

# Construction Agreement

## 2022-C-491-00010

### EXHIBIT A

#### I. SCOPE OF SERVICES

The Proposed Project Phase 2 consists of Streetscape Improvements, Resurfacing, Lighting, Signing and Pavement Markings along SR A1A from Atlantic Blvd./ SR 814 (MP 9.890) to Hillsboro Inlet (MP 12.025) in Broward County. The main objectives of the project are to extend the life of the existing pavement through milling and resurfacing and to provide safety enhancements that include replacement of curb ramps to meet ADA, streetscape improvements, roadway and inroad crosswalk lighting, pavement markings and signalization modifications.

#### II. PROJECT PLANS

The Construction Coordinator is authorized to install the Project in accordance with the attached:

Roadway plans prepared by Lori J, Treviranus P.E. and dated 8/4/2022.

Sign & Pavement Marking Plans prepared by Matthew B. Fursetzer, P.E. dated 7/14/2022.

Lighting Plans prepared by Matthew B. Fursetzer; P.E. dated 7/14/2022.

Signalization Plans by Matthew B. Fursetzer, P.E. dated 7/14/2022

Landscape Plans by Lori J, Treviranus P.E. and dated 8/4/2022

Any revisions must be approved by the DEPARTMENT in writing.

#### III. SPECIAL PROVISIONS FOR CONSTRUCTION

- Prior to any work requiring lane closures, mobile operations or traffic pacing operations, the contractor or permittee shall submit a request to the Department that includes the time, location, and description of work being performed. The lane closure request shall be submitted to the Department a minimum of 2 weeks prior to the proposed closure date and must be approved by the Department before work requiring the closure may begin within the FDOT Right of Way. You must also comply with the lane closure analysis as outlined in the FDOT Design Manual 241.1 & FDM 240.4.2.7. The request shall be entered into the Lane Closure Information System (LCIS) by the permittee at the following URL address: [www.fdotlcis.com/login.aspx](http://www.fdotlcis.com/login.aspx). Each request will be reviewed by the appropriate Department personnel for compliance with contract or permit requirements and coordination with adjacent projects or work activities.
- **Preconstruction and Permit Close-Out Inspections Contact Information** This permit is valid only for work proposed within the D.O.T. right-of-way. Contact Louis Berger Asset Maintenance Contractor ([us1-a1a-permits@louisberger.com](mailto:us1-a1a-permits@louisberger.com)) at 786-314-6006 to schedule a pre-construction meeting 48 hours prior commencement of construction. Certification of acceptance and final approval is contingent upon conformity of all work done according to this approved permit and shall be followed up at the end of construction with a final Inspection of the work in FDOT Right-

of- way.

- Maintenance of Traffic (lane closures on the state road system occurring during peak hours 7:00 - 9:00 AM or 4:00 – 6:00 PM), lasting over 24 hours and/or at limited access facilities must contact Guillermo Canedo ([Guillermo.canedo@dot.state.fl.us](mailto:Guillermo.canedo@dot.state.fl.us)) at 954-777-4302, two weeks prior closures.
- During construction, highest priority should be given to ensure pedestrian safety. If permission is granted to temporarily close a sidewalk, it should be done with the express condition that an alternate route will be provided and shall continuously maintain pedestrian features to meet Americans with Disability Act (ADA) standards.
- If any Portable Traffic Monitoring Site (PTMS) or a Telemetry Traffic Monitoring Site (TTMS) is in conflict, it is the responsibility of the Permittee to locate and avoid damage to these sites. If any PTMS and or TTMS sites are damaged during construction, the complete restoration and repairs will be the responsibility of the applicant. If a PTMS or TTMS site is encountered during construction, the Planning and Environmental Management Office (PL&EM) must be notified immediately at (954) 777-4601.
- The D.O.T. right-of-way cannot be utilized for staging, storage or mobilization of equipment, supplies and/or vehicles used to perform work for on-site (non-FDOT right-of-way) construction.
- The D.O.T. roadway, sidewalk, etc. must not be disturbed until the off-site improvements shown on the permit are ready to be constructed. This construction should be completed as soon as possible so as to minimize disruption within the R/W.
- A copy of this permit and plan will be on the job site at all times during the construction of this facility.
- Permittee is cautioned that utilities may be located within the construction area.
- Validity of this permit is contingent upon permittee obtaining necessary permits from all other agencies involved.
- Before beginning any work the signal maintaining agency must be notified to establish the location of any signal loops, wires, system communications, etc.
- In the event that a Florida Department of Transportation (FDOT) light pole has to be relocated, the Permittee is required to identify and coordinate with the maintaining agency prior to commencement of construction. Prior to Final Acceptance, FDOT and the maintaining agency of the light pole will need to sign off on the final inspection.
- All maintenance of traffic (MOT) will be in accordance with the Department's current edition of the Design Standards, (102-600 series). The Operations Engineer or his designee reserves the right to direct the removal/relocation/modification of any traffic device(s) at the Permittee's sole expense.
- Contain all erosion and sedimentation on-site and prevent its entry into the state road storm sewer system. The Permittee shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. The Permittee shall be

responsible for the correction of any erosion, shoaling, or water quality problems that result from the construction or operation of the surface water management system.

