

**RESOLUTION NO. 4344-23**

**A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA, AWARDED BID NO. ITB 23-48 TO BARRACUDA BUILDING CORPORATION IN THE AMOUNT OF \$158,750; APPROVING A CONSTRUCTION AGREEMENT WITH BARRACUDA BUILDING CORPORATION; AUTHORIZING THE MAYOR TO EXECUTE SAID CONSTRUCTION AGREEMENT; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR IMPLEMENTING ACTIONS, SCHRIVENER'S ERRORS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS**, Sugarberry Pond is a stormwater pond within the Alafaya Woods Subdivision in Oviedo; and

**WHEREAS**, the outfall structure for the pond was damaged during Hurricane Ian and needs to be replaced; and

**WHEREAS**, Staff advertised Invitation to Bid (ITB) #23-48 the repair work on Vendorlink on May 26, 2023; and

**WHEREAS**, four (4) sealed bids were received and opened on June 15, 2023; and

**WHEREAS**, Barracuda Building Corporation's bid in the amount of \$158,750.00 is the lowest responsive bid received for ITB #23-48; and

**WHEREAS**, Staff recommends awarding ITB #23-48 to Barracuda Building Corporation; and,

**WHEREAS**, Staff recommends including an additional ten percent (10%) contingency in the amount of \$15,875.00 in the project budget; and

**WHEREAS**, a budget amendment is necessary to fund the total project cost of \$174,625 using Reserve for Contingency/Hurricane Ian in the Stormwater Fund; and

**WHEREAS**, the City will be requesting reimbursement from the Federal Emergency Management Agency.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OVIEDO, FLORIDA, AS FOLLOWS:**

**SECTION 1.** Approval of Bid Award. The City Council hereby awards ITB #23-48 to Barracuda Building Corporation in the amount of \$158,750.per the Bid Form provided in Exhibit 1.

**SECTION 2.** Approval of Construction Agreement. The City Council approves the Construction Agreement with Barracuda Building Corporation provided in Exhibit 2.

**SECTION 3.** Authorization to Execute Agreement. The City Council hereby authorizes the Mayor to execute the Construction Agreement with Barracuda Building Corporation provided in Exhibit 2.

**SECTION 4.** Approves of a Budget Amendment. The City Council approves the Budget Amendment provided in Exhibit 3.

**SECTION 5.** Implementing Administrative Actions. The City Manager is hereby authorized and directed to take such actions as may be deemed necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

**SECTION 6.** Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

**SECTION 7.** Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 8.** Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Resolution.

**SECTION 9.** Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED this 17<sup>th</sup> day of July, 2023.**

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**MEGAN SLADEK**  
**MAYOR of the City of Oviedo, Florida**

**ATTEST:**

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**ELIANNE RIVERA**  
**CITY CLERK**