

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONSTRUCTION MANAGEMENT AT RISK PHASE II CONSTRUCTION SERVICES AGREEMENT WITH THE WHITING-TURNER CONTRACTING COMPANY FOR THE NORTH BEACH UTILITIES UNDERGROUND CONVERSION, A GENERAL OBLIGATION BOND PROJECT, AND THE HOLLYWOOD BEACH UTILITIES IMPROVEMENTS – PHASE 1A PROJECT, A PUBLIC UTILITIES PROJECT, FOR A TOTAL GUARANTEED MAXIMUM PRICE OF \$17,466,699.33; AMENDING THE FISCAL YEAR 2024 OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN.

WHEREAS, on March 12, 2019, the City held a special election in which a majority of residents voted to fund a variety of Citywide public improvement projects through a General Obligation Bond (“GOB”), and the North Beach Utilities Underground Conversion Project was one of the approved projects; and

WHEREAS, the Citywide Water Main Replacement Program, as outlined in the 2007 Water System Master Plan, identified the need to install new water mains; and

WHEREAS, the Department of Public Utilities has also identified the need to increase the size of the existing sanitary sewer force main for a lift station in the North Beach area; and

WHEREAS, on March 3, 2021, pursuant to Resolution No. R-2021-060, the City Commission authorized the execution of an agreement with Tetra-Tech, Inc. to provide professional engineering services related to the design and construction administration services of the Hollywood Beach Utility Improvement-Phase 1A Project within the North Beach area; and

WHEREAS, on March 3, 2021, pursuant to Resolution No. R-2021-050, the City Commission authorized the execution of an agreement with Kimley Horn and Associates, Inc. to provide professional engineering services for the design of the North Beach Utilities Underground Conversion project, approved in the GOB, within the area from Ocean Drive (A1A) to Surf Road, between Balboa Street to Franklin Street and from Douglas Street to Freedom Street; and

WHEREAS, the Department of Public Utilities and Department of Design and Construction Management (“DCM”) have agreed to manage and construct these

projects under one contract to reduce cost and to minimize construction impacts to the residents and surrounding community; and

WHEREAS, on December 1, 2021, the City Commission passed and adopted Resolution No. R-2021-306, ranking Construction Management at Risk (“CMAR”) firms and authorizing appropriate City officials to execute a Phase 1 Pre-Construction Services Agreement with the highest-ranked firm to provide CMAR services for the North Beach Utilities Undergrounding Conversion and the Hollywood Beach Utility Improvements-Phase 1A Projects; and

WHEREAS, on April 19, 2022, a CMAR Phase I Pre-Construction Services Agreement was executed with The Whiting-Turner Contracting Company (“Whiting”) for the North Beach Utilities Underground Conversion and the Hollywood Beach Utility Improvements-Phase 1A Project, pursuant to Resolution No. R-2021-306, in an amount of \$93,400.00; and

WHEREAS, Whiting’s Phase I Pre-Construction services are completed and they have provided DCM with a Guaranteed Maximum Price proposal for CMAR Phase II Construction Services for the North Beach Utilities Underground Conversion project and the above-mentioned utility improvements, in an amount up to \$17,466,699.33, which staff has determined to be fair and reasonable and in accordance with industry standards; and

WHEREAS, the Director of DCM recommends that the City Commission approve and authorize the execution of the attached CMAR Phase II Construction Services Agreement for the North Beach Utilities Underground Conversion project and the above-mentioned utility improvements in an amount up to \$17,466,699.33; and

WHEREAS, on September 6, 2023, the City Commission passed and adopted Resolution No. R-2023-260, allocating additional funds for the North Beach Utilities Underground Conversion project; and

WHEREAS, the Fiscal Year 2024 (“FY 2024”) Operating Budget was adopted and approved by the City Commission pursuant to Resolution No. R-2023-300 at the second Public Budget Hearing on September 20, 2023; and

WHEREAS, the FY 2024 Capital Improvement Plan was adopted and approved by the City Commission pursuant to Resolution No. R-2023-301 at the second Public Budget Hearing on September 20, 2023; and

WHEREAS, it is necessary to amend the approved FY 2024 Operating Budget and Capital Improvement Plan as set forth in the attached Exhibit “1” to allocate funding for the Hollywood Beach Utility Improvements–Phase 1A project; and

WHEREAS, funding for the North Beach Utilities Underground Conversion project was included in the amended FY 2024 Capital Improvement Plan, and is available in account number 334.149901.54100.563010.001188.000.000.

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 authorizes the appropriate City officials to execute the attached CMAR Phase II Construction Services Agreement with Whiting, 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 these Amendments to the FY 2024 Operating Budget and FY 2024 Capital Improvement Plan for the Fiscal Year beginning October 1, 2023 and set forth in detail in the attached Exhibit "1" are adopted and authorized as Amendments and/or Adjustments to the Operating Budget and Capital Improvement Plan of the City of Hollywood, Florida, for the Fiscal Year 2024.

Section 4: That the Department of Financial Services is authorized to establish such line-item accounts as may be necessary to properly monitor and track appropriations.

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