

RESOLUTION NO. 106-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH ENVIRODESIGN ASSOCIATES, INC, FOR PROFESSIONAL ENVIRONMENTAL SERVICES, PURSUANT TO A BID WAIVER; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS THERETO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (the “City”) is authorized to enter into agreements to provide services, programming, and products in accordance with its Charter; and

WHEREAS, the City requires professional environmental services; and

WHEREAS, on January 13, 2025, a Phase II Environmental Site Assessment (ESA) was completed by the Contractor at the maintenance facility of the Delray Beach Municipal Golf Club; and

WHEREAS, pursuant to Florida Administrative Code Rule 62-780, the City was required to submit the limited Phase II ESA to the State of Florida Department of Environmental Protection (FDEP); and

WHEREAS, Chapter 62-780.790, F.A.C., establishes a process and time schedule for assessing and remediating contaminated sites; and

WHEREAS, the responsible party is required to initiate a site assessment within 60 days after a discharge is discovered and to submit a Site Assessment Report to FDEP within 270 days of discharge or discovery of the contamination; and

WHEREAS, on March 10, 2025, FDEP issued a notification of requirements regarding Chapter 62-780 to the City; and

WHEREAS, it is in the best interest of the City to waive the full open and competitive acquisition process to receive professional environmental services for the maintenance facility at the Delray Beach Municipal Golf Club by the same contractor that performed the prior testing and preliminary report and has the most knowledge of the site and the work that needs to be performed; and

WHEREAS, the City desires to procure these services from the Contractor in accordance with the City’s Bid Waiver policy subject to the terms and conditions of this Agreement, the City’s Purchasing ordinances, and Florida Law.

WHEREAS, on April 23, 2025, in accordance with Section 38 of the City’s Purchasing Policies and Procedures Manual, the City approved a bid waiver to enter into an agreement with Contractor for management services pursuant to the Memorandum attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach has reviewed and hereby approves the Agreement between the City and Contractor, attached hereto and incorporated herein as Exhibit "B".

Section 3. The City Commission authorizes the City Manager to take any and all actions necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2025.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney