

Office of School Facilities
Jaime G. Torrens, Chief Facilities Officer

SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE LICENSE AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) TO FACILITATE THE RECONSTRUCTION BY FDOT OF PUBLIC RIGHTS-OF-WAY ADJACENT TO:

- 1- BOOKER T. WASHINGTON SENIOR HIGH SCHOOL, LOCATED AT 1200 NW 6 AVENUE, MIAMI, FLORIDA 33136;**
- 2- W.J BRYAN ELEMENTARY SCHOOL, LOCATED AT 1201 NE 125 STREET, NORTH MIAMI, FLORIDA 33161; AND**
- 3- LINDSEY HOPKINS TECHNICAL EDUCATION CENTER, LOCATED AT 750 NW 20 STREET, MIAMI, FLORIDA 33127**

COMMITTEE: FACILITIES AND CONSTRUCTION REFORM

LINK TO STRATEGIC FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY

The Florida Department of Transportation (“FDOT”) will be reconstructing public rights-of-way adjacent to: Booker T. Washington Senior High School, located at 1200 NW 6 Avenue, Miami, Florida 33136; W.J. Bryan Elementary School, located at 1201 NE 125 Street, North Miami, Florida 33161; and Lindsey Hopkins Technical Education Center, located at 750 NW 20 Street, Miami, Florida 33127. FDOT is requesting access to a small portion of the adjacent Board-owned property at each location, in order to facilitate completion of the work. In addition, should any portion of the Board-owned facilities (e.g. sidewalk, parking lot, swale, etc.) require sloping and grading to properly and safely tie-in with the new roadway improvements, FDOT will reconstruct that portion of the Board-owned facility, at its sole cost and expense. The FDOT projects are scheduled to be completed by September 2017.

The proposed License Agreements (“Agreements”) will provide FDOT access to each school location under, substantially, the following terms and conditions:

- the term shall commence upon execution of the Agreements by both parties, and will terminate upon completion of the transportation project, but not later than September 30, 2017, unless FDOT requests an extension of not more than eighteen (18) months, which approval may be granted by the Superintendent;
- FDOT will access the Board-owned properties solely to facilitate completion of their roadway improvements. Should the adjacent school facilities require sloping, grading, harmonizing or the reconnecting of existing features to properly and safely tie-in with the new roadway improvements, FDOT will reconstruct that portion of the school site, at its sole cost and expense;
- FDOT shall hold harmless and indemnify the School Board subject to the limitations of Florida Statutes;
- FDOT shall assure that all construction work is performed in a good and workmanlike manner in compliance with all applicable codes and regulations, and that the premises are restored to a safe and usable condition;
- FDOT shall establish a safety program and coordinate with appropriate District staff to assure the safety of District staff, students and the public;
- FDOT shall comply with all applicable laws, ordinances and codes, including ADA requirements; and
- for purposes of the Agreements, the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by the Agreements, including extending the term for a period not to exceed eighteen (18) months, if so requested by FDOT.

The Principals of Booker T. Washington Senior High School, W.J Bryan Elementary School and Lindsey Hopkins Technical Education Center, and the Department of Safety & Emergency Management concur with entering into the proposed Agreements. The Agreements will be reviewed by the School Board Attorney's Office and Office of Risk and Benefits Management prior to execution.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and execute License Agreements with the Florida Department of Transportation ("FDOT") to facilitate the reconstruction by FDOT of Public Rights-of-way adjacent to:

- 1- Booker T. Washington Senior High School, located at 1200 NW 6 Avenue, Miami, Florida 33136;
- 2- W.J. Bryan Elementary School, located at 1201 NE 125 Street, North Miami, Florida 33161; and
- 3- Lindsey Hopkins Technical Education Center, located at 750 NW 20 Street, Miami, Florida 33127 under, substantially, the terms and conditions noted above.

MAL: