

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND FIRST AMENDMENT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES FOR CONSTRUCTION PHASE ENGINEERING SERVICES WITH KIMLEY-HORN & ASSOCIATES, INC. FOR THE HOLLYWOOD BEACH HEIGHTS AND HOLLYWOOD COUNTRY ESTATES SIDEWALK PROJECT IN AN AMOUNT UP TO \$28,440.00.

WHEREAS, on November 1, 2017, the City Commission passed and adopted Resolution No. R-2017-323, authorizing appropriate City officials to submit the Complete Streets and other Localized Initiatives Program project ("CSLIP") funding application for the Hollywood Beach Heights and Hollywood Country Estates Sidewalk Project; and

WHEREAS, on January 22, 2019, the Broward Metropolitan Planning Organization approved funding for the CSLIP, known as the Hollywood Beach Heights and Hollywood Country Estates Sidewalk Project; and

WHEREAS, on April 20, 2022, the City Commission passed and adopted Resolution No. R-2022-104, approving the execution of a Local Area Program ("LAP") Agreement with the Florida Department of Transportation to reimburse the City for the design costs related to the Hollywood Beach Heights and Hollywood Country Estates Sidewalk Project, up to a maximum project cost amount of \$666,290.00; and

WHEREAS, on December 7, 2022, the City Commission passed and adopted Resolution No. R-2022-354, approving the execution of a Professional Services Agreement for Engineering Design Services with Kimley-Horn & Associates, Inc., in the amount of \$427,339.00 ("Original Agreement"), for the design costs related to the Hollywood Beach Heights and Hollywood Country Estates Sidewalk Project, with funding provided under the LAP Agreement; and

WHEREAS, the project design and permitting phase is complete, and the Department of Design and Construction Management ("DCM") negotiated a scope and fee with Kimley-Horn and Associates, Inc., in an amount up to \$28,440.00, for construction phase engineering services that staff determined to be fair and reasonable; and

WHEREAS, the Original Agreement terminated on March 29, 2024, and will need to be reinstated; and

WHEREAS, the Reinstatement and First Amendment to the Original Agreement will reinstate the Original Agreement, increase the contract price by an additional amount up to \$28,440.00 for the construction phase engineering services, extend the termination date by an additional 390 days from the issuance of the Notice to Proceed, and amend the scope of work to include the construction phase engineering services; and

WHEREAS, the Director of DCM recommends that the City Commission authorize the appropriate City officials to execute the Reinstatement and First Amendment; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan and is available in account number 117.179901.51900.563010.001463.000.000.

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 approves and authorizes the execution, by the appropriate City officials, of the Reinstatement and First Amendment to the Contract for Consulting/Professional Services with Kimley-Horn & Associates, 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 this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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JOSH LEVY, MAYOR

ATTEST:

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PATRICIA A. CERNY, MMC  
CITY CLERK

APPROVED AS TO FORM:

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DOUGLAS R. GONZALES  
CITY ATTORNEY