

RESOLUTION NO. R-CRA-2024-05

A RESOLUTION OF THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY ("CRA"), AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO ISSUE A CHANGE ORDER WITH BURKHARDT CONSTRUCTION, INC. FOR THE INSTALLATION OF A PEDESTRIAN CROSSING MAST ARM AT THE INTERSECTION OF CAROLINA STREET AND STATE ROAD A1A TO INCREASE THE CONTRACT AMOUNT FROM \$12,805,794.98 TO \$13,425,883.67 AND EXTEND THE CONTRACT COMPLETION DATE; AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT WITH OCEANSIDE MARINA LLC FOR THE REIMBURSEMENT OF 50% OF THE COST OF CONSTRUCTION; FURTHER AUTHORIZING THE CRA EXECUTIVE DIRECTOR TO EXECUTE ALL APPLICABLE AGREEMENTS AND DOCUMENTS TO IMPLEMENT THE PROJECT.

WHEREAS, the Hollywood Beach Community Redevelopment Agency ("CRA") Plan identified the need to redevelop the State Road A1A corridor from Hollywood Boulevard to Sherman Street by improving circulation for pedestrians, bicyclists, and motorists and by undergrounding the overhead utilities lines along State Road A1A; and

WHEREAS, on October 6, 2023, the CRA Board passed and adopted Resolution No. R-BCRA-2021-52, approving a Contract in the amount up to \$12,805,794.98 with Burkhardt Construction, Inc. ("Burkhardt") for Undergrounding of Overhead Utilities; and

WHEREAS, the CRA desires to issue a change order to increase the Contract amount from \$12,805,794.98 to \$13,425,883.67, an increase of \$620,088.69, to furnish and install pedestrian crossing mast arm at the intersection of Carolina Street and State Road A1A; and

WHEREAS, the CRA and Kimley-Horn and Associates ("Kimley") identified the need to add signalized pedestrian crossings at three intersections to promote safety for pedestrian circulation; and

WHEREAS, on September 4, 2013, the City Commission approved and adopted Resolution No. R-2013-251, expressing a commitment to Complete Streets Policies and Practices Program ("Complete Streets"), which encourage the design, planning and construction of safer, healthier streets and ultimately increase physical activity and the health of neighborhoods; and

WHEREAS, on July 2, 2014, the CRA Board approved and adopted Resolution No. R-BCRA-2014-30 authorizing the appropriate CRA officials to execute a Notice to Proceed with Kimley to provide consulting for the Complete Streets project along State Road A1A between Hollywood Boulevard and Sheridan Street; and

WHEREAS, Kimley has prepared plans and specifications implementing the application of the Complete Streets guidelines along State Road A1A and the Undergrounding of Overhead Utilities from Hollywood Boulevard to Sheridan Street; and

WHEREAS, on October 6, 2021, the CRA Board approved and adopted Resolution No. R-BCRA-2021-52, authorizing the appropriate CRA officials to execute an Agreement with Burkhardt for the Undergrounding of Overhead Utilities from Hollywood Boulevard to Sheridan Street; and

WHEREAS, construction of the Complete Streets along State Road A1A from Hollywood Boulevard to Sheridan Street started in January 2022 and is currently in progress, including a traffic signal at the Garfield Street intersection; and

WHEREAS, on April 7, 2021, pursuant to Resolution No. R-BCRA-2021-17, the CRA Board authorized the appropriate CRA officials to enter into another Agreement for consulting services for pedestrian crossings at the intersections of State Road A1A with Scott Street, Carolina Street, and Nebraska Street; and

WHEREAS, the CRA requested a cost proposal from Burkhardt for the construction of the pedestrian crossings at the intersection of Carolina Street and State Road A1A, attached as "Exhibit A"; and

WHEREAS, Section 38.48(A) of the Procurement Code states that a change order means changes, due to unanticipated conditions or developments, made to any contract, which are reasonably and conscientiously viewed as being in fulfillment of the original scope of the contract and/or matters directly related thereto; and

