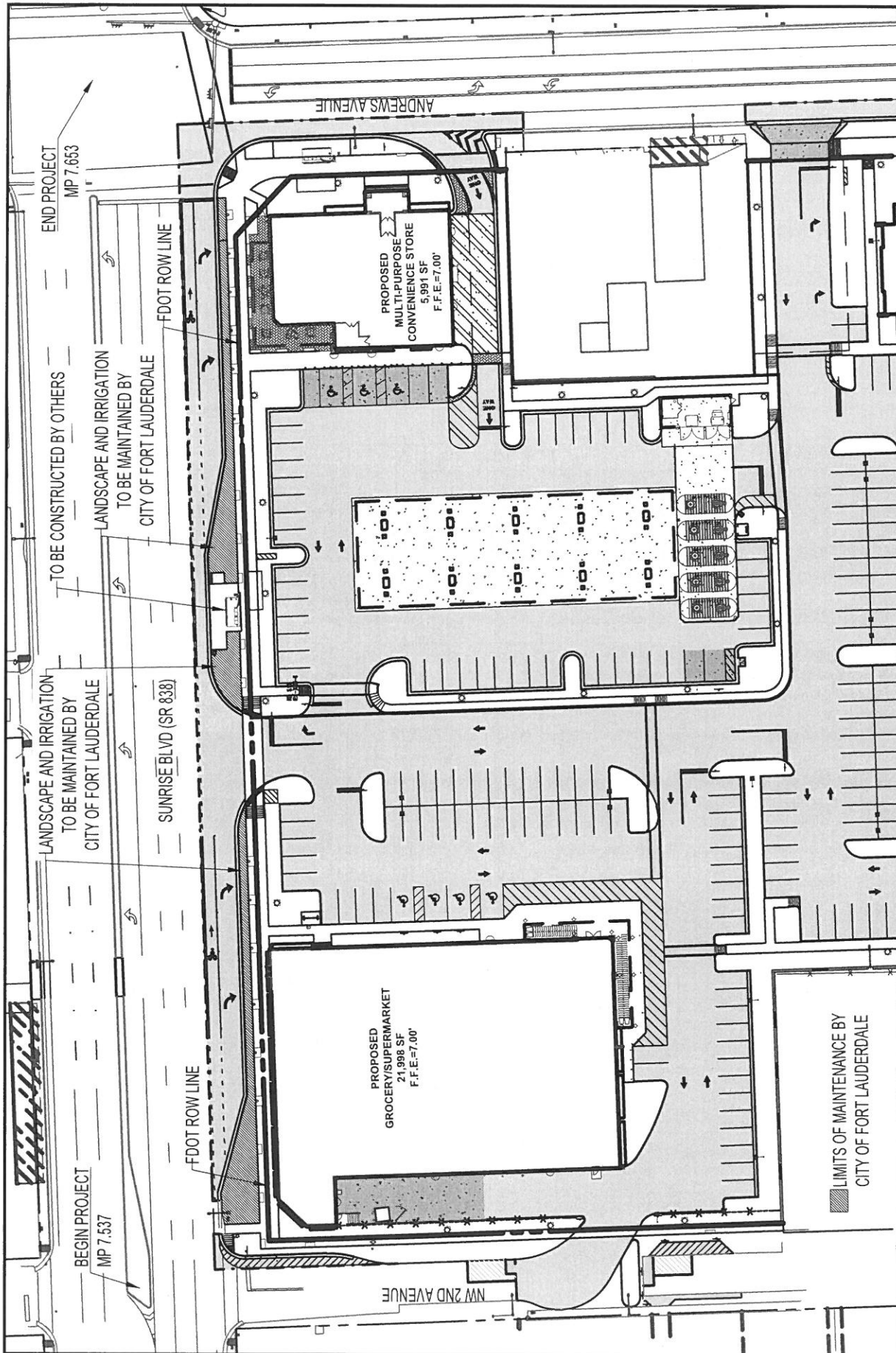
M.P. 0.000 (N.E. 18<sup>th</sup> Avenue) to M.P. 1.191 (State Road A1A)

