

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH CBRE, INC. FOR REAL ESTATE BROKERAGE AND CONSULTING SERVICES, IN AN AMOUNT NOT TO EXCEED \$40,000.00, BASED UPON THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES INVITATION TO BID NO. DMS-12/13-007 AND IN ACCORDANCE WITH SECTION 38.40(C)(5) OF THE CODE OF ORDINANCES (PIGGYBACK).

WHEREAS, the City has a need for professional real estate brokerage and consulting services for the acquisition and disposition of real property assets, including real estate portfolio planning and management, asset valuations and RFP distribution and analysis; and

WHEREAS, on April 9, 2014, the State of Florida acting through the Department of Management Services entered into a contract DMS-12/13-007A for tenant broker and real estate consulting services with CBRE, Inc. ("CBRE") and has renewed the contract through April 8, 2024; and

WHEREAS, the State of Florida, Department of Management Services, through a competitive process, issued an Invitation to Negotiate (ITN NO. DMS-12/13-007) seeking a qualified firm to provide services, including but not limited to: (i) real estate services such as independent market analysis and asset valuation, (ii) lease transaction services, and (iii) portfolio strategy services; and

WHEREAS, CBRE was determined by the Department of Management Services to be the top ranked firm based on the evaluation of multiple firms that responded to ITN NO. DMS-12/13-007; and

WHEREAS, the City has adopted Article 13, Limitation on Sale, Lease or Purchase of City-owned Real Property, within the City Charter; and

WHEREAS, Section 38.40(C)(5) of the Purchasing Ordinance allows the Director to procure, without following formal procedures, all goods and services which are subject of contracts with the state, its political subdivisions, the United States government, other governmental entities, or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, provided that the goods and services are: (i) the subject of a price schedule negotiated by the state or the United States government, or (ii) the subject of a contract with another governmental

entity or a corporation not for profit whose members are governmental entities, public officers, or any combination thereof, which contract is based strictly on competitive bids or competitive proposals and not on any preference; and

WHEREAS, the City, as an Eligible User of the State of Florida contract DMS-12/13-007A, seeks to utilize this current contract reflecting the same services, pricing and terms to enter into an agreement with CBRE; and

WHEREAS, in accordance with the State contract, CBRE will assist the City by providing initial services for portfolio strategy and real estate consulting based upon the compensation provisions that include a maximum hourly rate schedule for which the total contract amount shall not exceed \$40,000.00; and

WHEREAS, in addition to the initial services and in accordance with the State contract, CBRE will also provide the City with real estate transactional services including the negotiation of new leases, lease renewals and property dispositions based upon City codes and regulations; and

WHEREAS, in accordance with the State contract, a percentage-based commission with ceiling rates ranging from 2% to 3.5% of the sum of the rent to be paid for the initial term of the lease have been established, and lower compensation rates may be established per transaction with CBRE; and

WHEREAS, in accordance with the State contract, CBRE may also assist the City in providing specific real estate transactional services for the sale of City property pursuant to the City's charter, code of ordinances and regulations, and upon City Commission approval of such disposition, CBRE will be entitled to a negotiated percentage-based commission; and

WHEREAS, funding is available in account number 557.113001.51900.531170.000000.000.000.

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 and authorizes the execution, by the appropriate City officials, of a contract for real estate brokerage and consulting services with CBRE, Inc., in a form acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 3: That this Resolution shall take effect immediately upon its passage and adoption.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A CONTRACT WITH CBRE, INC. FOR REAL ESTATE BROKERAGE AND CONSULTING SERVICES, IN AN AMOUNT NOT TO EXCEED \$40,000.00, BASED UPON THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES INVITATION TO BID NO. DMS-12/13-007 AND IN ACCORDANCE WITH SECTION 38.40(C)(5) OF THE CODE OF ORDINANCES (PIGGYBACK).

PASSED AND ADOPTED on this _____ day of _____, 2019.

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