WHEREAS, the developer, Oceanside Marina, LLC ("Oceanside"), desires the installation of a signalized pedestrian crossing at State Road A1A and Carolina Street to provide a safe pedestrian crossing to and from the new proposed development at 2308 N. Ocean Drive; and

WHEREAS, the CRA desires to execute a Development Agreement with Oceanside to equally share the cost of the signalized pedestrian crossing installation at the intersection of Carolina Street and State Road A1A, attached as "Exhibit B"; and

WHEREAS, to build the pedestrian signal under the current construction work along State Road A1A from Hollywood Boulevard to Sheridan Street, a change order needs to be authorized by the CRA Board; and

WHEREAS, the Executive Director of the CRA recommends that the Board authorize the appropriate CRA officials to execute the attached change order with Burkhardt in an amount up to \$620,088.69 and extend the contract time for an additional 240 days; and

WHEREAS, funding for this expenditure is available in the Beach CRA FY 2024 account number 163.639901.55200.563010.001457.000.000 – (Traffic Signal - Nebraska/Carolina/Scott Streets).

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY:

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 CRA officials, of a change order with Burkhardt, together with such non-material changes as may be subsequently agreed to by the Executive Director of the CRA and approved as to form by the CRA’s General Counsel.

Section 3: That it approves and authorizes the execution, by the appropriate CRA officials, of the attached Development Agreement with Oceanside, together with such non-material changes as may be subsequently agreed to by the Executive Director of the CRA and approved as to form by the CRA’s General Counsel.

Section 4: That it authorizes the Executive Director to execute all applicable agreements and documents to implement the project.

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 17th day of JANUARY, 2024.

ATTEST:

HOLLYWOOD, FLORIDA
COMMUNITY REDEVELOPMENT
AGENCY


PHYLLIS LEWIS, BOARD SECRETARY


JOSH LEVY, CHAIR

APPROVED AS TO FORM:



DOUGLAS R. GONZALES
GENERAL COUNSEL

EXHIBIT A



**HOLLYWOOD, FLORIDA
COMMUNITY REDEVELOPMENT AGENCY**

1948 Harrison Street
Hollywood, FL 33020
Phone: (954) 924-2980 Fax: (954) 924-2981

CONTRACT CHANGE ORDER NO. 1

DATE: 9/21/2023

PROJECT NAME: Undergrounding of Overhead Utilities and Streetscape
Beautification at SR A1A From Hollywood Blvd. to
Sheridan St.

PROJECT NO.: BCRA - 12-029

CONTRACT DATE: 10/21/2021

CONTRACTOR Burkhardt Construction, Inc.
& ADDRESS: 1400 Alabama Ave. Suite #20
West Palm Beach, FL 33401

ACCOUNT NO.: 163.639901.55200.563010.001105.000.000

STATEMENT OF CHANGE:

IN COMPLIANCE WITH ARTICLE 10 AND ARTICLE 11 OF THE GENERAL CONDITIONS IN THE ABOVE REFERENCED CONTRACT, THE CONTRACTOR AND THE CRA DO BOTH HEREBY AGREE THAT THE CONTRACTOR SHALL MAKE THE FOLLOWING CHANGES. ADDITIONS OR DELETIONS TO THE WORK SPECIFIED IN THE PLANS AND SPECIFICATIONS.

