

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. 1 WITH ZABATT ENGINE SERVICES, INC. AND TO EXTEND THE INSTALLATION OF ELECTRICAL POWER GENERATORS AT SANITARY SEWER LIFT STATION NOS. E-01, E-03, E-06, W-14, W-15, AND THE STORMWATER PUMP STATION SW-08 PROJECT CONTRACT DURATION BY 381 DAYS DUE TO SUPPLY CHAIN SHORTAGES IN ACCORDANCE WITH SECTION 38.48 OF THE PROCUREMENT CODE. (CHANGE ORDERS)

WHEREAS, the Department of Public Utilities ("Department") owns, operates, and maintains over 85 sanitary sewer lift stations and 10 stormwater pump stations; and

WHEREAS, the Department applied for and was awarded federal grant funding from the Federal Emergency Management Agency through the Hazard Mitigation Grant Program for the installation of generators at Sanitary Sewer Lift Station Nos. E-01, E-03, E-06, W-14, and W-15, as well as Stormwater Pump Station SW-08 ("Generator Project"); and

WHEREAS, on November 2, 2022, pursuant to Resolution No. R-2022-338, the City Commission authorized appropriate City officials to execute a contract with Zabatt Engine Services, Inc. ("Zabatt") in the amount of \$2,692,731.60 for the Generator Project with a contract term of 365 calendar days; and

WHEREAS, on February 13, 2023, Department staff issued the Notice to Proceed with a project substantial completion of 365 days; and

WHEREAS, subsequent supply chain disruptions hindered the project, preventing the generator supplier, Cummins, Inc., from confirming delivery dates for the generators until May 15, 2024; and

WHEREAS, on November 28, 2023, Department staff requested an extension from the Florida Division of Emergency Management; and

WHEREAS, on April 26, 2024, the contractor submitted a Change Order proposal to extend the contract for 381 days based on the confirmed delivery time, with no price change; and

WHEREAS, Craven, Thompson & Associates, Inc. and Kimley-Horn and Associates, Inc., as the construction manager and engineer of record for the Generator Project, respectively, evaluated Change Order No. 1 with Department staff and determined that it is reasonable and in accordance with industry standards given the circumstances; and

WHEREAS, the Department Director and the Chief Procurement Officer recommend that the City Commission approve and authorize appropriate City officials to execute Change Order No. 1 with Zabatt to extend the contract term for 381 days, without a change in price.

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 Change Order No. 1 with Zabatt, 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 this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY