

RESOLUTION NO. R-2023-032

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AMENDED AND RESTATED CONTRACT TO THE AGREEMENT WITH CUMMINS CEDERBERG, INC. FOR ENGINEERING, SURVEYING, AND GENERAL CONSULTING SERVICES FOR PHASES 2 AND 3 OF THE TIDAL FLOODING AND SHORELINE PROTECTION PROJECTS, A GENERAL OBLIGATION BOND PROJECT, WITH 50 PERCENT PROJECT FUNDING BY A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IN THE AMOUNT OF \$1,833,910.00.

WHEREAS, on March 12, 2019, the City held a Special Election where a majority of voters approved funding, through a General Obligation Bond ("GOB"), for the Tidal Flooding Mitigation and Shoreline Protection Projects; and

WHEREAS, on April 22, 2020, the City Commission passed and adopted Resolution No. R-2020-072, ranking engineering firms and authorizing appropriate City officials to negotiate an agreement with Cummins Cederberg, Inc. ("Cummins"), the highest-ranked firm, to provide engineering, survey and general consulting services for the Tidal Flooding Mitigation and Shoreline Protection Projects; and

WHEREAS, the Request for Qualifications for Tidal Flooding Mitigation consultants was divided into 22 smaller project locations along the Hollywood Lakes/Intracoastal shorelines, classified by phases and listed as "Phase 1, 2, and 3" projects; and

WHEREAS, on October 21, 2020, the City Commission passed and adopted Resolution No. R-2020-275 authorizing appropriate City officials to execute an agreement with Cummins for engineering, survey, and general consulting services for the Phase 1 Tidal Protection Projects that included full design services for Phase 1 locations and conceptual design for Phases 2 and 3 project locations ("Original Agreement"); and

WHEREAS, the Department of Design and Construction Management ("DCM"), on behalf of the City, submitted a grant application to the State of Florida Department of Environmental Protection ("FDEP") for funding through its Resilient Florida Grant Program in the amount of \$14,112,000.00; and

WHEREAS, the City was awarded FDEP Resilient Florida Grant Program funding in the amount of \$14,112,000.00 to fund the design documents and the construction for the Tidal Flooding Mitigation and Shoreline Protection Phases 1, 2, and 3; and

WHEREAS, acceptance of the grant funds requires a contribution of \$13,888,000.00 in matching funds to be paid under the GOB project; and

WHEREAS, City staff negotiated a project scope and fee with Cummins in the amount of \$1,833,910.00 that includes engineering services for the design, permitting, bidding and construction phase of the Tidal Flooding Mitigation and Shoreline Protection Project for Phases 2 and 3; and

WHEREAS, DCM recommends that the City Commission authorize the appropriate City officials to execute the Amended and Restated Contract with Cummins Cederberg, Inc. in the amount of \$1,833,910.00 for Phases 2 and 3 of the Tidal Flooding Mitigation and Shoreline Protection Projects; and

WHEREAS, funding for this project was included in the amended FY 2023 Capital Improvement Plan, and is available in account number 333.149901.54100.563010.001187.000.000.

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 a contract amendment to the agreement with Cummins Cederberg, Inc., together with such non-material changes as may be subsequently agreed to by 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.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN AMENDED AND RESTATED CONTRACT TO THE AGREEMENT WITH CUMMINS CEDERBERG, INC. FOR ENGINEERING, SURVEYING, AND GENERAL CONSULTING SERVICES FOR PHASES 2 AND 3 OF THE TIDAL FLOODING AND SHORELINE PROTECTION PROJECTS, A GENERAL OBLIGATION BOND PROJECT, WITH 50 PERCENT PROJECT FUNDING BY A FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT IN THE AMOUNT OF \$1,833,910.00.

PASSED AND ADOPTED this 18 day of January, 2023.



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