

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH MAN-CON, INC. TO PROVIDE CONSTRUCTION SERVICES FOR THE WASHINGTON PARK UTILITIES IMPROVEMENTS PROJECT IN THE AREA BOUNDED BY NORTH 56TH AVENUE TO THE WEST, STATE ROAD 7 TO THE EAST, RODMAN STREET TO THE SOUTH, AND WASHINGTON STREET TO THE NORTH, IN AN AMOUNT UP TO \$27,024,355.88; APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES IN AN AMOUNT UP TO \$1,974,386.00; AMENDING THE FISCAL YEAR 2024 OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN.

WHEREAS, on April 5, 2017, pursuant to Resolution No. R-2017-088, the City Commission approved and authorized the execution of an Authorization to Proceed ("ATP") for Work Order No. TTH 17-01 with Tetra Tech, Inc. ("TTH") to provide professional engineering services for the Water Main Replacement Program between Pembroke Road and Hollywood Boulevard and from South 56<sup>th</sup> Avenue to State Road 7 in an amount not to exceed \$730,269.00; and

WHEREAS, on June 6, 2018, pursuant to Resolution No. R-2018-189, the City Commission approved and authorized the execution of ATP TTH 18-01 with TTH to provide professional engineering services for the Washington Park/Lawn Acres Septic to Sewer Conversion in an amount not to exceed \$316,680.00; and

WHEREAS, on March 3, 2021, pursuant to Resolution No. R-2021-053, the City Commission approved and authorized the execution of interlocal agreements related to surtax funded projects, including Drainage Improvements in Washington Industrial Park bounded by North 56<sup>th</sup> Avenue to the west, State Road 7 to the east, Rodman Street to the south, and Washington Street to the north, in an amount of up to \$5,000,000.00; and

WHEREAS, the Department of Public Utilities ("Department") is now preparing to implement the utility improvements project, including the replacement of the aged water distribution system, installation of a new sanitary sewer system, and a new stormwater drainage system in Washington Industrial Park; and

WHEREAS, Section 38.43 of the Procurement Code provides that when the estimated annual cost of goods, supplies, materials, equipment, or services exceeds \$50,000, a formal solicitation process shall be completed that may result in a written contract(s) and/or purchase order(s), after due public notice inviting bids or proposals; and

WHEREAS, on October 2, 2023, Invitation for Proposals Number IFB-114-23-JJ was electronically advertised on OpenGov.com to solicit the desired construction services in accordance with Section 38.43(A) of the Procurement Code; and

WHEREAS, on December 28, 2023, two bids were received electronically and opened with the following result:

<b>NO.</b>	<b>BIDDER</b>	<b>Total Price</b>
1	Man-Con, Inc.	\$27,024,355.88
2	Lanzo Construction Co.	\$60,427,902.00

; and

WHEREAS, TTH, Department, and Procurement staff thoroughly evaluated the bid proposals in accordance with section 38.43(F) of the City's Procurement Code, and determined Man-Con, Inc. to be the lowest responsive and responsible bidder; and

WHEREAS, on April 29, 2024, a Notice of Intent to Award was posted on the City's website and on OpenGov.com and resulted in no bid protests; and

WHEREAS, on March 6, 2024, the City Commission passed and adopted Resolution No. R-2024-073, which authorized the execution of consulting engineering agreements with five firms to provide Design and Construction Engineering and Inspection ("CEI") services for five projects including the Washington Park Utilities Improvements Project, for which TTH is the best-fit consultant to provide CEI services; and

WHEREAS, the Department requested a proposal from TTH to provide construction administration services for the project; and

WHEREAS, Department staff reviewed the proposal submitted by TTH, negotiated the project scope and fee in an amount up to \$1,974,386.00, and determined that both the scope and fee are fair and reasonable and in accordance with industry standards; and

WHEREAS, the Department Director and the interim Chief Procurement Officer recommend that the City Commission approve and authorize the appropriate City officials to execute a contract with Man-Con, Inc. to provide construction services for the Washington Park Utilities Improvements Project in Washington Industrial Park in an amount up to \$27,024,355.88, and approving and authorizing appropriate City officials to

execute a professional services agreement with TTH to provide construction administration services in an amount up to \$1,974,387.00; and

WHEREAS, the Department Director and the interim Chief Procurement Officer further recommend that the City Commission approve and authorize the City Manager or designee to utilize contingency funds reserved for resolving undefined conditions as set forth in the contract, if necessary and justified, in an amount up to \$911,040.00; and

WHEREAS, the Fiscal Year 2024 (FY 2024) Operating Budget was adopted and approved by the City Commission pursuant to Resolution R-2023-300 at the second Public Budget Hearing on September 20, 2023; and

WHEREAS, the FY 2024 Capital Improvement Plan was adopted and approved by the City Commission pursuant to Resolution No. R-2023-301 at the second Public Budget Hearing on September 20, 2023; and

WHEREAS, it is necessary to amend the approved FY 2024 Operating Budget and Capital Improvement Plan as set forth in the attached Exhibits “1”, “2”, and “3”; and

WHEREAS, a portion of the funding for the project is available in the amended FY 2024 Capital Improvement Plan in account numbers 442.409903.53600.563010.000518.000.000, 442.409904.53600.563010.001800.000.000, and 443.419901.53800.563010.001785.000.000; and

WHEREAS, a portion of the funding for this project is available from the Broward County Interlocal Agreements related to the Surtax-Funded Municipal Transportation Tax agreement; and

WHEREAS, the estimated time for completion of construction is 18 months from the Notice to Proceed date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of a contract with Man-Con, Inc., together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

Section 3: That it approves and authorizes the execution, by the appropriate City officials, of an Agreement with TTH, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

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Section 4: That these Amendments to the FY 2024 Operating Budget and Capital Improvement Plan for the Fiscal year beginning October 1, 2023, set forth in detail in the attached Exhibit "1", "2", and "3", are adopted and authorized as Amendments and/or Adjustments to the Operating Budget and Capital Improvement Plan of the City of Hollywood, Florida for the Fiscal Year 2024.

Section 5: That the Department of Financial Services is authorized to establish such line-item accounts as may be necessary to properly monitor, and track appropriations.

Section 6: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES  
CITY ATTORNEY