

**Agenda Item 13.C
Meeting of 9/7/22****RESOLUTION 2022-14913**

A RESOLUTION AMENDING THE 2021-22 BUDGET ADOPTED BY RESOLUTION 2021-14713 TO PROVIDE SUFFICIENT FUNDING TO AWARD A CONTRACT BY PURCHASE ORDER TO KELLY BROTHERS, INC., IN THE AMOUNT OF \$2,099,995.31, WHICH INCLUDES A \$50,000 CITY CONTROLLED CONTINGENCY, FOR THE CONSTRUCTION OF THE GULF SHORE BOULEVARD NORTH OUTLOT "E" SEAWALL REPLACEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Naples adopted a budget in September 2021 by Resolution 2021-14713; and

WHEREAS, Section 5 of Resolution 2021-14713 states that "Budget adjustments that would increase total expenditures of a budgetary fund or would transfer money between funds require City Council approval via resolution.," and

WHEREAS, at the January 24, 2022, Naples City Council meeting, a Task Order was approved to Coastal Engineering Consultants, Inc. for design, permitting, bidding services and construction engineering inspection for Outlot "E".; and

WHEREAS, On July 29th, 2022, bids were received for ITB #22-040 Gulf Shore Boulevard North Outlot "E" Seawall Replacement; and

WHEREAS, Kelly Brothers, Inc. was determined to be the lowest responsive and responsible bidder in the amount of \$2,049,995.31; and

WHEREAS, Coastal Engineering Consultants, Inc. recommended that a contingency of \$50,000 be included in the approval of this project to cover any minor unforeseen issues during installation of the new seawall; and

WHEREAS, there was no appropriation for this expenditure in the approved budget; and

WHEREAS, Naples City Council has determined the funding for the purchase order shall be provided by the General Fund Balance;

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

Section 1. That the 2021-22 budget of the General Fund is amended by appropriating \$2,099,995.31 into 001-65-02-541-560300-SWAL which includes a \$50,000.00 City Controlled Contingency from the unappropriated fund balance of the General Fund.

Section 2. That the Contract by Purchase Order is awarded to Kelly Brothers, Inc. in the amount of \$2,099,995.31 which includes a \$50,000.00 City Controlled Contingency to construct the Project.

Section 3. This resolution shall become effective immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 7TH DAY OF SEPTEMBER 2022.

Attest:

Patricia L. Rambosk
ON THE

Patricia L. Rambosk, City Clerk

Teresa Lee Heitmann

Teresa Lee Heitmann, Mayor

Approved as to form and legality:

Nancy A. Stuparich

Nancy A. Stuparich, City Attorney

Date filed with City Clerk: 9-14-22