

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners

**DATE:** April 26, 2021

**FROM:** Douglas R. Gonzales, City Attorney

**SUBJECT:** Proposed Phase I Pre-Construction Management at Risk Agreement with Moss and Associates, LLC. for the Police Headquarters (General Obligation Bond Project).

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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 – Phase 1 Pre-Construction Services Agreement
- 3) Method of Procurement (RFP, bid, etc.) – Construction Management at Risk (“CMAR”) Section 255.103, Florida Statutes and CCNA (Section 287.055, Florida Statutes) Request for Qualification No. RFQ-4642-20-DCM
- 4) Term of Contract:
  - a) initial – commencing upon execution and completed no later than January 1, 2024
  - b) renewals (if any) – extensions pursuant to agreement.
  - c) who exercises option to renew – both parties
- 5) Contract Amount – Phase 1 is in an amount of \$165,288.00 based upon breakdown set forth in subsection 4.2.
- 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 Phase 1 Pre-Construction Management at Risk Services for the Police Headquarters project approved as part of the General Obligation Bond.
- 9) Other Significant Provisions: Agreement provides for liquidated damages in subsection 9.14 as \$8,630.00 per day for each and every calendar day of unexcused delay in achieving substantial completion. Liquidated damages are capped at 100% of the fee.

cc: Dr. Wazir Ishmael, City Manager