



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

CM-6

#24-0738

JM #240520

**TO:** Honorable Mayor & Members of the  
Fort Lauderdale City Commission

**FROM:** Susan Grant, Acting City Manager

**DATE:** September 3, 2024

**TITLE:** Motion Approving a Retroactive Agreement for the State Road A1A  
Streetscape Improvement Project – Weekley Paving and Asphalt, Inc. –  
(Commission District 2)

**Recommendation**

Staff recommends the City Commission approve a Retroactive Agreement with Weekley Paving and Asphalt, Inc. for the State Road A1A Streetscape Improvements Project, to December 31, 2023.

**Background**

On December 6, 2022, the City Commission awarded a construction contract to Weekley Asphalt Paving, Inc. in the amount of \$10,945,573 for construction of landscape, hardscape, site furnishing, and pedestrian lighting improvements on State Road (SR) A1A between the South Beach Parking Lot Entrance (near SE 5<sup>th</sup> Street) and Sunrise Boulevard (CAM #22-1094). The purpose of the project is to enhance pedestrian lighting and safety and to create a signature hardscape pattern at the intersection of Las Olas Boulevard and SR A1A.

A Notice to Proceed (NTP) was issued on April 7, 2023, designating December 31, 2023, as the final completion date. On December 31, 2023, all construction was complete except for installation of the bollards along the west side of SR A1A between Las Olas Boulevard and Poinsettia Street.

During construction several obstacles were incurred which delayed completion. The tree replacement and bollard installation required daily lane closures on SR A1A which required the City to request a three (3) week work stoppage just prior to the Fort Lauderdale International Boat Show (FLIBS) setup in October 2023 to allow access for the numerous heavy trucks operating between the Galleria Parking Garage on Sunrise Boulevard and the Bahia Mar Hotel staging site. Subsequent delays were incurred due to two (2) extreme weather events in November 2023 which resulted in several weeks of work stoppage to perform extensive sand cleanups. As a result, the City Manager agreed to a request from the business owners along the west side of SR A1A between Las Olas Boulevard and Poinsettia Street to delay installation of the bollards on the west side of

SR A1A until September 2024 and all work would be completed prior to the 2024 FLIBS preparation. The 320-day extension, ending on November 15, 2024, is requested to allow for this agreed upon delay.

### **Resource Impact**

There is no fiscal impact to the City for this new Agreement.

### **Strategic Connections**

This item is a FY 2024 Commission Priority, advancing the Infrastructure and Resilience initiative.

This item supports the *Press Play Fort Lauderdale 2029* Strategic Plan, specifically advancing:

- The Infrastructure Focus Area, Goal 3: Be a sustainable and resilient community

This item advances the *Fast Forward Fort Lauderdale 2035* Vision Plan: We Are Ready

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Infrastructure Focus Area
- The Sanitary Sewer, Water & Stormwater Element
- Goal 6: Ensure that all areas of the City are reasonably protected from flooding, giving due consideration to the City's natural and built environment.

### **Attachment**

Exhibit 1 – Agreement

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Prepared by: Gary Foster, Senior Project Manager, Public Works

Department Director: Alan Dodd, P.E. Public Works

**CITY OF FORT LAUDERDALE  
CONSTRUCTION AGREEMENT**

THIS Agreement made and entered into this 4<sup>th</sup> day of September, 2024, by and between the City of Fort Lauderdale, a Florida municipal corporation ("City") and Weekley Asphalt Paving Inc., a Florida corporation ("Contractor") ("Party" or collectively "Parties")

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida at its meeting of December 6, 2022, authorized the proper officials by motion to execute an Agreement between Contractor and City authorizing the performance of services in connection with the State Road A1A Streetscape Improvement Project amount not to exceed \$10,945,573 (ITB 12662-223 Project 11681) ("Original Agreement"); and

WHEREAS, due to delay impacts related to the Fort Lauderdale International Boat Show (FLIBS) and extreme weather events, the Project could not be completed by the original completion date and it was mutually agreed to delay completion of the remaining work; and

WHEREAS, the Agreement expired on December 31, 2023; and

WHEREAS, the City and Contractor are desirous of completing the Project.

NOW, THEREFORE, the Parties hereto, in consideration of the mutual covenants, agreements, terms, and conditions contained herein, do agree to the following:

1.1 The recitations set forth above are true and correct and are incorporated herein. Initial capitalized terms or other such terms used herein shall have the same meaning given such terms in the Original Agreement, unless otherwise defined herein or unless the context otherwise indicates.

1.2 The Original Agreement and all terms and conditions of the Original Agreement except as modified herein, are incorporated into and made part of this Agreement and are attached hereto as Exhibit A.

1.3 This Agreement will be retroactive to December 31, 2023.

1.4 The Contract Time as defined in the Original Agreement shall be understood to also include the period of time from the termination of the Original Agreement to the time of execution of this Agreement.

1.5 Section 5.3 of the Original Agreement is hereby deleted and replaced with: "The Work shall be Substantially Completed within 448 calendar days after the date of the Notice to Proceed is issued, which is October 15, 2024."

