

## **RESOLUTION 25-28**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A UTILITY DESIGN BY FDOT CONSULTANT AGREEMENT, FINANCIAL PROJECT NO. 445460-1-32-02 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND A THREE PARTY ESCROW AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE STATE OF FLORIDA, DEPARTMENT OF FINANCIAL SERVICES, AND THE CITY OF MARCO ISLAND FOR THE DESIGN FOR THE RELOCATION OF ITS WATER AND SEWER MAINS WITHIN THE LIMITS OF FPID 445460-1-52-01 CAXAMBAS COURT/ROBERTS BAY REPLACEMENT STRUCTURE #034112; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, FDOT has deemed and the City Council of the City of Marco Island, Florida ("City Council") recognizes that the Caxambas Court Bridge is structurally deficient and in need of replacement; and

**WHEREAS**, FDOT has included the replacement of the Caxambas Court bridge in its Five-Year Work Plan in the State of Florida Fiscal Year 2023/2024; and

**WHEREAS**, the Florida Department of Transportation and the State of Florida, Department of Financial Services, has requested that the City execute and deliver a Utility Design by FDOT Consultant Agreement and a Three-Party Escrow Agreement for the design of its Utility Work by Highway Contractor plans package to relocate the City's water and sewer mains within the limits of FPID 445460-1-52-01 Caxambas Court/Roberts Bay Replacement Structure #034112; and

**WHEREAS**, FDOT has requested that the City provide a resolution authorizing the City Manager to execute the Utility Design by FDOT Consultant Agreement and the Three-Party Escrow Agreement; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City and the public to approve the Utility Design by FDOT Consultant Agreement and the Three-Party Escrow Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** City Council hereby approves the Utility Design by FDOT Consultant Agreement, attached hereto and incorporated herein as Exhibit “A.”

**Section 3.** City Council hereby approves the Three-Party Escrow Agreement, attached hereto and incorporated herein as Exhibit “B”.

**Section 4.** City Council hereby authorizes the City Manager to execute the Utility Design by FDOT Consultant Agreement and the Three-Party Escrow Agreement, for the replacement of the Caxambas Court bridge.

**Section 5.** This Resolution shall take effect immediately upon its adoption.

Passed and approved by the City Council of the City of Marco Island, Florida, this 2<sup>nd</sup> day of June 2025.

**ATTEST:**

**CITY OF MARCO ISLAND, FLORIDA**

\_\_\_\_\_  
Joan Taylor, City Clerk

By: \_\_\_\_\_  
Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:

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Alan L. Gabriel, City Attorney