



## City of North Port

### RESOLUTION NO. 2025-R-32

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, REPEALING AND REPLACING RESOLUTION 2024-R-45, REALLOCATING STATE-FUNDED GRANT FUNDS FROM CONSTRUCTION SERVICES TO CONSTRUCTION ENGINEERING AND INSPECTION SERVICES, PROVIDING FOR THE APPROVAL AND EXECUTION OF THE STATE-FUNDED GRANT AGREEMENTS BETWEEN THE CITY OF NORTH PORT AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE RECONSTRUCTION OF DRAINAGE UNDER PRICE BOULEVARD AT THE BLUERIDGE WATERWAY, MACCAUGHEY WATERWAY, LAGOON WATERWAY, AND CREIGHTON WATERWAY; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Hurricane Ian made landfall as a Category 4 storm in southwest Florida on September 28, 2022 and severely impacted the City of North Port, Florida; and

**WHEREAS**, as a result of Hurricane Ian, the drainage under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway failed, resulting in the closure of Price Boulevard at all four crossings; and

**WHEREAS**, the City Commission desires to mitigate and improve the drainage structures under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway with the road widening project to prevent future failures; and

**WHEREAS**, the City sought financial assistance for the drainage improvements under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway, and submitted Local Funding Initiative Requests to the State of Florida Senate and the State of Florida House of Representatives in Fiscal Year 2023-2024, 2024-2025; and

**WHEREAS**, on September 10, 2024, the City Commission adopted Resolution No. 2024-R-45 to approve and execute the State-Funded Grant Agreements with the State of Florida Department of Transportation regarding the reconstruction of drainage under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway; and

**WHEREAS**, the Commission desires to repeal Resolution No. 2024-R-45 and adopt this resolution to acknowledge a funding reallocation by the Florida Department of Transportation, shifting funds from construction services to construction engineering and inspection services; and

**WHEREAS**, in addition to the State-Funded Grant Agreements, the City Commission desires to approve and execute the State-Funded Grant Supplemental Agreement with the State of Florida Department of Transportation regarding the reconstruction of drainage under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway; and

**WHEREAS**, the City Commission finds that this action serves the public health, safety, and welfare of the citizens of the City of North Port, Florida.

#### **SECTION 1 – INCORPORATION OF RECITALS**

1.01 The above recitals are true and correct and are incorporated in this resolution by reference.

#### **SECTION 2 – RESOLUTION**

2.01 The City Commission hereby repeals Resolution No. 2024-R-45 in its entirety.

2.02 The City Commission of the City of North Port, Florida hereby approves the State-Funded Grant Agreement and State-Funded Grant Supplemental Agreement with the State of Florida Department of Transportation regarding the reconstruction of drainage under Price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway, and Creighton Waterway.

2.02 The City Commission of the City of North Port, Florida authorizes the City Manager or designee to execute the documents referenced in this resolution and to perform all other actions delegable by law that are necessary to negotiate, enter into, and consummate the agreement attached to this resolution as Exhibit A.

2.03 All identified exhibits are incorporated in this resolution by reference.

#### **SECTION 3 – CONFLICTS**

3.01 In the event of any conflict between the provisions of this resolution and any other resolution, in whole or in part, the provisions of this resolution will prevail to the extent of the conflict.

#### **SECTION 4 – SEVERABILITY**

4.01 If a court of competent jurisdiction finds that any section, subsection, sentence, clause, phrase, or provision of this resolution is for any reason invalid or unconstitutional, that provision will be deemed a separate, distinct, and independent provision and will not affect the validity of the remaining portions of the resolution.

#### **SECTION 5 – EFFECTIVE DATE**

5.01 This resolution takes effect immediately.

ADOPTED by the City Commission of the City of North Port, Florida, in public session on \_\_\_\_\_ 2025.

CITY OF NORTH PORT, FLORIDA

\_\_\_\_\_  
PHIL STOKES  
MAYOR

ATTEST

\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
MICHAEL GOLEN, CPM  
INTERIM CITY ATTORNEY

**STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT**

SUPPLEMENTAL NO.

01

CONTRACT NO.

G3318

FPN

453215-1-54-01**Recipient:** City of North Port

This Supplemental Agreement ("Supplemental"), dated \_\_\_\_\_ arises from the desire to supplement the State-Funded Grant Agreement ("Agreement") entered into and executed on October 4th, 2024 as identified above. All provisions in the Agreement and supplements, if any, remain in effect except as expressly modified by this Supplemental.

