

## **RESOLUTION NO. 4350-23**

**A RESOLUTION OF THE CITY OF OVIEDO, FLORIDA, APPROVING A CHANGE ORDER WITH AFFORDABLE DEVELOPMENT IN THE AMOUNT OF \$66,523.78; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CHANGE ORDER; APPROVING A BUDGET AMENDMENT; AND PROVIDING FOR IMPLEMENTING ACTIONS, SCHRIVENER'S ERRORS, CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS**, on May 17, 2023 the City Manager approved Work Order No. WO-23-115 in the amount of \$41,878.43 for the construction of drainage improvements in Boston Hill Park; and

**WHEREAS**, at the beginning of construction, it was determined that a septic tank and drain field existed in the rear of the existing residential structures within the Sandalwood Subdivision that will be in conflict with the proposed swale within the existing City of Oviedo Drainage Easement located to the rear of said structures; and

**WHEREAS**, in order to avoid the conflict, a revision to the drainage design consisting of replacing the proposed swale with a proposed pipe and inlets, and locating the pipe outside of the septic tank and drainage field area; and

**WHEREAS**, Affordable Development submitted a request for change order in the amount of \$66,523.78, to construct the revised drainage system; and,

**WHEREAS**, a budget amendment is provided in Exhibit 2 since funding for the change order is not included in the FY 2022/23 Amended Budget.

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

**SECTION 1.** Approval of Change Order. The City Council approves the Change Order in the amount of \$69,523.78 to Affordable Development provided in Exhibit 1.

**SECTION 2.** Authorizing the Change Order. The City Council authorizes the City Manager to execute said Change Order provided in Exhibit 1.

**SECTION 3.** Approval of a Budget Amendment. The City Council approves the Budget Amendment provided in Exhibit 2.

**SECTION 4.** 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 5.** 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 6.** Conflicts. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 7.** 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 8.** 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**