

Office of School Facilities
Rose Diamond, Chief Facilities Officer

SUBJECT: **AUTHORIZE THE SUPERINTENDENT TO FINALIZE AND EXECUTE A ROADWAY MAINTENANCE AGREEMENT WITH THE CITY OF MIAMI, TO ALLOW INSTALLATION OF CONDUIT UNDER A PORTION OF PUBLIC RIGHT-OF-WAY ADJACENT TO MORNINGSIDE ELEMENTARY SCHOOL, LOCATED AT 6620 NE 5 AVENUE, MIAMI, FLORIDA**

COMMITTEE: **FACILITIES CONSTRUCTION AND REFORM**

Introduction

In order to upgrade the fire alarm system at Morningside Elementary School, located at 6620 NE 5 Avenue, including the connection to existing portable classrooms, the Board must install conduit under and across NE 67 Street, a public right-of-way (see location map). This will require the District to enter into a Roadway Maintenance Agreement (Agreement) with the City of Miami (City) as a condition to obtaining an excavation permit.

Staff has spoken with the City and negotiated an Agreement that will allow the District to excavate and install the referenced conduit beneath a portion of public right-of-way, under substantially the following terms and conditions:

City of Miami Roadway Maintenance Agreement

- the District will be granted permission to install, operate and maintain conduits under NE 67 Street in order to connect the fire alarm system to existing portable classrooms;
- the District shall be responsible, at no cost to the City, for the maintenance, repair and replacement, if necessary, of all the improvements installed under NE 67 Street, including repair or replacement of any damaged or deteriorated improvements due to normal wear and tear or any safety hazard that may be presented for those using the right-of-way;
- the District shall replace all improvements with the same grade and quality of material as specified in the original specifications;
- the District shall, to the extent and within the limits of Section 768.28 F.S., indemnify, defend and hold harmless the City from any claims, demands, liabilities, losses or cause of action of any nature which may result from compliance with this Agreement;
- the Agreement is subject to termination if the District fails to comply with any provision of the Agreement; and

- the City may terminate this Agreement at will by providing the District with sixty (60) days prior written notice.

The Construction Officer, Office of School Facilities Construction, Maintenance Officer, Facilities Operations, Maintenance, Principal of Morningside Elementary School and Regional Superintendent, Regional Center IV recommend entering into the proposed Agreement. The Agreement will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management prior to execution.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent or his designee to finalize and execute a Roadway Maintenance Agreement with the City of Miami to allow installation of conduit under a portion of public right-of-way adjacent to Morningside Elementary School, located at 6620 NE 5 Avenue.

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LOCATION MAP

