

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 2 WITH MAN CON, INCORPORATED IN THE AMOUNT OF \$990,690.78 FOR THE PARKSIDE WATER MAIN REPLACEMENT PROJECT, RESULTING FROM CHANGES TO THE DESIGN AND UNFORESEEN SITE CONDITIONS, AND AUTHORIZING PAYMENT BY UTILIZING FUNDS REMAINING IN SEVEN UNUSED PAYMENT ITEMS AND WATER MAIN CONTINGENCY RESULTING IN NO NET CHANGE TO THE CONTRACT AMOUNT.

WHEREAS, the 2007 Water System Master Plan identified the need to replace aging infrastructure throughout the City and to install additional infrastructure to improve the level of service within the City's water system; and

WHEREAS, the Citywide Water Main Replacement Program, as outlined in the 2007 Water System Master Plan, identified the need to replace old water distribution infrastructure and install 4-inch diameter through 12-inch diameter water mains within the area bounded by Pembroke Road to Hollywood Boulevard and between South Federal Highway and South 21st Avenue, referred to as the "Parkside Water Main Replacement" project; and

WHEREAS, on December 2, 2020, pursuant to Resolution No. R-2020-321, the City Commission authorized the execution of a contract with Man Con, Incorporated ("Contractor") for construction services related to the Parkside Water Main Replacement project, in the amount of \$9,740,234.00, which includes a \$1,000,000.00 contingency allowance related to water main replacement; and

WHEREAS, on May 4, 2021, the Department of Public Utilities ("Department") executed Field Order No. 1 in the amount of \$137,149.50 to compensate 11 tasks due to unforeseen conditions; and

WHEREAS, on October 6, 2021, pursuant to Resolution No. R-2021-257, the City Commission authorized the execution of Change Order No. 1 with the Contractor to increase the contract cost from \$9,740,234.00 to \$10,424,457.40 (an increase of \$684,223.40) due to field changes for the design and unforeseen site conditions; and

WHEREAS, the Department requested a proposal for Change Order No. 2 from the Contractor related to changes of 29 items in construction services, including additional asphalt removal, utilization of restrained ductile iron pipe, additional water service connection work, unforeseen utility conflicts, and design changes; and

WHEREAS, Kimley-Horn And Associates, Inc. as the construction manager, Atkins North America, Inc. as the engineer of record, and Department staff evaluated the scope of Change Order No. 2 and negotiated down the prices, and have determined that the negotiated cost, in the amount of \$990,690.78, is reasonable and in accordance with industry standards; and

WHEREAS, \$862,850.50 of Change Order No. 2 is being paid by the remaining water main contingency item and the residual in the amount of \$127,840.28 is being compensated by utilizing funds remaining in seven unused payment items; and

WHEREAS, the Director of Public Utilities and Assistant Director, Financial Services for Procurement recommend that the City Commission approve and authorize the appropriate City officials to execute the attached Change Order No. 2 with the Contractor in the amount of \$990,690.78, authorizing payment by utilizing funds remaining in water main contingency item and seven unused payment items resulting in no net change to the contract amount; and

WHEREAS, funding for this project was included in the amended FY 2022 Capital Improvement Plan, and is available in account number 442.409902.53600.563011.000611.000.000.

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 the attached Change Order No. 2 with Man Con, Incorporated, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

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PASSED AND ADOPTED this _____ day of _____, 2021.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY for the use and reliance of the City of Hollywood, Florida only.

DOUGLAS R. GONZALES
CITY ATTORNEY