

RESOLUTION NO. R-CRA-2023-01

A RESOLUTION OF THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY ("CRA"), AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO EXECUTE AN AGREEMENT WITH BURKHARDT CONSTRUCTION INC. FOR PHASE I PRECONSTRUCTION SERVICES FOR THE PHASE IV - UNDERGROUNDING OF OVERHEAD UTILITIES AND STREETScape BEAUTIFICATION AT E/W STREETS, STREET ENDS, SURF ROAD FROM HARRISON STREET TO MAGNOLIA TERRACE AND SR A1A FROM HOLLYWOOD BOULEVARD TO THE SOUTHERN CITY LIMITS; APPROVING AND AUTHORIZING THE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$159,820.00; FURTHER APPROVING AND AUTHORIZING THE CRA EXECUTIVE DIRECTOR TO EXECUTE ALL APPLICABLE AGREEMENTS AND/OR DOCUMENTS TO IMPLEMENT THE PROJECT.

WHEREAS, the Hollywood Beach Community Redevelopment Agency ("CRA") Plan identified the need to eliminate slum and blight by improving circulation for pedestrians, bicyclists, and motorists, and to underground the overhead utilities lines ; and

WHEREAS, in accordance with Florida Statute Section 255.103, a governmental entity, including a municipality and a special district, may select a construction management entity pursuant to the process provided by Florida Statute Section 287.055, the Consultants' Competitive Negotiation Act ("CCNA"); and

WHEREAS, if a governmental entity seeking construction management services chooses to procure such services pursuant to CCNA, it must issue a request for qualifications, review the statements of qualifications, rank the firms, and negotiate with the most qualified firm; and

WHEREAS, on June 15, 2022, Request for Qualification ("RFQ") Number RFQ-4736-22-GJ was electronically advertised to solicit firms to provide Construction Management at Risk Services, for the Phase IV undergrounding of overhead utilities and streetscape beautification; and

WHEREAS, on October 12, 2022, the CRA Board approved Resolution No. R-BCRA 2022-51, authorizing the appropriate CRA officials to negotiate and award an agreement with the highest ranked firm Burkhardt Construction Inc. ("Burkhardt"); and

WHEREAS, Burkhardt submitted a proposal for the Construction Management at Risk: Phase I - Pre-Construction fee in an amount not to exceed \$159,820.00, attached as Exhibit "A", with a Scope of Work as follows:

Task	Price
Scheduling	\$ 13,760.00
Constructability Review/Design Meetings	\$ 32,400.00
GMPPrequalifications of Subcontractors	\$ 69,900.00
Total Phase IV EW & SR A1A	\$ 116,060.00
Allowances	
GMP FDOT RRR	\$ 26,520.00
Additional drainage Improvements SWMP	\$ 17,240.00
Grand Total	\$ 159,820.00

; and

WHEREAS, staff recommends that the Board accept the proposal and approve the Phase I - Preconstruction services agreement attached as Exhibit "B"; and

WHEREAS, funding for this expenditure is divided by task between Beach CRA account number 163.639901.552.563010.001235.000.000 - Underground Ph 4 (A1A South), and 163.639901.552.563010.001236.000.000 - Underground Ph 4 (East/West Streets).

NOW, THEREFORE, BE IT RESOLVED BY THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY:

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 CRA officials, of the attached agreement with Burkhardt Construction Inc., together with such non-material changes as may be subsequently agreed to by the CRA Executive Director and approved as to form and legal sufficiency by the CRA's General Counsel.

Section 3: That it approves and authorizes the Executive Director to execute all applicable agreements and documents to implement the project.

Section 4: That it approves and authorizes the use of funds from account numbers 163.639901.552.563010.001236.000.000 and 163.639901.552.563010.001235.000.000, in an amount not to exceed \$159,820.00.

A RESOLUTION OF THE HOLLYWOOD, FLORIDA COMMUNITY REDEVELOPMENT AGENCY ("CRA"), AUTHORIZING THE APPROPRIATE CRA OFFICIALS TO EXECUTE AN AGREEMENT WITH BURKHARDT CONSTRUCTION INC. FOR PHASE I PRECONSTRUCTION SERVICES FOR THE PHASE IV - UNDERGROUNDING OF OVERHEAD UTILITIES AND STREETScape BEAUTIFICATION.

