

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED RAILROAD REIMBURSEMENT AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION AND SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY FOR RECONSTRUCTION OF THE JOHNSON STREET RAILROAD GRADE CROSSING AND MAINTENANCE OF TRAFFIC CONTROL DEVICES IN THE AMOUNT OF \$359,786.57, PAYABLE ON A REIMBURSEMENT BASIS.

WHEREAS, the City of Hollywood and Florida Department of Transportation ("FDOT") have entered into several railroad crossing agreements for the Tri-Rail or South Florida Regional Transportation Authority ("SFRTA") corridor for the Johnson Street and Taft Street crossings; and

WHEREAS, FDOT and SFRTA entered into an operating agreement by which SFRTA has been managing, operating, maintaining and dispatching railroad operations on the South Florida Rail Corridor ("SFRC"), and also maintains and repairs the rights-of-way, layover facilities and yards, state-owned buildings and facilities, tracks, bridges, communications, signals and all appurtenances on the SFRC; and

WHEREAS, the Railroad Grade Crossing at Johnson Street is in need of reconstruction, and the City has requested of SFRTA to rehabilitate the crossing at the City's cost; and

WHEREAS, a proposal for the reconstruction was provided by SFRTA in the amount of \$359,786.57; and

WHEREAS, payment for the reconstruction will be on a reimbursement basis upon completion of all work, inspection and certification of all work and receipt of invoices as per attached Railroad Reimbursement Agreement, "Exhibit A"; and

WHEREAS, contracting with SFRTA for the required railroad grade crossing work requires a 5/7th vote of the City Commission pursuant to Section 38.40(C)(8) of the Purchasing Code, as competitive bidding and competitive proposals for the contractual services is not in the best interest of the City; and

WHEREAS, funding was allocated in the Fiscal Year 2018 Capital Improvement Plan pursuant to Resolution No. R-2017-289 for this crossing, and has been appropriated and exists in account number 34.1400.18330.541.004637.

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 agreement, "Exhibit A", with the Florida Department of Transportation and South Florida Regional Transportation Authority, together with such non-material changes as may be acceptable to 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.

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