

RESOLUTION NO. _____

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 \$12,805,794.00 ~~\$13,425,883.67~~ TO \$13,397,393.09 AND EXTEND THE CONTRACT COMPLETION DATE; AND ENTER INTO 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/OR 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 \$12,805,794.00 ~~\$13,425,883.67~~ to \$13,397,393.09, an increase of ~~\$620,088.69~~ \$591,598.09, 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 help to 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 to 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 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 with the Consultant to provide design services for pedestrian crossings at the intersection 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, in order to add an additional scope of work to an existing construction contract, a change order must be issued; 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 percentage of the general conditions allocated to the change order constitutes 17.35% of the direct construction cost a reduced amount compared to the contractual percentage of 23.61% and this reduced percentage will be applied only to the proposed change order and not to any future change order; 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 share the cost equally for the signalized pedestrian crossing installation cost 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~~ \$591,598.09 and extend the contract time for an additional 240 days; and

WHEREAS, funding for this expenditure is available in the Beach CRA FY 2021 account number 163.639901.55200.563010.001457.000.000 – (Construction Improvements – FDOT/CRA Complete Streets A1A).

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 Construction, Inc. 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 Marina LLC , 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/or 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 _____ day of _____, 2024.

ATTEST:

HOLLYWOOD, FLORIDA
COMMUNITY REDEVELOPMENT
AGENCY

PHYLLIS LEWIS, BOARD SECRETARY

JOSH LEVY, CHAIRPERSON

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
GENERAL COUNSEL