

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AMENDMENT NO. 2 TO THE AQUATIC COMPLEX DEVELOPER'S AGREEMENT WITH RECREATIONAL DESIGN AND CONSTRUCTION, INC. (RDC) AND AMENDING THE COMMUNITY INVESTMENT PLAN AND THE FINAL OPERATING BUDGET OF THE CITY OF FORT LAUDERDALE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014, AND ENDING SEPTEMBER 30, 2015, BY TRANSFERRING AND APPROPRIATING FUNDS AS SET FORTH IN CITY COMMISSION AGENDA MEMO #15-0725 AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 18, 2012 the City Commission approved a Developer's Agreement with RDC for design and construction of the renovation of the Aquatic Complex with a guaranteed maximum price (GMP) in the amount of \$32,437,434 (\$24,864,950 for the aquatic facility and \$7,572,484 for the parking garage); and

WHEREAS, on April 7, 2015 the City Commission authorized a \$2,100,000 increase to the GMP due to escalation in labor and material; and

WHEREAS, Amendment No. 2 will revise the agreement by increasing the GMP by \$2,100,000 to a new amount of \$34,537,434 (\$25,564,950 for the aquatic facility and \$8,972,484 for the parking garage); and

WHEREAS, Amendment No. 2 will reduce the Developer's Fee percentage proportionate to the construction cost which mathematically keeps the Developer's Fee dollar amount unchanged; and

WHEREAS, pursuant to Resolution No. 14-154, adopted on September 10, 2014, the City Commission of the City of Fort Lauderdale adopted the Final Operating Budget and Personnel Complement of the City of Fort Lauderdale, Florida for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Amendment No. 2 to Aquatic Complex Developer's Agreement with Recreational Design and Construction, Inc. is hereby approved and the proper City Officials are hereby authorized to execute such amendment.

SECTION 2. That the Community Investment Plan and Final Operating Budget of the City of Fort Lauderdale for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015, is hereby amended by transferring and appropriating funds as set forth in Commission Agenda Memo #15-0725, copy of which is attached hereto and incorporated herein.

SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the ____ day of _____, 2015.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH