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VILLAGE OF ESTERO, FLORIDA

RESOLUTION NO. 2017 - 23

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, AUTHORIZING THE
WAIVING OF COMPETITIVE BIDDING PROCEDURES
AND AUTHORIZING THE VILLAGE MANAGER TO
EXECUTE A CONTRACT FOR EMERGENCY
REPLACEMENT OF THE CULVERT, ABUTMENTS, AND
RELATED DITCHING FOR THE STORMWATER
CONVEYANCE SYSTEM UNDER BROADWAY AVENUE
WEST, NEAR US-41, WITH A CONTRACTOR CHOSEN BY
VILLAGE STAFF; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the Village requires emergency replacement of the culvert, abutments, and related ditching for the stormwater conveyance system under Broadway Avenue West; and

WHEREAS, failure to take action on this project, in the near term, would present a significant safety and transportation concern to Village residents; and

WHEREAS, the Village solicited bids for this project, through a formal bidding process, and did not receive any bids; and

WHEREAS, a new bidding process, formulated in the same manner as the previous process, would likely result in no bids, either; and

WHEREAS, staff is recommending a waiver of the competitive bidding procedures as provided in Ordinance No. 2015-06, Section 5, and requests authorization of the Village Manager to execute a contract with a contractor chosen by Village Staff as provided in Ordinance No. 2015-06, Section 2(C).

NOW, THEREFORE, be it resolved by the Village Council of the Village of Estero, Florida:

Section 1. The competitive bid process is waived and the Village Manager is hereby authorized to execute the included contract, or said contract with minor changes made by the Village Manager, with a contractor chosen by Village Staff.

Section 2. The fiscal impact of the contract has a not-to-exceed limit of \$90,000, which represents a one-time payment for the current fiscal year. This will be funded from the current 2016-2017 budget.

Section 3. This Resolution shall take effect immediately upon adoption.

46 **ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero, Florida this 2nd
47 day of August, 2017.

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49 Attest:

VILLAGE OF ESTERO, FLORIDA

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52 By: Kathy Hall
53 Kathy Hall, MMC, Village Clerk
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By: James R. Boesch, Mayor
James R. Boesch, Mayor

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56 Reviewed for legal sufficiency:

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59 By: Burt Saunders
60 Burt Saunders, Esq., Village Attorney