1.6 Section 5.4 of the Original Agreement is hereby deleted and replaced with: "The Work shall be finally completed on the Final Completion Date within 479 Calendar Days

after the date when the Contract Time commences to run as provided in the Notice to Proceed. The date of Final Completion is November 15, 2024."

1.7 The City's Project Manager is Gary Foster, whose address is 101 NE 3rd Avenue, Suite 2100, Fort Lauderdale, FL 33301, telephone number 954-828-6233 and email address is [gfoster@fortlauderdale.gov](mailto:gfoster@fortlauderdale.gov).

[ REMAINING SPACE INTENTIONALLY LEFT BLANK]



IN WITNESS OF THE FOREGOING, the Parties have set their hands and seals the day and year first written above.

CITY

CITY OF FORT LAUDERDALE, a Florida  
municipal

By:   
SUSAN GRANT  
Acting City Manager

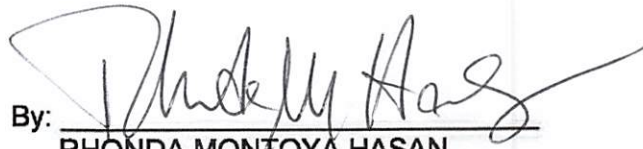
Date: 9/4/24

ATTEST:

By:   
DAVID R. SOLOMAN  
City Clerk



Approved as to Legal Form and Correctness:  
THOMAS J. ANSBRO, City Attorney

By:   
RHONDA MONTOYA HASAN  
Senior Assistant City Attorney

WITNESSES:

Tracie Romero

Tracie Romero

Print  
Name

[Signature]

Eduardo Espinoza  
Print Name

**CONTRACTOR**

WEEKLEY ASPHALT PAVING INC.,  
a Florida corporation

By: [Signature]  
DAN WEEKLEY  
President

ATTEST:

By: [Signature]  
Secretary Wayne Weekley

(CORPORATE SEAL)

STATE OF Florida:

COUNTY OF Broward County:

The foregoing instrument was acknowledged before me by means of ☒ physical presence  
or ☐ online notarization, this 3rd day of September, 2024, by Dan  
Weekley, President of Weekley Asphalt Paving Inc., a Florida corporation.



KELLY M. REED  
Commission # HH 413588  
Expires July 26, 2027

Kelly M. Reed  
(Signature of Notary Public - State of Florida)

Kelly M. Reed  
(Print, Type, or Stamp Commissioned Name  
of Notary Public)

Personally Known ☒ OR Produced Identification ☐  
Type of Identification Produced: \_\_\_\_\_



COMMISSION AGENDA ITEM  
DOCUMENT ROUTING FORM

3C

Today's Date: 9/4/24

DOCUMENT TITLE: Construction Agreement between COFL and Weekley Asphalt Paving Inc. for SR AIA Streetscape Improvement Project

COMM. MTG. DATE: 9/3/24 CAM #: 24-0738 ITEM #: CM-6 CAM attached: ☒ YES ☐ NO

Routing Origin: \_\_\_\_\_ Router Name/Ext: Glynis B/x5091 Action Summary attached: ☐ YES ☒ NO

CIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include: land, real estate, realty, or real.

1) Dept: \_\_\_\_\_ Router Name/Ext: \_\_\_\_\_ # of originals routed: \_\_\_\_\_ Date to CAO: \_\_\_\_\_

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: \_\_\_\_\_

Is attached Granicus document Final? ☒ YES ☐ NO Approved as to Form: ☒ YES ☐ NO

Date to CCO: 9/4/24 Rhonda Montoya Hasan \_\_\_\_\_  
Attorney's Name Initials

3) City Clerk's Office: # of originals: 3 Routed to: Donna V./Amber C./CMO Date: 09/04/24

4) City Manager's Office: CMO LOG #: \_\_\_\_\_ Document received from: \_\_\_\_\_

Assigned to: SUSAN GRANT ☐ (Acting City Manager) ANTHONY FAJARDO ☐ (Assistant City Manager)  
LAURA REECE ☐ (Acting Assistant City Manager) BEN ROGERS ☐ (Acting Assistant City Manager)  
CHRIS COOPER ☐ (Acting Assistant City Manager)

SUSAN GRANT as Acting CRA Executive Director ☐

☐ APPROVED FOR S. GRANT'S SIGNATURE

☐ N/A FOR S. GRANT TO SIGN

PER ACM: Anthony Fajardo \_\_\_\_\_ (Initial/Date)

PER AACM: Laura Reece \_\_\_\_\_ (Initial/Date)

Ben Rogers \_\_\_\_\_ (Initial/Date)

Chris Cooper \_\_\_\_\_ (Initial/Date)

☐ PENDING APPROVAL (See comments below)

Comments/Questions: \_\_\_\_\_

Forward \_\_\_\_\_ originals to ☐ Mayor ☐ CCO Date: \_\_\_\_\_

5) Mayor/CRA Chairman: Please sign as indicated.

Forward \_\_\_\_\_ originals to CCO for attestation/City seal (as applicable) Date: \_\_\_\_\_

6) City Clerk: Scan original and forwards 3 originals to: Stacey Miscisin

Attach \_\_\_\_\_ certified Reso # ☐ YES ☐ NO

Original Route form to Glynis Burney/CAO

JM#24-0520