

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING THE FINAL RANKING FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE A CONTRACT WITH THE HIGHEST-RANKED FIRM, R.J. BEHAR & COMPANY, INC., FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES FOR THE HOLLYWOOD BEACH HEIGHTS AND HOLLYWOOD COUNTRY ESTATES SIDEWALK, ADA COMPLIANCE AND NORTH 58TH AVENUE SHARROW BIKE LANE PROJECT.

WHEREAS, on November 1, 2017, the City Commission passed and adopted Resolution No. R-2017-323, authorizing appropriate City officials to submit the Complete Streets and other Localized Initiatives Program funding application for the Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA, and N. 58th Avenue Sharrow Installation Project; and

WHEREAS, on April 20, 2022, the City Commission passed and adopted Resolution No. R-2022-104, approving and authorizing appropriate City officials to execute Local Agency Program ("LAP") Agreements in order to receive reimbursement funds for the design of the Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA, and N. 58th Avenue Sharrow Project; and

WHEREAS, on December 7, 2022, the City Commission passed and adopted Resolution No. R-2022-354, approving and authorizing appropriate City officials to execute a Professional Services Agreement with Kimley Horn and Associates, Inc. for the design and permitting of the Hollywood Beach Heights and Hollywood Country Sidewalk, ADA, and N. 58th Avenue Sharrow Lane Project in an amount up to \$427,339.00; and

WHEREAS, on January 17, 2024, the City Commission passed and adopted Resolution No. 2024-006, approving and authorizing the appropriate City officials to accept and execute Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA, and N. 58th Avenue Sharrow LAP Agreements for construction and construction engineering inspection in the amounts of \$2,690,264.00 and \$354,740.00, respectively; and

WHEREAS, the City has followed the requirements set forth in Section 287.055, Florida Statutes, entitled "Consultants Competitive Negotiation Act" and the City's Procurement Code to obtain the services of Construction Engineering Inspection engineering consultants for this project; and

WHEREAS, on October 26, 2023 the City advertised, on www.OpenGov.com, Request for Qualifications No. RFQ-140-24-WV for Construction Engineering Inspection Services for Hollywood Beach Heights and Hollywood Country Estates Sidewalk, ADA, and N. 58th Avenue Sharrow Project ("RFQ"); and

WHEREAS, on November 16, 2023, the Department of Procurement and Contract Compliance and the Department of Design and Construction Management ("DCM") received Statement of Qualifications packages from the following three firms (listed in alphabetical order):

- AE Engineering, Inc.
- Johnson, Mirmiran & Thompson, Inc.
- RJ Behar & Company, Inc. ; and

WHEREAS, a Selection Committee comprised of City staff was assembled, approved by and working under the guidance of the Office of Procurement and Contract Compliance, made up of a Project Manager from the Public Utilities Department, a Construction Management Field Services Manager and an Engineering Support Services Manager from DCM; and

WHEREAS, on November 28, 2023, the Selection Committee met in a publicly advertised meeting to evaluate Statements of Qualifications based on the selection criteria published in the RFQ; and

WHEREAS, the Selection Committee completed the evaluation, ranking the firms as follows (in ranked order starting with the highest ranked firm):

1. R. J. Behar & Company, Inc.
2. Johnson, Mirmiran & Thompson, Inc.
3. AE Engineering, Inc. ; and

WHEREAS, a Notice of Intent to Award was posted on November 28, 2023, and no protests were received; and

WHEREAS, DCM recommends that the City Commission approve the final rankings and authorize the appropriate City officials to negotiate a contract with the highest-ranked firm for this project; and

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

WHEREAS, contingency funding for this project was included in the amended FY 2024 Capital Improvement Plan and is available in account number 117.179901.51900.563010.001463.000.000.

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 the Selection Committee's final rankings with R.J. Behar & Company, Inc. as the highest ranked firm.

Section 3: That it authorizes the appropriate City officials to negotiate a contract with the highest-ranked firm, R.J. Behar & Company, Inc.

Section 4: That if the negotiated contract falls within the City Manager's authority pursuant to Section 38.38 of the City's Procurement Code, the City Manager is authorized to execute the contract, together with such non-material changes as may subsequently be agreed to by the City Manager and approved as to form by the City Attorney.

Section 5: That if the appropriate City officials are unable to negotiate a contract with the highest-ranked firm, they are authorized to terminate negotiations with that firm, commence negotiations with the next highest-ranked firm and execute a contract, if possible, in accordance with Section 4.

Section 6: 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:

DOUGLAS R. GONZALES
CITY ATTORNEY