

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, RANKING CONSTRUCTION MANAGEMENT AT RISK FIRMS TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES FOR THE NORTH BEACH UTILITIES UNDERGROUND CONVERSION, A GENERAL OBLIGATION BOND PROJECT, AND THE HOLLYWOOD BEACH UTILITY IMPROVEMENTS - PHASE 1A PROJECTS, A PUBLIC UTILITIES PROJECT; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO NEGOTIATE A PHASE 1 PRE-CONSTRUCTION SERVICES CONTRACT WITH THE HIGHEST RANKED FIRM.

WHEREAS, on March 12, 2019, the City held a Special Election where a majority of voters decided to fund a variety of Citywide public improvement projects to be funded by a General Obligation Bond ("GOB"), and the North Beach Utilities Underground Conversion Project was one of the projects approved by the voters; and

WHEREAS, the 2007 Water System Master Plan identified the need to replace aging infrastructure throughout the City and to install additional infrastructure to improve the level of service within the City's water system; and

WHEREAS, the Citywide Water Main Replacement Program, as outlined in the 2007 Water System Master Plan, identified the need to replace old water distribution infrastructure and install new water mains in the North Beach area; and

WHEREAS, the Department of Public Utilities has also identified the need to increase the size of existing sanitary sewer force main and lift station infrastructure within the above-mentioned area; and

WHEREAS, on March 3, 2021, pursuant to Resolution No. R-2021-060, the City Commission authorized the execution of an agreement with Tetra Tech, Inc. to provide professional engineering services related to the design and construction administration services for the Hollywood Beach Utility Improvements Phase 1 Project within the North Beach area; and

WHEREAS, the Department of Design and Construction Management is implementing the North Beach Utilities Underground Conversion project, approved in the GOB, within the area from Ocean Drive to Surf Road, between Balboa Street to Franklin Street and from Douglas Street to Freedom Street; and

WHEREAS, the Department of Public Utilities is performing the above-mentioned utility improvements in the same area under the Hollywood Beach Utility Improvements - Phase 1A Project; and

WHEREAS, the Department of Design and Construction Management and Department of Public Utilities would like to implement these projects under one contract to reduce cost and to minimize construction impacts to the residents and surrounding community; and

WHEREAS, it is in the best interest of the City to enter into an agreement with a qualified general contractor to provide professional Construction Management at Risk services that are required to complete these construction projects; and

WHEREAS, as provided for in Section 255.103, Florida Statutes, entitled "Construction Management Entities", the City has followed the procedures set forth in Section 287.055, Florida Statutes, entitled "Consultants' Competitive Negotiation Act" ("CCNA") and the City's Procurement Code to advertise for Statements of Qualifications for Construction Management at Risk Services; and

WHEREAS, on August 3, 2021, RFQ-4682-21-GJ was posted on the City's website, advertised and sent to 5,961 firms and viewed by 80 vendors on Bidsync.com, in accordance with Section 38.43 of the City's Procurement Code; and

WHEREAS, RFQ-4682-21-GJ was opened on September 9, 2021, and resulted in proposals from the following two firms:

1. The Whiting-Turner Contracting Company (Fort Lauderdale, Florida)
2. Burkhardt Construction, Inc. (Hollywood, Florida); and

WHEREAS, on September 23, 2021, The North Beach Utilities Underground Conversion Hollywood Beach Utility Improvements - Phase 1A Projects Selection Committee ("Selection Committee") met to evaluate and rank the proposals; and

WHEREAS, evaluation of the proposals was based upon the approved Evaluation Criteria established in the RFQ: Firm's Qualifications and Experience; Organizational Profile and Project Team Qualifications; Approach to Scope of Work; Knowledge of site and local conditions; References; Location of Firm's Office, and Financial Resources; and

WHEREAS, based on the Evaluation Criteria, the Selection Committee evaluated and scored the two proposals, with the highest score being the highest ranked as follows:

1. Burkhardt Construction, Inc. 475 Points
2. The Whiting-Turner Contracting Company 468 Points ; and

WHEREAS, on October 5, 2021, oral presentations were provided followed by a public Selection Committee meeting during which the Selection Committee ranked the firms; and

WHEREAS, scores were compiled to arrive at the following rankings, with the lowest score being the highest ranked:

1. The Whiting-Turner Contracting Company 1st (6 Points)
2. Burkhardt Construction, Inc. 2nd (9 Points); and

WHEREAS, the Director of the Department of Design and Construction Management and the Director of Department of Public Utilities recommend that the City Commission authorize the appropriate City officials to negotiate the Phase 1 Pre-Construction Services Construction Manager at Risk Agreement, as set forth in the Request for Qualifications package, with the highest-ranked firm, to provide Construction Manager at Risk services as set forth above; and

WHEREAS, upon negotiating the Phase 1 Pre-Construction Services Agreement with the highest rank firm, if the contract amount falls within the City Manager's authority pursuant to Section 38.38 of the Procurement Code, the City Manager will execute the agreement; however, if the contract amount exceeds his authority, the agreement will be brought back to the City Commission for consideration; and

WHEREAS, after execution of the Phase I Pre-Construction Services Agreement, the parties will negotiate the Phase II-Construction Services Agreement for consideration by the City Commission at a later date; and

WHEREAS, funding for the preconstruction services portion of this project is available in account number 333.149901.54100.563010.001188.000.000.

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 the attached Construction Manager At Risk Phase I Pre-Construction Agreement for preconstruction phase services with the highest-ranked firm, The Whiting-Turner Contracting Company, 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 Construction Manager At Risk Phase I Pre-Construction services amount falls within the City Manager's authority pursuant to Section 38.38 of the Procurement Code, the City Manager is authorized to execute the attached Agreement, but in the event that the contract amount is above the City Manager's authority, the Agreement 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 an agreement with the highest-ranked firm, then they are authorized to terminate negotiations with that firm and commence negotiations with the next highest-ranked firm and execute an agreement, 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.

PASSED AND ADOPTED this _____ day of _____, 2021.

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