Entire right of way

III. LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY LIMITS MAP:

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

Please See Attached



<p><b>PROJECT: PROGRESSO COMMONS</b>  <b>SWC OF SUNRISE BLVD (SR 838) AND ANDREWS AVE</b></p>		<p><b>THOMAS</b>          ENGINEERING GROUP</p> <p>6300 NW 31ST AVENUE, FORT LAUDERDALE, FL 33309</p>
<p>PROJECT NO: F160046</p>	<p>DATE: 3/7/19</p>	
<p>PREPARED BY: DAM</p>	<p>SCALE: 1" = 70'</p>	
<p><b>CITY OF FORT LAUDERDALE</b>  <b>LANDSCAPE IMPROVEMENT</b>  <b>MAINTENANCE BOUNDARY MAP</b>  <b>PERMIT NO. 2018-L-491-014</b></p>		

G:\2016\ANDREWS PROJECT DEVELOPMENT (HARVEY TAYLOR)\F160046 - SUNRISE BLVD & ANDREWS AVE, FORT LAUDERDALE\DWG\FINAL DRC SUBMITTAL\LANDSCAPE EXHIBIT\_-----LAYOUT: EXHIBIT  
 Printed on Friday, March 08, 2019, 10:25 AM by Daniela Martint

SECTION No.: 860005000  
S.R. No.: 838  
PERMIT No(s): 2018-L-491-014  
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: Thomas Engineering Group  
Ryan J. King Ebrahimian, RLA.

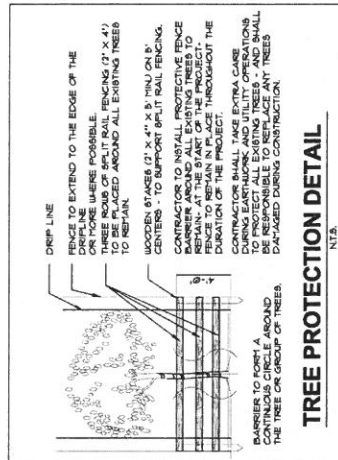
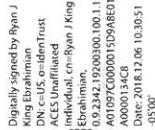
Date: December 6, 2018





EXISTING TREE DISPOSITION CHART										PORT LAUDERDALE, FLORIDA		NON-SPECIMEN DBH TO BE REPLACED (IN.)
TREE NO.	BOTANICAL NAME	COMMON NAME	Gray Wood/Clear Trunk (if applicable)	HT	SPR	DBH	CONDITION	CLASS	COMMENTS	DISPOSITION		
1	Bursera simaruba	Gumbo Limbo		23	20	7	60%	A	OFFSITE	REMAIN	7.68	
2	Sabal palmetto	Cabbage Palm	6	8	8	8			OFFSITE	REMAIN		
3	Sabal palmetto	Cabbage Palm	14	8	10	8			OFFSITE	REMAIN	10.8	
4	Sabal palmetto	Cabbage Palm	14	8	10	8			OFFSITE	REMAIN		
5	Sabal palmetto	Cabbage Palm	10	8	10	8			OFFSITE	REMAIN	10.8	
6	Sabal palmetto	Cabbage Palm	8	8	10	8			OFFSITE	REMAIN		
7	Sabal palmetto	Cabbage Palm	10	8	10	8			OFFSITE	REMAIN	12	
8	Sabal palmetto	Cabbage Palm	10	8	10	8			OFFSITE	REMAIN		
9	Schefflera actinophylla	Umbrella Tree		16	12	10			Invasive exolic	Relocate	7.68	
10	Quercus laurifolia	Laurel Oak		30	32	15	60%	B		remove		
11	Quercus laurifolia	Laurel Oak		26	22	12	60%	B		remove	5.76	
12	Sabal palmetto	Cabbage Palm	12	8	10	10			OFFSITE	REMAIN		
13	Pinus elliotti	Slash Pine		50	34	22		A	OFFSITE	REMAIN	7.68	
14	Quercus laurifolia	Laurel Oak		34	30	16	60%	B		remove		
15	Arcaesia laterophylla	Norfolk Island Pine		62	13	20			Invasive exolic	remove	10.8	
16	Pinus elliotti	Slash Pine		50	30	18	60%	A	Affected area	remove		
17	Pinus elliotti	Slash Pine		48	30	18	60%	A	Affected area	remove	10.8	
18	Pinus elliotti	Slash Pine		46	24	18	60%	A	Affected area	remove		
19	Pinus elliotti	Slash Pine		46	24	18	60%	A	Affected area	remove	10.8	
20	Pinus elliotti	Slash Pine		46	30	18	60%	A	Affected area	remove		
21	Pinus elliotti	Slash Pine		45	30	20	60%	A	Affected area	remove	12	
22	Sabal palmetto	Cabbage Palm	6	45	30	20	60%	A	Remove shrubs from trunk	Relocate		
23	Pinus elliotti	Slash Pine		45	32	20	60%	A	Affected area	remove	12	
24	Pinus elliotti	Slash Pine		46	40	18	60%	A	Affected area	remove		
25	Pinus elliotti	Slash Pine		45	38	20	60%	A	Affected area	remove	12	
26	Pinus elliotti	Slash Pine		46	36	18	60%	A	Affected area	remove		
27	Lysiloma latissilquum	Wild Tamarind		20	22	6	50%	A	Affected area	remove	3	
28	Lysiloma latissilquum	Wild Tamarind		20	22	10	50%	A	Affected area	remove		
29	Sabal palmetto	Cabbage Palm	10	8	10	8			Affected area	Relocate	5	
30	Ficus retusa	Fig Tree		25	28	22	40%	A	Damaged trunk & branches	remove		
31	Royal Poinciana	Cabbage Palm		36	50	36	40%	B	Affected area; trunk damage	remove	8.8	
32	Sabal palmetto	Cabbage Palm	12	10					Affected area	Relocate		
33	Sabal palmetto	Cabbage Palm	10	8					Affected area	Relocate	11.52	
34	Sabal palmetto	Cabbage Palm	8	8	8				Affected area	Relocate		
35	Sabal palmetto	Cabbage Palm	10	10					Affected area	Relocate	6.84	
36	Sabal palmetto	Cabbage Palm	13	10					Affected area	Relocate		
37	Sabal palmetto	Cabbage Palm	10						Affected area	Relocate	3.36	
38	Sabal palmetto	Cabbage Palm	15						Affected area	Relocate		
39	Sabal palmetto	Scrub Palm	n/a	7					Scrub; in affected area	remove	1.5	
40	Mangifera indica	Mango		32	40	38	30%	C	Double; in affected area	remove		
41	Sabal palmetto	Cabbage Palm	14						Affected area	Relocate	3.36	
42	Sabal palmetto	Cabbage Palm	15									

2. Contractor is responsible for determining all utility locations and installing facilities so as to not conflict. All damage to existing utilities or improvements claimed by Contractor shall be repaired at no additional cost to the Owner.
3. Contractor to notify "Sunrise State One Call of Florida, Inc." at 1-800-337-4710 Two Full Business Days prior to digging for underground utility locations.
4. Contractor shall be responsible for providing final grading of all associated planting areas.
5. All plants, material will be accepted showing evidence of cable, chain links, equipment, seats, or chemicals damaged.
6. Root-pruning all trees to be relocated a minimum of (10) weeks prior to planting. Plants require no root-pruning 4" may be transplanted immediately or as construction schedule dictates.
7. Tree protection barricades shall be provided by Landscaper. Contractor around existing trees that may be impacted by the proposed construction. Prior to any construction & tree removal, the contractor shall submit a tree preservation plan to the landscape architect, owner or governing municipality for the landscape details for tree preservation barricade fencing.



**NOTES**

1. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING SITE CONDITIONS AND UTILITIES. ALL DISCREPANCIES SHALL BE IDENTIFIED TO THE ENGINEER IN WRITING.
2. ALL EXISTING UTILITIES SHALL BE REMOVED BY CONTRACTOR IN ACCORDANCE WITH CITY AND LOCAL UTILITY COMPANY REQUIREMENTS AND ALL APPLICABLE REGULATIONS.
3. ALL HYDANTS SHALL FALL WITHIN #4 OF THE CURB
4. MINIMUM 7 1/2" CLEARANCE AROUND THE HYDRANT CIRCUMFERENCE. THE 4"
5. ALL FIRE HYDRANTS SHOULD HAVE BLUE REFLECTIVE MARKERS
6. WATER SHALL BE ON SITE BEFORE CONSTRUCTION BEGINS
7. CLEAN OUTS INSTALLED IN ASPHALT MUST BE INSTALLED IN A CITY BOX





THOMAS  
LANDSCAPE ARCHITECTS  
11111 W. BAYVIEW BLVD., SUITE 100  
FORT LAUDERDALE, FL 33304  
TEL: 954.776.1111  
WWW.THOMASLANDSCAPE.COM

