

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH HOLLYWOOD WOODWORK, LLC. FOR PERMITTING, FABRICATION AND INSTALLATION OF THE ARCHITECTURAL FENCE FOR THE ARTSPARK IMPROVEMENTS PROJECT, A GENERAL OBLIGATION BOND PROJECT, IN AN AMOUNT UP TO \$842,012.35.

WHEREAS, on March 12, 2019, the City held a Special Election where a majority of voters decided to fund a variety of Citywide public improvement projects to be funded by a General Obligation Bond ("GOB"), and the ArtsPark Improvements Project at Young Circle was one of the projects approved by the voters; and

WHEREAS, the Department of Design and Construction Management ("DCM") and the Department of Parks, Recreation, and Cultural Arts ("PRCA") desire to fabricate and install an architectural fence around the amphitheater to allow for ticketed events at ArtsPark; and

WHEREAS, it is in the best interest of the City to enter into an agreement with a qualified fence fabricator and installer to provide professional services for fabrication and installation of the architectural fence; and

WHEREAS, in a competitive process, staff initially procured Construction Manager at Risk ("CMAR") services, through an existing continuing services contract, for a Construction Manager at Risk Phase I contract with D. Stephenson Construction, Inc.; and

WHEREAS on January 19, 2022, the City Commission approved Resolution No. R-2022-012 to terminate for convenience the contract with D. Stephenson Construction, Inc.; and

WHEREAS, subsequently, a Request for Proposals, RFP-4729-22-WV, was advertised for fence contractors; and

WHEREAS, on November 2, 2022, the City adopted Resolution No. R-2022-325 to reject all proposals received in response to RFP-4729-22-WV as non-responsive and non-responsible; and

WHEREAS, the City made a good faith attempt in procurement of services through the competitive solicitation process; and

WHEREAS, the DCM has determined that it is in the best interest of the City to utilize Hollywood Woodwork, LLC. ("HWW") to provide professional services for fabrication and installation of the architectural fence; and

WHEREAS, the DCM requested and negotiated a proposal from HWW for permitting, fabrication and installation of an architectural fence around the perimeter of amphitheater, in an amount up to \$842,012.35, which staff determined to be fair and reasonable and in accordance with industry standards; and

WHEREAS, an add alternate for high performance coating in the amount of \$50,771.00 is included, within the proposal amount of \$842,012.35, to provide high performance ceramic based coating for vandalism prevention and repairs; and

WHEREAS, an add alternate for increased panel thickness in the amount of \$50,000.00 is included within the proposal amount of \$842,012.35; and

WHEREAS, an irrigation and electrical allowance of \$100,000.00 is included, within the proposal amount of \$842,012.35, for unforeseen conditions, including but not limited to structural post foundation conflicts with existing utilities, and shall only be used as requested by staff, with the remaining value to be returned to the City; and

WHEREAS, an owner's contingency of \$76,037.85 is included, within the proposal amount of \$842,012.35, for unforeseen conditions, including but not limited to electrifying the gates, adding light fixtures, overtime costs, special inspections, material testing, full time safety personnel, Building Information Modeling coordination, permit revisions, and other conditions, and shall only be used as requested by staff, with the remaining value to be returned to the City; and

WHEREAS, Section 38.41(C)(9) of the Procurement Code provides that when the City Commission declares by a five-sevenths (5/7ths) affirmative vote that competitive bidding and competitive proposals are not in the best interest of the City, such purchases are exempt from competitive bidding and competitive proposal requirements; and

WHEREAS, the Director of DCM and interim Chief Procurement Officer recommend that the City Commission approve and authorize the execution of a contract with HWW for professional services in an amount up to \$842,012.35; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan, and is available in account numbers 333.309901.57200.563010.001199.000.000 and 334.179901.57200.563010.001199.000.000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are incorporated in this Resolution.

Section 2: That it approves and authorizes the execution, by the appropriate City officials, of a contract with HWW, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form by the City Attorney.

Section 3: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2024.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY