

SECTION: 86020000
STATE ROAD: 5
COUNTY: Broward
PERMIT: 2024-L-491-00016

**AMENDMENT NUMBER THIRTY-ONE (31) TO
FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR (4)
INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT**

This is **Amendment Number Thirty-One (31)** to the Agreement dated December 5, 2007, made and entered into this _____ day of _____ 20____, by and between the **DEPARTMENT OF TRANSPORTATION**, a component agency of the State of Florida, hereinafter called the “**DEPARTMENT**”, and the **CITY OF POMPANO BEACH**, a municipal corporation of the State of Florida, hereinafter called the “**AGENCY**”.

WHEREAS, the parties entered into the Inclusive Landscape Maintenance Memorandum of Agreement dated December 5, 2007 (Original Agreement) for the purpose of the AGENCY maintaining the landscape improvements on various State Road(s) including **State Road 5 (North Federal Highway)**; and

WHEREAS, the DEPARTMENT and the AGENCY have agreed to amend the Original Agreement for the purpose of adding additional landscape improvements (Additional Improvements) on **State Road 5 (North Federal Highway) from M.P. 8.903 to M.P. 8.938** in accordance with the Original Agreement; and

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

PART II.
SPECIFIC PROJECT SITE MAINTENANCE REQUIREMENTS AND RECOMMENDATIONS

1. (R.L.A. to provide brief description of design intent.) Intent of ROW is to provide a shade tree canopy and low-growing, native shrubs in the expansive ROW.
2. Canopy Trees (Live Oaks) and Thatch Palm are intended to be maintained at mature height and spread.(Refer to Part I Pruning, for clear sight window and vertical clear zone pruning requirements.)
3. Remove suckering growth from base and clear trunk areas for single-trunked trees on a semi-annual basis.
4. To maintain the intended appearance of all palms, apply the latest palm fertilizer recommended by the University of Florida IFAS Extension per the manufacturer’s specifications.
5. To maintain the intended appearance of all shrubs or turf grass, apply the latest fertilizer recommended by the University of Florida IFAS Extension per the manufacturer’s specifications.

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6. Do not remove fronds from self-cleaning palms, unless damaged. Palms with persistent fronds shall only have dead fronds removed, do not remove any green fronds. If it is deemed necessary to prune a palm's fronds, no fronds shall be trimmed above 3 o'clock and 9 o'clock on the horizontal plain.
7. Groundcover and shrub horizontal growth shall be maintained to prevent foliage from growing beyond the limits of the planting areas shown on the plan. Maintain a 6" setback from the foliage to the edge of curb, pavement, sidewalk and/or other hardscape improvements.
8. **(Provide a list of groundcovers and shrubs individually or in groups)**
Maintain the vertical height of:
 - Aechmea blanchetiana as full, mature specimen (approx. 24"x36" tall)
 - Aechmea malva as full, mature specimen (approx. 24"x36" tall)
 - Byrsonima lucida between 36" and 48", full to ground. Allow adjacent specimens to grow together as a mass, no topiary.
 - Chrysobalanus icaco between 18" and 30", as a solid mass
 - Zamia pumila as full, mature specimen (approx. 24"x36" tall)
 - Tripsacum dactyloides mature height do not trim or trim down to 18" once per year in the late spring.
9. Inspect groundcovers and shrubs on a semi-annual basis for maintaining full ground coverage.
10. Evaluate plant material on a monthly basis for pests, diseases, drought stress or general decline. If required, follow the integrated pest management program established by the Agency to ensure healthy plants.
11. Inspect the irrigation system performance on a monthly basis to ensure the system is providing 100% coverage, does not have sections of low pressure, heads and valves are clean and clear of debris and any damaged irrigation components (i.e., spray nozzles, spray heads, valve boxes, etc.) are repaired or replaced.
12. Except as modified by this Amendment, all terms and conditions of the original AGREEMENT shall remain in full force and effect.

Except as modified by this Amendment, all terms and conditions of the ORIGINAL AGREEMENT shall remain in full force and effect.

