

John N. C. Stockton Elementary

Name of School

School No. 88

Playground & Site Work

General Description

**MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING (“Memorandum”), made and entered into this 17<sup>TH</sup> day of SEPTEMBER, 2007, by and between the City of Jacksonville, a municipal corporation, hereinafter referred to as “City” and DUVAL COUNTY SCHOOL BOARD, a body politic and corporate, hereinafter referred to as “DCSB”.

WITNESSETH:

WHEREAS, the City and DCSB have entered into a Joint Use Agreement dated 1/20/98 (the “Agreement”) allowing the City and DCSB to jointly use certain DCSB property and certain City property more particularly described herein for recreational and educational purposes in accordance with said Agreement and the limitations set forth therein;

WHEREAS, the Agreement requires the parties to enter into a Memorandum of Understanding for each DCSB property and City property setting forth in detail the extent of the use to be made of each property;

WHEREAS, the City and DCSB have authorized the Director, Department of Parks, Recreation, Entertainment and Conservation and Assistant Superintendent, Facilities Services to execute all Memoranda of Understanding and amendments thereto, on behalf of the City and DCSB, respectively;

WHEREAS, the parties desire to enter into this Memorandum to set forth the terms and conditions necessary by the parties to ensure the jointly used property is well maintained and operated.

NOW THEREFORE, the parties in consideration of the foregoing and the mutual promise and covenants herein, agree as follows:

Section 1. Use. The city shall have the right to use jointly with DCSB the area designated on the plat diagram or site plan attached hereto as Exhibit A and made a part hereof (the "Property") at John N. C. Stockton Elementary, 4827 Carlisle Road, Jacksonville, FL 32210.

(Name of School)

for educational and recreational purposes only. The City shall have the right to use the Property for the purposes stated herein at the times set forth in Exhibit B, attached hereto and made a part hereof.

Section 2. Improvements. The City may install the improvements listed on Exhibit C; attached hereto and made part hereof (the "Improvements") at the locations set forth in Exhibit A. All Improvements shall meet Florida Department of Education safety standards.

Section 3. Maintenance of Improvements and Property. DCSB shall maintain, at its sole cost and expense, the Improvements installed by the City on the Property. The DCSB shall maintain the Property and any improvements made by DCSB thereon and provide daily litter control during the school year.

Section 4. Title of Improvements. DCSB, at its option, may keep any or all of the Improvements installed by City on the Property and the City shall convey its rights, title and interest in the Improvements "as is" with no warranties as to merchantability or fitness to the DCSB or DCSB may require the City to demolish and remove the Improvements on the Property and return the Property completely as practicable to its original condition prior to the installations of the Improvements.

Section 5. Memorandum Period and Termination. This Memorandum shall be effective for the period beginning 10/03/2007 and shall continue unless terminated by either party, with or without cause, upon giving three (3) months written notice to the other party.

Section 6. Notices. All notices required under this Memorandum shall be made in writing and served upon City by registered or certified mail, return receipt requested, addressed to Director, Department of Parks, Recreation, Entertainment, and Conservation, 851 N. Market Street, Jacksonville Florida 32202-2798 and served upon DCSB by registered or certified mail, return receipt requested, addressed to Assistant Superintendent, Facilities Services, 1701 Prudential Drive, Jacksonville, FL 32207-8181 with a copy to

Alan Due

Name of Principal

John Stockton Elementary, 4827 Carlisle Road, Jacksonville, FL 32210


School Address

Section 7. Amendments. This memorandum may be amended from time to time by written request and agreements of the parties. The Director, Parks, Recreation, Entertainment and Conservation and the Assistant Superintendent, Facilities Services are authorized to execute any and all such amendments on behalf of the City and DCSB, respectively.

Section 8. Association Use of Property. The City may allow associations, groups or individuals use of the Property for public purposes upon written agreement between City and the association, group or individual, in accordance with the terms and conditions of the Joint Use Agreement. Any such written agreement between the City and the association, group or individuals must be approved by the school principal, or his/her designee. The DCSB may in its sole discretion deny such use.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum on the day and year first above written.

DUVAL COUNTY SCHOOL BOARD

By:   
\_\_\_\_\_  
Chief Operating Officer

By:   
\_\_\_\_\_  
Principal

CITY OF JACKSONVILLE


By:   
\_\_\_\_\_  
Director, Public Works

EXHIBIT A

SITE PLAN & DIAGRAM

# John Stockton Elementary





## EXHIBIT B

### TIME OF USE BY CITY

The City shall have use of the Playground Facilities after 5 p.m. Monday through Friday and all day Saturday and Sunday.

