

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH MAN-CON, INC. FOR CONSTRUCTION SERVICES RELATED TO THE SEWER EXTENSION PROJECT IN THE AREA BOUNDED BY NORTH 35TH AVENUE TO THE WEST, PARK ROAD TO THE EAST, ARTHUR STREET TO THE SOUTH, AND TAFT STREET TO THE NORTH, IN AN AMOUNT UP TO \$10,982,236.00; APPROVING AND AUTHORIZING APPROPRIATE CITY OFFICIALS TO EXECUTE AN AUTHORIZATION TO PROCEED FOR WORK ORDER NUMBER EAC 23-01 WITH EAC CONSULTING, INC. TO PROVIDE PROFESSIONAL ENGINEERING CERTIFICATION SERVICES FOR THE PROJECT IN AN AMOUNT UP TO \$350,000.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO APPROVE UTILIZATION OF THE CONTINGENCY FUNDS RESERVED FOR UNDEFINED CONDITIONS AS SET FORTH IN THE CONTRACT, IF NECESSARY AND JUSTIFIED, IN AN AMOUNT UP TO \$650,000.00.

WHEREAS, approximately 45% of the City's water customers are not connected to sewer service; and

WHEREAS, the City Commission desires to promote the sewer collection system extension to promote public health, and the Department of Public Utilities ("Department") is actively pursuing opportunities to extend the sewer collection system within the City; and

WHEREAS, Department staff has determined that it is feasible to extend the gravity sewer system to the area approximately bounded by Arthur Street and Taft Street between North 35th Avenue and North Park Road; and

WHEREAS, on February 2, 2022, the City Commission passed and adopted Resolution No. R-2022-033, which authorized appropriate City officials to execute an Authorization to Proceed for Work Order Number EAC 22-01 with EAC Consulting, Inc. ("EAC") to design the sewer extension; and

WHEREAS, EAC and Department staff completed the design, permitting, and bidding phase of the proposed project; and

WHEREAS, the Department desires to secure Construction Services for the sewer extension project; and

WHEREAS, Section 38.43 of the Procurement Code states that when the estimated annual cost of goods, supplies, materials, equipment, or services exceeds \$50,000, a formal solicitation process shall be completed that may result in a written contract(s) and/or purchase order(s), after due public notice inviting bids or proposals; and

WHEREAS, on March 27, 2023, Invitation for Bid Number IFB-067-23-JJ was electronically advertised on OpenGov.com to solicit the desired construction services in accordance with Section 38.43(A) of the Procurement Code; and

WHEREAS, on June 21, 2023, three bid proposals were received in response to Invitation for Bid Number IFB-067-23-JJ, and publicly opened with the following results:

NO.	BIDDER	BASE BID
1	Man-Con, Inc.	\$10,982,236.00
2	Roadway Construction, LLC	\$11,751,521.60
3	Southern Underground Industries, Inc.	\$12,200,416.13

; and

WHEREAS, Department and Office of Procurement and Contract Compliance staff thoroughly evaluated the bids for responsiveness and responsibility in accordance with section 38.43(F) of the City's Procurement Code, and determined Man-Con, Inc. to be the lowest responsive and responsible bidder; and

WHEREAS, on July 31, 2023, a Notice of Intent to Award was posted on the City's website and on OpenGov.com, and resulted in no bid protests; and

WHEREAS, on September 20, 2017, the City Commission passed and adopted Resolution No. R-2017-284, which authorized the execution of continuing professional consulting engineering services contracts with five firms for water, sewer, reuse, and stormwater infrastructure projects, one of the firms being EAC; and

WHEREAS, on August 15, 2023, the continuing services contract with EAC was renewed for the second two-year period for completion of projects designed by EAC; and

WHEREAS, the Department also requested a proposal from EAC to provide engineering certification services, including shop drawing review, permit clearance, and certification for the project; and

WHEREAS, EAC submitted a proposal to provide construction administration services in an amount up to \$350,000.00; and

WHEREAS, Department staff evaluated the scope and fee of the proposal, and determined that the negotiated fee is fair and reasonable and in accordance with industry standards; and

WHEREAS, the Director of Public Utilities and the Chief Procurement Officer recommend that the City Commission approve and authorize the appropriate City officials to execute the attached contract with Man-Con, Inc. in an amount up to \$10,982,236.00 for construction services related to the sewer extension project, and to execute the attached Authorization to Proceed for Work Order No. EAC 23-01 with EAC in an amount up to \$350,000.00 for engineering certification services for the project

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 Man-Con, Inc., 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 it approves and authorizes the execution, by the appropriate City officials, of the attached Authorization to Proceed for Work Order Number EAC 23-01 with EAC Consulting, Inc., 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 4: That it authorizes the City Manager or designee to approve the utilization of the contingency funds reserved for undefined conditions as set forth in the contract, if necessary and justified, in an amount up to \$650,000.00.

Section 5: 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 _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY