



# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the city's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: 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.

Granicus File ID No. 25-19

This Business Impact Estimate is provided in accordance with Section 166.041(4), Florida Statutes. If one or more boxes are checked below, a Business Impact Estimate is not required by state law for the proposed ordinance, but the city is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

## Section A.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the city;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:

- a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

The provisions contained in this section constitute exemptions as provided in Section 166.041(4)(c). Should any such exemption be applicable as indicated above, then the provisions found in Section B. below are not applicable and Section A. only need be completed.

**Section B.**

1. Summary of the proposed ordinance and statement of the public purpose. (i.e., public health, safety, morals and welfare).

This Ordinance seeks to approve a Guaranteed Maximum Price (GMP) contract with the Whiting-Turner Contracting Company in the sum of \$12,984,223.34 for the purposes of contracting streetscape improvements on Dixie Highway from NE 10<sup>th</sup> Street to Copans Road in accordance with plans prepared by Kimley-Horn and Associates, Inc., and as duly permitted by all applicable government agencies having jurisdiction.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the city, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;

Businesses are not expected to incur any expenses. All funds for this project are subsidized by the Penny for Transportation (Surtax) and City's General Funds.

- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

None

- (c) An estimate of the city's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

None

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

None. This project affects a roadway.

4. Additional information/methodology for preparation, if any:

N/A

MEB/jrm

9/6/23

L:ord/Business Impact Estimate