LIST OF EXHIBITS

Exhibit A – Landscape Improvements Maintenance Boundaries
Exhibit B – Landscape Improvement Plan
Exhibit C – Resolution

In Witness whereof, the parties hereto have executed this Amendment effective the day and year first above written.

CITY OF POMPANO BEACH

By: See City Signature Page Attached Date: _____
Chairperson/Mayor/Manager

Attest: _____ (SEAL)
Clerk

Legal Review: _____

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: _____ Date: _____
Transportation Development Director

Attest: _____
Executive Secretary

Legal Review: _____
Office of the General Counsel

“CITY”:

CITY OF POMPANO BEACH

By: _____
REX HARDIN, MAYOR

By: _____
GREGORY P. HARRISON, CITY MANAGER

Attest:

Date: _____

KERVIN ALFRED
CITY CLERK

(SEAL)

Approved As To Form:

MARK E. BERMAN
CITY ATTORNEY

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REFERENCES (Sept. 2024):

*This reference list is provided as a courtesy and may not contain the most current websites.
The most current references must be accessed for up-to-date information.*

Accessible Sidewalk (ADA)

- *Accessible Sidewalks and Street Crossings* <https://fdotwww.blob.core.windows.net>
- *Sidewalks and Trails* <https://www.fdot.gov/roadway/ada/sidewalksandtrails.shtm>
- *ADA Standards for Accessible Design* <https://www.ada.gov/law-and-regs/design-standards/>

American National Standard Institute, ANSI A300, (Part 1) for Tree Care Operations – Trees, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning), available for purchase <http://webstore.ansi.org> / <https://tcimag.tcia.org/training/introducing-the-newly-designed-ansi-a300-tree-care-standards/>

Building Codes & Standards, Florida Department of Community Affairs (DCA),
2017 Florida Building Code, Chapter 11 Florida Accessibility Code for Building Construction Part A
http://www.floridabuilding.org/fbc/workgroups/Accessibility_Code_Workgroup/Documentation/CHAPTER_11_wfla_specifics.htm

Florida Dept. of Agriculture and Consumer Services, Division of Plant Industry, Florida Grades and Standards for Nursery Plants 2022 <https://sfyl.ifas.ufl.edu/media/sfylifasufledu/hillsborough/docs/pdf/environmentalhort/grades-and-standards-for-nursery-plants-2022.pdf>

FDOT Maintenance Specifications Workbook <https://www.fdot.gov/programmanagement/maintenance>

- *Section 580 Landscape Installation* https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/programmanagement/maintenance/fy-2024-25/spm5800000-724-i19425.pdf?sfvrsn=15564aa7_1

FDOT Standard Plans for Design, Construction, Maintenance and Utility Operations on the State Highway System, Standard Plans - FY 2024-25 <https://www.fdot.gov/design/standardplans/current>

- *Index Series 102-600 Traffic Control through Work Zones*
- *Index 580-001 Landscape Installation*
- *Index 591-001 Landscape Irrigation Sleeves*

FDOT Design Manual for Design, Construction, Maintenance and Utility Operations on the State Highway System, <https://www.fdot.gov/roadway/fdm/default.shtm>

- *Chapter 212.11 Clear Sight Triangles*
- *Chapter 215.2.3 Clear Zone Criteria and 215.2.4 Lateral Offset, Table 215.2.1 Clear Zone Width, Table 215.2.2 Lateral Offset Criteria (for Trees)*

FDOT Landscape Architecture Website

<https://www.fdot.gov/roadway/landscape-architecture/landscape-architecture-programs>

FDOT Maintenance Rating Program Handbook <https://www.fdot.gov/maintenance/mainratingprogram.shtm>

FDOT Outdoor Advertising Database <https://www.fdot.gov/rightofway/OutdoorAdvertising.shtm/new-outdoor-advertising-site>

