

RESOLUTION NO. _____

A RESOLUTION OF THE UTILITY BOARD OF DIRECTORS OF THE CITY OF RIVIERA BEACH UTILITY SPECIAL DISTRICT, PALM BEACH COUNTY, FLORIDA, ACCEPTING STAFF'S RECOMMENDATION TO INCREASE THE ORIGINAL CONTRACT AMOUNT WITH WHARTON SMITH INC., PER RESOLUTION 02-17UD BY \$400,000, FOR THE 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").

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. Wharton Smith is now nearing completion of the project and it is clear that the initial allowance is insufficient. It is estimated that \$400,000 will cover the remaining costs to complete work; and

WHEREAS, this increase to the contract amount 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, AS FOLLOWS:

SECTION 1: The Utility Special District Board approves the contract increase with Wharton Smith, Inc. in the amount not to exceed \$400,000 for the completion of construction services for Lift Stations 10 and 50.

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

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SECTION 3: The District Finance Director is authorized to make payment to the Contractor as approved by the Project Engineer and the Executive Director and Utility Engineer.

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

PASSED AND APPROVED this _____ day of November, 2017.

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APPROVED:

KASHAMBA MILLER-ANDERSON
CHAIRPERSON

ATTEST:

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
DISTRICT CLERK

TONYA DAVIS JOHNSON
CHAIR PRO-TEM

LYNNE L. HUBBARD
BOARD MEMBER

DAWN S. PARDO
BOARD MEMBER

TERENCE D. DAVIS
BOARD MEMBER

MOTIONED BY: _____

SECONDED BY: _____

T. DAVIS _____

K. MILLER-ANDERSON _____

L. HUBBARD _____

TONYA DAVIS JOHNSON _____

D. PARDO _____

REVIEWED AS TO LEGAL SUFFICIENCY


ANDREW DEGRAFFENREIDT,
DISTRICT ATTORNEY

DATE: 10/31/17 _____