

RESOLUTION NO. R-CRA 2018 - 31

A RESOLUTION OF THE HOLLYWOOD, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY ("CRA") AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO EXECUTE AN AGREEMENT FOR A CATALOGUE PURCHASE OF SIX FIRST AID STATIONS AND 15 LIFEGUARD TOWERS FROM POST AND BEAM, LLC, IN AN AMOUNT NOT TO EXCEED ONE MILLION EIGHT HUNDRED FIFTEEN THOUSAND DOLLARS (\$1,815,000.00).

WHEREAS, the CRA Board passed Resolution, No. R-CRA 2017-05 authorizing the appropriate CRA officials to negotiate and execute a contract with the highest ranked firm selected, CPZ Architects, to provide architectural and engineering services for twenty one (21) lifeguard towers and first aid stations; and

WHEREAS, CPZ Architects was selected as the consultant and was authorized to proceed to develop construction documents for the lifeguard towers and first aid stations; and

WHEREAS, the CRA issued a low-bid solicitation designated as Bid No. BCRA 16-002, which was canceled by the CRA Board on June 7, 2018; and

WHEREAS, the CRA then issued another low-bid solicitation designated as Rebid No. BCRA 16-002, which was canceled by the CRA Board on July, 2018; and

WHEREAS, staff evaluated the requirements of the Florida Statutes that govern public construction projects and determined that the proposed purchase of first aid stations and lifeguard towers is not a construction project, because the first aid stations and lifeguard towers will not be affixed to the ground; and

WHEREAS, staff researched other municipalities procurement records and found that the City of Miami Beach approved a resolution to execute a contract with Post and Beam, LLC and waive bidding to continue the lifeguard tower replacement program, finding such waiver in the best interest of the City; and

WHEREAS, the CRA staff resumed efforts to study the specifications of products provided by established corporations that offer prefabricated lifeguard towers in catalogue format, and found three (3) companies that offer lifeguard towers; and

WHEREAS, the CRA, along with the City of Hollywood Department of Public Works and the City of Hollywood Division of Beach Safety, studied the specifications and concluded that the product provided by Post and Beam, LLC. is the

preferred product that meets the requirements of the City based on durability, maintenance effort and aesthetic value; and

WHEREAS, the CRA Board wishes to approve the purchase of six First Aid Stations from the Heavy Timber Lifeguard Towers Manufactured by Post and Beam catalogue, model LX Upgraded Lifeguard Tower, with options of iconic signage and shutters. The LX Upgraded Lifeguard Tower has a round roof, a round deck, aluminum railing and iconic signage at a cost of \$109,000.00 per unit which includes the two options of iconic signage and shutters and a discount for bulk purchases; and

WHEREAS, the CRA Board wishes to approve the purchase of 15 Lifeguard Towers from the Heavy Timber Lifeguard Towers, Manufactured by Post and Beam catalogue, model X1 Base Lifeguard Tower with options of shutters and cementitious siding. The X1 Base Lifeguard Tower design includes a square cab, square deck with wood railing and a hip roof, at a cost of \$77,400 per unit which includes the two options of cementitious siding and shutters and a discount for bulk purchases; and

WHEREAS, the City's Purchasing Ordinance has been adopted by the CRA Board, and Section 38.40(C)(8) of the City's Purchasing Ordinance provides that purchases of supplies, when the City Commission declares by a 5/7 vote that competitive bidding and competitive proposals are not in the best interest of the City, are exempt from the competitive bid and competitive proposal requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY:


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 hereby declares that competitive bidding and competitive proposals for the proposed first aid stations and lifeguard towers are not in the best interest of the CRA and approves and authorizes the execution, by the appropriate CRA officials, of an agreement embodying the terms and conditions approved by the CRA Board this day for the catalogue purchase of six first aid stations and 15 lifeguard towers from Post and Beam, LLC in an amount not to exceed one million eight hundred and fifteen thousand dollars (\$1,815,000).

