



TO: MARK ZRALLACK, CITY ENGINEER , ENGINEERING

FROM: FELICIA HOLLOMAN, ASSISTANT CITY ATTORNEY **FH**

THROUGH: SARA HEDGES, CITY ATTORNEY *SH*

RE: FDOT STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT

CAO RLS FILE: 25-171

DATE: JUNE 24, 2025

I have reviewed the above Request for Legal Services (RLS) related to a lighting maintenance agreement with FDOT. The agreement is approved as to form and correctness.

Please be aware of the following provisions, some of which are atypical and not favorable to the City, or provide strict timelines for the City to comply:

- The term for this Agreement is *seven (7) years*. Either party may terminate this Agreement by a notice of termination. The notice of termination must be in writing. *Should the MAINTAINING AGENCY choose to terminate the Agreement, the MAINTAINING AGENCY shall provide a minimum notice period of two (2) fiscal years prior to the effective date of termination* and the notice shall be endorsed by the elected body (County Commission, City Council, or local agency governing body) under which the Agency operates.
- Prior to the beginning of each fiscal year, *the MAINTAINING AGENCY shall submit an amended Exhibit A or a certification of no change* to Exhibit A and FDOT and the MAINTAINING AGENCY shall agree on the amount and percentage of lighting to be paid for the coming fiscal year.
- The MAINTAINING AGENCY shall keep records of all activities and report all maintenance performed and replacement components and parts installed pursuant to this Agreement. The records shall be kept in an electronic format approved by FDOT. *Records shall be maintained and made available upon request to FDOT during the period of this Agreement and for three (3) years after final payment for the work pursuant to this Agreement is made.*
- *The MAINTAINING AGENCY shall invoice FDOT annually* in a format acceptable to the FDOT. *Invoices must be submitted no earlier than May 1 and no later than June 15* of the fiscal year in which the services were provided in order to be processed for payment by June 30.

If you have any questions, please do not hesitate to contact this Office via phone or e-mail.

Thank you.