NO DAMAGES FOR DELAY. NO CLAIM FOR DAMAGES OR ANY CLAIM, OTHER THAN FOR AN EXTENSION OF TIME, SHALL BE MADE OR ASSERTED AGAINST CRA BY REASON OF ANY DELAYS. CONTRACTOR SHALL NOT BE ENTITLED TO AN INCREASE IN THE CONTRACT PRICE OR PAYMENT OR COMPENSATION OF ANY KIND FROM CRA FOR DIRECT, INDIRECT, CONSEQUENTIAL, IMPACT OR OTHER COSTS, EXPENSES OR DAMAGES, INCLUDING BUT NOT LIMITED TO COSTS OF MOBILIZATION, DOWNTIME ACCELERATION OR INEFFICIENCY, ARISING BECAUSE OF DELAY, DISRUPTION, INTERFERENCE OR HINDRANCE FROM ANY CAUSE WHATSOEVER, WHETHER SUCH DELAY, DISRUPTION, INTERFERENCE OR HINDRANCE BE REASONABLE OR UNREASONABLE, FORESEEABLE OR UNFORESEEABLE, OR AVOIDABLE OR UNAVOIDABLE; PROVIDED, HOWEVER, THAT THIS PROVISION SHALL NOT PRECLUDE RECOVERY OF DAMAGES BY CONTRACTOR FOR HINDRANCES OR DELAYS DUE SOLELY TO FRAUD, BAD FAITH OR ACTIVE, INTENTIONAL INTERFERENCE ON THE PART OF CRA OR ITS AGENTS. OTHERWISE, CONTRACTOR SHALL BE ENTITLED ONLY TO EXTENSIONS OF THE CONTRACT TIME AS THE SOLE AND EXCLUSIVE REMEDY FOR SUCH RESULTING DELAY, IN ACCORDANCE WITH AND TO THE EXTENT SPECIFICALLY

PROVIDED ABOVE. THIS CHANGE ORDER INCLUDES ALL CONTRACTOR'S HOME-OFFICE OVERHEAD OR DELAY DAMAGES AND PROFIT, ALLIED OR INCIDENTAL DAMAGES AND ALL OTHER CLAIMS OR IMPOSITIONS RELATED THERETO. NO RESERVATION OF RIGHTS IS TAKEN FROM THE FOREGOING STATEMENT.

DESCRIPTION OF CHANGE	REASON of CHANGE	PRICE INCREASE	PRICE DECREASE
Furnish and Installation of Traffic Signal at SR A1A (N. Ocean Drive) At Carolina Street per Kimley-Horn's Drawings BCI Received Date 9/12/2023	OR	\$ 620,088.69	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
TOTAL INCREASE/DECREASE IN CONTRACT PRICE:		\$ 620,088.69	\$ -
CONTRACT'S PRICE/TIME PRIOR TO THIS CHANGE ORDER:		\$ 12,805,794.98	913 DAYS
NEW CHANGE IN CONTRACT PRICE/TIME:		\$ 620,088.69	240 DAYS
CURRENT CONTRACT PRICE/TIME INCLUDING THIS CHANGE ORDER:		\$ 13,425,883.67	1153 DAYS

REASON OF CHANGE ORDER

UN = Unforeseen Condition, CE = Consultant Error (secondary cost involved),
CO = Consultant Omission, OR = Owner Request

ANY ALTERATIONS WILL NULLIFY THIS CHANGE ORDER

APPROVAL

I agree that the above changes in said Contract, in accordance with specifications for the price change shown are satisfactory.

By: Marc Kleisley
CONTRACTOR
(Authorized Officer/Manager)

Signed: Date: 9/21/2023

We have examined the above changes. They are necessary to satisfactorily complete the Contract.
The price changes are reasonable and I recommend the changes be made.

Signed: _____
Sarita Shamah, Senior Project Manager, Hollywood Community Redevelopment Agency

Date: _____

The above changes are hereby approved. The Contractor is authorized to proceed with these changes and the change shown in the Contract price is authorized.

Signed: _____
Jorge Camejo, Executive Director, Hollywood Community Redevelopment Agency

Date: _____

Per CRA Commission Meeting on _____

Classification of change (Internal Use Only) _____

Hollywood Florida Community Redevelopment Agency

Undergrounding of Overhead Utilities and Streetscape Beautification

Carolina Street Traffic Signal

Change Order

based on plans received 9/12/2023

From: Burkhardt Construction, Inc.
Attn: Marc R. Kleisley
1400 Alabama Ave., Suite #20
West Palm Beach, FL 33401
Tel: (561) 659-1400
Fax: (561) 659-1402

Owner: City of Hollywood Community Redevelopment Agency
Attn: Sarita Shamah
1948 Harrison Street
Hollywood, FL 33020
Tel: 954-924-2980

