

**ITEMS #2, 3, 4, 5, 50,
51, and 52**

ADDITIONAL MATERIAL

REGULAR MEETING

FEBRUARY 21, 2023

SUBMITTED AT THE REQUEST OF

AVIATION DEPARTMENT



AVIATION DEPARTMENT - Fort Lauderdale-Hollywood International Airport
320 Terminal Drive, Suite 200 • Fort Lauderdale, Florida 33315 • 954-359-6100

MEMORANDUM

DATE: February 14, 2023
TO: Broward County Board of County Commissioners
FROM: Mark Gale, CEO/Director of Aviation 
SUBJECT: Board actions for Florida Department of Transportation grants

The Broward County Aviation Department ("BCAD") submitted Items 2, 3, 4, 5, 50, 51 and 52, for the approval and acceptance of Florida Department of Transportation ("FDOT") grant funds. At the request of the County Attorney's Office, BCAD would like for the statement below to be included on the record for all these actions on the February 21, 2023, Commission Agenda:

"The Office of the County Attorney requested FDOT make certain modifications to a pass-through indemnification provision in the Public Transportation Grant Agreements ("PTGA") but FDOT declined contending that the indemnification provision is legally sufficient. BCAD desires to move forward with this PTGA to obtain grant funding for the Project. The Office of the County Attorney will work with BCAD to modify the relevant third-party construction or design agreements, as applicable, to comply with the PTGA and mitigate any potential risk associated with the pass-through indemnification provision in the PTGA."

MG/cs

c: Monica Cepero, County Administrator
Kimm Campbell, Deputy County Administrator
Andrew Meyers, County Attorney
Bob Melton, County Auditor