

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT AND THE AT&T PAYMENT AGREEMENT; BOTH AGREEMENTS ARE IN THE ESTIMATED AMOUNT OF \$72,000.00 FOR THE WATER MAIN REPLACEMENT ON HOLLYWOOD BOULEVARD FROM PRESIDENTIAL CIRCLE TO N. 35TH AVENUE. (PROJECT NO. 18-5139)

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 North 35th Avenue, consisting of road widening and drainage improvements; and

WHEREAS, FDOT must either relocate the AT&T duct bank or the City's 8-inch water main to install the new drainage system in FDOT Right of Way between Presidential Circle and N. 35th Avenue; and

WHEREAS, FDOT, AT&T and the City have reached an understanding that the best and most cost efficient solution is to relocate the City's 8-inch water main; and

WHEREAS, the full understanding among FDOT, AT&T and the City will be embodied in two separate agreements - a Utility Work by Highway Contractor agreement between FDOT and the City, and a Payment Agreement between AT&T and the City; and

WHEREAS, it has been determined that the construction cost of the relocation of the City's 8-inch water main and the cost of the design, permit application, bid services, construction management, project inspection and certification for the relocation of the City's 8-inch water main will be approximately equal; and

WHEREAS, in an effort to split the total cost of the relocation of the City's 8-inch water main equally, AT&T shall pay the City the construction cost, and the City shall contribute the various services mentioned in the preceding paragraph; and

WHEREAS, FDOT will agree to include the relocation of the City's 8-inch water main in their project and the City will agree to pay FDOT for the cost of the relocation of the City's 8-inch water main; and

WHEREAS, Section 38.40(C)(8) of the Code of Ordinances exempts from the 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 five sevenths 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. 35th Avenue, the Department of Public Utilities recommends that the City 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, AT&T and City staff have coordinated and negotiated the terms and conditions outlined in the Utility Work by Highway Contractor Agreement and the Payment Agreement, which are mutually acceptable to all three entities; and

WHEREAS, funding for water main projects was included in the FY2018 Capital Improvements Program that was approved pursuant to Resolution Number R-2017-289; and

WHEREAS, funding is available in account number 42.4000.76663.536.366301; and

WHEREAS, the estimated construction time for this project is nine months per FDOT schedule.

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 approves and authorizes the execution, by the appropriate City officials, of the FDOT Utility Work by Highway Contractor Agreement and the AT&T Payment Agreement, in the estimated amount of \$72,000.00, for the relocation of 8-inch water main along Hollywood Boulevard from Presidential Circle to N. 35th Avenue, 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 TO EXECUTE THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT AND THE AT&T PAYMENT AGREEMENT; BOTH AGREEMENTS ARE IN THE ESTIMATED AMOUNT OF \$72,000.00 FOR THE WATER MAIN REPLACEMENT ON HOLLYWOOD BOULEVARD FROM PRESIDENTIAL CIRCLE TO N. 35TH AVENUE. (PROJECT NO. 18-5139)

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