Designer: Kimley-Horn
1920 Wekiva Way, Suite 200
West Palm Beach, FL 33411

Plans: City of Hollywood Signalization Plans for Carolina Street
Dated BCI Rec'd 9/12/2023

Location: State Road A1A and Carolina Street

Proposal

Date: 9/21/2023

Cost of Work (Direct Construction Costs)	\$	454,504.08
General Conditions	\$	107,326.00
Construction Fee	\$	35,533.41
Construction Contingency	\$	22,725.20
Exceptions & Clarifications Plan Log		
TOTAL CHANGE ORDER (ALL INCLUSIVE)	\$	620,088.69



Hollywood Florida Community Redevelopment Agency

Undergrounding of Overhead Utilities and Streetscape Beautification

Carolina Street Traffic Signal

Cost of Work (Direct Construction Costs)

Prepared by Burkhardt Construction, Inc.

Item Description	Quantity	U/M	Unit Price	Amount	
MAINTENANCE OF TRAFFIC					
				\$38,015.00	
MAINTENANCE OF TRAFFIC FOR SIGNALIZATION	1	LS	\$25,015.00	\$ 25,015.00	Gerek
TEMPORARY ASPHALT PATCHING (ALLOWANCE)	50	TNS	\$210.00	\$ 10,500.00	
SPECIALTY SIGNAGE (ALLOWANCE)	1	ALL	\$2,500.00	\$ 2,500.00	
ROADWAY STEEL PLATES			NONE REQUIRED		
STEADY BURN &/OR FLASHING LIGHTS			NONE REQUIRED		
ORANGE SAFETY FENCE AND POSTS			NONE REQUIRED		
STEADY BURN &/OR FLASHING LIGHTS			NONE REQUIRED		
TEMPORARY PEDESTRIAN BOARDWALKS			NONE REQUIRED		
BARRICADE TEMP. TYPE III, 6'			NONE REQUIRED		
TEMPORARY PEDESTRIAN BARRICADES WITH SCREEN			NONE REQUIRED		
WATER FILLED BARRIER WALL			FURNISHED BY COH		
TEMPORARY ROADWAY STRIPING (ALLOWANCE)			NONE REQUIRED		
TEMPORARY STREET LIGHTING			NOT INCLUDED		
OFF DUTY POLICE OFFICERS			NOT INCLUDED		
LIGHT BANKS FOR NIGHT WORK			NOT INCLUDED		
DEMOLITION/CLEARING & GRUBBING				\$26,367.89	
NPDES REPORTING	1	LS	\$2,000.00	\$ 2,000.00	
REMOVE EXISTING CONCRETE AND PAVERS	1000	SF	\$3.19	\$ 3,189.39	
REMOVE EXISTING CURB FOR NEW HANDICAP RAMP LAYOUT	150	LF	\$107.31	\$ 16,096.98	
REMOVE/DISPOSE OF EXISTING LIMEROCK	1,000	SF	\$1.29	\$ 1,286.52	
SAWCUTTING	60	LF	\$2.00	\$ 120.00	
ROLL-OFF DUMPSTER	3	PUL	\$725.00	\$ 2,175.00	
FINAL CONSTRUCTION CLEAN	1	LS	\$1,500.00	\$ 1,500.00	
EARTHWORK AND GRADING				\$7,799.19	
12" TYPE B STABILIZATION	90	SY	\$7.92	\$ 713.18	
9" LIMEROCK BASE	90	SY	\$16.46	\$ 1,481.73	
6" LIMEROCK CURB PAD	12	SY	\$55.99	\$ 671.88	
LOAD/HAUL/DISPOSE EXCESS FILL, LIMEROCK MATERIAL, AND UNSUITABLE SOILS FROM DRILL SHAFT INSTALLATION	250	CY	\$15.73	\$ 3,932.41	
FINAL DRESSING AND FINISH GRADING	1	LS	\$1,000.00	\$ 1,000.00	
ELECTRICAL AND STREETLIGHTING				\$5,000.00	
ALLOWANCE FOR ADDITIONAL ELECTRICAL WORK FOR SERVICE TO CABINET	1	ALL.	\$5,000.00	\$ 5,000.00	
SIGNALIZATION				\$337,182.00	
F&I TRAFFIC SIGNAL AT CAROLINA STREET PER PLANS AND SPECS	1	LS	\$332,182.00	\$ 332,182.00	Gereic
DEWATERING AS REQUIRED FOR YOUR WORK	1	LS	\$5,000.00	\$ 5,000.00	
CONCRETE				\$15,500.00	
F CURB/VALLEY GUTTER (SMALL LOADS)	150	LF	\$50.00	\$ 7,500.00	
FORM AND POUR HANDICAP RAMPS	200	SF	\$15.00	\$ 3,000.00	
CONCRETE RESTORATION	1	ALL.	\$5,000.00	\$ 5,000.00	
STRIPING AND SIGNAGE				\$10,000.00	
STRIPING AND SIGNAGE ALLOWANCE FOR CAROLINA STREET TRAFFIC SIGNAL	1	ALL.	\$10,000.00	\$ 10,000.00	
LIQUID BRICK CROSSWALK			NOT INCLUDED		
PAVERS				\$9,640.00	
PAVER RESTORATION ON EAST AND WEST SIDES OF A1A	800	SF	\$11.50	\$ 9,200.00	
PRESSURE CLEAN PAVERS UPON COMPLETION	800	SF	\$0.55	\$ 440.00	
LANDSCAPING				NOT INCLUDED	
IRRIGATION				\$5,000.00	
IRRIGATION REPAIRS (ALLOWANCE)	1	ALL.	\$5,000.00	\$ 5,000.00	

