

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners **DATE:** September 30, 2020

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Professional Services Agreement with Cummins Cederberg, Inc. for Engineering, Survey and General Consultant Services relating to the tidal flood mitigation and shoreline protection general obligation bond project.

I have reviewed the above referenced Agreement with the participating Department/Office(s), and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved– Dept. of Design, Construction and Management Services
- 2) Type of Agreement – Professional Services Agreement (pursuant to Resolution No. 2020-072, City Commission authorized staff to negotiate with Cummins Cederberg, Inc. for consideration by City Commission at a later date).
- 3) Method of Procurement (RFP, bid, etc.) – CCNA (Section 287.055, Florida Statutes).
- 4) Term of Contract:
 - a) initial- Upon issuance of an Authorization to Proceed, the project will take approximately four years (the close out timeframe).
 - b) renewals (if any) – yes, see section 7.03 of the Agreement.
 - c) who exercises option to renew – mutual
- 5) Contract Amount – Design fees in the amount of \$1,249,870.00.
- 6) Termination Rights – with or without cause.
- 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
- 8) Scope of Services – Firm shall provide professional engineering design services for the Tidal Flooding and Shoreline Protection Project that includes permitting and construction phase services as more specifically set forth in the Scope of Services provision in the Agreement along with Cummins proposal (See Exhibit “C”).

Term Sheet continued

9) Other Significant Provisions: n/a

cc: Dr. Wazir Ishmael, City Manager