Section 5: That this Resolution shall be in full force and effect immediately upon passage and adoption.

PASSED AND ADOPTED this 18th day of JANUARY, 2023.

ATTEST:

HOLLYWOOD, FLORIDA COMMUNITY
REDEVELOPMENT AGENCY



PHYLLIS LEWIS, BOARD SECRETARY



JOSH LEVY, BOARD CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY for the use and reliance
of the Hollywood, Florida Community
Redevelopment Agency only.



DOUGLAS R. GONZALES
GENERAL COUNSEL

**BURKHARDT
CONSTRUCTION, INC.**

Vincent G. Burkhardt
President



November 23rd, 2022; Rev. 12/6/2022; Rev. 12/8/2022

City of Hollywood, Community Redevelopment Agency

1948 Harrison Street

Hollywood, FL 33020

Attn: Ms. Sarita Shamah, Senior Project Manager

RE: Scope and fee proposal for pre-construction services as Construction Manager at Risk (CMAR) for Phase IV – Undergrounding of Overhead Utilities and Streetscape Beautification Project (BCRA 19-001)

Dear Ms. Shamah:

Burkhardt Construction, Inc., acting as Construction Manager at Risk (CMAR), is pleased to provide the attached scope and fee proposal for pre-construction services for the Phase IV – Undergrounding of Overhead Utilities and Streetscape Beautification Project, Hollywood, Florida.

Burkhardt Construction, Inc. pre-construction services are composed of the following tasks:

- I. Scheduling
- II. Constructability Review/Design Meetings
- III. Cost Estimating – ELIMINATED FROM SCOPE
- IV. Value Engineering – ELIMINATED FROM SCOPE
- V. Guaranteed Maximum Price (GMP) Development/Prequalification of Subcontractors
 - a. East/West Streetscape Project and the A1A Undergrounding from Hollywood Blvd. to the Southern City Limits
 - b. RRR project for FDOT (Allowance)
 - c. Additional Drainage Improvements -SWMP – (Allowance)

Please feel free to contact me directly should you have any questions regarding any of the information included in this letter or the attached schedule of pre-construction fees and services.

Respectfully submitted,

Burkhardt Construction, Inc.

A handwritten signature in blue ink, appearing to read "M. Kleisley".

Marc R. Kleisley

Vice President

PRECONSTRUCTION PHASE SCOPE OF SERVICES

Task I – \$ 13,760.00

Task I: Scheduling

This task will include the following activities:

- (A) The Construction Manager shall develop a Detailed Project Schedule, utilizing Critical path method (CPM) logic sequencing, reflecting the design (remaining portion thereof) and construction of the overall project.
- (B) The Construction Manager shall utilize the completed Detailed Project Schedule to develop a Project Control Schedule, which shall be presented in a bar graph format. The purpose of the Project Control Schedule is to summarize the information contained in the CPM schedule to provide the project team with a management tool and an overall project visual aid to easily determine the schedule and status of the total project. The information derived from these two schedules is to become part of the Construction Manager's management plan.

Task II - \$ 32,400.00

Task II – Constructability Review/Design Meetings

This task will include the following activities:

- (A) CMAR shall review and evaluate design development documents (if applicable) for clarity, consistency, completeness, and ease of construction in order to achieve the overall objective of the project. CMAR will also periodically review all CONTRACT DOCUMENTS for constructability and to help ensure compliance with all applicable laws, rules, codes, design standards, and ordinances. CMAR shall immediately notify CRA of any non-compliant CONTRACT DOCUMENTS.
- (B) The Construction Manager's review of the design documents shall include the following activities:
 - 1. Preparing a Master Checklist to be used as a guide for reviewing each technical discipline.
 - 2. Conducting reviews by preparing a "mark-up" set of documents and a list of comments corresponding to the "mark-up."
 - 3. Preparing and presenting a written report of constructability problems and concerns, including:
 - (a) Recommendations

- (b) Checklist and comments
- 4. Attending workshop meetings with the Consultant and the CRA's Project Manager to review proposed changes and recommending the changes, which are to be implemented for the project.
- 5. Verifying and conducting final review of changes to the construction Documents.
- (C) CMAR will review all CONTRACT DOCUMENTS, all new and existing buildings' conditions, and the building site to ensure proper coordination, constructability, clarity and completeness, and to minimize conflict, errors, omissions and unforeseen conditions as it relates to the harmonization design at each property.
- (D) CMAR will participate in design team meetings and public informational meetings and presentations as it relates to the AIA portion of the project. CMAR anticipates meeting five (5) times.

