RESOLUTION NO. _____

A RESOLUTION OF THE UTILITY BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, APPROVING CONTRACT WITH WHARTON SMITH, INC. A FLORIDA CORPORATION, FOR COMPLETION OF WORK AT LIFT STATION 10 AND 50; AND AUTHORIZING THE UTILITY DISTRICT FINANCE DIRECTOR TO MAKE PAYMENT FROM ACCOUNT 413-1438-535-0-6301 AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the prior contractor for this Project, Close Construction, LLC was terminated by the DISTRICT before Work (as defined in contract) was completed. Close's Surety, Hartford Fire Insurance Company, through its engineer, Donald A. Eckler of Eckler Engineering, Inc., issued an invitation to bods for the completion of the Work (as defined herein) (Surety's Claim Number 564558348) (hereinafter the "IFB"); and

WHEREAS, the Contractor, Wharton Smith submitted a bid in response to the IFB; and

WHEREAS, the Contractor, Wharton Smith bid submittal for Lift Station 10 and 50 was $1,857,730 which included an allowance of $200,000 that can be used for permit fees and unknown equipment or materials, subject to the approval of the District, which is based on the price(s) in the Bid Form; and

WHEREAS, the District desires to accept Contractor's bid; and

WHEREAS, the District finds awarding IFB to the contractor as described herein serves a valid public purpose; and

WHEREAS, the award to Wharton Smith, Inc. will allow the completion of Lift Station 10 and 50.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, FLORIDA, AS FOLLOWS:

SECTION 1: The Utility Special District Board approves the contract with Wharton Smith, Inc. in the amount not to exceed $1,857,730 for the quoted construction service of Lift Station 10 and 50. .

SECTION 2: The Contractor shall complete all Work as specified or indicated in the Contract Documents.:

SECTION 2: The District Finance Director is authorized to make payment to the Contractor as approved by the project engineer, utility engineer and the Utility Engineer:

SECTION 4: This resolution shall take effect upon its passage and approval by the City Council.

PASSED AND ADOPTED this _____ day of _____, 2017.

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APPROVED:

TERENCE D. DAVIS
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK

KaSHAMBA MILLER-ANDERSON
CHAIR PRO-TEM

LYNNE L. HUBBARD
BOARD MEMBER

TONYA DAVIS JOHNSON
BOARD MEMBER

DAWN S. PARDO
BOARD MEMBER

MOTIONED BY: _____

SECONDED BY: _____

T. DAVIS _____

K. MILLER-ANDERSON _____

L. HUBBARD _____

T. DAVIS JOHNSON _____

D. PARDO _____

REVIEWED AS TO
LEGAL SUFFICIENCY

_____
ANDREW DEGRAFFENREIDT,
DISTRICT ATTORNEY

DATE: _____