

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RANKING CONSTRUCTION MANAGEMENT AT RISK FIRMS AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE PHASE 1 PRECONSTRUCTION SERVICES WITH THE HIGHEST-RANKED FIRM, KAUFMAN LYNN CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE SECOND FLOOR LIBRARY BUILD-OUT AND MISCELLANEOUS CITY HALL AND SITE WORK PROJECT, A CAPITAL IMPROVEMENT PROJECT.

WHEREAS, on September 8, 1999, the City Commission passed and adopted Resolution No. R-99-291, approving the City Hall Circle site for a new Broward County Library; and

WHEREAS, on November 21, 2001, the City Commission passed and adopted Resolution No. 2001-387, approving alternative five for the development and construction of a single-story library designed to accommodate a future second floor for municipal use at a cost of \$487,080.00, and authorized the appropriate City officials to negotiate an interlocal agreement and ground lease with Broward County; and

WHEREAS, on May 14, 2002, the parties executed the interlocal agreement and ground lease, and subsequently executed amendments to the agreements to address parking and the construction of a shell space for the second floor of the library to be utilized by the City; and

WHEREAS, it is in the best interest of the City to enter into an agreement with a qualified general contractor to provide professional Construction Management at Risk services that are required to implement the Second Floor Library Build-Out and Miscellaneous City Hall and Site Work Project; and

WHEREAS, as provided in Section 255.103, Florida Statutes, entitled "Construction Management Entities", the City has followed the procedures set forth in Section 287.055, Florida Statutes, entitled "Consultants' Competitive Negotiation Act" and the City's Procurement Code to advertise for Statements of Qualifications for Construction Management at Risk services; and

WHEREAS, on April 13, 2021, the project was advertised on [www.bidsync.com](http://www.bidsync.com) as Request for Qualifications ("RFQ") No. 4669-21-DCM; and

WHEREAS, on May 17, 2021, the Office of the City Clerk and the Department of Design and Construction Management (“DCM”) received Statement of Qualifications packages from six Construction Management at Risk firms; and

WHEREAS, the six firms that submitted Statements of Qualifications were:

1. State Contracting & Engineering Corporation
2. Gilbane Building Company
3. Skanska USA Building Inc.
4. Kaufman Lynn Construction, Inc.
5. DPR Construction, A General Partnership
6. Wharton-Smith, Inc.

; and

WHEREAS, on June 1, 2021, members of the Selection Committee comprised of in-house professionals including the DCM Engineering Support Services Manager, DCM Project Manager, the Planning Administrator, the Permit Services Manager, and the Code Compliance Manager met in a publicly advertised meeting to evaluate the Statements of Qualifications and to determine the firms to be invited to present their qualifications for further consideration; and

WHEREAS, the RFQ and Section 287.055(4)(b), Florida Statutes, require that a minimum of three consulting firms be selected; and

WHEREAS, upon review of the Statements of Qualifications, the Selection Committee evaluated the firms based on the selection criteria published in the RFQ, and decided interviews and/or oral presentations were not necessary; therefore, the Selection Committee completed the initial selection evaluation and ranked the firms; and

WHEREAS, the proposals of the three highest ranked firms are included as part of backup material; and

WHEREAS, it is the recommendation of the Selection Committee to rank the three firms in the following order for consideration, with the highest average score indicating the highest ranking per the Score Sheet:

- |  |                           |
|--|---------------------------|
| 1. Kaufman Lynn Construction, Inc.         | Ranked #1 (99 Avg Points) |
| 2. DPR Construction, A General Partnership | Ranked #2 (92 Avg Points) |
| 3. Skanska USA Building Inc.               | Ranked #3 (86 Avg Points) |

; and

WHEREAS, DCM recommends that the City Commission authorize the appropriate City officials to negotiate the Construction Manager at Risk Agreements, as

included in the RFQ package, with the highest-ranked consultant to provide Construction Manager at Risk services as set forth above; and

WHEREAS, upon negotiating the Phase 1 Pre-Construction Services Agreement with the highest-rank firm, if the contract amount falls within the City Manager's authority pursuant to Section 38.38 of the Procurement Code, the City Manager will execute the agreement; however, if the contract amount exceeds his authority, the agreement will be brought back to the City Commission for consideration at a later date; and

WHEREAS, after execution of the Phase I Pre-Construction Services Agreement, the parties will negotiate the Phase II Construction Services Agreement for consideration by the City Commission at a later date; and

WHEREAS, funding for this project was included in the amended FY 2021 Capital Improvement Plan, and is available in account number 334.149901.51900.563010.001285.000.000.

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 authorizes the appropriate City officials to negotiate the Professional Services Agreement attached as "CMAR Phase I Pre-Construction" for preconstruction phase services with the highest-ranked firm, Kaufman Lynn Construction, Inc., together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That if the negotiated CMAR Phase I Pre-Construction services amount falls within the City Manager's authority pursuant to Section 38.38 of the Procurement Code, the City Manager is authorized to execute the attached Agreement. In the event that the contract amount is above the City Manager's authority, the Agreement will be brought back to the City Commission at a later date for consideration and approval.

Section 4: That if the appropriate City officials are unable to negotiate an agreement with the highest-ranked firm, then they are authorized to terminate negotiations with that firm and commence negotiations with the next highest-ranked firm and execute an agreement, if possible, in accordance with Section 3.

Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

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PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
JOSH LEVY, MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. CERNY, MMC  
CITY CLERK

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

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DOUGLAS R. GONZALES  
CITY ATTORNEY