EXHIBIT C

See Attached



1 Introduced by Council Member Corrigan and amended by the Finance  
2 Committee:

3  
4  
5 **ORDINANCE 2007-771-E**

6 AN ORDINANCE APPROPRIATING \$25,000 FROM THE  
7 COUNCIL DISTRICT 14 ETR BOND FUNDS TO PROVIDE  
8 FUNDING FOR IMPROVEMENTS AT JOHN STOCKTON  
9 ELEMENTARY SCHOOL PARK LOCATED AT 4827  
10 CARLISLE ROAD IN COUNCIL DISTRICT 14; WAIVING  
11 THE REQUIREMENTS OF THE AUTUMN BOND, ORDINANCE  
12 2004-998-E, AS AMENDED BY 2005-1044-E AND  
13 SECTION 106.315, *ORDINANCE CODE*, THAT BOND  
14 FUNDS BE USED ON MUNICIPAL PROPERTY; PROVIDING  
15 FOR DEPARTMENTAL OVERSIGHT BY THE DEPARTMENT  
16 OF PARKS, RECREATION, ENTERTAINMENT AND  
17 CONSERVATION; PROVIDING AN EFFECTIVE DATE.

18  
19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Appropriation.** For the 2006-2007 fiscal year,  
21 within the City's budget, there are hereby appropriated the  
22 indicated sum(s) from the account(s) listed in subsection (a) to  
23 the account(s) listed in subsection (b):

24 (a) Appropriated from:

25 **Council District 14 ETR Bond**

26 CCCP36314720-09910 \$25,000

27 (b) Appropriated to:

28 **Acct to be Determined** \$25,000

29 **Section 2. Purpose.** The purpose of the appropriation in  
30 Section 1 is to provide funding for improvements to the John  
31 Stockton Elementary School Park, located at 4827 Carlisle Road in

1 Council District 14, more fully described in **Exhibit 1** attached  
2 hereto.

3 **Section 3. Waiving the Requirement that Bond funds be**  
4 **used on City Property.** The provisions of the Autumn Bond,  
5 Ordinances 2004-998-E and 2005-1044-E and Section 106.315,  
6 *Ordinance Code*, requiring that bond funds be used on Municipal  
7 property, and open to the public, is hereby waived.

8 **Section 4. Oversight Department.** The Parks, Recreation,  
9 Entertainment and Conservation Department, or its successor, is  
10 requested to oversee the project described herein.

11 **Section 5. Effective Date.** This ordinance shall become  
12 effective upon signature by the Mayor or upon becoming effective  
13 without the Mayor's signature.

14  
15 Form Approved:

16  
17           /s/ Margaret M. Sidman          

18 Office of General Counsel

19 Legislation prepared by: Steven E. Rohan

20 G:\SHARED\LEGIS.CC\2007\ord\Corrigan - John Stockton Elem Park.doc

# QUOTATION

## Contract Connection Inc.

Quote No: QUO-07671-2UX5QV  
 Version No: 0  
 Quote Date: 05/10/2007  
 Today's Date: 05/11/2007  
 Sales Person: Gary Gleim  
 Sales Person 2:  
 Entered By: Michelle Watkins  
 Ship Via: Best Way  
 Factory: WOW Playground, Zeager

✓ 504 South 2nd Street  
 Jacksonville Beach, Florida 32250  
 Voice: 904-249-5353 Fax: 904-249-8177  
 PO Box 848254  
 Pembroke Pines, Florida 33084-0254  
 Voice: 954-925-2800 Fax: 954-925-0800

### QUOTE TO:

### JOB NAME:

Stockton Elementary School  
 4827 Carlisle Road  
 Jacksonville, FL 32210  
 Attn: Alan Due  
 Phone: 904-381-3955  
 Fax: 904-381-7408

Stockton Elementary School/Playground#2  
 Stockton Elementary School  
 4827 Carlisle Road  
 Jacksonville, FL 32210  
 Attn: Alan Due  
 Phone: 904-381-3955  
 Fax: 904-381-7408

Vendor Catalog	Description	Quantity	Unit Price	Amount
CCI-INSTALLATION	Installation of Play Structure (Q-01122), 3 Bay Arch Swing & Spreading Safety Surfacing	1	\$10,240.00	\$10,240.00
WOW-85045308	5" Arched Swing Frame - 8' - 3 bay	1	\$3,543.00	\$3,543.00
WOW-85087008	Belt Seats, 8' Chain Set	3	\$98.00	\$294.00
WOW-CUSTOM2	Custom Play Structure (Q-01122) Quest Series - ages 5-12	1	\$32,763.00 20.00%	\$26,210.40
ZEAGER-WOODCARPET	Woodcarpet Mulch Per Cubic Yard	194	\$14.40	\$2,793.60

Price includes: Freight, Installation, Safety Surfacing, Standard Colors  
 Price excludes: Border Timbers, Excavation, Insurance Subrogation, Landscape Fabric, Removal & Hauling, replacement fill and/or sod, Site work, storage, timber stakes, Underground Line Location, Underground Obstacle Removal, Utility Inspections, Utility Responsibility

**Additional Discount:**  
**Material Subtotal:** \$43,081.00  
**Tax:** \$0.00  
**Freight:** \$3,021.00  
**TOTAL =** \$46,102.00

**Prepay Amount:** \$0.00

**Please Remit All Payments to Pembroke Pines Office**

Notes: Please allow 8-10 weeks for delivery. 20% Discount off Play Structure Site must be clear, level & accessible at time of installation. If rock, concrete or any obstruction is found in area where equipment is to be installed, additional charges for removal will apply.