CAROLINA STREET TRAFFIC SIGNAL - COST OF WORK

\$454,504.08

Gerelco Traffic Controls, Inc.

To:	Burkhardt Construction	Contact:	Adam Rossmell
Address:	1400 Alabama Ave, Suite 20 West Palm Beach, FL 33401	Phone:	
Project Name:	R-1343 SR A1A (N. OCEAN DRIVE) AT CAROLINA STREET Revised	Bid Number:	22102001
Project Location:		Bid Date:	

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
SIGNALIZATION AT CAROLINA STREET					
102-1	MAINTENANCE OF TRAFFIC FOR SIGNALIZATION	1.00	LS	\$25,015.00	\$25,015.00
630-2-11	CONDUIT, FURNISH & INSTALL, OPEN TRENCH	75.00	LF	\$45.00	\$3,375.00
630-2-12	CONDUIT, FURNISH & INSTALL, DIRECTIONAL BORE	537.00	LF	\$80.00	\$42,960.00
632-7-1	SIGNAL CABLE- NEW OR RECONSTRUCTED INTERSECTION, F&I	1.00	INT	\$5,876.00	\$5,876.00
635-2-11	PULL & SPLICE BOX, F&I, 13" X 24" COVER SIZE	18.00	EACH	\$1,625.00	\$29,250.00
639-1-122	ELECTRICAL POWER SERVICE, F&I, UNDERGROUND, METER PURCHASED BY CONTRACTOR	1.00	AMBY	\$3,601.00	\$3,601.00
639-2-1	ELECTRICAL SERVICE WIRE, F&I	50.00	LF	\$5.90	\$295.00
639-3-11	ELECTRICAL SERVICE DISCONNECT, F&I, POLE MOUNT	1.00	EACH	\$3,243.00	\$3,243.00
641-2-12	PRESTRESSED CONCRETE POLE, F&I, TYPE P-II SERVICE POLE	1.00	EACH	\$2,623.00	\$2,623.00
646-1-11	ALUMINUM SIGNALS POLE, PEDESTAL	4.00	EACH	\$2,420.00	\$9,680.00
649-21-11	STEEL MAST ARM ASSEMBLY, F&I, DOUBLE ARM 60'-30'	1.00	EACH	\$119,928.00	\$119,928.00
650-1-14	VEHICULAR TRAFFIC SIGNAL, F&I, ALUMINUM, 3 SECTION, 1 WAY	6.00	AMBY	\$1,924.00	\$11,544.00
653-1-11	PEDESTRIAN SIGNAL, FURNISH & INSTALL LED COUNTDOWN, 1 WAY	4.00	AMBY	\$959.00	\$3,836.00
660-4-11	VEHICLE DETECTION SYSTEM-VIDEO, F&I, CABINET EQUIPMENT	1.00	EACH	\$20,025.00	\$20,025.00
660-4-12	VEHICLE DETECTION SYSTEM- VIDEO, F&I ABOVE GROUND EQUIPMENT	3.00	EACH	\$3,579.00	\$10,737.00
665-1-11	PEDESTRIAN DETECTOR, FURNISH & INSTALL, STANDARD	4.00	EACH	\$226.00	\$904.00
670-5-140	TRAFFIC CONTROLLER ASSEMBLY, F&I, MODEL 2070	1.00	UNIT	\$41,688.00	\$41,688.00
684-1-1	MANAGED FIELD ETHERNET SWITCH F&I	1.00	EACH	\$2,515.00	\$2,515.00
684-1-11	WIRELESS COMMUNICATION DEVICE, F&I, CELLULAR ROUTER	1.00	EACH	\$5,036.00	\$5,036.00
700-5-22	INTERNALLY ILLUMINATED SIGN, F&I, OVERHEAD MOUNT, 12-18 SF	3.00	EACH	\$3,822.00	\$11,466.00
000-0000	CONDUCTORS, F & I, INSULATED, No. 4	400.00	LF	\$9.00	\$3,600.00
Total Price for above SIGNALIZATION AT CAROLINA STREET Items:					\$357,197.00

