

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 QGS DEVELOPMENT, INC. FOR THE CONSTRUCTION OF THE HOLLYWOOD BEACH GOLF COURSE RENOVATION PROJECT, A GENERAL OBLIGATION BOND PROJECT, IN AN AMOUNT UP TO \$10,807,447.57, IN ACCORDANCE WITH SECTION 38.41(C)(9) OF THE PROCUREMENT CODE. (BEST INTEREST)

WHEREAS, the Hollywood Beach Golf Course Renovation Project ("Project") is part of the General Obligation Bond Project list approved by the voters in March 2019; and

WHEREAS, the Department of Design and Construction Management ("DCM") determined that it is necessary to retain professional construction services for the Project; and

WHEREAS, on November 21, 2023, Request for Proposals RFP-141-24-WV ("RFP") was electronically advertised on [www.opengov.com](http://www.opengov.com); and

WHEREAS, on January 8, 2024, two proposals were received from the following firms (in alphabetical order):

1. NMP Golf Construction Corp.
2. QGS Development, Inc. ("QGS")

; and

WHEREAS, on January 18, 2024, the Selection Committee met to evaluate and rank the proposals based upon the approved Evaluation Criteria established in the RFP; and

WHEREAS, the evaluation process resulted in the following final rankings, with the highest score being the highest ranked:

- |    |                            |                          |
|----|----------------------------|--------------------------|
| 1. | QGS Development, Inc.      | Ranked #1 (93.85 points) |
| 2. | NMP Golf Construction Corp | Ranked #2 (88.00 points) |

and

WHEREAS, Section 5.1.2 of the RFP states that the evaluation (Selection) “committee shall short list no less than three submittals, assuming that three submittals have been received, that it deems best satisfy the weighted criteria set forth herein and attempt to select the best qualified firm(s)”; and

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

WHEREAS, the City only received two responsive proposals in response to its competitive solicitation or RFP; and

WHEREAS, it would be futile to reissue the competitive solicitation based on the specialized and unique requirements of the services required; and

WHEREAS, DCM determined that it is in the best interest of the City to utilize QGS to provide construction services for the Project; and

WHEREAS, DCM negotiated a final scope of work and price with QGS in an amount up to \$10,807,447.57, which staff has determined to be fair, reasonable and in accordance with industry standards; and

WHEREAS, an Owner’s Contingency amount, which is included in the contract price, is \$514,640.36, and shall only be used as requested by staff and approved by staff, with any remaining funds to be returned to the City; and

WHEREAS, Section 38.41(C)(9) of the Procurement Code states 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 recommends that the City Commission authorize the appropriate City officials to execute a contract with QGS to provide general contracting services in an amount up to \$10,807,447.57; and

WHEREAS, funding for this project was included in the FY 2024 General Obligation Bond Projects as an approved FY 2024 project; and

WHEREAS, funding for this project was included in the amended FY 2024 Capital Improvement Plan, and is available in account numbers 333.309901.57200.531210.001194.000.000,  
333.309901.57200.563010.001194.000.000, and  
337.309901.57200.531210.001194.000.000.

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 QGS, 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:

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DOUGLAS R. GONZALES  
CITY ATTORNEY