

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners

**DATE:** October 27, 2021

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

**SUBJECT:** Proposed Negotiation with the Highest Ranked Firm, Whiting Turner Contracting Company to provide professional Pre-Construction Management at Risk Services for the North Beach Utilities Underground Conversion, a GOB Bond project, and Hollywood Beach Utility Improvements - Phase 1A Projects a Public Utilities 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 and Public Utilities
- 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-4669-22-DCM.
- 4) Term of Contract:
  - a) initial – to be determined in negotiations
  - b) renewals (if any) – n/a
  - c) who exercises option to renew – n/a
- 5) Contract Amount – to be determined in negotiations
- 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 North Beach Utilities Underground Conversion, a GOB Bond project, and Hollywood Beach Utility Improvements - Phase 1A Projects a capital improvement project.

Term Sheet continued

- 9) Other Significant Provisions: If the negotiated pre-construction services contract amount falls with the City Manager's authority pursuant to Section 38.38 of the Procurement Code then the City Manager will execute the contract. In the event that the contract amount is higher than then City Manager's authority, the negotiated agreement will be brought back to the City Commission for approval.

cc: Dr. Wazir Ishmael, City Manager