

June 27, 2001

Facilities Planning and Construction
Suzanne A. Marshall, Chief Facilities Officer (Construction)

SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH MIAMI-DADE COUNTY FOR THE INSTALLATION OF TRAFFIC SAFETY DEVICES FOR VARIOUS NEW AND EXPANDED EDUCATIONAL FACILITIES TO COMPLY WITH OFF-SITE REQUIREMENTS

Miami-Dade County Public Schools (School District), pursuant to Section 235.193, F.S., is required to provide site plans for review by the appropriate local government having jurisdiction, in connection with proposed new and expanded educational facilities. This site plan review by Miami-Dade County (County) is performed through their Development Impact Committee (DIC) process for a determination of off-site impacts generated by the development of the new or expanded school facility. The County's DIC process includes the review of the School District's site plans by several County departments, including the Department of Public Works in regard to traffic safety devices. The School District is required to provide a proportionate share of the cost of installing traffic safety devices (flashers and signalization) to service new or expanded schools.

Since the County's Department of Public Works installs traffic safety devices on a routine basis, the School District and the County have determined that it would be cost effective and time effective in many cases for the latter to design and install the required flashers and signalization.

The School District and the County have agreed to the terms and conditions of an annual Joint Participation Agreement (Agreement), subject to consideration and approval by the School Board. The terms and conditions are substantially as follows:

- The County will utilize one of their current contracts to install the off-site traffic safety devices necessary to meet the conditions set forth in the DIC Executive Council report for various new or expanded educational facilities.
- The County will provide the design, plan review, permitting, construction, construction administration, and all required inspections.
- The School District will reimburse the County for the design and construction upon its review and approval of an itemized statement from the County. The County must provide the appropriate inspection documentation and final certification.

- Mutual indemnification will be provided to each party for all personal injury, and/or property damage arising from the exercise of each party's rights under this Agreement.
- In the event of any dispute between the parties as to this Agreement, each party shall bear its own loss and expenses including, but not limited to, attorney's fees.
- The term of this Agreement shall be for a period of one (1) year, from July 12, 2001 through July 12, 2002, and may be renewed on an annual basis by the School Board.
- The amount of work that may be ordered under this Agreement shall not exceed \$2,000,000.
- Funding for this contract will be provided from the specific capital project budget.

The proposed Agreement will be reviewed by the School Board Attorney's Office and the Office of Risk and Benefits Management. The Bureau of Facilities Design and Construction, Office of Capital Construction Compliance and the Department of Safety are in agreement with the proposed Agreement.

A copy of the proposed Agreement will be placed on file in the Citizen Information Center and the Recording Secretary's Office.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida authorize a Joint Participation Agreement with Miami-Dade County for the design and installation of traffic safety devices to meet the off-site requirements as determined by the site plan (DIC) review process at various new and expanded educational facilities, for an amount not to exceed \$2,000,000, from July 12, 2001 through July 12, 2002.

SO:lh