

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** November 19, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Professional Engineering Services related to updating the Stormwater Master Plan for Phase 1 with CDM Smith, Inc.

I have reviewed the above referenced Agreement with the participating Department/Office(s), and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved– Dept. of Public Utilities
- 2) Type of Agreement – Professional Engineering Consultant Services Agreement
- 3) Method of Procurement (RFP, bid, etc.) – CCNA (Section 287.055, Florida Statutes). (Item was approved pursuant to Resolution 2020-255 that ranked CDM for services and authorized staff to negotiate an agreement for later consideration by the City Commission).
- 4) Term of Contract:
 - a) initial – Phase 1 will be completed in 2 years.
 - b) renewals (if any) – n/a
 - c) who exercises option to renew – n/a
- 5) Contract Amount – The total contract amount is \$4,703,712.00. (The project will be done in two phases as follows: (a) Phase 1 in the amount of \$2,075,655.00; and (b) Phase 2 will be presented to the City Commission in FY 2022 in the amount of \$2,628,057.00 (see paragraph 9 below).
- 6) Termination Rights – with or without cause.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
- 8) Scope of Services – Firm shall provide professional engineering consulting services to update the stormwater master plan in two phases. The scope of services is outlined in the attached agreement.

Term Sheet continued

- 9) Other Significant Provisions: As this project is in two phases, pursuant to Section 5.01 A. of the agreement, the Consultant acknowledges and agrees that for services rendered for Phase 2, payment shall be in an amount not to exceed \$2,628,057.00. However, Phase 2 services are contingent upon the availability of funds pursuant to Chapter 30 of the City's Code of Ordinances and approval by the City Commission in FY 2022.

cc: Dr. Wazir Ishmael, City Manager