Florida Exotic Pest Plant Council Invasive Plant Lists

<https://www.floridainvasives.org/plant-list/2023-invasive-plant-species/>

Florida Irrigation Society <http://www.fisstate.org>

Florida Power and Light (FPL) - Right Tree, Right Place

http://www.fpl.com/residential/trees/right_tree_right_place.shtml

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EXHIBIT A

LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARIES

I. LANDSCAPE MAINTENANCE LIMITS FOR AMENDMENT #31:

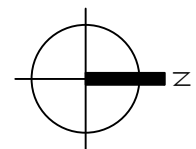
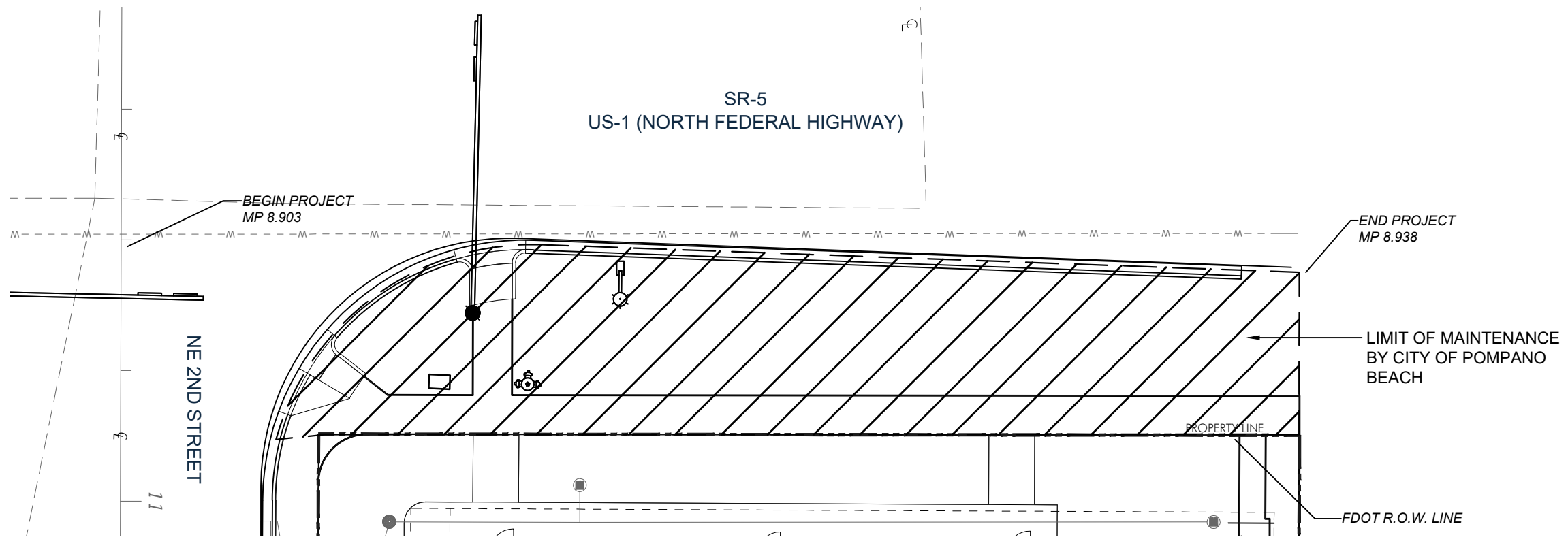
State Road 5 (N. Federal Highway) from M.P. 8.903 to M.P. 8.938

See Attached Map*

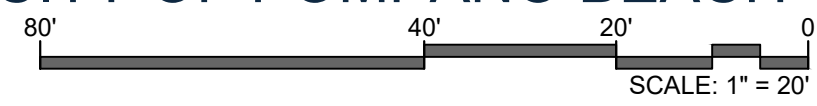
II. INCLUSIVE AGREEMENT LIMITS FOR STATE ROAD 5 (US-1), PER ORIGINAL AGREEMENT AND AS AMENDED APRIL 9, 2021, WITH AMENDMENT #21:

State Road 5 (US-1) from M.P. 7.262 (South of McNab Road) to M.P. 11.025

*All limits of the Original Agreement and Amendments shall apply.



LANDSCAPE IMPROVEMENTS MAINTENANCE BOUNDARY MAP CITY OF POMPANO BEACH



FDOT Landscape Permit Number 2024-L-491-00016
 State Road 5
 Roadway ID: 86020000
 November 21, 2024

SECTION: 86020000
STATE ROAD: 5
COUNTY: Broward
PERMIT: 2024-L-491-00016

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: Taylor Kiehl Semler
GSLA Design

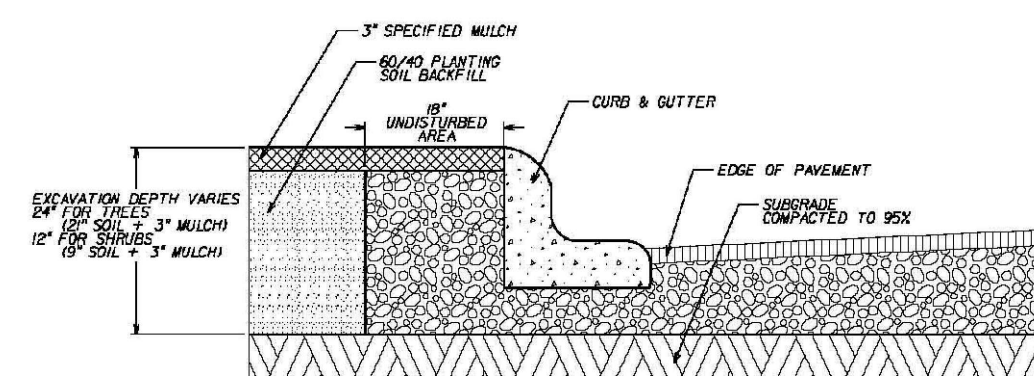
Date: November 7, 2024

EXISTING R.O.W. NOTES:
 -THERE ARE NO EXISTING TREES OR SITE FURNITURE CURRENTLY LOCATED WITHIN THE FDOT R.O.W.
 -THE INTERSECTION OF NORTH FEDERAL HIGHWAY & NE 2ND STREET IS AND WILL REMAIN A 24 HOUR, 4-WAY SIGNALIZED INTERSECTION AND DOES NOT REQUIRE FDOT INDEX 546.

FDOT PLANTING NOTES:

- For the portion of landscape plant material that will be installed within the FDOT Right of Way, landscape installation shall comply with current applicable FDOT Maintenance Specification 580. Online Reference: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/programmanagement/maintenance/fy-2024-25/spm580000wd-724-i19432.pdf?sfvrsn=16252b67_1
- For the portion of landscape plant material that will be installed within the FDOT Right of Way refer to the FDOT Standard Plans Index 580-001 Landscape Installation.
 - Contractor shall preserve a continuous band of undisturbed compacted sub-base 18" from the back of curb (See Detail below).
 - Contractor shall insure that all unsuitable soil including concrete, pavement, road base, stones over 3" diameter and all construction debris, is removed from areas to be planted and replaced with specified planting soil, e.g., 60% sand and 40% muck.
 - Areas to be planted with shrubs and/or ground covers: remove compacted soil to a depth of 12" and replace with specified planting soil. Planting soil shall come up to 4" from top of curb, reserving space for 3" compacted mulch and 1" clear from top of curb.
 - Planting pits for trees and palms: remove compacted soil within the area of each planting pit to a depth of 24" from the top of curb. Planting soil shall come up to 4" from top of curb, reserving space for 3" compacted mulch, and 1" clear from top of curb.

Online Reference: https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/design/standardplans/2025/idx/580-001.pdf?sfvrsn=2d6fde85_1
 It is recommended that you verify the existing soil conditions within the right of way to be planted prior to finalizing your construction documents. **(ONLY USE THIS NOTE** if this project's soil is in poor condition and needs to be amended.)
 In all planting areas, soil material shall be suitable for plant growth. The organic matter content of the soil layer shall be a minimum of 2.5%, a maximum of 10% and have a pH value of 5.5 or greater and less than or equal to 7.0. Planting areas where the existing sub-grade is found to be unsuitable soil or compacted road base, will need to be replaced with amended planting soil, as follows:



Cypress Mulch is not permitted on the FDOT right of way. Mulch permitted to be used are Hardwood Mulch (containing no Cypress products), Recycled Mulch or approved equal, certified by the Mulch and Soil Council (MSC). Submit proof of certification to the FDOT District Operations Permit Landscape Inspector upon inspection.
 Sodded areas will be in accordance with Standard Plans Index 570-010 and Standard Specifications Sections 570, 981, 982, 983, 987 of the Department's latest edition of Governing Design Standards and Standard Specifications. All disturbed areas will be sodded within one (1) week of installation of said permitted work.

