

RESOLUTION NO.

R-2021-031

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, MOSS AND ASSOCIATES, LLC., TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE NEW POLICE HEADQUARTERS, A GENERAL OBLIGATION BOND PROJECT.

WHEREAS, on March 12, 2019, the City held a Special Election where a majority of voters decided to fund a variety of Citywide public improvement projects to be funded by a General Obligation Bond ("GOB"), and the New Police Headquarters Project was one of the projects approved by the voters; 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 Police Headquarters project approved by the GOB; and

WHEREAS, as provided for 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" (CCNA) and the City's Procurement Code to advertise for Statements of Qualifications for Construction Management at Risk services; and

WHEREAS, the project was advertised on [www.bidsync.com](http://www.bidsync.com) on October 20, 2020, with the Request for Qualifications number 4642-20-DCM; and

WHEREAS, on November 23, 2020, the Office of the City Clerk and the Department of Design and Construction Management received Statement of Qualifications packages from five Construction Management at Risk firms; and

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

1. Kaufman Lynn Construction
2. Lemartec Corporation
3. Moss and Associates, LLC.
4. Stiles | Pirtle Joint Venture
5. The Weitz Company, LLC.

; and

WHEREAS, on December 10, 2020, members of the Selection Committee comprised of in-house professionals including the Deputy City Manager, the Chief of Police, the Assistant Director of Design and Construction Management, the Director of Communications, Marketing and Economic Development, and the Director of Information Technology 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 Request for Qualifications 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 following firms were selected and ranked based upon the published selection criteria, and invited to present their qualifications in the second meeting of the Selection Committee:

1. Kaufman Lynn Construction
2. Moss and Associates, LLC.
3. Stiles | Pirtle Joint Venture

; and

WHEREAS, on January 13, 2021, the short-listed firms provided 30-minute presentations, followed by a 30-minute question and response period, and the Selection Committee completed the evaluation process and ranked the firms following the stipulated guidelines/criteria in the Statement of Qualifications package; and

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

- |                                  |             |
|----------------------------------|-------------|
| 1. Moss and Associates, LLC.     | 2.55 Points |
| 2. Stiles   Pirtle Joint Venture | 3.31 Points |
| 3. Kaufman Lynn Construction     | 3.74 Points |

; and

WHEREAS, the Department of Design and Construction Management recommends that the City Commission authorize the appropriate City officials to negotiate the Construction Manager at Risk Agreements, as included in the Request for Qualifications 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 has been provided pursuant to Resolution No. R-2020-236, which continued the appropriation for previously approved capital projects from FY 2020 to FY 2021; and

WHEREAS, funds for the preconstruction services portion of this project are available in account number 333.209901.52100.563010.001190.000.000.

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, Moss and Associates, LLC., 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 3 day of February, 2021.

  
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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

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