

INTERLOCAL AGREEMENT BETWEEN
COLLIER COUNTY AND THE CITY OF NAPLES REGARDING THE
GOODLETTE-FRANK ROAD CONSTRUCTION PROJECT

THIS INTERLOCAL AGREEMENT (“Agreement”) is made and entered into as of this ____ day of _____, 2005, by and between Collier County, Florida (“County”) and the City of Naples, Florida (“City”).

RECITALS:

WHEREAS, pursuant to a May 2005 Interlocal Settlement Agreement, recorded at Book 3806, Page 2591, et seq., of the Official Records of Collier County, County agreed that, as part of its Goodlette-Frank Road Project from Golden Gate Parkway to south of Pine Ridge Road (the “Project”), it would provide all needed transportation improvements on Burning Tree Road in order to add a three-lane section extending 300 feet east of Goodlette-Frank Road; and

WHEREAS, pursuant to this same Interlocal Settlement Agreement, County further agreed to assist the City in the completion of the City’s Burning Tree Road Project by providing funding in the amount of \$100,000, of which the City acknowledges receipt; and

WHEREAS, the Project will require the relocation of one of the City’s reclaimed water lines.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. All of the above RECITALS are hereby expressly incorporated herein by reference as if set forth fully below.

2. The traffic light at the intersection of Goodlette-Frank Road and Royal Poinciana Drive will be removed by the County in or around July 2006 at the County's expense, with time not of the essence.

3. The County will fund the design, construction and all other costs associated with relocating approximately 9,720 linear feet of the City's 24-inch reclaimed water line.

4. The City will fund the construction of relocating approximately 165 linear feet of a City 12-inch water main; 125 linear feet of a City 20 inch force main; and 94 linear feet of a City six-inch force main. The County will fund the design and CEI (construction, engineering and inspection) costs of these relocations.

5. The City will fund a construction contract change order to provide steel casings for future water main road crossings, with sizes and locations to be determined.

6. The City will fund the design, construction and all other costs associated with upgrading approximately 1,300 lineal feet of Burning Tree Drive east of Goodlette-Frank Road consistent with the City's prior commitment to Royal Poinciana Country Club, except that the County will fund a portion of this construction equivalent to the cost of a three-lane section for 300 lineal feet east of the intersection of Goodlette-Frank Road. The work to be done by the City shall be done in such as way as to not impact the Project.

7. With respect to the subject matter herein, this Agreement is the entire agreement between the parties, superseding all previous oral and written representations, understandings, and agreements between the parties. This Agreement can only be changed by a writing signed by both parties. The County shall record this Agreement at its sole cost in the Public Records of Collier County.

8. This Agreement shall be governed by and construed under the laws of State of Florida. The prevailing party in any litigation concerning this Agreement shall be entitled to recover reasonable court costs and attorney fees incurred in any such action.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

CITY COUNCIL OF THE
CITY OF NAPLES, FLORIDA

, City Clerk

By: _____
BILL BARNETT, MAYOR

ATTEST:
DWIGHT E. BROCK, Clerk

BOARD OF COMMISSIONERS
COLLIER COUNTY, FLORIDA

, Deputy Clerk

By: _____
FRED W. COYLE, CHAIRMAN

Approved as to form
and legal sufficiency:

Approved as to form and
legal sufficiency:

Jeffrey A. Klatzkow
Assistant County Attorney

Robert D. Pritt, City Attorney