

**RESOLUTION NO. 02-17 UD**

**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 bonds 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.

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**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 and the utility engineer.

**SECTION 4:** This resolution shall take effect upon its passage and approval by the District Board.


**PASSED AND ADOPTED this 25th day of January, 2017.**

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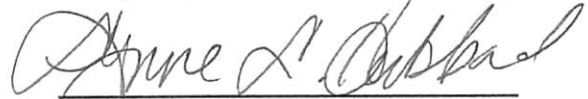
APPROVED:

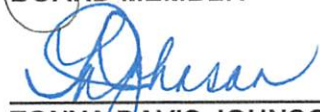
  
TERENCE D. DAVIS  
CHAIRPERSON

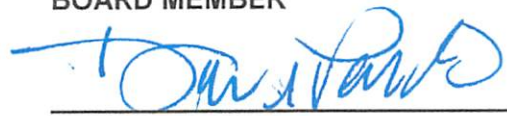
ATTEST:

  
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: D. PARDO

SECONDED BY: K. MILLER-ANDERSON

T. DAVIS AYE

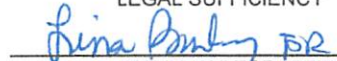
K. MILLER-ANDERSON AYE

L. HUBBARD AYE

T. DAVIS JOHNSON AYE

D. PARDO AYE

REVIEWED AS TO  
LEGAL SUFFICIENCY

  
ANDREW DEGRAFFENREIDT,  
DISTRICT ATTORNEY

DATE: 1/25/2017