

RESOLUTION NO. _____

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 I PRECONSTRUCTION SERVICES WITH THE HIGHEST-RANKED FIRM, JAMES B. PIRTLE CONSTRUCTION COMPANY INC., D/B/A PIRTLE CONSTRUCTION COMPANY, TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE ART AND CULTURE CENTER EXPANSION PROJECT, A GENERAL OBLIGATION BOND PROJECT.

WHEREAS, it is in the best interest of the City to retain Construction Manager at Risk ("CMAR") services for the Art and Culture Center Expansion project, approved as part of the General Obligation Bond; and

WHEREAS, as provided 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" and the City's Procurement Code to advertise a Request for Proposals for CMAR services; and

WHEREAS, the Department of Design and Construction Management ("DCM") and the Office of Procurement and Contract Compliance ("Procurement") issued Request for Proposals RFP-4763-23-WV ("RFP") for the project, and the RFP was advertised on www.opengov.com on January 12, 2023; and

WHEREAS, on February 15, 2023, five proposal packages were received from the following CMAR firms:

1. Kast Construction
2. Pirtle Construction Company
3. State Contracting & Engineering Corporation
4. Vercetti Enterprises
5. Waypoint Contracting, Inc.

; and

WHEREAS, a Selection Committee comprised of in-house professionals, including the Construction Management Support Services Manager of DCM, the Assistant Director of Parks, Recreation and Cultural Arts, the Executive Director of the Art and Culture Center/Hollywood, and a Senior Project Manager of DCM, were assigned the task of evaluating proposals and ranking the firms; and

WHEREAS, on March 1, 2023, members of the Selection Committee, the Principal of Brooks and Scarpa Architects, Inc., as a non-voting member, the Director of DCM as a non-voting member, the Assistant Director of DCM as a non-voting member, the Art and Culture Center Director of Education as a non-voting member, and the Senior Purchasing Agent of Procurement, as a non-voting member, met in a publicly advertised meeting to evaluate the proposals and to determine the firms to be invited to present their proposals for further consideration; and

WHEREAS, the RFP and Section 287.055(4)(b), Florida Statutes, require that a minimum of three consulting firms be selected; and

WHEREAS, upon review of the proposals, the Selection Committee evaluated the firms based on the selection criteria published in the RFP, and decided interviews and/or oral presentations were not necessary; therefore, the Selection Committee completed the initial selection evaluation and ranked the firms; and

WHEREAS, the evaluation process resulted in the following final rankings:

- | | |
|--|-------------------|
| 1. Pirtle Construction Company | Ranked #1 (98.75) |
| 2. State Contracting & Engineering Corporation | Ranked #2 (83.78) |
| 3. Kast Construction | Ranked #3 (77.36) |
- ; and

WHEREAS, DCM and Procurement recommend that the City Commission authorize the appropriate City officials to negotiate the CMAR Services Phase I, Pre-Construction Agreement with Pirtle Construction Company, the highest-ranked firm; and

WHEREAS, upon negotiating the Phase I Pre-Construction Services Agreement with the highest-ranked 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 for this project was included in the amended FY 2023 Capital Improvement Plan, and is available in account number 333.309901.57200.563010.001214.000.000.

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 attached Professional Services Agreement for Phase I Pre-Construction Services with Pirtle Construction Company, together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form 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, but if 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.

PASSED AND ADOPTED this _____ day of _____, 2023.

JOSH LEVY, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC
CITY CLERK

APPROVED AS TO FORM:

DOUGLAS R. GONZALES
CITY ATTORNEY