

RESOLUTION 19-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, APPROVING THE AWARD OF A CONSTRUCTION CONTRACT TO PBS CONTRACTORS, LLC, FOR THE LIME SLUDGE PRESS BUILDING RESTORATION AT THE NORTH WATER TREATMENT PLANT (NWTP) IN THE AMOUNT OF \$248,900.00, PLUS A \$20,000.00 OWNER'S CONTINGENCY, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$268,900.00; WAIVING COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO SECTIONS 2-255(C)(2) AND (4) OF THE CITY CODE; AUTHORIZING THE CITY MANAGER TO APPROVE PURCHASE ORDERS AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hurricane Irma severely damaged the NWTP lime sludge press building; and

WHEREAS, the City subsequently demolished the building superstructure; and

WHEREAS, the building houses treatment plant equipment critical to the water treatment process which needs to be protected; and

WHEREAS, the building needs to be restored to protect the equipment and City employees; and

WHEREAS, reconstruction of the lime sludge press building was to be a part of Belfor's building reconstruction contract; and

WHEREAS, after months of being on Belfor's list to reconstruct, Belfor indicated that this type of work is not in their area of expertise and declined the restoration of the building; and

WHEREAS, in order to meet FEMA's deadline for hurricane damage restoration work of March 9, 2019, City staff had to scramble to have a structural engineer prepare construction plans, and find a contractor that could perform this restoration work; and

WHEREAS, the City sought and obtained three proposals from qualified building contractors for the restoration work; and

WHEREAS, time is of the essence to be eligible for FEMA hurricane restoration cost reimbursement; and

WHEREAS, Sections 2-255(c)(2) and (4) provide exemptions of competitive bidding requirements "in emergencies involving public health, public safety, or where necessary for repairs to city property in order to protect against further loss or damage

to city property or to prevent or minimize serious disruption in city services” and “for repair, maintenance, . . . of a single project not involving an increase in the size and type of an existing facility”; and

WHEREAS, City Council does hereby find that the approval of this Resolution is in the best interest of the City of Marco Island.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marco Island, Florida that:

- Section 1.** The above recitals are true and correct and incorporated herein.
- Section 2.** The City Council of the City of Marco Island authorizes the award of the construction contract to PBS Contractors, LLC in the amount of \$248,900.00 and an owner’s contingency in the amount of \$20,000.00, for a total contract amount not to exceed \$268,900.00.
- Section 3.** The City Council hereby waives competitive bidding requirements pursuant to Section 2-255(c)(2) and (4) of the City Code.
- Section 4.** The City Manager is hereby authorized to approve purchase orders for the contract and expend budgeted funds on behalf of the City.
- Section 5.** This Resolution shall take effect immediately upon its adoption.


Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 22nd day of January 2019.

ATTEST:


Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND, FLORIDA
By: 

Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:


Alan L. Gabriel, City Attorney