

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED JOINT PARTICIPATION AGREEMENT (“JPA”) BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) AND THE CITY OF HOLLYWOOD FOR THE INSTALLATION OF A CONTROL STRUCTURE AND FLAP GATE ON THE FDOT 84-INCH OUTFALL PIPE; AND APPROVING AND AUTHORIZING THE EXECUTION OF THE ATTACHED CONTRACT AMENDMENT TO THE NORTH LAKE TIDAL STRUCTURES CONTRACT BETWEEN SOUTHEASTERN ENGINEERING CONTRACTORS, INC. AND THE CITY FOR SAID INSTALLATION, IN THE AMOUNT OF \$176,434.00 (CITY PROJECT NO. 15-11035).

WHEREAS, the area lying north of Hollywood Boulevard, south of Johnson Street, and generally east of and including 13th Avenue routinely experiences tidal inflows into the lower lying streets during the biannual spring tides; and

WHEREAS, the City has multiple gravity storm water outfalls into North Lake which act as conduits for tidal inflows; and

WHEREAS, in an effort to prevent tidal inflows through the drainage system, the Department of Public Utilities staff determined that the best and most reasonable course of action is to install control structures with self-activating flap gates made of non-corrosive High Density Polyethylene (HDPE) material, and

WHEREAS, the Department of Public Utilities staff identified the need to install a control structure and flap gate onto the 84-inch outfall pipe owned by FDOT; and

WHEREAS, the Department of Public Utilities contacted FDOT regarding the necessity to install a control structure and flap gate onto the 84-inch outfall owned by FDOT, and FDOT understands the urgency to facilitate this installation with the City’s project in order to minimize construction disruption in the neighborhood; and

WHEREAS, in order to facilitate the FDOT installation work, FDOT has agreed to allow the City to perform such work through its contractor Southeastern Engineering Contractors, Inc. and FDOT requires that a Joint Participation Agreement be executed

with the City in order for the City to be reimbursed for such work in the amount of \$176,434.00; and

WHEREAS, Section 38.40(C)(7) of the Hollywood Code of Ordinances provides that purchases of, and contracts for, supplies or contractual services, when the Commission declares by a 5/7 vote that competitive bidding and competitive proposals are not in the best interest of the City, are exempt from the competitive bidding and competitive proposal requirements of the Purchasing Ordinance; and

WHEREAS, since the City has an existing contract with Southeastern Engineering Contractors, Inc. pursuant to Resolution No. R-2015-368 to provide construction services related to the North Lake Tidal Control Structures, and they are capable of providing the additional work required for the FDOT portion, it is in the best interest of both the City and FDOT to have the same contractor provide the work for the FDOT portion; and

WHEREAS, the Director of Public Utilities recommends that the City Commission authorize the appropriate City Officials to execute the attached Joint Participation Agreement (JPA) between FDOT and the City of Hollywood to facilitate the installation of a control structure and flap gate on the 84-inch outfall owned by FDOT, and further authorizing the execution of the attached contract amendment with Southeastern Engineering Contractors, Inc. to provide such work in an amount of \$176,434.00; and

WHEREAS, funding has been provided pursuant to Resolution No. R-2015-345 which continued the appropriation for previously approved Capital Projects from FY 2015 to FY 2016, and is available in account number 43.4000.12262.538.003121 to be transferred to 43.4000.12262.538.036301;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached Joint Participation Agreement between the Florida Department of Transportation and the City of Hollywood Florida, together with such non material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That it hereby approves and authorizes the execution, by the appropriate City Officials, of the attached contract amendment between Southeastern Engineering Contractors, Inc. and the City of Hollywood, Florida, together with such non material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

RESOLUTION AUTHORIZING THE EXECUTION OF THE ATTACHED JOINT PARTICIPATION AGREEMENT WITH FDOT FOR THE INSTALLATION OF A CONTROL STRUCTURE AND FLAP GATE ON THE FDOT 84-INCH OUTFALL PIPE; AND FURTHER AUTHORIZING THE EXECUTION OF THE ATTACHED CONTRACT AMENDMENT WITH SOUTHEASTERN ENGINEERING CONTRACTORS, INC. IN AN AMOUNT OF \$176, 434.00.

Section 3: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2016.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the City of
Hollywood, Florida only.

JEFFREY P. SHEFFEL, CITY ATTORNEY