FDOT GENERAL NOTES:

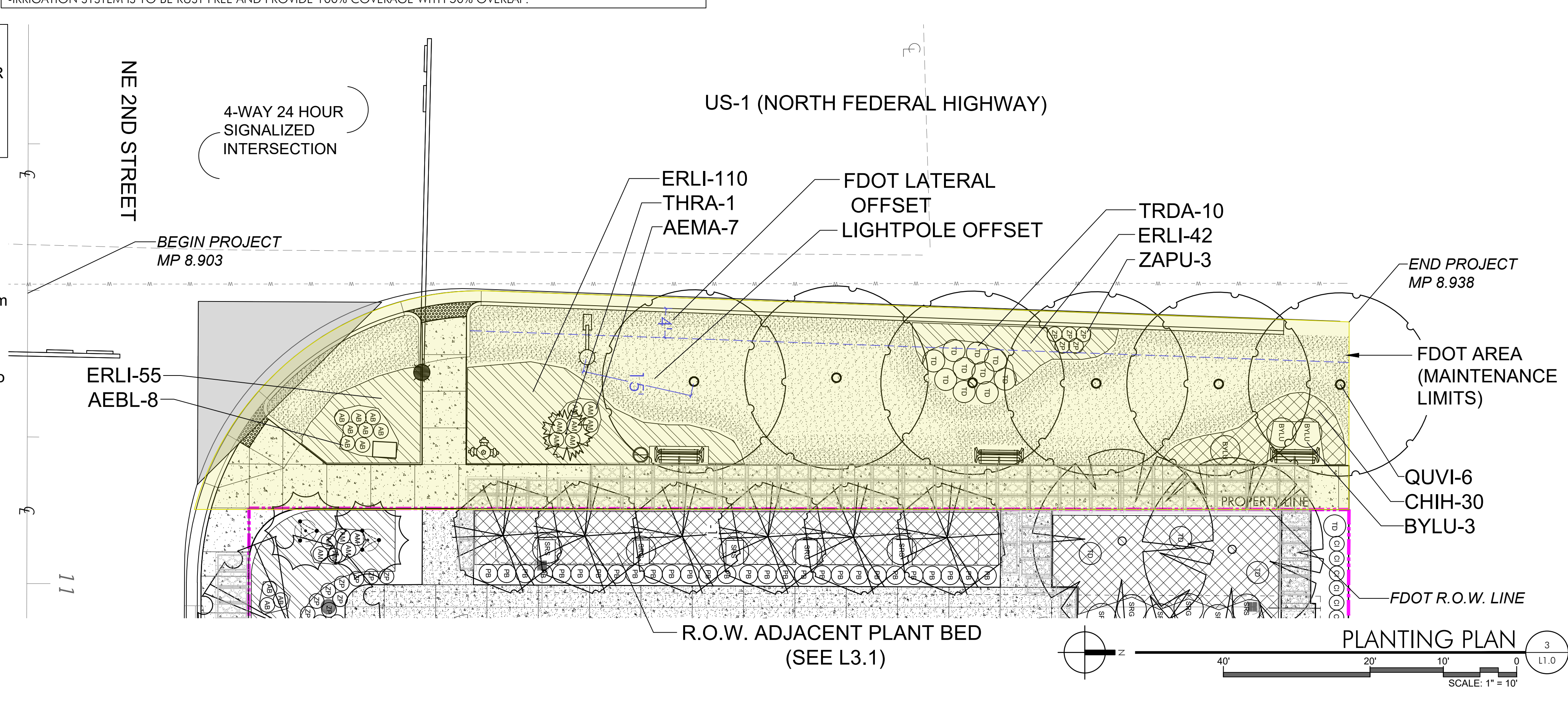
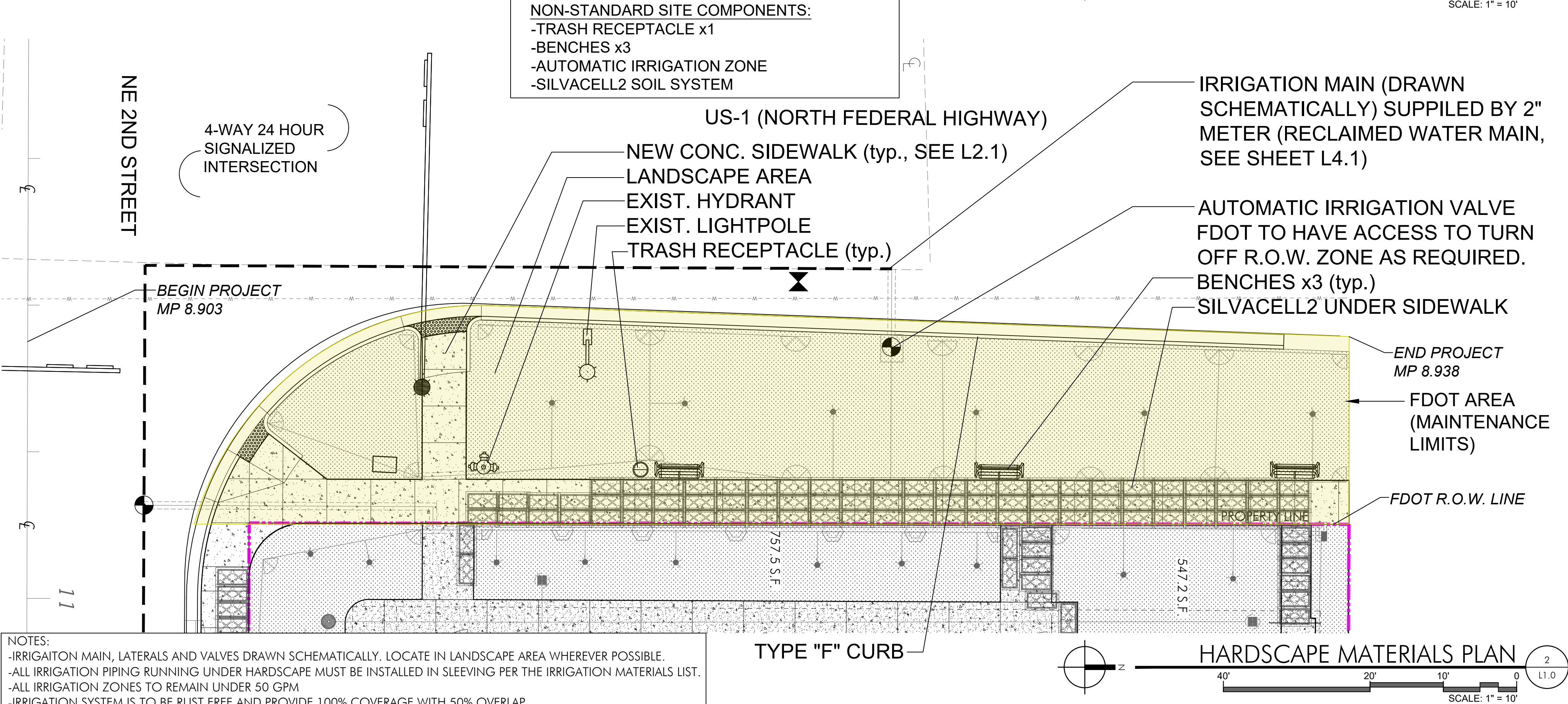
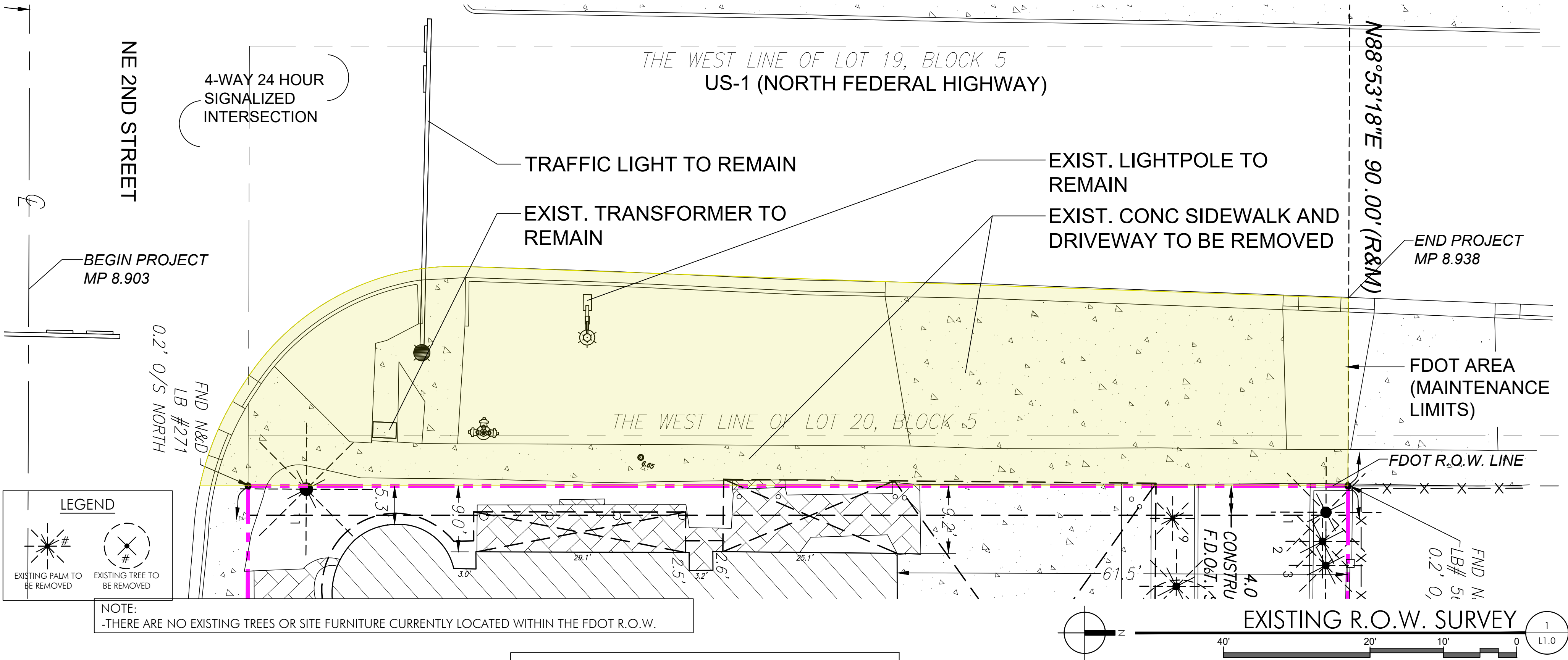
- GOVERNING STANDARD PLANS:**
 Florida Department of Transportation, *FY 2024-25 Standard Plans for Road and Bridge Construction and applicable Interim Revisions (IRs)* are available at the following website: <https://www.fdot.gov/design/standardplans>
- GOVERNING STANDARD SPECIFICATIONS:**
 Florida Department of Transportation, *FY 2024-25 Standard Specifications for Road and Bridge Construction* at the following website: <https://www.fdot.gov/programmanagement/implemented/specbooks>
- Contractor shall repair all damage done to FDOT property during demolition, relocation &/or installation activities at his sole expense.
- Any plant material substitution within or impacting the FDOT Right of Way whether requested by the Contractor, Owner, Landscape Architect or other will need to get approval from the FDOT District Landscape Architect.