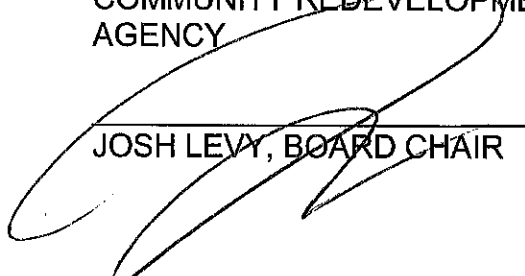
Section 3: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 5<sup>th</sup> day of September, 2018.


ATTEST:

  
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PHYLLIS LEWIS  
BOARD SECRETARY

HOLLYWOOD, FLORIDA  
COMMUNITY REDEVELOPMENT  
AGENCY

  
\_\_\_\_\_  
JOSH LEVY, BOARD CHAIR

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY for the use and reliance  
of the Hollywood, Florida Community  
Redevelopment Agency only.

  
\_\_\_\_\_  
DOUGLAS R. GONZALES, GENERAL COUNSEL <sup>af</sup>

**STATEMENT OF BUDGET IMPACT**  
**Budgetary Review of Proposed Resolution &**  
**Ordinances with Financial Implication.**

**Date:** September 5, 2018

**File:** BIS CRA 18-17

**Proposed Legislation:**

A RESOLUTION OF THE HOLLYWOOD, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY ("CRA") AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO EXECUTE AN AGREEMENT FOR A CATALOGUE PURCHASE OF SIX FIRST AID STATIONS AND 15 LIFEGUARD TOWERS FROM POST AND BEAM, LLC, IN AN AMOUNT NOT TO EXCEED TWO MILLION TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$2,255,000.00), INCLUDING A 2.5% CONTINGENCY.

**Statement of Budget Impact:**

1. ☐ No Budget Impact associated with this action;
2. ☒ Sufficient budgetary resources identified/available;
3. ☐ Budgetary resources not identified/unavailable;
4. ☐ Potential increase in Revenue is possible with this action;

**Explanation:**

This resolution seeks authorization for the appropriate CRA officials to declare that competitive bidding and competitive proposals for the proposed first aid stations and lifeguard towers are not in the best interest of the CRA, and approves and authorizes the execution, by the appropriate CRA officials, of an agreement embodying the terms and conditions approved by the CRA Board this day for the catalogue purchase of six first aid stations and 15 lifeguard towers from Post and Beam, LLC in an amount not to exceed two million and two hundred fifty-five thousand dollars (\$2,255,000), including a 2.5% contingency. Funding for the six first aid stations and 15 lifeguard towers is available in the CRA FY2018 operating budget and FY2019 proposed operating budget in account number 63.0100.14815.552.006301, Construction Improvement – Lifeguard Towers.

**APPROVED BY:** Carolyn Metcalf  
Budget Manager  
Hollywood Community Redevelopment Agency

**CITY OF HOLLYWOOD  
COMMUNITY REDEVELOPMENT AGENCY  
INTEROFFICE MEMORANDUM**

**TO:** CRA Board **DATE:** August 30, 2018  
**FROM:** Douglas R. Gonzales  
City Attorney  
**SUBJECT:** Proposed Agreement with Post & Beam, LLC for Purchase of 6 First Aid Stations  
and 15 Lifeguard Towers

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I have discussed the above Agreement with the participating Department/Office, and the general business terms and other significant provisions which are proposed are as follows:

- 1) Department/Office involved – Beach CRA
- 2) Type of Agreement – Catalogue purchase
- 3) Method of Procurement (RFP, bid, etc.) – "Best interest" exemption
- 4) Term of Contract
  - a) initial – To be negotiated.
  - b) renewals (if any) -
  - c) who exercises option to renew -
- 5) Contract Amount – Not to exceed \$2,255,000.00
- 6) Termination rights – For cause only.
- 7) Indemnity/Insurance Requirements – To be negotiated
- 8) Scope of Services – Vendor will (i) sell 6 first aid stations and 15 lifeguard towers to the City and (ii) place all 21 at the appropriate locations on the beach.
- 9) City's prior experience with Vendor – None.
- 10) Other significant provisions - None.

cc: Jorge Camejo, Executive Director