

RESOLUTION 2024 - 52

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, APPROVING CHANGE ORDER NO. 34 TO THE CONTRACT BETWEEN THE CITY OF PAHOKEE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CONTRACT G-1753, FM# 442030-01-54-1, FOR THE BARFIELD HIGHWAY RECONSTRUCTION PROJECT AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution 2019-14 adopted by the City Commission of the City of Pahokee, Florida ("CITY") on March 26, 2019, the City and the Florida Department of Transportation (FDOT) entered into a grant funding Agreement for Construction and Construction Inspection (CEI) Engineering Services pertaining to S. Barfield Road from East Main Street to East 7th Street; and

WHEREAS, pursuant to Resolution 2021-02, the City approved the grant award funding for the reconstruction of Barfield Highway in the amount of \$3,891,096.63 to Rosso Site Development, Inc. and authorized the Mayor to execute the necessary agreement; and

WHEREAS, a change order is necessary to compensate Rosso Site Development, Inc., for the asphalt price adjustment based on Section 12.03B of the Contract which states: "Contractor shall be entitled to an equitable adjustment in the Contract Price or the Contract Times or both."; and

WHEREAS, an asphalt price adjustment is due given the increase inflation costs since the inception of the FDOT Barfield Highway Reconstruction Project; and

WHEREAS, the City Commission of the City of Pahokee finds that a Change Order is necessary to compensate the contractor for the asphalt price adjustment in the amount of \$121,701.52; and

WHEREAS, the City Commission of the City of Pahokee finds that approving Change Order #34 is in the best interest of the City; and

WHEREAS, the City Commission of the City of Pahokee finds that compensating the contractor for the project consistent with the terms set forth

in "Exhibit A" is in the best interests of the City for completion of the reconstruction of Barfield Highway.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, AS IT FOLLOWS:

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby confirm as being true, and the same are hereby made a specific part of this resolution.

Section 2. Authorization and Approval. The City Commission of the City of Pahokee hereby authorizes and approves Change Order #34 for the asphalt price adjustment to Rosso Site Development, Inc. for the Barfield Highway Reconstruction Project FM# 442030-1-54-01 consistent with the terms set forth in Exhibit "A" hereto.

Section 3. Authorizing City Manager. The City Manager is hereby authorized to take all necessary and expedient action to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and ADOPTED this 8th day of November 2024.

Keith W. Babb, Jr., Mayor

ATTEST

Nylene Clarke, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

EXHIBIT "A"

CHANGE ORDER #34