Task III – ELIMINATED FROM SCOPE

Task III – Cost Estimating – ELIMINATED FROM SCOPE

Task IV – ELIMINATED FROM SCOPE

Task IV – Value Engineering - ELIMINATED FROM SCOPE

Task V (a.) - \$ 69,900.00

- **Guaranteed Maximum Price (GMP) Development/Prequalification of Subcontractors**
- *East/West Streetscape Project and the AIA Undergrounding*

This task will include the following activities:

- (A) Construction Manager shall prepare a Guaranteed Maximum Price ("GMP") and the final construction budget based on the 90% construction documents development with Construction Manager's input. The GMP shall consist of a detailed line-item quantity and price survey for all major items of work to be performed. Any Project scope of work items for which 90% plans were not yet developed, may be included in the GMP as Allowance items, or may be added to the contract at a future date by change order. The Construction Manager's costs for general conditions shall be detailed as well as the Construction Manager's

Fee. The GMP shall be presented to the Owner along with all supporting documentation for review. Negotiations of the final GMP shall be conducted between the Construction Manager and the CRA. The agreed upon GMP shall be documented as an amendment to this Contract.

- (B) CMAR shall review the CRA's records of pre-qualified contractors and prepare a list of those recommended for work pursuant to this contract. The CRA reserves the right to reject any or all subcontractors recommended for approval. CMAR shall maintain a list of all potential bidders, including M/WBEs and those who are approved as pre-qualified. In the event that this PROJECT is funded wholly or in part by grant funds or other governmental entity funding, CMAR shall comply with any and all requirements of the funding source or requirements of the governmental entity.
- (C) The Construction Manager shall evaluate potential participants to establish their qualifications (based on past work experience, similar projects, the building quality of those past projects, and other similar factors) for presentation to the CRA. The Construction Manager shall present its evaluation to the CRA in the form of a written report utilizing the CRA's forms as necessary, the subcontractors being considered, the scope of work recommended for that subcontractor, the subcontractor's qualifications and past work history, and the Construction Manager's recommendation concerning the use of the listed subcontractors.
- (D) CMAR shall prepare and issue bid packages to cover the scope of the Work for this contract.
- (E) CMAR, in coordination with the CRA, shall schedule pre-bid conferences as required and issue a written summary of the conference (s).
- (F) CMAR and CRA shall jointly open and evaluate, at a mutually agreed upon location, at least three bids, if possible, for each portion of the WORK solicited. CMAR shall also make recommendations to the CRA for award to the lowest, responsive, and responsible bidder. A recommendation for award to other than the lowest bidder shall be justified in writing. CMAR will disclose any related party relationship in a bidding subcontractor in writing prior to the award of contracts. For the purposes of this agreement, a related party relationship shall constitute any instance of common ownership, common management, or an ownership stake in the bidding subcontractor. CMAR is required to present the bid tabulation summary and all supporting bid day documentation to the CRA after the bid opening. The referenced documentation as well as the awarding of any subcontracts is subject to the written approval of the CRA. The CMAR is not authorized to enter into any subcontract agreements without first obtaining written approval for each subcontractor.

Task V(b.) - \$ 26,520.00 (Allowance)

- **Guaranteed Maximum Price (GMP) Development/Prequalification of Subcontractors**
- *RRR project for FDOT*

This task will include the following activities:

- (A) Construction Manager shall prepare a Guaranteed Maximum Price ("GMP") and the final construction budget based on the 90% construction documents development with Construction Manager's input for the future RRR FDOT project. The GMP shall consist of a detailed line-item quantity and price survey for all major items of work to be performed. Any Project scope of work items for which 90% of the plans were not yet developed, may be included in the GMP as Allowance items, or may be added to the contract at a future date by change order. The Construction Manager's costs for general conditions shall be detailed as well as the Construction Manager's Fee. The GMP shall be presented to the Owner along with all supporting documentation for review. Negotiations of the final GMP shall be conducted between the Construction Manager and the CRA. The agreed upon GMP shall be documented as an amendment to this Contract.
- (B) The Construction Manager shall utilize pre-qualified FDOT subcontractor's that were invited to bid on the East/West Streetscape Project and the AIA Undergrounding for bidding the RRR FDOT project.
- (C) The GMP costs for the RRR FDOT project will be added to the existing East/West Streetscape GMP including all associated CMAR fees if the CRA wishes to move forward with the GMP for the RRR FDOT project.

