

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES WITH R.J. BEHAR AND COMPANY, INC. FOR THE BEACH HEIGHTS AND HOLLYWOOD COUNTRY ESTATES SIDEWALK, ADA COMPLIANCE AND NORTH 58TH AVENUE SHARROW BIKE LANE PROJECT, IN AN AMOUNT UP TO \$354,648.65.

WHEREAS, on November 1, 2017, the City Commission passed and adopted Resolution No. R-2017-323, authorizing appropriate City officials to submit the Complete Streets and other Localized Initiatives Program ("CSLIP") funding application for the Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Installation Project; and

WHEREAS, on April 20, 2022, the City Commission passed and adopted Resolution No. R-2022-104, approving and authorizing appropriate City officials to execute Local Agency Program ("LAP") Agreements in order to receive reimbursement funds for the design of the Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Bike Lane Project; and

WHEREAS, on December 7, 2022, the City Commission passed and adopted Resolution No. R-2022-354, approving and authorizing appropriate City officials to execute a Professional Services Agreement with Kimley Horn and Associates, Inc. for the design and permitting of the Hollywood Beach Heights and Hollywood Country Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Bike Lane Project, in an amount up to \$427,339.00; and

WHEREAS, on January 17, 2024, the City Commission passed and adopted Resolution No. R-2024-006, approving and authorizing the appropriate City officials to accept and execute Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA Compliance, and N. 58th Avenue Sharrow LAP Agreements for construction and construction engineering inspection, in the amounts of \$2,690,264.00 and \$354,740.00, respectively; and

WHEREAS, the City followed the requirements set forth in Section 287.055, Florida Statutes, entitled "Consultants Competitive Negotiation Act" ("CCNA") and the City's Procurement Code to obtain the services of Construction Engineering Inspection engineering consultants for this project; and

WHEREAS, on October 26, 2023, the City advertised on www.OpenGov.com Request for Qualifications No. RFQ- 140-24-WV for Construction Engineering Inspection Services for Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Project; and

WHEREAS, on November 16, 2023, the Office of Procurement and Contract Compliance and the Department of Design and Construction Management (“DCM”) received Statement of Qualifications packages from the following three firms:

- AE Engineering, Inc.
- Johnson, Mirmiran & Thompson
- RJ Behar and Company, Inc. ; and

WHEREAS, a Selection Committee comprised of City staff was assembled, approved by and working under the guidance of the Procurement Division, made up of a Project Manager from the Public Utilities Department, a Construction Management Field Services Manager and an Engineering Support Services Manager from DCM; and

WHEREAS, on November 28, 2023, the Selection Committee met in a publicly advertised meeting to evaluate Statements of Qualifications based on the selection criteria published in the RFQ; and

WHEREAS, the Selection Committee completed the selection evaluation and ranked the firms as follows (in ranked order stating with the highest-ranked firm):

1. R. J. Behar & Company, Inc.
2. Johnson, Mirmiran & Thompson, Inc.
3. AE Engineering, Inc. ; and

WHEREAS, the RFQ, Consultant responses and Selection Committee rankings were submitted to the Florida Department of Transportation (“FDOT”) for their concurrence and approval to conduct and finalize contract negotiations with the top-ranked firm; and

WHEREAS, a Notice of Intent to Award was posted on November 28, 2023, and no protests were received; and

WHEREAS, on June 5, 2024, the City Commission passed and adopted Resolution No. R-2024-165, approving the final ranking and authorizing appropriate City officials to negotiate a contract with the highest-ranked firm, R.J. Behar & Company, Inc., for construction engineering inspection services for the Hollywood Beach Heights and Hollywood Country Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Lane Project; and

WHEREAS, DCM negotiated a scope and fee with R.J. Behar and Company, Inc.,

Inc. in an amount up to \$354,648.65 in accordance with FDOT LAP guidelines, and

WHEREAS, staff determined, and FDOT has concurred, that the scope and fee to be fair and reasonable; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan and is available in account numbers 117.179901.51900.563010.001463.000.000 and 334.179901.51900.563010.001463.000.000.

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 Professional Services Agreement with R.J. Behar and Company, Inc., for Construction Engineering Inspection Services for the Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA Compliance and N. 58th Avenue Sharrow Project, in a form acceptable to 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