

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT, IN THE ESTIMATED AMOUNT OF \$600,000.00, FOR THE WATER MAIN REPLACEMENT ON HOLLYWOOD BOULEVARD, FROM CITY HALL TO DIXIE HIGHWAY, AS IDENTIFIED IN THE 2007 WATER SYSTEM MASTER PLAN (CITY PROJECT NO. 15-5130); AND FURTHER AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED THREE PARTY ESCROW AGREEMENT.

WHEREAS, the 2007 Water System Master Plan identified the need to replace aging water distribution system pipes throughout the City of Hollywood; and

WHEREAS, in order to address the findings of the 2007 Water System Master Plan, the Department of Public Utilities developed and is implementing a City-wide Water Main Replacement Program; and

WHEREAS, the existing water main along Hollywood Boulevard, from City Hall to Dixie Highway, is defined as necessary for replacement based on the age of the pipelines and water quality issues; and

WHEREAS, the State of Florida Department of Transportation (FDOT) is currently in the final design stages of a project along Hollywood Boulevard, from City Hall to Dixie Highway, which will consist of road widening and drainage improvements; and

WHEREAS, in order to take advantage of the FDOT project along Hollywood Boulevard, from City Hall to Dixie Highway, the Department of Public Utilities recommends that the City enter into an agreement with FDOT to implement the construction as one project; and

WHEREAS, it is in the best interest of the City to waive competitive bidding and competitive proposals in order to take advantage of the joint project with FDOT; and

WHEREAS, Section 38.40(C)(8) of the Code of Ordinances exempts from the competitive bid and competitive proposal requirements of the Purchasing Ordinance purchases of, and contracts for, supplies or contractual services when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City; and

WHEREAS, FDOT and the City of Hollywood staff have coordinated and negotiated the terms and conditions outlined in the attached Utility Work by Highway Contractor Agreement, which are mutually acceptable to both entities; and

WHEREAS, in addition to the attached Utility Work by Highway Contractor Agreement, the State requires that the City enter into the attached Three Party Escrow Agreement with FDOT and the Florida Department of Financial Services; and

WHEREAS, the overall cost of the Utility Work by Highway Contractor Agreement is an estimated amount of \$600,000.00; and

WHEREAS, funding for water main projects was included in the FY 2016 Capital Improvements Program that was approved via Resolution No. R-2015-295 and is available in account number 42.4000.76663.536.246301; and

WHEREAS, the estimated construction time for this project is 24 months after the Notice to Proceed is issued;

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

Section 1: That it hereby approves and authorizes the execution by the appropriate City Officials, of the attached Utility Work by Highway Contractor Agreement, between the State of Florida Department of Transportation and the City of Hollywood, together with such nonmaterial changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Three Party Escrow Agreement, among the State of Florida Dept. of Transportation, the City of Hollywood, and the State of Florida Dept. of Financial Services, Division of Treasury, together with such nonmaterial changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

A RESOLUTION AUTHORIZING THE ATTACHED STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) WORK BY HIGHWAY CONTRACTOR AGREEMENT

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
PETER BOBER, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC, CITY CLERK

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

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JEFFREY P. SHEFFEL, CITY ATTORNEY