

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE TERMINATION OF THE PHASE I PRECONSTRUCTION SERVICES AGREEMENT WITH D. STEPHENSON CONSTRUCTION, INC. FOR THE HOLLAND PARK PROJECT, A GENERAL OBLIGATION BOND PROJECT.

WHEREAS, pursuant to Resolution No. R-2019-025, the City Commission authorized appropriate City officials to negotiate and execute a Continuing Services Agreement with the three highest ranked firms to provide construction management at risk services for Capital Improvement projects, one of the firms being D. Stephenson Construction, Inc. ("Stephenson"); and

WHEREAS, on May 20, 2021, the City and Stephenson executed a Continuing Services agreement; and

WHEREAS, on May 20, 2021, pursuant to Section 38.38 of the Procurement Code, the City Manager approved and executed a Phase I Pre-Construction Services Agreement with Stephenson for the Holland Park project in the amount of \$9,000.00; and

WHEREAS, on September 2, 2021, a change of scope for additional services with Stephenson was approved for the Holland Park project in the amount of \$2,500.00, bringing the total contract sum to \$11,500.00; and

WHEREAS, Article 8, Section 8.4 of the agreement provides that the City may terminate the agreement for convenience; and

WHEREAS, the Director of the Department of Design and Construction Management is recommending that the agreement be terminated for convenience; and

WHEREAS, pursuant to Section 38.49 of the Procurement Code, when a contract is entered into by the City Commission providing for termination without cause, only the City Commission is authorized to terminate the contract without cause.

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 terminates the agreement with D. Stephenson Construction, Inc.

Section 3: That City staff is directed to forward a copy of this Resolution to D. Stephenson Construction, Inc.

Section 4: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2022.

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.

DOUGLAS R. GONZALES
CITY ATTORNEY