

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 MBR CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE FLETCHER STREET PRIVACY WALL, A CIP PROJECT, IN AN AMOUNT UP TO \$617,011.00.

WHEREAS, on September 1, 2021, the City Commission passed and adopted Resolution No. R-2021-208, authorizing City officials to execute Continuing Services Agreements with various engineering firms for Citywide projects to provide professional engineering services; and

WHEREAS, on November 29, 2021, the City executed a Continuing Services Agreement with Kimley-Horn and Associates, Inc. ("KHA") to provide various engineering services including structural engineering and design services; and

WHEREAS, on March 2, 2023, the City executed an Authorization to Proceed with KHA for structural engineering and design services for the Fletcher Street Privacy Wall in an amount up to \$58,840.00 to be used for construction bid procurement purposes; and

WHEREAS, on October 19, 2023, Bid No. IFB-132-24-WV for the Fletcher Street Privacy Wall Project was posted on [www.opengov.com](http://www.opengov.com) ("OpenGov") and advertised on the City's website in accordance with Section 38.43 of the City's Procurement Code; and

WHEREAS, on November 21, 2023, the City received two bid responses to IFB-132-24-WV for the Fletcher Street Privacy Wall Project from:

Bidder	Base Bid
MBR Construction, Inc. 1020 NW 51 <sup>st</sup> St Fort Lauderdale, FL 33309	\$517,011.00
Sunstate GC, LLC 966 Nandina Dr. Weston, FL 33327	\$686,139.00

; and

WHEREAS, On November 21, 2023, staff from the Department of Design and Construction Management ("DCM") and the Office of Procurement and Contract Compliance reviewed and evaluated the bid responses in a public meeting and, after evaluation, MBR Construction, Inc. ("MBR") was determined to be the most responsible and responsive bidder for the Fletcher Street Privacy Wall project; and

WHEREAS, an allowance of \$100,000.00 is added to the base bid of \$517,000.00 for unforeseen conditions, including but not limited to special inspections, permit revisions, unforeseen utilities, and/or other conditions; and

WHEREAS, the allowance shall only to be used as requested by staff, and any remaining value will be returned to the City; and

WHEREAS, on December 11, 2023, a Notice of Intent to Award was posted on OpenGov.com and the City's website, and resulted in no bid protests: and

WHEREAS, MBR has confirmed the bid price submitted on November 21, 2023 is still valid and sufficient to complete the scope of work as included in the bid price proposal; and

WHEREAS, the Director of DCM recommends that the City Commission approve and authorize appropriate City officials to execute a contract with MBR in an amount up to \$617,011.00 for the subject project; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan and is available in account number 334.179901.51900.563010.001529.000.000.

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 a contract with MBR, 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.

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

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JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES  
CITY ATTORNEY