

RESOLUTION NO. R-2022-223

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS NEGOTIATE A CONTRACT WITH THE HIGHEST-RANKED FIRM FOR THE DESIGN OF THE BEVERLY PARK SIDEWALK AND ADA COMPLIANCE PROJECT, WITH FUNDING PROVIDED UNDER THE FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM.

WHEREAS, on November 1, 2017, the City Commission passed and adopted Resolution No. R-2017-323, authorizing appropriate City officials to submit the Complete Streets and other Localized Initiatives Program project ("CSLIP") funding application for the Beverly Park Sidewalk and ADA Compliance Project; and

WHEREAS, on January 22, 2019, the Broward Metropolitan Planning Organization ("MPO") approved funding for the CSLIP, known as the Beverly Park Sidewalk and ADA Compliance Project; and

WHEREAS, on January 20, 2021, the City Commission passed and adopted Resolution No. R-2021-014, continuing its support for the CSLIP project overseen by the Florida Department of Transportation ("FDOT") as described above; and

WHEREAS, pursuant to Resolution No. R-2021-14, the projects will be funded by the City, and based upon the Local Agency Program ("LAP") Agreement to be executed by the parties, the City will be able to seek reimbursement for such project expenditures related to design, construction engineering and inspection; and

WHEREAS, on April 20, 2022, the City Commission passed and adopted Resolution No. R-2022-104, approving the executed LAP Agreement to reimburse the City for the design costs related to the Beverly Park Sidewalks and ADA Compliance Project, up to a maximum project cost amount of \$900,000.00; and

WHEREAS, the City has followed the requirements set forth in Section 287.055, Florida Statutes, entitled "Consultants Competitive Negotiation Act" ("CCNA") and the City's Procurement Code to obtain the services of engineering design consultants for this project; and

WHEREAS, on June 1, 2022, the City advertised on [www.bidsync.com](http://www.bidsync.com) Request for Qualifications No. RFQ- 4740-22-WV for Engineering Design Services for Hollywood Beach Heights Sidewalk Network ("RFQ"); and

WHEREAS, on June 21, 2022, the Office of the City Clerk and the Department of Design and Construction Management ("DCM") received Statement of Qualifications packages from the following four firms:

- EXP U.S. Services, Inc.
- HBC Engineering Company
- Kimley-Horn and Associates, Inc.
- M&J Engineering, P.C.

; and

WHEREAS, a City Staff Selection Committee was assembled, approved by and, working under the guidance of the Procurement Division, made up of a Senior Project Manager from Utilities, a Project Manager and an Engineering Support Services Manager from DCM; and

WHEREAS, on June 22, 2022, the Selection Committee met in a publicly advertised meeting to evaluate Statements of Qualifications based on the selection criteria published in the RFQ; and

WHEREAS, the Selection Committee decided that interviews and/or oral presentations were not necessary and, therefore, completed the initial selection evaluation, ranking the firms as follows:

1. Kimley-Horn and Associates, Inc.
2. EXP U.S. Services, Inc.
3. HBC Engineering Company
4. M&J Engineering, P.C.

; and

WHEREAS, the RFQ, Statement of Qualifications and Section 287.0554(b), Florida Statutes, require that a minimum of three consulting firms be selected; and

WHEREAS, it is the recommendation of the Selection Committee to rank the three firms in the following order for consideration:

1. Kimley-Horn and Associates, Inc.
2. EXP U.S. Services, Inc.
3. HBC Engineering Company

; and

WHEREAS, DCM recommends that the City Commission authorize the appropriate City officials to negotiate a contract with the highest ranked firm for this project; and

WHEREAS, upon negotiating a contract with the highest ranked firm, if the contract amount falls within the City Manager's authority pursuant to Section 38.38 of the City's Procurement Code, the City Manager will execute the contract; and

WHEREAS, if the contract amount exceeds the City Manager's authority, the contract will be brought back to the City Commission for consideration at a later date; and

WHEREAS, funding for the design of this project was included in the amended FY 2022 Capital Improvement Plan and is available in account number 117.179901.54100.563010.001460.000.000; and

WHEREAS, funding for the City's contribution for construction contingency, and upfront funding for construction engineering and inspections and construction services will be requested in a future Capital Improvement Plan.

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 appropriate City officials to negotiate a contract with the highest ranked firm, Kimley-Horn and Associates, Inc., together with such non-material changes as may be subsequently agreed to by the City Manager and approved as to form and legal sufficiency by the City Attorney.

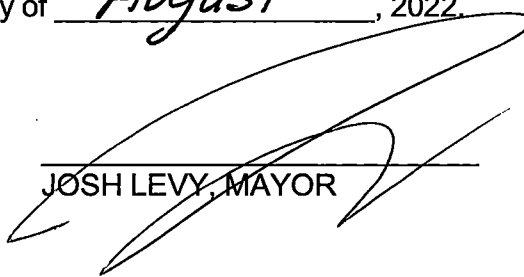
Section 3: That if the negotiated contract falls within the City Manager's authority pursuant to Section 38.38 of the City's Procurement Code, the City Manager is authorized to execute the contract but, if the contract amount is above the City Manager's authority, the contract will be brought back to the City Commission at a later date for consideration and approval.

Section 4: That if the appropriate City officials are unable to negotiate a contract with the highest-ranked firm, then they are authorized to terminate negotiations with that firm, commence negotiations with the next highest-ranked firm and execute a contract, if possible, in accordance with Section 3.


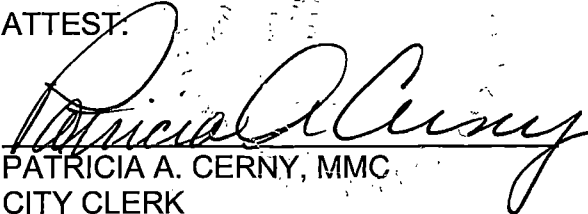
Section 5: That this Resolution shall be in full force and effect immediately upon its passage and adoption.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RANKING ENGINEERING FIRMS AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE A CONTRACT WITH THE HIGHEST-RANKED FIRM FOR THE DESIGN OF THE BEVERLY PARK SIDEWALK AND ADA COMPLIANCE PROJECT, WITH FUNDING PROVIDED UNDER THE FLORIDA DEPARTMENT OF TRANSPORTATION LOCAL AGENCY PROGRAM.

PASSED AND ADOPTED this 31 day of August, 2022.

  
\_\_\_\_\_  
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

DR