

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT, IN THE ESTIMATED AMOUNT OF \$3,500.00, FOR THE VALVE BOXES ADJUSTMENT ON HOLLYWOOD BOULEVARD FROM PRESIDENTIAL CIRCLE TO N 31ST AVENUE; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING REQUIREMENTS.

WHEREAS, the State of Florida Department of Transportation ("FDOT") is currently in the production stage of a project along Hollywood Boulevard from Presidential Circle to N. 31st Avenue, consisting of road widening and drainage improvements; and

WHEREAS, FDOT requested that the City adjust seven valve boxes related to the water main on the Hollywood Boulevard eastbound lane since they are in FDOT right of way; and

WHEREAS, Section 38.40(C)(8), City Code, exempts from competitive bid and competitive proposal requirements of the Purchasing Ordinance purchases of, and contracts for, supplies or contractual services when the City Commission declares by a 5/7ths vote that competitive bidding and competitive proposals are not in the best interest of the City; and

WHEREAS, in order to take advantage of the FDOT project along Hollywood Boulevard from Presidential Circle to N. 31st Avenue, the Department of Public Utilities recommends that the City of Hollywood enter into an agreement with FDOT and implement the construction as one project, and in order to accomplish this, the City Commission declares that competitive bidding and competitive proposals for the utility work are not in the best interest of the City; and

WHEREAS, FDOT and the City of Hollywood staff have coordinated and negotiated the terms and conditions outlined in the attached Utility Work by Highway Contractor Agreement, which are mutually acceptable to both entities; and

WHEREAS, the overall cost of the Utility Work by Highway Contractor Agreement has been negotiated with FDOT as a lump sum amount of \$3,500.00; and

WHEREAS, although a purchase for the negotiated project amount does not normally require City Commission approval, the requirement that the City indemnify FDOT makes City Commission approval of the Agreement necessary prior to execution by the City; and

WHEREAS, funding has been provided via Resolution No. R-2017-295, which continued the appropriation for previously approved capital projects from FY 2017 to FY 2018; and

WHEREAS, funding is available in account number 42.4000.76671.536.006301; and

WHEREAS, the estimated construction time for this project is nine months after the Notice to Proceed is issued.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION 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 finds that it is in the best interest of the citizens and residents of the City to waive competitive bidding for this purchase.

Section 3: That it approves and authorizes the execution, by appropriate City officials, of the attached Utility Work by Highway Contractor Agreement, in the estimated amount of \$3,500.00 for the adjustment of seven water main valve boxes along Hollywood Boulevard from Presidential Circle to N. 31st Avenue, together with such nonmaterial changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

A RESOLUTION AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT, IN THE ESTIMATED AMOUNT OF \$3,500.00, FOR THE VALVE BOXES ADJUSTMENT ON HOLLYWOOD BOULEVARD FROM PRESIDENTIAL CIRCLE TO N 31ST AVENUE; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING REQUIREMENTS.

PASSED AND ADOPTED this _____ day of _____, 2018.

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