

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH SUN-UP ENTERPRISES, INC. FOR CONSTRUCTION SERVICES RELATED TO THE EXTENSION OF A WATER MAIN ON STIRLING ROAD BETWEEN 56TH AVENUE AND SARAZEN DRIVE, IN THE AMOUNT UP TO \$629,060.00; APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AUTHORIZATION TO PROCEED FOR WORK ORDER NUMBER TTH 24-01 WITH TETRA TECH, INC. TO PROVIDE ENGINEERING SERVICES FOR THE PROJECT IN AN AMOUNT UP TO \$46,326.00.

WHEREAS, the Department of Public Utilities ("Department") needs to extend an existing 8-inch water main along Stirling Road between 56th Avenue and Sarazen Drive to provide complete water supply service within District 4, including service to Koosh Living, a new development located at 3851 Stirling Road; and

WHEREAS, Tetra Tech, Inc. ("TTH") and Department staff have completed the design, permitting, and bidding phase of the project; and

WHEREAS, the Department now desires to secure Construction Services for this 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 \$50,000.00, 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 July 18, 2023, Invitation to Bid Number IFB-106-23-JJ was electronically advertised on OpenGov to solicit the desired construction services in accordance with Section 38.43(A) of the Procurement Code; and

WHEREAS, Bid No IFB-106-23-JJ was electronically opened on August 16, 2023, with the following results:

| No. | BIDDER | BID |
|-----|--------------------------|--------------|
| 1 | Sun-Up Enterprises, Inc. | \$629,060.00 |
| 2 | Basile USA, LLC. | \$651,819.44 |

; and

WHEREAS, TTH, Department and Procurement staff thoroughly evaluated the bids received for responsiveness and responsibility in accordance with section 38.43(F) of the City's Procurement Code, and determined Sun-Up Enterprises, Inc. was the lowest responsive and responsible bidder; and

WHEREAS, on October 4, 2023, a Notice of Intent to Award was posted on the City's website and on OpenGov, and resulted in no bid protests; and

WHEREAS, on September 6, 2023, the City Commission passed and adopted Resolution No. R-2023-277, which authorized the execution of continuing professional consulting engineering services agreements with eight firms for water, sewer, reuse, and stormwater infrastructure projects, one of the firms being TTH; and

WHEREAS, the Department requested a proposal from TTH to provide engineering certification services during the construction of the project; and

WHEREAS, Department staff reviewed the proposal submitted by TTH, negotiated the project scope and fee, and determined that the fee of up to \$46,326.00 is fair and reasonable and in accordance with industry standards; and

WHEREAS, the Director of the Department and the Chief Procurement Officer recommend that the City Commission approve and authorize the appropriate City officials to execute a contract with Sun-Up Enterprises, Inc., in an amount up to \$629,060.00, for construction services related to the Water Main Extension – Stirling Road between 56th Avenue and Sarazen Drive project, and to execute an Authorization to Proceed for Work Order Number TTH 24-01 with TTH to provide engineering services during construction in an amount up to \$46,326.00; and

WHEREAS, staff is also recommending that the City Commission authorize the City Manager or designee to approve the utilization of the contingency funds reserved for undefined conditions, as set forth in the contract, in an amount of up to \$100,000.00; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan, and is available in account number 442.409904.53600.563010.001800.000.000; and

WHEREAS, the estimated time for construction completion is 120 calendar days from the Notice to Proceed date.

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 Sun-Up Enterprises, 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 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 of up to \$100,000.00.

Section 4: That it approves and authorizes the execution, by the appropriate City officials, of an Authorization to Proceed for Work Order TTH No. 24-01 with TTH, 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 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

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