

**CITY OF HOLLYWOOD
INTEROFFICE MEMORANDUM**

TO: Mayor and Commissioners

DATE: December 1, 2021

FROM: Douglas R. Gonzales, City Attorney

SUBJECT: Proposed Phase II Pre-Construction Management at Risk Agreement with State Contracting & Engineering Corp. for David Park Tennis Roof Replacement 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 – Phase II 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) and Resolution No. R-2019-025.
- 4) Term of Contract:
 - a) initial – 12 months
 - b) renewals (if any) – extensions pursuant to agreement.
 - c) who exercises option to renew – both parties
- 5) Contract Amount – Phase II is in an amount of \$292,269.00.
- 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 Phase II Construction Management at Risk Services for the David Park Tennis Roof Replacement Project.
- 9) Other Significant Provisions: Agreement provides for liquidated damages in subsection 6.1.3 as \$227.32 per day for each and every calendar day of unexcused delay in achieving substantial completion.

cc: Dr. Wazir Ishmael, City Manager