

RESOLUTION NO. 23-xxx

**A RESOLUTION AWARDING THE BID FOR THE
PERDIDO PASS SEAWALL PARK POST-HURRICANE SALLY REPAIRS AND
PHASE III EXPANSION TO
MD THOMAS CONSTRUCTION, LLC
IN AN AMOUNT NOT TO EXCEED \$695,597.05**

FINDINGS:

1. Bids for the Perdido Pass Seawall Park Post-Hurricane Sally Repairs and Phase III Expansion project were received and opened on March 2, 2023.
2. The Engineer of Record has recommended award to the lowest bid meeting specifications from MD Thomas Construction, LLC, in the amount of \$695,597.05.
3. The Engineer of Record has noted that while MD Thomas Construction, LLC, holds a General Contractors License (License No. 39995) as required by the State of Alabama, MD Thomas Construction, LLC, does not hold one of the additional classifications of (1) Highways & Streets, (2) Municipal & Utility, or (3) Heavy/Railroad as required in the bid specifications. The Engineer has recommended waiving the requirement of the additional classification due to confidence in MD Thomas Construction, LLC, based on past performance. This additional requirement was written in the bid specifications at the local level and is not required for state or federal funding.
4. City Council finds that the lowest responsible bid was submitted by MD Thomas Construction, LLC.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE BEACH, ALABAMA, AS FOLLOWS:

1. That City Council waives the additional General Contractors License classification requirement in the bid specifications;
2. That the bid for the Perdido Pass Seawall Park Post-Hurricane Sally Repairs and Phase III Expansion project, as specified by the bid documents, is awarded to MD Thomas Construction, LLC, in an amount not to exceed \$695,597.05.
3. That the City Council authorizes the Mayor and City Clerk to execute and attest, respectively, a contract between the City of Orange Beach and MD Thomas Construction, LLC, subject to final review by the City Attorney; and
4. That this Resolution shall become effective immediately upon its adoption.

ADOPTED THIS 21st DAY OF MARCH, 2023.

Renee Eberly
City Clerk

C E R T I F I C A T E

I, Renee Eberly, City Clerk of the City of Orange Beach, Alabama, do hereby certify that the foregoing is a true and correct copy of Resolution No. 23-xxx, which was duly and legally adopted at a regular meeting of the City Council on March 21, 2023.

City Clerk