REV	DATE	DESCRIPTION
1	01/11/2018	ISSUED FOR PERMIT

811  
KNOW WHAT'S BELOW  
BEFORE YOU DIG  
1-800-4-A-FOOT  
WWW.811FLORIDA.COM

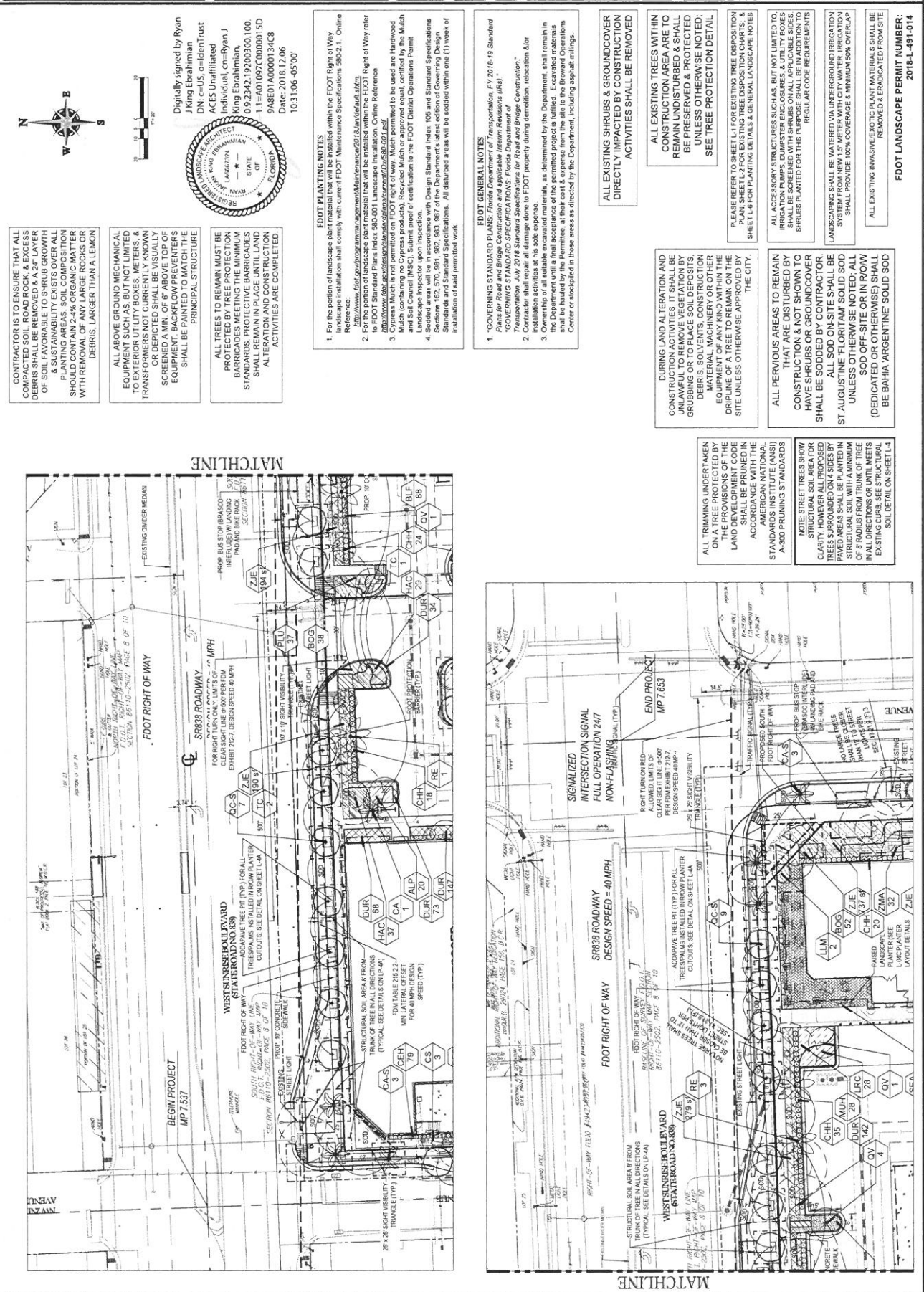
PROPOSED BY  
THOMAS LANDSCAPE ARCHITECTS  
DATE: 01/11/2018

FOR  
ANDREWS PROJECT  
DEVELOPMENT, LLC

PROJECT  
FORT LAUDERDALE  
FLORIDA

DATE: 01/11/2018  
BY: [Signature]  
THOMAS LANDSCAPE ARCHITECTS

LANDSCAPE PLAN  
SHEET NUMBER  
L-03



THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS THE USER'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED HEREIN.

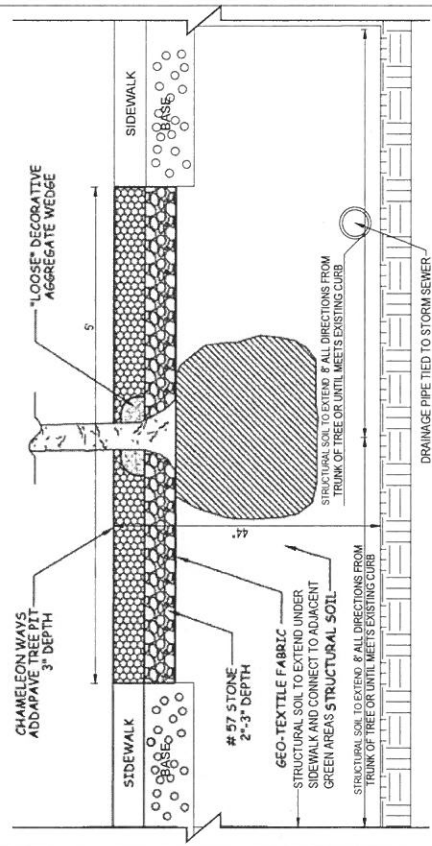


NOTE: STREET TREES SHOW STRUCTURAL SOIL AREA FOR CLARITY, HOWEVER ALL PROPOSED TREES SURROUNDED ON 4 SIDES BY PAVED AREAS SHALL BE PLANTED IN STRUCTURAL SOIL WITH A MINIMUM OF 8' RADIUS FROM TRUNK OF TREE IN ALL DIRECTIONS OR UNTIL MEETS EXISTING CURB.

Digitally signed by Ryan J King Ebrahman  
DN: c=US, o=IdenTrust ACES  
cn=Ryan J King Ebrahman,  
unaffiliated Individual,  
o=IdenTrust ACES  
0.9.2342.19200300.100.1.1=  
A01097C0000015D9A8E01A  
0000134C8  
Date: 2018.12.06 10:31:43  
-05'00"



2 'ADDAPAVE TP' DETAIL



ADDA PAVE TP' TREE PIT SHALL BE  
MANUFACTURED BY CHAMELEON WAYS TO BE  
APPLIED OVER COMPACTED WASHED STONE;  
COLOR/FINISH: RHINE GOLD' 6-10 mm

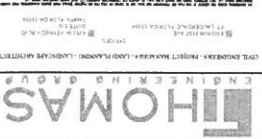
NOTE: ADAPPAVE TO BE INSTALLED PARTIALLY IN GREEN AREAS SHALL BE POURED IN PLACE & BOUND BY GALVANIZED & POWDER COATED (COLOR: BROWN) STEEL EDGING THAT IS EMBEDDED INTO THE FINISH GRADE SOIL SURFACE TO A DEPTH OF 6" & STAKED EVERY 18" O.C. OR FRACTION THEREOF, OR PER MANUFACTURER'S SPECIFICATIONS. EDGING SHALL BE INSTALLED PRIOR TO LAYING DOWN 3" LIMEROCK BASE THAT WILL BE PLACED WITHIN THE ADAPPAVE TREE PIT & SECURELY STAKED TO A DEPTH OF 18".

