

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO PURCHASE ORDER NO. 50004393 WITH GAIA GC CONSTRUCTION, INC. FOR ADDITIONAL SITE WORK RELATED TO THE INSTALLATION OF THE MONTELLA PRECAST RESTROOM BUILDING IN THE AMOUNT OF \$24,430.00.

WHEREAS, the Parks, Recreation and Cultural Arts Department identified the need for a restroom facility at Montella Park; and

WHEREAS, the City Commission approved and authorized the issuance of a purchase order to CXT, Inc. to furnish and install a precast restroom building for Montella Park; and

WHEREAS, prior to CXT, Inc. proceeding with installation of the precast restroom building, site preparation work needed to be completed; and

WHEREAS, in accordance with the Purchasing Code, City staff obtained three quotes from firms for the site preparation work; and

WHEREAS, on March 19, 2019, the City issued Purchase Order No. 50004393 to GAIA GC Construction, Inc. to complete the required site work in the amount of \$48,720.00, which was approved by the City Manager in accordance with the City's Purchasing Ordinance; and

WHEREAS, Montella Park is owned by the Broward County School Board and an existing inter-local agreement requires notification and permit via Broward County School Board Permitting Division, unless a revised inter-local agreement is approved that allows the City to perform the permitting; and

WHEREAS, once the permit plans for the building were received from the building manufacturer, City staff submitted site work plans together with building plans for permitting to the Broward County School Board Permitting Division ("School Board Permitting Division") as they previously indicated they would perform the permitting function for this project; and

WHEREAS, after receiving comments from the School Board Permitting Division , City staff, in conjunction with CXT, Inc., revised and resubmitted the permit plans to the School Board Permitting Division for plan approval and the plans were approved on September 26, 2019; and

WHEREAS, the permit plan revisions included a revised building pad elevation 1' higher than the original design, relocation of two trees, new fencing, new storm water management area excavations, additional concrete sidewalks and associated clearing, grubbing, earthwork and sod; and

WHEREAS, City staff advised GAIA GC Construction, Inc. of the additional revisions to the initial site work permit plans required by the School Board Permitting Division to complete the project; GAIA has submitted a request for a change order to include the additional elements to the site preparation work in order to complete the site preparation work for the installation of the precast restroom building in the amount of \$24,430.00 bringing the total site preparation cost to \$73,150.00; and

WHEREAS, Section 38.47 of the Purchasing Code sets forth that a change order is necessary due to unanticipated conditions or developments, made to an executory contract, which are reasonably and conscientiously viewed as being in fulfillment of the original scope of the contract and/or matter directly related thereto; and

WHEREAS, as the approval of this change order would bring the total contract over \$50,000, the award of the change order requires City Commission approval; and

WHEREAS, funding has been provided pursuant to Resolution R-2019-XXX, which continued the appropriation for previously approved capital projects from FY 2019 to FY 2020.

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 into this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of the attached Change Order to Purchase Order No. 50004393 with GAIA GC Construction, 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.

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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