

02-12-2019

(BOAT RAMP  
DISCUSSION)

April 27, 2018

Mr. Christopher Loudon  
Marland Construction LLC  
P.O. Box 1138  
Port Salerno, FL 34992

**Re: Commercial Use of Palm Beach County Parks and Recreation  
Department Boat Ramps – Permit.**

Dear Mr. Loudon,

Pursuant to our discussions, the Parks and Recreation Department will authorize the occasional commercial use by Marland Construction LLC (MC) of boat ramps controlled by Palm Beach County Parks and Recreation Department.

This authorization is granted provided the following conditions are met:

1. This department will authorize use of boat ramps for the loading or unloading of materials necessary for waterfront construction between the hours of 9 AM to 5 PM, Monday through Friday except holidays.
2. MC must not block any individual ramp for more than one hour at a time and must not impede normal usage of adjacent ramps by recreational boaters.
3. MC must contact the designated representative of the Parks and Recreation Department at least (1) one day prior to operations and receive approval of the commercial usage proposed prior to commencing work.
4. MC vehicles, trailers, vessels, barges and equipment are prohibited from overnight parking within or adjacent to Park Property.

5. There will be no loitering on the site before or after work by MC employees, sub-contractors, or other agents.
6. MC does hereby agree to indemnify and save the County harmless from any and all claims, liabilities, losses, and causes of actions which might arise out of the negligence of MC, its members, employees, agents or those acting under the authority of, or in connection with MC's activities in or on the site. MC shall pay all claims and losses in connection with the use and occupation of the site, and shall defend all suits, at the County's request, in the name of the County, when applicable, and shall pay all costs (including reasonable attorney's fees), settlements, reasonable expenses, and judgments which may arise from the use and occupation of the site by MC or MC's activities in and on the site.
7. MC shall procure comprehensive general liability insurance in a form acceptable to the County for the activities associated with the use of the site. Such insurance coverage shall be in an amount of not less than \$1,000,000 of comprehensive general liability, auto, workers comp, and marine liability and shall name the County as an additional insured under the policy, and shall require the insurer to give written notice to the county before MC shall be given any cancellation of said policy, A certificate of insurance evidencing that such required insurance is in place shall be submitted to the county before MC shall be given access to the site, and this required insurance coverage shall be in continuous condition precedent to the continued use of the site by MC. The Additional Insured endorsement shall read "Palm Beach County Board of County Commissioners, a political subdivision of the state of Florida, its Officers, Employees and Agents, c/o Parks and Recreation Department, 2700 6<sup>th</sup> Ave. South, Lake Worth FL 33461".
8. MC understands that the boat ramp sites are County owned property and that their use is only temporary. This authorization can be terminated by either party by giving 15 days written notice of termination, except that it shall be terminated immediately with the loss of termination coverage required in this authorization.

Your signature below acknowledges your understanding of and agreement with the conditions of this authorization.

Sincerely,

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Eric M. Call, Director  
Parks and Recreation Department

Marland Construction LLC

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Signature, Authorized Representative  
Marland Construction LLC

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Date

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Print Name and Title