Total Bid Price: \$357,197.00

Notes:

- Our proposal is valid for 30 days following the date of bid submission. Exceptions may be granted upon written request.
- The above quotation is based on reasonable interpretation of the available Contract Documents, Plans, Specifications, Special Provisions, General Notes and Addenda where applicable.
- Local power company impact fees & permit fees are not included.
- Surveying and layout are not included.
- Preparation of shop drawings and submittals generally take 30-45 days following the issuance of a notice to proceed under usual circumstances. A reasonable material procurement is anticipated thereafter (12-18 weeks)
- Advanced notice of all project related events is essential if attendance is expected and/or required. Please provide at least 10 day advance notice of Preconstruction Meetings and Partnering Meetings.
- Unless otherwise agreed to or negotiated in advance of the contract execution, our quote is predicated on the Contract Time Stipulated in the Notice of Bid Solicitation, Advertisement, Contract Documents, Plans, Specifications, Special Provisions, Technical Special Provisions, General Notes and/or Addenda where applicable. Any acceleration or delay constituting a change in the anticipated duration of the original basis of our estimate shall be subject to negotiation.

- GTCI is not responsible for removal, damage, restoration, or replacement to driveways, culverts, or curbs.
- Acts of God and Unforeseen Conditions will not be the responsibility of Gerelco Traffic Controls, Inc. If Builders insurance is required, Gerelco Traffic Controls, Inc. can provide a proposal for coverage.
- If for some reason, Gerelco is on-site and their performance is impeded by others, idle or standby time will be assessed at an hourly rate of \$500 per hour, not to exceed 10 hours per day.
- Costs and Scheduling impacts to project resulting from utility conflicts, either underground or overhead will not be the responsibility of Gerelco Traffic Controls, Inc.
- All drill shafts must be accessible by 2-wheel drive equipment (Including but not limited to: concrete, boom/pressure digger, water trucks) with suitable, level work area
- All spoils from drill shaft installation and precast light pole/sign foundations to be stockpiled onsite for removal by others.
- Drill shaft to be done after Overhead lines are removed. Proposal does NOT include any cost associated with de-energizing electrical lines for installation of drill shaft foundations and mast arms

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Gerelco Traffic Controls, Inc.</p> <p>Authorized Signature: _____</p> <p>Estimator: Carlos Vera 772-201-0634 CVera@gerelco.com</p>
---	--