PLANT LIST - FDOT ROW				
TREES				
KEY	PLANT NAME	QTY.	UT.	SIZE
QUVI	Quercus virginiana ...Live Oak	6	ea.	24' tall x 12' spread, 6" DBH min., 8.5' CT min., FG or Reason 7 certified container grown
PALMS				
KEY	PLANT NAME	QTY.	UT.	SIZE
THRA	Thrinax radiata ...Thatch Palm	1	ea.	8' tall OA
SHRUBS				
KEY	PLANT NAME	QTY.	UT.	SIZE
AEBL	Aechmea blanchetiana ...Bromeliad	8	ea.	24"x18", Orange Form
AEMA	Aechmea malva ...Bromeliad	7	ea.	24"x18", Purple Form
BYLU	Byrsonima lucida ...Locustberry	3	ea.	24" X 24"
CHIH	Chrysobalanus icaco 'horizontalis' ...Horizontal Cocoplum	30	ea.	12"x18", install 24" o.c.
TRDA	Tripsacum dactyloides ...Fakahatchee Grass	10	ea.	3 gal cans, full
ZAPU	Zampia pumila ...Coontie	5	ea.	18"x18"
GROUNDCOVERS				
KEY	PLANT NAME	QTY.	UT.	SIZE
ERLI	Ernodea littoralis ...Golden Creeper	207	ea.	3 gal cans, full, install 18" o.c.
MISCELLANEOUS				
	Planting Soil 70% Silica Sand 20% Everglades Muck 10% Shredded Pinebark	250	c.y.	all road rock, concrete, asphalt and other non natural material be removed from all planting areas prior to landscape installation and be replaced with planting soil prior to landscape installation.
sod	Empire Zoysia	1740	s.f.	solid sod
	Shredded Melaleuca Mulch	20	c.y.	3" layer in all shrub beds

