



City Attorney's Communication #2025-17

October 15, 2024

TO: Fernand Thony, GO Bond Director

FROM: James E. Saunders, Assistant City Attorney

RE: Ordinance – Approving a Fourth Amendment to CMAR Agreement for Streetscape Improvements

As requested in your memorandum of September 4, 2024, attached please find the following Ordinance addressing the above-referenced matter:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FOURTH AMENDMENT TO THE CONSTRUCTION MANAGER-AT-RISK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY FOR THE CONSTRUCTION OF SEGMENT 3 OF THE DIXIE HIGHWAY STREETScape IMPROVEMENTS FROM NE 10TH STREET TO COPANS ROAD AT A GUARANTEED MAXIMUM PRICE OF \$12,984,223.34, AND TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY UNDER THE COUNTY TRANSPORTATION SURTAX PROGRAM TO INCREASE THE SCOPE OF WORK, EXTEND THE TERM AND INCREASE MAXIMUM FUNDING AMOUNT, AND TO AUTHORIZE THE PROPER CITY OFFICIALS TO MAKE NONSUBSTANTIVE AMENDMENTS WITHOUT FURTHER COMMISSION APPROVAL AS MAY BE REQUIRED BY BROWARD COUNTY FOR PROGRAM FUNDING, NOT INCLUDING THE GUARANTEED MAXIMUM PRICE, AND TO PROVIDE COPIES OF SUCH AMENDMENTS TO THE CITY COMMISSION AND CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Please do not hesitate to contact me if I may be of further assistance.



JAMES E. SAUNDERS, III

/mcm
l:cor/gobond/2025-17
Attachment