

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA. APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER ONE TO THE EXISTING UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ADJUSTMENT OF ADDITIONAL UTILITY SEWER MANHOLES AND WATER VALVES ON PARK ROAD, FILLMORE STREET, POLK STREET AND VAN BUREN STREET IN A LUMP SUM AMOUNT OF \$3,472.00.

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. 35th Avenue, which includes mobility improvements on City streets including Park Road, Fillmore Street, Polk Street and Van Buren Street; and

WHEREAS, the City is responsible for the adjustment of utility sewer manholes and water valves on City streets; and

WHEREAS, on October 17, 2018, the City Commission passed and adopted Resolution No. R-2018-331, which authorized the execution of a Utility Work by Highway Contractor Agreement (Number 431770-5-52-03) with FDOT for adjustment of nine sewer manholes and 20 water valves on Park Road, Fillmore Street, Polk Street and Van Buren Street in the lump sum amount of \$18,760.00; and

WHEREAS, due to design changes, FDOT recently notified the City that five additional sewer manholes and 11 additional water valves require field adjustment; and

WHEREAS, these utility field adjustments are in the best interest of both the City and FDOT, and it would be practical, expeditious and economical for FDOT's contractor to perform such activities in conjunction with the FDOT's scheduled City mobility improvements project; and

WHEREAS, FDOT requires the understanding between the City and FDOT be formalized through the execution of the attached Amendment Number One to the Utility Work By Highway Contractor Agreement (Number 431770-5-52-03) for the project to address adjustment of additional five sewer manholes and 11 water valves; and

WHEREAS, pursuant to Section 38.40(C)(8) of the City's Code of Ordinances, the City Commission may, when in the best interests of the City, by a 5/7th affirmative vote,

waive competitive bidding and competitive proposal requirements for the purchase of, and contracts for, supplies or services; and

WHEREAS, funding has been provided pursuant to Resolution Number R-2018-311, which continued the appropriation for previously approved capital projects from FY2018 to FY2019; and

WHEREAS, funding is available in existing account number 442-409901-53600-563020-000734-000-000; and

WHEREAS, the estimated construction time for the 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 attached Amendment Number One to the Utility Work by Highway Contractor Agreement (Number 431770-5-52-03) with FDOT, 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.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
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