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**The parties agree that the Agreement is to be amended and supplemented as follows:**

The original State Funded Grant Agreement was executed on October 04, 2024, This Supplemental Agreement will replace the original State Funded Grant Agreement in it's entirety This Agreement will remove construction services from the project replacing them with CEI services.

**Reason for this Supplemental and supporting engineering and/or cost analysis:**

On December 05, 2024, Local Programs received an email from the agency informing FDOT the agency's Bid Opening only received one bidder and the amount was exponentially higher then the programmed amount for the project. The agency requested to proceed with denying the bid response and negotiating on their own terms, to keep from loosing the awarded earmark funding the agency was granted permission to utilize the awarded funding towards CEI services.

**The following below is to be revised:**

- > State Funded Grant Agreement (item 2): Purpose of Agreement.  
Project Descriptions is to be replace in its entirety for the following (labeled: Original) to the revised language (labeled: Revised) mentioned below:

**Original:** Pass through earmark funding and financial oversight of the construction to remove existing drainage culvert pipes under price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway and Creighton Waterway., Storm mitigation construction will be provided via upsizing of new drainage box culvert structures

**Revised:** The pass-through earmark funding and financial oversight of CEI services on a project which consist of removing existing drainage culvert pipes under price Boulevard at the Blueridge Waterway, MacCaughey Waterway, Lagoon Waterway and Creighton Waterway, Storm mitigation construction will be provided via up sizing of new drainage box culvert structures

**The following revised Exhibits are attached and incorporated by reference:**

- > State Funded Grant Agreement (Exhibit A): Project Description.
- > State Funded Grant Agreement (Exhibit B): Schedule of Financial Assistance

The Recipient by resolution dated \_\_\_\_\_, attached and incorporated by reference, hereby approves this Supplemental Agreement.

STATE-FUNDED GRANT  
SUPPLEMENTAL AGREEMENT

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

RECIPIENT:  
City of North Port

STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Name: Phil Stokes  
Title: Mayor

By: \_\_\_\_\_  
Name:  
Title:

ATTEST

Legal Review: \_\_\_\_\_  


\_\_\_\_\_  
HEATHER FAUST, MMC  
CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
MICHAEL GOLEN, CPM  
INTERIM CITY ATTORNEY

**EXHIBIT B**  
**SCHEDULE OF FINANCIAL ASSISTANCE**

<b>RECIPIENT NAME &amp; BILLING ADDRESS:</b> City of North Port 4970 City Hall Blvd North Port, FL 34286		<b>FINANCIAL PROJECT NUMBER:</b> 453215-1-54-01			
<b>PHASE OF WORK by Fiscal Year:</b>		MAXIMUM PARTICIPATION			
		(1) TOTAL PROJECT FUNDS	(2) LOCAL FUNDS	(3) STATE FUNDS	Indicate source of Local funds
<b>Design- Phase 34</b>	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Design Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
<b>Right-of-Way- Phase 44</b>					
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Right-of-Way Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
<b>Construction- Phase 54</b>					
FY: 2025	Maximum Department Participation (GR24)	\$1,500,000.00	\$	\$1,500,000.00	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY: 2025	Maximum Department Participation (LF)	\$52,000,000.00	\$52,000,000.00	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Construction Cost		\$53,500,000.00 100.00%	\$52,000,000.00 97.20%	\$1,500,000.00 2.80%	
<b>Construction Engineering and Inspection - Phase 64</b>					
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Construction Engineering and Inspection Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
<b>(Phase : )</b>					
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
FY:	Maximum Department Participation (Insert Program Name)	\$	\$	\$	<input type="checkbox"/> In-Kind <input type="checkbox"/> Cash
Total Cost		\$ 0.00 %	\$ 0.00 %	\$ 0.00 %	
<b>TOTAL COST OF THE PROJECT</b>		\$53,500,000.00	\$52,000,000.00	\$1,500,000.00	

COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:  
I certify that the cost for each line item budget category has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, F.S. Documentation is on file evidencing the methodology used and the conclusions reached.

Marquis Daymon  
District Grant Manager Name

Digitally signed by: Marquis Daymon  
DN: CN = Marquis Daymon email = marquis.daymon@dot.  
state.fl.us C = US O = FLDOT OU = Program Coordinator

3/24/2025

Signature

Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**STATE-FUNDED GRANT AGREEMENT****EXHIBIT A****PROJECT DESCRIPTION AND RESPONSIBILITIES**FPN: 453215-1-54-01

This exhibit forms an integral part of the Agreement between the State of Florida, Department of Transportation and  
The City of Nort Port (the Recipient)

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**PROJECT LOCATION:**

- ☐ The project is on the National Highway System.
- ☐ The project is on the State Highway System.

**PROJECT LENGTH AND MILE POST LIMITS:** 0.725 miles**PROJECT DESCRIPTION:** City of North Port-Price Boulevard Mitigation and Mobility from Sumter Boulevard to Toledo Boulevard.

The general objective is for the City of North Port to provide contract administration, management services, construction engineering and inspection services and quality acceptance reviews of all work associated with the construction of the associated improvements. The services performed shall be in accordance with the Florida Greenbook (latest version) and FDOT Standard Specifications for Road and Bridge Construction (latest version) and applicable City manuals, guidelines and specifications. Any services performed within the State right-of-way shall be in accordance with all applicable Florida Department of Transportation manuals, guidelines and specifications. Consultants/Contractors and subconsultants/subcontractors used by the City of North Port shall be pre-qualified by FDOT in the specific area of their proposed service. This scope of services is intended to be inclusive of all pre-construction activities required in preparation of the construction phase of the project, including right-of-way acquisition support. The intent of this project is to construct approximately 0.725 miles which consists of widening the existing two lane roadway to five lanes, new sidewalks, signalization, improvements to waterway crossings and bridges to help mitigate future damages.

Specifically and non inclusive, the following are included in the Scope of Services:

1. Provide Construction Engineering and Inspection (CEI) and Quality Assurance Engineering.
2. Provide for the preparation of the Final Contract Plans Package for the preferred alignment. This work effort includes design and analysis needed to prepare a complete set of Construction Plans, Traffic Control Plans, Environmental Permits and other necessary documents.
3. Coordination with utility owners during design will be required to determine and avoid potential impacts. Where unavoidable, disposition of the utility conflicts should be coordinated, including any utility design and utility relocation of impacted utility facilities.
4. A Professional Engineer, registered in the State of Florida, in responsible charge of the project's design shall professionally endorse (sign, seal and certify) the record plans, the special provisions and all reference and support documents.
5. Obtain topographic survey sufficient to provide proposed design. Survey products and services shall comply with pertinent Florida Statutes and the Florida Administrative Code.
6. Identify and obtain geotechnical investigation, analysis, and design dictated by the project needs. A signed and sealed Final Geotechnical Report, prepared by a Professional Engineer, registered in the State of Florida will be provided.
7. Acquisition of all applicable stormwater and environmental permits in accordance with Chapter 62-25, Regulation of

Storm Water Discharge, Florida Administrative Code, Chapter 373 and 403, Florida Statutes; Chapters 40 and 62, Florida Administrative Code; Rivers and Harbors Act of 1899; Section 404 of the Clean Water Act; and parts 114 and 115, Title 33, Code of Federal Regulations. In addition, permitting required by local agencies shall be prepared in accordance with their specific regulations. Acquisition includes all associated permit fees.

8. Coordinate design activities with other infrastructure projects that are impacted by or impact this project. This includes projects under the jurisdiction of local governments or other regional and state agencies.

9. Upon completion of construction, provide Final As-Built construction plans to the Department, signed and sealed by a Professional Engineer registered in the State of Florida.

#### SPECIAL CONSIDERATIONS BY RECIPIENT:

The Recipient is required to provide a copy of the design plans for the Department's review and approval to coordinate permitting with the Department, and notify the Department prior to commencement of any right-of-way activities.

The Recipient shall commence the project's activities subsequent to the execution of this Agreement and shall perform in accordance with the following schedule:

- a) Design to be completed on or before 6/30/24
- b) Right-of-Way to be certified on or before 6/30/2024
- c) CEI contract to be let on or before 6/30/2025
- d) Construction to be completed by 6/30/2027

If this schedule cannot be met, the Recipient will notify the Department in writing with a revised schedule or the project is subject to the withdrawal of funding.

#### SPECIAL CONSIDERATIONS BY DEPARTMENT:

N/A



Date \_\_\_\_\_