- All materials and construction within the FDOT right-of-way shall conform to the latest FDOT Design Standards and latest Standard Specifications for Road and Bridge construction.
- There is a Landscaping plans associated with this Construction Agreement.
  - Permit Number 2022-L-491-00013; Status Under Review
  - Landscape close to the Driveway opening must conform to FDM 212.11 clear line of sight.

**CONSTRUCTION COORDINATOR PLEASE NOTE:**

- Call for a Preliminary “Structural Inspection”:
  - The DEPARTMENT requires an anticipated date of inspection of structures at the beginning of the project. A tentative date shall be the schedule at the pre-con. If the estimated schedule changes by more than a few months, then DEPARTMENT would expect to be notified of the new dates.
  - Once the main assembly of the structure have been mounted onto their respective foundation(s), a Pre-Acceptance Structural Inspection is required by the DEPARTMENT. It is the responsibility of the qualified Structural CEI that has been contracted throughout the construction to contact the DEPARTMENT and schedule the field inspection. This Inspection shall be conducted prior to grouting the base(s) to include the inspection of the leveling bolts along with the foundation and structure. All Punch list items must be completed at the time of the Pre-Inspection. A 2-week advanced notification is required for pre-acceptance inspections which must include a list of outstanding punch list items, the structure plans/shop drawings, and a Structure Number Request Form filled out.
- Construction Coordinator's representative & an FDOT Inspector must be on site during all boring activities. Upon completion of the boring activities, Construction Coordinator shall provide all documentation to be in accordance with FDOT Standard Specifications, Section 555 or 556, whichever is applicable.
- Construction Coordinator's contractor that is performing directional drilling and/or jack and bore activities shall provide the Department (Permits Office) proof of a proper state contractor's license and certificate of liability insurance prior to any commencement of permitted work.
- Construction Coordinator will ensure that all locates have been performed prior to scheduling of any boring activities. This shall include soft digs to verify vertical & horizontal alignment.
- Storm Water Pollution Prevention Plan - The Construction Coordinator shall implement best management practices for erosion and pollution control to prevent violation of state water quality standards. The Construction Coordinator shall be responsible for the correction of any erosion, shoaling, or water quality problems that result from the construction or operation of the surface water management system.
- Ensure shop drawings are submitted for, review and approval for mast arms, strain poles, and concrete mix design at the pre-construction meeting.
- Restricted hours of operation will be from 9:00am to 3:30 pm, (Monday-Friday), unless

otherwise approved by the Operations Engineer, or designee.

- The Operations Engineer or his designee reserves the right to direct the removal / relocation / modification of any traffic device(s) at the Construction Coordinator's sole expense. Traffic Control Plans (TCP) must be submitted and reviewed during the pre-construction meeting.

#### IV. MODIFICATIONS TO BASIC AGREEMENT

The following section shall be modified as indicated below:

- A. If Department agrees to waive performance bond: Section 4 in the basic agreement shall be modified by not requiring the Construction Coordinator to obtain a payment and performance bond for this agreement.
- B. Section 12: The DEPARTMENT and Fernand Thony - COPB Go Bond/ Innovation District Coordinator of the CONSTRUCTION COORDINATOR may extend the completion date, if mutually agreed to in writing.
- C. Section 17: The following shall be added: Nothing in this agreement shall be interpreted as waiving the CONSTRUCTION COORDINATOR'S sovereign immunity protection as set forth in Section 768.28, Florida Statutes.
- D. Section 23: The following agreement(s) shall be excepted out of section 23 and shall continue to apply:

Date of Agreement/ other Document	Title of Document	Brief description of agreement	FM# or Permit#
TBD	Lighting MOA	Decorative Light Pole & LED Luminaire	
TBD	Landscape Permit	Landscape & Hardscape	2022-L-491-00013
TBD	Landscape MMOA	Inclusive Agreement	

- E. Section 29: Add after the last paragraph the following: "The above indemnification shall not serve as authorization by either Construction Coordinator nor the DEPARTMENT to be sued by any third parties. Suits by third parties shall be subject to section 768.28, Florida Statutes."