

EXHIBIT B

CONTRACT, LEASE, AGREEMENT CONTROL FORM

Date: 4/4/00

Contract/Lease Control #: C00-0400-ENGI-38

Bid #: _____ Contract/Lease Type: AGREEMENT

Award To/Lessee: FL DEPT OF TRANSPORTATION

Lessor: _____

Effective Date: 4/20/2000

Term: INDEFINITE

Description of Contract/Lease: MAINT OF NICEVILLE HIGH SCHOOL
OVERPASS

Department Manager: PUBLIC WORKS

Department Monitor: J. PUCKETT/ENGINEERING

Monitor's Telephone #: 689-5772

Monitor's FAX #: 689-5715

Date Closed: _____

PROJECT NO: 405699-1
W.P.I. NO: _____
COUNTY: Okaloosa
DESCRIPTION: Niceville High School
Pedestrian Overwalk

MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into on this 20TH day of April 2000, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (hereinafter called "DEPARTMENT"), and the COUNTY of Okaloosa, Florida (hereinafter called "COUNTY");

WITNESSETH:

WHEREAS, the DEPARTMENT is preparing to undertake a project within the county identified and known to the parties as Project Number 405699-1 which will be of benefit to the COUNTY; and

WHEREAS, approval of federal aid necessary to the project requires agreement by the COUNTY to maintain the project;

NOW THEREFORE, in consideration of the premises, the parties hereby agree as follows:

1. The DEPARTMENT will undertake the project and obtain approval of the Federal Highway Administration for federal participation.
2. Upon completion of the project by the DEPARTMENT, the COUNTY will assume responsibility for maintenance of the project and will conduct such maintenance in accordance with federally approved state standards.
3. The COUNTY covenants and agrees that it will indemnify and hold harmless the extent provided by Florida Statutes 768.28, the DEPARTMENT and all of the DEPARTMENT's officers, agents and employees from any claim, loss, damage, cost, charge or expense arising out of any act, action, neglect or omission by the COUNTY during the performance of the contract, whether direct or indirect, and whether to any person or property to which the DEPARTMENT or said parties may be subject, except that neither the COUNTY nor any of its sub-contractors will be liable under this section for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the DEPARTMENT or any of its officers, agents or employees.

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

OKALOOSA COUNTY
BOARD OF COUNTY COMMISSIONERS
OKALOOSA, FLORIDA



By: Paula L. Riggs
Chairman

Paula L. Riggs
(Type Name)

STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION

By: H. E. Prescott
H. E. PRESCOTT
District Secretary

ATTEST:



Sary J. Stanford
Clerk (Seal)

ATTEST:

Amy Lee Parker
Executive Secretary (Seal)

LEGAL APPROVAL:

John Dowd
County Attorney

John Dowd
(Type Name)

LEGAL APPROVAL:

Ed Ivey
ED IVEY
Senior Attorney