Tax Exempt: Yes                      Office: North Florida Office  
 Credit Report Required: No        Payment Terms: Net 30  
 Lead Time:                              Price Protected: 6/10/2007

**On the first day of each month, Invoices over 31 days old are subject to a service charge of 1 1/2% per month. Signing and accepting the Quotation above also acknowledges acceptance of this interest.**

Approval and acceptance of this proposal may be executed by signing below and faxing back to the office checked above.



Susan Gift

Company: \_\_\_\_\_

Date: \_\_\_\_\_



Contract Connection inc

Fall Height: 8 ft  
 Structure Size: NA  
 Use Zone Size: 81' x 49'  
 Surface Area: 3884 Sq Ft

Child Capacity: 59  
 Age Range: 5-12  
 4" Landscape Timbers: 65

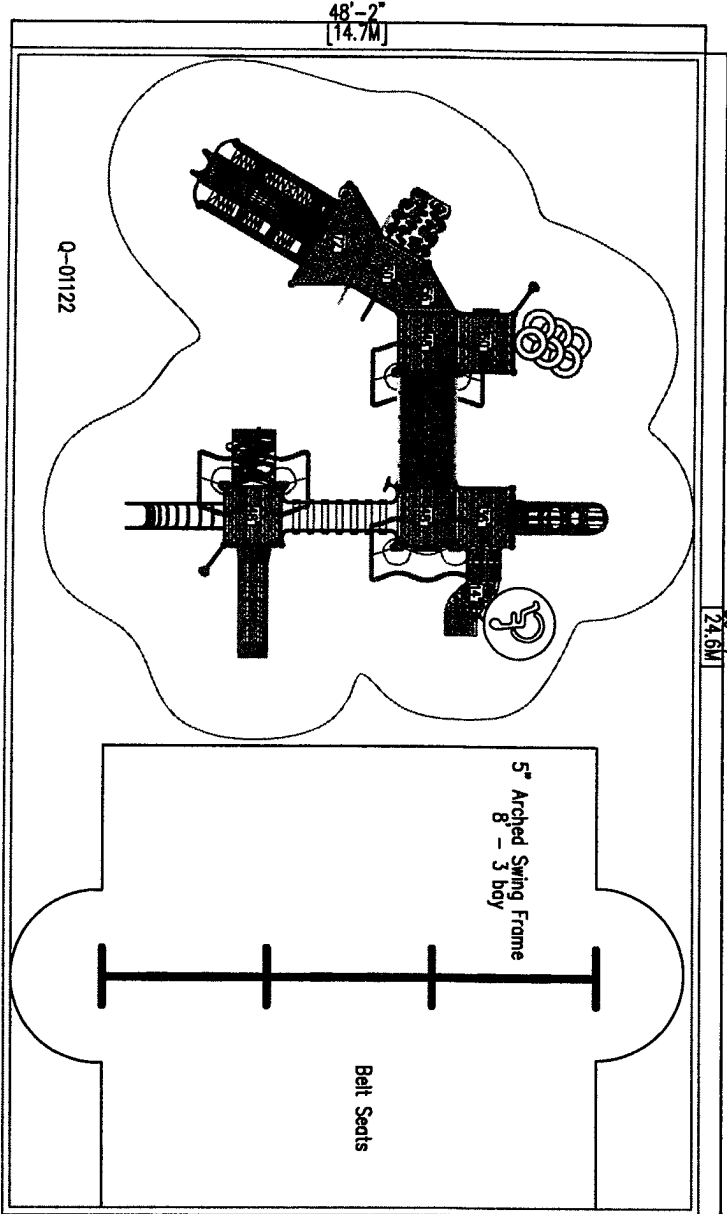
Stockton Elementary School

Jacksonville, FL



Drawn By: J Healy  
 Consultant: Gary Gleim  
 Date: 05/09/10  
 Scale: None

TQ-01122



This Play Structure design will meet ADA accessibility guidelines for building and facilities, effective November 17, 2000 as published by the architectural and transportation barriers compliance board with the addition of 0. Ground level components of 0 different types of play and when installed over accessible surfacing.



