

**CITY OF POMPANO BEACH
Broward County, Florida**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING AN EMERGENCY IN ORDER TO PROCURE ENGINEERING SERVICES PURSUANT TO THE CONSULTANTS' COMPETITIVE NEGOTIATIONS ACT, SECTION 287.055, FLORIDA STATUTES, AND WAIVING COMPETITIVE SOLICITATION REQUIREMENTS; APPROVING AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT FOR DESIGN, PERMITTING AND CONSTRUCTION MANAGEMENT SERVICES BETWEEN THE CITY OF POMPANO BEACH AND STANTEC CONSULTING SERVICES, INC. FOR A CLASS 1 DEEP INJECTION WELL SERVICING THE MEMBRANE TREATMENT WATER PLANT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City, within the last year, attempted to reline its deep injection well servicing the membrane treatment water plant; however, due to the well's condition and the contractor's inability to meet its objectives, the City was required to abandon and seal its well; and

WHEREAS, the City is in jeopardy of exceeding its consumptive use permit granted by the South Florida Water Management District due to the absence of a deep injection well to service the membrane treatment water plant; and

WHEREAS, the well's absence dramatically impedes and challenges the City's ability to provide to, and maintain for, its residents and overall service area, proper finished water quality; and

WHEREAS, in response, the City is currently discharging the concentrated waste from the membrane treatment water plant into the sanitary sewer system and is being charged for

approximately one million gallons a day for treatment at Broward County's wastewater treatment plant; and

WHEREAS, the City has expended an additional \$195,000 above its average chemical costs for lime so far this year and will continue to incur such additional expenses due to the absence of a needed deep injection well; and

WHEREAS, Stantec Consulting Services, Inc. currently provides professional consulting and engineering services to the City, pursuant to a continuing contract procured by the City issued Request for Letter of Interest No. L-40-15, and was the consultant previously engaged to study rehabilitation of the subject deep injection well and, therefore, has considerable knowledge and experience regarding the City's well needs and the requisite steps for designing, permitting and managing the construction of a new deep injection well; and

WHEREAS, the City believes that the absence of the deep injection well presents an imminent danger to the public health, safety, or welfare or other substantial loss to the City and that the City's use of competitive solicitation in this instance, under these circumstances, would increase that danger and, thus, emergency action is required pursuant to the Consultants' Competitive Negotiations Act, specifically, Section 287.055(3)(a)1., Florida Statutes; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1. That the City Commission finds that the above "Whereas" clauses are true and correct.

SECTION 2. That, pursuant to the Consultants' Competitive Negotiations Act, Section 287.055(3)(a)1., Florida Statutes, the City Commission has determined that a valid public emergency exists and that there is a requirement for an immediate procurement of engineering

services and, therefore, competitive solicitation requirements are waived in this instance and for this purpose.

SECTION 3. That an agreement for design, permitting and construction management services between the City of Pompano Beach and Stantec Consulting Services, Inc., a copy of which Agreement is attached and incorporated by reference as if set forth in full, is approved.

SECTION 4. That the proper City officials are authorized to execute the Agreement between the City of Pompano Beach and Stantec Consulting Services, Inc.

SECTION 5. This Resolution shall become effective upon passage.

PASSED AND ADOPTED this _____ day of _____, 2018.

LAMAR FISHER, MAYOR

ATTEST:

ASCELETA HAMMOND, CITY CLERK

JES:jmz
10/17/18
l:reso/2019-22