



City of Boynton Beach Agenda Item Request Form

Meeting Date: 07/15/2025

Proposed Resolution No. R25-171- Ratify Purchase Order No. 251524 and expenditure to FDOT for the NE/SE 6th Street Pedestrian Crossing, with a not to exceed amount of \$136,825, per the agreement of the Locally Funded Agreement (LFA), and approve and authorize Amendment Number One for the Locally Funded Agreement.

Requested Action:

Staff recommends approval of Proposed Resolution No. R25-171.

Explanation of Request:

The Public Works Department coordinated efforts with the Florida Department of Transportation (FDOT) for the installation of a pedestrian crosswalk on NE/SE 6th Street and E Ocean Avenue. In December 2023, the City Commission approved Resolution R23-167, which approved the Locally Funded Agreement (LFA) and the Three-Party Escrow Agreement (3PEA) between FDOT and the City, for the construction of a Pedestrian Crosswalk on NE/SE 6th Street and E. Ocean Avenue.

The City and FDOT entered the LFA on January 8th, 2024. Paragraphs 5 and 5A of the LFA listed that the City's estimated share was \$59,554, and that if the project costs more, the City would pay the additional difference, and if the project came in lower, the City could request reimbursement. A purchase order was created for \$59,554, which was used to pay the City's estimated share into the established escrow account. As part of the language for the LFA, the City agreed that the share it would pay could possibly increase or decrease, depending on what the total cost for the pedestrian crosswalk came in at.

FDOT opened the bidding for the project on October 30, 2024, and the lowest bid for the project came in at \$1,310,626.09. The City's portion of the cost for the Pedestrian Crosswalk is \$196,379. Since the City originally had paid only \$59,544, the City had a shortfall in funding in the amount of \$136,825. The City was notified of the shortfall on June 5, 2025. Per the Locally Funded Agreement, the City had 14 days to pay the additional \$136,825 into the established Escrow account (3PEA), via wire transfer. To avoid project delays and the possible termination of the crosswalk from the project scope, the City paid for the shortfall, with approval through the City Manager's Office. Since the amount exceeds the City Manager's approval level and the purchase order threshold listed on purchase order 240990, a new

purchase order was created (251524).

Amendment Number One for the Locally Funded Agreement states that City's share of the project accepted bid amount is more than the City's advance deposit by \$136,825, as shown in the funding breakdown in paragraphs 5 and 5A of the Locally Funded Agreement. Those paragraphs should be amended to match the language in Amendment Number One. Staff recommends approval of the Amendment.

Tonight, City Staff comes before the City Commission to request that the additional expenditure be ratified and approve the purchase order of \$136,825, increasing the total City's share for the Pedestrian Crosswalk to the sum of \$196,379.

How will this affect city programs or services?

The mid-block pedestrian crossing will provide traffic control to increase pedestrian safety between various residential developments, restaurants, retail, offices, marina, and parks.

Budgeted Item: Yes

Account Line Item and Description:

Funding for this project is allocated in account #302-4905-580.31-90 TR2405

Fiscal Impact:

The actual bid minus FDOT's share was \$196,379. The original estimated City's share was \$59,554. Since the bid is greater than the City's estimated share, the City provided an additional deposit for the difference within 14 days of notice from FDOT in the amount of \$136,825. Should Project modifications occur, the City will provide additional funds without delay. Upon completion of the Project, the City will comply with the provisions set forth in the Traffic Signal Maintenance and Compensation Agreement (TSMCA) with Palm Beach County dated July 1, 2018.

Attachments:

[R25-171 Agenda_Item_3356-2025_Resolution_for_FDOT_LFA_Amendment.docx](#)

[Exhibit A to Resolution - Amendment 1 FM No 447669-1-52-02.pdf](#)

[PO No. 251527 - 6-9-2025](#)

[FM# 447669-1-52-02 Request for Additional Funds \(R\).pdf](#)

[FM# 447669-1-52-02 Total Project Cost - E Ocean Ave Resurfacing.png](#)

[Executed LFA.pdf](#)

[Executed 3PEA.pdf](#)

[FDOT PO 240990-cover pg.pdf](#)

[R23-167.pdf](#)

[Memo 25-001 FDOT NE 6th Ped Crossing](#)