RESOLUTION 08-12104

A RESOLUTION APPROVING A TWELFTH AMENDMENT TO THE AGREEMENT WITH BONNESS, INC., FOR SIDEWALK IMPROVEMENTS ON PARK SHORE DRIVE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE TWELFTH AMENDMENT TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 21, 2005, City Council approved an Agreement by Resolution 05-11057 with Bonness, Inc., for the purpose of providing operation, maintenance, and improvements of streets, alleys, sidewalks and related infrastructure, in an annual amount not to exceed $1,590,000.00, with the City’s option to renew for two additional one-year periods with funding available in Accounts 390-6565-541-4613; 390-6565-541-3142; 390-6565-541-6030; and 001-1480-519-4605 only; and

WHEREAS, on April 19, 2006, City Council approved an Amendment to Agreement by Resolution 06-11194 with Bonness, Inc., to provide road, utility and infrastructure improvements to Solana Road, based on the unit pricing from the annual agreement, but utilizing funding from different budgeted CIPs 05Y06 and 06L02, in an amount of $1,868,205.49; amending the 2005-06 budget as approved by Ordinance 05-10962 and not reducing any annual funding from Accounts 390-6565-541-4613; 390-6565-541-3142; 390-6565-541-6030; and 001-1480-519-4605; and

WHEREAS, on May 3, 2006, City Council approved an Amendment to Agreement by Resolution 06-11212, with Bonness, Inc., to provide materials, labor and the equipment necessary to construct on-street parking improvements at various locations within the 5th Avenue South District, based on the unit pricing from the annual agreement, but utilizing funding from different budgeted CIP 06C04 in an amount not to exceed $124,676.46, and to approve a budget amendment to fund said parking improvements and not reducing any annual funding from Accounts 390-6565-541-4613; 390-6565-541-3142; 390-6565-541-6030; and 001-1480-519-4605; and

WHEREAS, on June 14, 2006, City Council approved an Amendment to Agreement by Resolution 06-11250, with Bonness, Inc., to provide materials, labor and the equipment necessary for the parking and Facility Yard Improvements on Riverside Circle, based on their annual contract and unit pricing with funding from CIP 06Y03 in the amount of $138,367.18, and not reducing any annual funding from Accounts 390-6565-541-4613; 390-6565-541-3142; 390-6565-541-6030; and 001-1480-519-4605; and

WHEREAS, on January 10, 2007, City Council approved an Amendment to Agreement by Resolution 07-11502, with Bonness, Inc., to provide materials, labor and the equipment necessary for improvements to Cove Lane, based on their annual contract and unit pricing, with funding from CIP 07U28 in the amount of $65,942.39; and

WHEREAS, on June 6, 2007, City Council approved an Amendment to Agreement by Resolution 07-11667, with Bonness, Inc., to provide materials, labor and the equipment necessary for the North Road Improvements, based on their annual contract and unit pricing, with funding from CIP 07U28, in the amount of $162,642.14; and

WHEREAS, on June 6, 2007, City Council approved an Amendment to Agreement by
Resolution 07-11663, with Bonness, Inc., to provide for the construction of bike lanes on Harbour Drive, with funding from CIP 07U28, in the amount of $306,469.82; and

WHEREAS, on June 13, 2007, City Council approved an Amendment to Agreement by Resolution 07-11700 for materials, labor and the equipment necessary for roadway improvements on US 41, from 7th Avenue North to Fleischmann Boulevard, based on their annual contract and unit pricing, with funding from CIP 06Y01, in the amount of $92,049.49; and

WHEREAS, on June 13, 2007, City Council approved an Amendment to Agreement by Resolution 07-11690 for materials, labor and the equipment necessary for roadway improvements on 10th Street North, from Central Avenue to 7th Avenue North, based on their annual contract and unit pricing, with funding from CIP 00C12, in the amount of $873,427.72; and

WHEREAS, on August 15, 2007, City Council approved an Amendment to Agreement by Resolution 07-11717 for the payment of invoices as a result of additional work associated with unforeseen utility conditions for the Solana Road Project, with funding from CIP 07L02, in the amount of $158,778.39; and

WHEREAS, that amendment exceeded the allowable annual contract amount by $67,309.95; and

WHEREAS, on September 19, 2007, City Council approved an Amendment to Agreement by Resolution 07-11775 for the sidewalk improvements on Gulfshore Boulevard from 5th Avenue South to 12th Avenue South, based on their annual contract and unit pricing with funding from CIP 07U29, in the amount of $184,227.98; and

WHEREAS, on June 18, 2008, City Council considered extending the contract completion date to December 31, 2008, for the roadway improvements on U.S. 41, between 7th Avenue North and Fleischmann Boulevard, due to some permitting delays through FDOT caused by a change in their permitting process and also a change in the scope of the work due to a reduction in the funding of the right-of-way lighting portion of the project; and

WHEREAS, Bonness, Inc., has provided a quotation for an estimated amount not to exceed $170,333.02 for Sidewalk Improvements on Park Shore Drive; and

WHEREAS, funding is available in C.I.P. project # 08U29;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That a Twelfth Amendment to the Agreement is hereby approved between the City of Naples and Bonness, Inc., for Sidewalk Improvements on Park Shore Drive in an amount not to exceed $170,333.02.

Section 2. That the City Manager is hereby authorized to execute the Twelfth Amendment to the Agreement, a copy of which is on file in the City Clerk's Office.

Section 3. This resolution shall take effect immediately upon adoption.
Resolution 08-12104


Bill Barnett, Mayor

Attest:

Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 7-22-08