

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF UNDERGROUNDING CONVERSION AGREEMENTS WITH FLORIDA POWER AND LIGHT FOR THE NORTH BEACH UTILITY UNDERGROUNDING PROJECT, A GENERAL OBLIGATION BOND PROJECT, IN AN AMOUNT UP TO \$152,299.00.

WHEREAS, on March 12, 2019, the City held a special election in which a majority of residents voted to fund a variety of Citywide public improvement projects through a General Obligation Bond (“GOB”), and the North Beach Undergrounding Project was one of the approved projects; and

WHEREAS, on September 6, 2023, the City Commission passed and adopted Resolution No. R-2023-260, allocating additional funds for the North Beach Undergrounding Project; and

WHEREAS, Florida Power and Light (“FPL”), a sole source provider, provided the City with a proposal in the amount of \$152,299.00 covering its costs, after applying credits pursuant to the proposal, for converting overhead utility lines to underground; and

WHEREAS, the City’s Contractor will install all FPL-provided conduits, transformers and conductors pursuant to the proposal and agreements; and

WHEREAS, Section 38.41(C)(2) of the Code of Ordinances exempts the City from competitive bid and competitive proposal requirements if the particular supplier or services is available from only one source; and

WHEREAS, staff recommends accepting the proposal, approving and authorizing the execution of the Applicant-Installed Facilities Agreement for Underground Conversions, the Underground Facilities Conversion Agreement, City/County Right-Of-Way Agreement for Underground Conversion, and Notification of FPL Facilities; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan, and is available in account number 333.149901.54100.563010.001188.000.000.

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 agreements with FPL, in a form acceptable to the City Manager and approved as to form by the City Attorney.

Section 3: That it approves and authorizes the use of funds from account number 333.149901.54100.563010.001188.000.000 for FPL's costs in an amount up to \$152,299.00.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY