

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH REYNOLDS CONSTRUCTION, LLC FOR THE PERMANENT EMERGENCY REPAIRS TO THE 60-INCH OCEAN OUTFALL PIPELINE INSIDE WEST LAKE VILLAGE COMMUNITY, ALONG WEST LAKE DRIVE AT SCARLET OAK STREET, AT SATINLEAF STREET, AND POTENTIALLY AT RIVER BIRCH STREET, TO BE COMPENSATED ON A TIME AND MATERIAL BASIS. (PROJECT NO. 18-8525B)

WHEREAS, on April 25, 2018, the City became aware of damages to the 60-inch ocean outfall pipeline inside West Lake Village community, along West Lake Drive at Scarlet Oak Street, at Satinleaf Street, and potentially at River Birch Street, caused by Mastec, Inc., a contractor working on behalf of AT&T; and

WHEREAS, the City reached out to AT&T and demanded that AT&T immediately repair the outfall pipeline damaged by its subcontractor, but AT&T refused to do so, informing the City that the City should arrange to have the pipeline repaired; and

WHEREAS, City staff contacted the City's emergency underground contractor, Madsen Barr, to evaluate the damages to the pipeline and to perform the necessary and permanent emergency repairs, but Madsen Barr indicated that they could not handle the repairs to the pipeline; and

WHEREAS, City staff contacted Lanzo Construction, Inc. and Reynolds Construction, LLC, locally recognized underground utility contractors with ample experience in the installation, repair and replacement of large pre-stressed cylindrical concrete pipe; and

WHEREAS, City staff determined that Reynolds Construction, LLC is most capable of repairing the damaged 60-inch ocean outfall pipe; and

WHEREAS, the Department of Public Utilities recommends that the City Commission authorize the appropriate City officials to execute an agreement with Reynolds Construction, LLC for the permanent emergency repairs to the 60-inch Ocean Outfall Pipe, inside West Lake Village community, along West Lake Drive at Scarlet Oak Street, at Satinleaf Street, and potentially at River Birch Street; Reynolds Construction, LLC will be compensated on a time and material basis; and

WHEREAS, Section 38.40(C)(1) of the City's Code of Ordinances specifically states that emergency repairs are exempt from the competitive bid requirements of the City's Purchasing Ordinance; and

WHEREAS, the City will seek to recovery any and all damages suffered from this incident from all responsible parties, and will establish a cost isolation number to track all related costs, both direct and indirect; and

WHEREAS, in the event the City is not able to recover its damages, funding to pay for the repairs would be available in contingency account No. 42.1200.00000.247.030000, to be transferred to an account to be established by the Department of Financial Services.

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 the attached agreement with Reynolds Construction, LLC, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

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

PASSED AND ADOPTED this _____ day of _____, 2018.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

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

DOUGLAS R. GONZALES, CITY ATTORNEY