



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
L-6.

MEETING DATE	2019-11-06 10:05 - School Board Operational Meeting
AGENDA ITEM	ITEMS
CATEGORY	L. OFFICE OF PORTFOLIO SERVICES
DEPARTMENT	Facility Planning and Real Estate

Special Order Request <input type="radio"/> Yes <input checked="" type="radio"/> No
Time
Open Agenda <input type="radio"/> Yes <input checked="" type="radio"/> No

TITLE:
License Agreement with the State of Florida Department of Transportation

REQUESTED ACTION:
Approve the License Agreement between The School Board of Broward County, Florida (SBBC) and the State of Florida Department of Transportation (FDOT) for highway improvements along Lyons Road in front of Coconut Creek High School.

SUMMARY EXPLANATION AND BACKGROUND:
FDOT is requesting a License Agreement with SBBC for the purpose of gaining temporary access to Coconut Creek High School ground regarding reconstructing, sloping, grading, tying in, harmonizing and reconnecting the existing features with the highway improvements along Lyons road in the City of Coconut Creek. See Supporting Docs for continuation of Summary Explanation and Background. This Agreement has been reviewed and approved as to form and legal content by the Office of the General Counsel. This Agreement will be executed by FDOT after SBBC approval.

SCHOOL BOARD GOALS:
 Goal 1: High Quality Instruction
 Goal 2: Safe & Supportive Environment
 Goal 3: Effective Communication

FINANCIAL IMPACT:
There is no financial impact to the District.

EXHIBITS: (List)
(1) Continuation of Summary Explanation (2) Executive Summary (3) Addendum (4) License Agreement

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Chris O. Akagbosu	Phone: 754-321-2162
Name:	Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown
10/10/2019, 1:20:49 PM

Approved In Open Board Meeting On: **NOV 06 2019**
By: *Heather P. Burkwood*
School Board Chair

CONTINUATION OF SUMMARY EXPLANATION AND BACKGROUND

This License Agreement will not convey any interest of the school grounds to FDOT. This License Agreement only allows FDOT to enhance SBBC property. All cost associated with the improvement will be at the sole expense of FDOT, and upon completion, provide for a more aesthetically pleasing corridor.

If approved by SBBC the highway improvements are scheduled to begin in December 2019 and anticipated to conclude no later than December 2022.

EXECUTIVE SUMMARY

License Agreement with the State of Florida Department of Transportation

The Florida Department of Transportation (FDOT) is currently engaged in highway improvements along Lyons Road, in Broward County. FDOT is seeking temporary access to enter upon the school grounds (a small sliver of land at the southeast corner of Lyons Road and NW 15th Street) of Coconut Creek High School for the sole purpose of reconstructing, sloping, grading, tying in, harmonizing and reconnecting the existing features with the highway improvements (part of the bike lane project on Lyons Road).

This License Agreement will not convey any interest of the school grounds to FDOT. Additionally, this License Agreement would also enable enhancement of the school grounds. All costs associated with the improvement will be at the sole expense of FDOT, and upon completion provide for a more aesthetically pleasing corridor.

ADDENDUM
to
**LICENSE (SEGMENT# 4363191, PARCEL #908) AGREEMENT WITH THE STATE OF
FLORIDA DEPARTMENT OF TRANSPORTATION**

1. **Background Screening.** The Licensee, any contractor and any sub-contractors shall fully comply with the Jessica Lunsford Act during the term of the License effective date including any applicable requirements contained in Sections 1012.32, 1012.465, 1012.467 and 1012.468, Florida Statutes.

2. **Equal Opportunity Provision.** The parties agree that no person shall be subjected to discrimination because of age, race, color, disability, gender identity, gender expression marital status, national origin, religion, sex or sexual orientation in the performance of the parties' respective duties, responsibilities and obligations under this Agreement.

3. **Authority.** Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

4. **Notice.** When any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. For the present, the Parties designate the following as the respective places for giving notice:

To THE LANDOWNER: Superintendent of Schools
The School Board of Broward County, Florida
600 Southeast Third Avenue
Fort Lauderdale, Florida 33301

With a Copy to: Director, Facility Planning and Real Estate Department
The School Board of Broward County, Florida
600 Southeast Third Avenue – 8th Floor
Fort Lauderdale, Florida 33301

To The COMMISSION: Ivana Robinson, Right of Way Specialist - Production
The State of Florida Department of Transportation
District 4 Right of Way Office
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

09-LA.17-07/18

This instrument prepared under the direction of:

Elizabeth S. Quintana, Esq. _____

District Four Assistant General Counsel

Legal Description prepared by:

Amelia Rodriguez-Alers, P.S.M. (4-16-19)

Document prepared by:

Cochise Wadley (4-17-19)

Florida Department of Transportation

Right of Way Production Services

3400 W. Commercial Boulevard

Fort Lauderdale, Florida 33309

Parcel No. 908.1

Item/Segment No. 4363191

Section: N/A

Managing District: 04

Road Name: Lyons Road

County: Broward

LICENSE

THIS LICENSE Made this 6th day of November, 2019, between the **SCHOOL BOARD OF BROWARD COUNTY, FLORIDA**, a corporate body politic of the State of Florida, whose address is: 600 SE 3rd Avenue, Ft. Lauderdale, FL 33301-3125, herein called Licensor, and the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, herein called Licensee.

In consideration of the benefits accruing unto the Licensor, the parties agree as follows:

Licensor hereby grants to Licensee a license to occupy and use, subject to all of the terms and conditions contained herein and within the attached Addendum, the following described premises:

Parcel No. 908

Item/Segment No. 4363191

A portion of Tract 30, Block 93, THE PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof, as recorded in Plat Book 2, at Page 54 of the Public Records of Palm Beach County, Florida lying in Section 30, Township 48 South, Range 42 East, Broward County, Florida; said portion lying Easterly of and adjacent to the Existing East Right of Way line of Lyons Road, extending no more than 10.00 feet between Baseline of Survey Stations 89+00.14 and 90+67.23, as shown on the Florida Department of Transportation License Plans for Financial Project ID No. 436319-1-52-01.

The premises may be occupied and used by Licensee solely for sidewalk reconstruction, sloping, grading, tying in, harmonizing, and reconnecting existing features of the Licensor's property with the highway improvements which are to be constructed together with incidental purposes related thereto during the period beginning with the date first above written and continuing until completion of the transportation project, but not later than the last day of December 2022.

The making, execution and delivery of this license by Licensor has been induced by no representations, statements, warranties, or agreements other than those contained herein. This license and Addendum embodies the entire understanding of the parties and there are no further or other agreements or understandings, written or oral, in effect between the parties relating to the subject matter hereof.

Required Insurance Coverages. Each party acknowledges without waiving its right of sovereign immunity as provided by Section 768.28, Florida Statutes that each party is self-insured for general liability under state law with coverage limits of \$200,000.00 per person and \$300,000.00 per occurrence, or such monetary wavier limits that may change and be set forth by the legislature.


IN WITNESS WHEREOF, the said Licensor has signed and sealed these presents the day and year first above written.

(Corporate Seal)

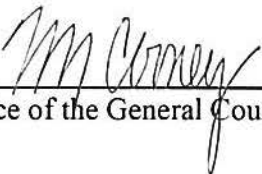
**THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA**

By: 
Heather P. Brinkworth, Chair

ATTEST:


Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:


Office of the General Counsel