Task V(c.) - \$ 17,240.00 (Allowance)

- **Guaranteed Maximum Price (GMP) Development/Prequalification of Subcontractors**
- *GMP for Additional Drainage Improvements -SWMP – (Allowance)*

This task will include the following activities:

- (A) Construction Manager shall prepare a Guaranteed Maximum Price ("GMP") and the final construction budget based on the 90% construction documents development with Construction Manager's input for the future proposed drainage improvements along Surf Road. The GMP shall consist of a detailed line-item quantity and price survey for all major items of work to be performed. Any Project scope of work items for which 90% of the plans were not yet developed,

may be included in the GMP as Allowance items, or may be added to the contract at a future date by change order. The Construction Manager's costs for general conditions shall be detailed as well as the Construction Manager's Fee. The GMP shall be presented to the Owner along with all supporting documentation for review. Negotiations of the final GMP shall be conducted between the Construction Manager and the CRA. The agreed upon GMP shall be documented as an amendment to this Contract.

- (B) The Construction Manager shall utilize the same pre-qualified subcontractor's that were invited to bid on the East/West Streetscape Project and the AIA Undergrounding for bidding the proposed drainage improvements.
- (C) The GMP costs for the proposed drainage improvements along Surf Road will be added to the existing East/West Streetscape GMP including all associated CMAR fees if the CRA wishes to move forward with the GMP for the proposed drainage improvements.

TOTAL PRE-CONSTRUCTION SERVICES FEE ALL TASKS I THROUGH V:

\$ 159,820.00

All tasks and fees include supplies, presentation materials, equipment, personnel, travel and related costs associated with performing the services described.

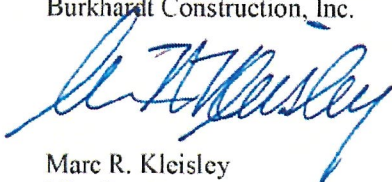
Presentation and acceptance, by the Owner, of a mutually acceptable GMP shall conclude preconstruction services.

We have attached our current hourly rates for your use should additional or alternative pre-construction services be requested. Additional pre-construction services scope and fee proposals for other services shall be prepared and submitted by the CMAR as requested by the Owner.

Thank you for the opportunity to submit this pre-construction services proposal. If you have any questions on this proposal, please contact us at (561) 659-1400.

Respectfully,

Burkhardt Construction, Inc.



Marc R. Kleisley
Vice President

Hourly Rates for Additional Requested
Pre-Construction Services

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Vincent G. Burkhardt	President	\$300.00
Sharon H. Burkhardt	Secretary/C.P.A.	\$200.00
Marc R. Kleisley	Vice President/Proj. Principal	\$200.00
Anthony Sabatino	Senior Project Manager	\$150.00
Bill Zammit	Snr. Vertical Project Manager	\$150.00
Adam Rossmell	Project Manager	\$120.00
CJ Rhody	Project Manager	\$120.00
Brandon Rhodes	Project Manager	\$120.00
Kevin Brennen	Asst. Project Manager	\$ 90.00
Nicholas Fasulo	Asst. Project Manager	\$ 90.00
Ruben Almazan	Const. Field Mgr.	\$100.00
Mike Vazquez	Const. Field Mgr.	\$100.00
Karl T. Kaminski	Utilities Const. Field Mgr.	\$100.00
Michael Parsons	Utilities Const. Field Mgr.	\$100.00
Hemant Tank	Estimator/Cost Engineer	\$ 75.00
	Resident/Merchant Outreach	\$ 75.00
Sarah B. Hoadley	Accounting Manager/M.B.A.	\$ 90.00
Katy Pantaleon	Accounting	\$ 75.00
Brittany Darville	Admin. Ass't/Clerical	\$ 50.00
Crystal Caldwell	Admin. Ass't/Clerical	\$ 50.00