



## CITY COMMISSION ORDINANCE/RESOLUTION

**TITLE:** Resolution 24-49 (Utilities)

**DATE:** December 10, 2024

**DESCRIPTION:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE AGREEMENT BETWEEN THE CITY AND JVA ENGINEERING CONTRACTORS, INC., FOR THE DESIGN/BUILD SERVICES RELATED TO THE SW 49<sup>TH</sup> STREET CULVERT REPLACEMENT PROJECT, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING AND DIRECTING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

**CITY MANAGER RECOMMENDATION:**

The City Manager recommends approval of this Design/Build Agreement for Design, Permitting, and Construction services for replacing the 15-foot diameter steel drainage culvert under S.W. 49 Street at the C-11 Canal between Flamingo Road and S.W. 118 Avenue, together with all related and required restoration for the amount of \$2,300,000.00 plus an additional \$115,000.00 for contingency purposes in the event of unexpected changes in the delivery of the project.

This additional funding is to address unforeseen complications. It is 5% of the cost of construction, which is a reasonable cost for this scale and type of project. This Design-Build Agreement was prepared following the advertisement of a design/build criteria prepared by Corradino Group, Inc. (Corradino) on behalf of the City of Cooper City, which included a 30% design.

**BACKGROUND OF ITEM:**

This Project originally received \$125,000 from the Florida Department of Environmental Protection (FDEP), perhaps with the assumption that the culvert would be rehabilitated and not replaced. Later, we added \$960,000 from the American Rescue Plan Act (ARPA) Funds. As the Project progressed, it became apparent that additional funding would be required due to companion improvements associated with culvert replacement.

As a result, in February 2023, the City requested and received additional grant funding of \$450,000 from the Florida Legislature (through the Florida Department of Environmental Protection).

Therefore, the total funding for the project consists of:

**Revenues**

- FDEP FY 21-22 \$125,000
- American Rescue Plan Act \$960,000
- FDEP FY 23-24 \$450,000
- Additional ARPA Funding \$333,564
- Additional City Funding \$704,756 (\*)

Total Revenues \$2,573,320

(\*) Additional State Funds requested, if granted, will reduce the City’s contribution.

**Expenses**

- Cost of design work by Corradino \$158,320
- Cost of JVA design/build Contract \$2,415,000

Total Expenses \$2,573,320

**ANALYSIS:**

The C-11 South Canal is a major regional drainage canal that flows through many municipalities in Broward County and extends into Miami-Dade County. In Cooper City, it crosses SW 49<sup>th</sup> Street through a 15’x146’ steel culvert, which has deteriorated to the point that the SFWMD has determined that it must be replaced.

A report, dated August 6, 2020, prepared by the FDOT Consultant, Transystems Corporation Consultants, identified deficiencies in the culvert and asked the City to evaluate the report and take appropriate actions. Based on that report, the City retained the services of Calvin Giordano & Associates (CGA) who, through their sub-consultant, Lakdas & Yohalem Engineering (LYE), recommended full replacement of the culvert. Not satisfied with this recommendation, perhaps, the City sought a second opinion from Corradino. Corradino conducted additional assessments and submitted their findings to the South Florida Water Management District (SFWMD). The SFWMD responded that “the existing culvert should be replaced in-kind or preferably with better flow/discharge capacity.

Significant time has expired between planning this project, selecting a qualified design/build team, and progressing to build this project. The ARPA funding stipulations require that the project be encumbered by December 31, 2024, or we will forfeit the grant funding. The schedule for completion of this project includes 240 days from the issuance of a Notice to Proceed, and the design-build team has incorporated sufficient planning in their schedule to complete this project within this schedule.

**FISCAL IMPACT:**

The funds for this project are included below with a supplemental amount coming from the City's reserve account to make up the difference between the selected Contractor's cost and the available current funding in Fiscal Year 2025, with services completed before December 31, 2025.

<b><u>General Ledger Acct. Number</u></b>	<b><u>Budgeted Amount</u></b>	<b><u>Requested Amount</u></b>	<b><u>Remaining Amount</u></b>
300-317-563436-539-24016	\$575,000.00	\$575,000.00	\$0.00
110-16-563436-536-CULVE	\$1,293,564	\$1,293,564	\$0.00
Reserves	\$0	\$704,756	\$-704,756
<b>Total</b>	<b>\$1,868,564</b>	<b>\$2,573,320</b>	<b>\$-704,456</b>

**ATTACHMENTS:**

1. Resolution 24-49
2. Agreement between Cooper City & JVA Engineering Contractor, Inc.  
for Design/Build Services for the SW 49<sup>th</sup> Street Culvert Replacement