FDOT LANDSCAPE PERMIT NUMBER:  
2018-L-491-014









ENGINEERING - PROJECT MANAGEMENT - LAND PLANNING - LANDSCAPE ARCHITECTURE

2700 WEST 10TH AVENUE, SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1100  
WWW.THOMAS-PA.COM

DATE: 2018.12.06  
DRAWN: J. KING  
CHECKED: J. KING  
APPROVED: J. KING

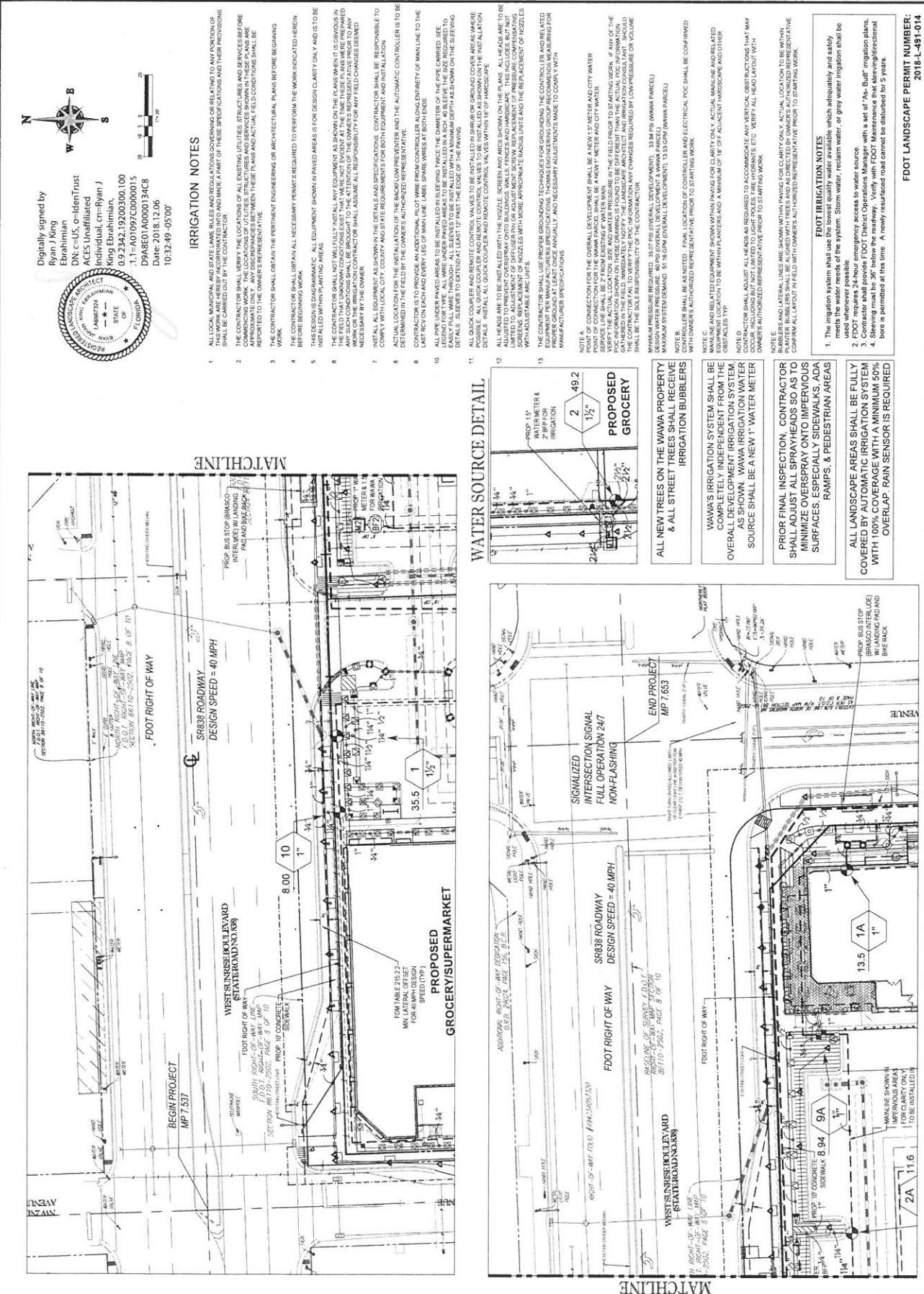
PROJECT: 811  
ALWAYS CALL 811  
BEFORE YOU DIG  
www.811colorado.com

PROGRESS COMMONS  
FOR  
ANDREWS PROJECT  
DEVELOPMENT, LLC

THOMAS  
LANDSCAPE ARCHITECTURE  
FOR THE  
FORT LAUDERDALE  
FLORIDA

THOMAS  
LANDSCAPE ARCHITECTURE  
FOR THE  
FORT LAUDERDALE  
FLORIDA

THOMAS  
LANDSCAPE ARCHITECTURE  
FOR THE  
FORT LAUDERDALE  
FLORIDA





FDOT LANDSCAPE PERMIT NUMBER:  
2018-L-491-014

NOTE: THE IRRIGATION SCHEDULES ON THIS SHEET ONLY APPLY TO THE OVERALL PROGRESSO COMMONS DEVELOPMENT IRRIGATION SYSTEM & NOT TO THE WAWA PARCEL IRRIGATION SYSTEM; SEE SHEET L-07A FOR WAWA IRRIGATION SCHEDULES.

