

RESOLUTION NO. R2025-XX

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AUTHORIZING A CHANGE ORDER WITH SOUTHERN UNDERGROUND INDUSTRIES, INC. INCREASING THE CONTRACT BY AN AMOUNT NOT TO EXCEED \$187,944; AUTHORIZING THE INTERIM CITY MANAGER OR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION; SUBJECT TO THE BUDGET APPROPRIATION AND AVAILABILITY OF FUNDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SCRIVENER ERRORS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, *Florida Statutes* and Section 1.4 of the Charter of the City of North Miami Beach (“City”), the City shall have all available governmental, corporate, and proprietary powers and may exercise them except when prohibited by law; and

WHEREAS, the City of North Miami Beach (“City”) issued and awarded Invitation to Bid No. ITB-24-016-SG (“ITB”) for *Bunche Park Water Main Replacement Project*” to Southern Underground Industries, Inc. (“SUI”) via Resolution R2020-73, in an amount not to exceed \$3,191,524.00.

WHEREAS, SUI was unable to begin construction due to permitting delays resulting from revisions introduced by the City of Miami Gardens for Right-of-Way permit process. As a result of the updated permitting standards, an additional \$187,944 is required to cover additional testing, restoration and inspections. Additionally, as a result of this delay, an extension of 117 days is needed to complete project; and

WHEREAS, Section 3-3.20 of the Code of Ordinances City of North Miami Beach, Florida, (“Code”) requires that change orders exceeding 10% or \$50,000.00, whichever is less, shall be approved by the City Commission; and

WHEREAS, the Interim City Manager and Chief Procurement Officer recommend that the City Commission approve and authorize the Interim City Manager or designee to increase the previously approved expenditure by \$187,944, thereby increasing the total expenditure for the Bunche Park Water Main Construction project in an amount not to exceed \$3,379,468; and

WHEREAS, the Mayor and City Commission believe it is in the best interests of the City to authorize an increase to the previously approved Agreement with Southern Underground Industries, Inc. for the Bunche Park Water Main Construction project by \$187,944, thereby increasing the total amount not to exceed to \$3,379,468.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Commission of the City of North Miami Beach, Florida, that:

Section 1. The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Resolution; all exhibits attached hereto are made a specific part of this Resolution.

Section 2. The Change Order, in substantially the form attached as Exhibit “A,” to the previously approved Agreement with Southern Underground Industries, Inc. to increase expenditure by \$187,944, thereby increasing the total expenditure to an amount not to exceed \$3,379,468 and to extend the Agreement for an additional 117 days, for the Bunche Park Water Main Replacement Project, subject to budget appropriation and availability of funds is hereby approved.

Section 3. The Interim City Manager or designee is authorized to do all things necessary to effectuate this Resolution.

Section 4. All Resolutions or parts of Resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. Any scrivener or typographical errors that do not affect intent may be corrected with notice to, and the authorization of the City Attorney and Interim City Manager without further process.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 7. This Resolution shall take effect immediately upon adoption.

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APPROVED AND ADOPTED by the City of North Miami Beach City Commission at the regular meeting assembled this **17th day of June 2025**.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE CITY OF NORTH MIAMI BEACH ONLY:

GREENSPOON MARDER, LLP.

By: _____
CITY ATTORNEYS

Sponsored by: Mayor & Commission

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