LANDSCAPE ITEMS INCLUDED IN THE R.O.W.:
 -LIVE OAK TREES x6
 SPEC: 24' TALL x 12' SPREAD, 6" DBH, 8' CLEAR TRUNK
 -NATIVE GROUNDCOVERS
 -SOD
 -SILVACELL2 SOIL SYSTEM

FDOT IRRIGATION NOTES:

- The irrigation system shall use the lowest quality water available which adequately and safely meets the water needs of the system. Storm water, reclaim water, or grey water irrigation shall be used whenever possible.
- The FDOT requires 24-hour emergency access to the water source.
- The contractor shall provide the FDOT District Operations Manager with a set of "As-Built" irrigation plans.



ARCHI-ONE
 200 N FEDERAL HWY.
 POMPAHO BEACH, FL

811
 811 SERVICE CENTER
 1-800-368-8888

DEFORMA STUDIO INC.
 5555 BISCAYNE BLVD., SUITE 210W
 MIAMI, FL 33157
 T: 305 439 2063
 F: 305 439 2064
 E: INFO@DEFORMASTUDIO.COM
 W: WWW.DEFORMASTUDIO.COM

GSLA DESIGN, INC.
 17870 NW 77TH AVE, SUITE 214
 MIAMI, FL 33156
 PHONE: 305.362.1016

BCC ENGINEERING
 6401 SW 87TH AVENUE SUITE 200
 MIAMI, FL 33173
 305.470.2300

CMPLX
 2140 S. DIANE HIGHWAY, SUITE 308
 MIAMI, FL 33133
 PHONE: 305.397.2602

RESTECK
 1919 NW 89th AVENUE SUITE 228
 MIAMI GARDENS, FL 33055
 784.903.8889

OWNER/DEVELOPER
 ARCH GROUP
 1005 LEMON WISCONSINE LANE
 DELRAY BEACH, FL 33446
 305.833.6244

Office Registration: RA200002593

Drawn by: Author
 Approved by: Approver

DESCRIPTION	DATE

CONSTRUCTION DOCUMENTS

FDOT ROW PLAN

L1.0

SCALE: 1" = 10'

Design Speed = 45 MPH
 FDOT Landscape Permit Number 2024-L-491-00016

SECTION: 86020000
STATE ROAD: 5
COUNTY: Broward
PERMIT: 2024-L-491-00016

EXHIBIT C
RESOLUTION

This Exhibit forms an integral part of the LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT between the FLORIDA DEPARTMENT OF TRANSPORTATION and the AGENCY.

Please see attached