

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ISSUE A BLANKET PURCHASE AGREEMENT ("BPA") ALONG WITH AN ADDENDUM TO THE TERMS AND CONDITIONS OF THE BPA TO OMB, LLC. , FOR THE REMAINING DURATION OF THE 50/50 SHARED COST SIDEWALK PROGRAM AND IMPLEMENTATION IN THE AMOUNT OF \$199,375.95 BASED UPON SECTION 38.41(C)(9) OF THE PROCUREMENT CODE (BEST INTEREST).

WHEREAS, the Engineering, Transportation and Mobility Division implements the sidewalk improvement projects adopted under the City's Capital Improvement program to include the 50/50 Shared Cost Sidewalk Program, the ADA Sidewalk Ramp Program, the CDBG Sidewalk Program and the City Facilities Sidewalk Program; and

WHEREAS, on May 1, 2019, the City Commission passed and adopted Resolution No. R-2019-113, which authorized the award of a contract with OMB, LLC. to implement a unified sidewalk improvement project incorporating the above mentioned programs, under Project Bid Number EN-19-007, in the amount of \$524,545.00; and

WHEREAS, the contract with OMB, LLC expired on July 27, 2020 and a total of \$325,169.05 has been expended; and

WHEREAS, it is in the best interest of the City to have OMB, LLC to complete the remaining sidewalk projects within the budgeted amount in order to have continuity and to prevent any delays for the completion of the work; and

WHEREAS, pricing for this project has been deemed fair and reasonable, and OMB, LLC.'s work has been satisfactory to date; and

WHEREAS, Section 38.41(C)(9) of the Procurement Code provides for an exemption from competitive bidding and competitive proposals when the Commission declares by a 5/7ths affirmative vote that competitive bidding and competitive proposals are not in the best interest of the City; and

WHEREAS, in accordance with Section 38.41(C)(1), as competitive bidding is being waived, the open market procedure set forth in Section 38.44 was utilized and the pricing from OMB, LLC has been deemed to be reasonable; and

WHEREAS, funding is available in account numbers 334-149901-51900-563010-001181-000-000 and 334-149901-54100-563010-001172-000-000; and

WHEREAS, the Engineering, Transportation and Mobility Division staff and Chief Procurement Officer recommend that the City Commission approve the issuance of the attached Purchase Order and Addendum to OMB, LLC for the completion of the sidewalk construction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION 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 issuance by appropriate City officials, of the attached Blanket Purchase Agreement and Addendum to Purchase Order to OMB, LLC 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 adoption.

PASSED AND ADOPTED this _____ day of _____, 2020.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM & LEGAL
SUFFICIENCY for the use and reliance
of the City of Hollywood, Florida, only.

DOUGLAS R. GONZALES
CITY ATTORNEY