

RESOLUTION 2022 - 45

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PAHOKEE FLORIDA, FOR APPROVAL OF CHANGE ORDER NO. 10 TO RESOLUTION #2021-02 PERTAINING TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), CONTRACT G-1753, FM# 442030-01-54-1, BARFIELD HIGHWAY RECONSTRUCTION PROJECT AS SET FORTH IN EXHIBIT "A"; 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 26th, 2019, the City and the Florida Department of Transportation (FDOT) enter 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 for providing Type 9 inlet top slabs for five (5) drainage structures on the west side of Barfield Highway.

WHEREAS, a change order from the previous change order #6 compensated the contractor for exploratory work done by the contractor for guidance to resolve the utility conflicts with the drainage.

WHEREAS, the contractor will be compensated to implement the solution to the previous conflict with the drainage, as this solution will provide different inlet tops than prescribed in the original contract plan; and

WHEREAS, the Engineer of Record (EOR) was directed to change the inlet tops at the following five structures: S-125, S-130, S-140, S-145, and S-147. The Contractor is directed to install type 9 tops in lieu of the P-5 or P-6 shown in the original contract plan; hence the smaller top slab would allow for the box structures to be moved away from the utility in accordance with the Entitlement Analysis from the Sr. Project CEI, Robert Audette; and

WHEREAS, Rosso Site Development is entitled to the cost difference of providing different tops as directed by the RFI response. The Contractor shall be entitled to 100% of the \$2,470.22 for the different inlet tops for the conflict resolution. No additional time will be granted for this change order per FDOT concurrence.

WHEREAS, the City Commission of the City of Pahokee finds that a Change Order is necessary to compensate the contractor for the difference in cost of the inlet tops as prescribed in the original contract plan for the west side of Barfield Highway for the Barfield Highway Reconstruction Project.

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 ratified and 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 #10 to perform and complete the concrete slope pavement not included in the original plan along the retaining wall of the Pelican Canal.

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 _____ day of October 2022.

ATTEST

Keith W. Babb, Jr., Mayor

Tijauna Warner, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved By: _____

Seconded By: _____

Vote:

Commissioner Boldin	_____(Yes)	_____(No)
Commissioner Gonzalez	_____(Yes)	_____(No)
Commission Perez	_____(Yes)	_____(No)
Vice Mayor Murvin	_____(Yes)	_____(No)
Mayor Babb	_____(Yes)	_____(No)

EXHIBIT “A”

CHANGE ORDER #10