

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AUTHORIZATION TO PROCEED #1 AND THE TRANSPORTATION SURTAX ADDENDUM FOR MUNICIPAL CONSULTANT CONTRACTS WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR DESIGN OF THE US441/SR7 IMPROVEMENT PROJECT (HOLL-036) FROM JOHNSON STREET TO PEMBROKE ROAD, A SURTAX PROJECT, IN AN AMOUNT UP TO \$96,000.00; AMENDING THE FISCAL YEAR 2024 OPERATING BUDGET AND CAPITAL IMPROVEMENT PLAN.

WHEREAS, in November 2018, Broward County voters approved a 30-year sales surtax (also known as “Penny for Transportation”) to fund statutorily permissible transportation expenditures; and

WHEREAS, the US441/SR7 Improvement Project (HOLL-036) (“Project”), from Johnson Street to Pembroke Road, has been determined to be statutorily eligible for funding and was subsequently approved for funding by the Broward County Board of County Commissioners; and

WHEREAS, on September 1, 2021, the City Commission adopted Resolution No. R-2021-208, ranking engineering firms, which included Kimley-Horn and Associates, Inc. (“Kimley-Horn”), under RFQ-4666-21-DCM, and approving the execution of Continuing Services Professional Services Agreements (“Consultant Agreements”); and

WHEREAS, RFQ-4666-21-DCM included provisions to allow usage for Broward County Surtax Funded Projects; and

WHEREAS, the Department of Design and Construction Management (“DCM”) negotiated the Project scope and fee in an amount up to \$96,000.00 with Kimley-Horn, and staff has determined that both the Project scope and fee are fair and reasonable and in accordance with industry standards; and

WHEREAS, the City is utilizing Kimley-Horn for various projects, and the amount being paid to the firm has exceeded \$100,000.00 for Fiscal Year 2024 and, therefore, City Commission approval is required for the payment of additional fees to the firm pursuant to Section 38.38 of the Procurement Code; and

WHEREAS, funding for this Project will be provided under the Interlocal Agreement between Broward County and the City for Surtax-Funded Municipal Transportation Project: US441/SR7 Improvement Project (HOLL-036); and

WHEREAS, the DCM Director recommends that the City Commission approve and authorize the appropriate City officials to execute Authorization to Proceed #1 and an Addendum to the Consultant Agreement with Kimley-Horn for the Project relating to design, permitting and construction services in an amount up to \$96,000.00; 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".

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 Authorization to Proceed #1 and an Addendum to the Consultant Agreement with Kimley-Horn, 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.

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Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY