



**Hallandale Beach**  
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400 South Federal Hwy  
Hallandale Beach, FL 33009

## City of Hallandale Beach City Commission Agenda Cover Memo

<b>Meeting Date:</b>	April 19, 2017		<b>Item Type:</b> <small>(Enter X in box)</small>	<b>Resolution</b> <div style="text-align: center;">X</div>	<b>Ordinance</b>	<b>Other</b>
<b>Fiscal Impact:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Ordinance Reading:</b> <small>(Enter X in box)</small>		<b>1<sup>st</sup> Reading</b>	
	X		<b>Public Hearing:</b> <small>(Enter X in box)</small>		<b>2<sup>nd</sup> Reading</b>	
<b>Funding Source:</b>	302-7290-565000		<b>Advertising Requirement:</b> <small>(Enter X in box)</small>		<b>Yes</b>	
	Capital Project Account				<b>No</b>	
<b>Account Balance:</b>	\$32,310,674		<b>Quasi Judicial:</b> <small>(Enter X in box)</small>		<b>Yes</b>	
					<b>No</b>	
<b>Project Number :</b>	PA 151 Bluesten Park		<b>RFP/RFQ/Bid Number:</b>		RFP # FY 2014-2015-010	
<b>Contract/P.O. Required:</b> <small>(Enter X in box)</small>	<b>Yes</b>	<b>No</b>	<b>Strategic Plan Priority Area:</b> <small>(Enter X in box)</small>			
			Safety <input type="checkbox"/>			
			Quality <input type="checkbox"/>			
			Vibrant Appeal <input checked="" type="checkbox"/>			
<b>Sponsor Name:</b>	Roger M. Carlton, City Manager		<b>Department:</b> <b>Office Of Capital Improvements</b>		Sarita Shamah, Director, Office of Capital Improvements	

**Short Title:**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ACCEPTING THE GUARANTEED MAXIMUM PRICE (GMP) OF FOURTEEN MILLION SIX HUNDRED EIGHTY TWO THOUSAND SEVEN HUNDRED AND EIGHTY FIVE DOLLARS (\$14,682,785) AND AWARDING PHASE I CONSTRUCTION SERVICES (GMP) OF RFP FY 2014-2015-010, CONSTRUCTION MANAGER AT RISK SERVICES TO KAUFMAN LYNN CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES FOR BLUESTEN PARK. AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KAUFMAN LYNN CONSTRUCTION, INC.; AND PROVIDING AN EFFECTIVE DATE.

## Staff Summary:

### **BACKGROUND**

On February 9, 2015 the Construction Manager at Risk Request for Proposal (CMAR) RFP # FY 2014-2015-010 was released. The RFP included a two phase award: Phase I for Preconstruction Services and Phase 2 for Construction Services - Guaranteed Maximum Price (GMP). On January 6, 2016, Resolution No. 2016-04 awarded the CMAR Preconstruction Services to Kaufman Lynn Inc. in an amount not to exceed Three Hundred Forty Eight Thousand Seven Hundred and Thirty Dollars (\$ 348,730.000). As part of the Preconstruction Services, Kaufman Lynn is engaged in the Design development of the project along with the Architect ACAI Associates, to provide assistance in the cost containment process, materials and constructability recommendations.

A Guaranteed Maximum Price (GMP) contract is a cost-type open-book contract where the contractor is compensated for actual costs incurred plus a fixed fee subject to a ceiling price.

As part of the Pre-Construction services, Kaufman Lynn Construction, Inc. (KL) is required to present a final GMP to the City for consideration following issuance of the 90% Construction Documents for Phase I which is the Site- Civil Portion and Right of Way Improvements and Phase II of the Construction which includes the building and the balance of the park amenities. This GMP is for Phase I only. Phase II is estimated to be presented in July 2017.

### **CURRENT SITUATION**

Construction projects typically involve three phases: planning, design, and construction. Under the CMAR method, the City selects the CMAR firm, which will later serve as the project general contractor. During the design phase, the General Contractor will provide management services, such as constructability reviews of the design, construction scheduling, and project cost estimates, to the City. **At the time of the GMP, if the price is not acceptable to the City, the City has the ability to solicit a bid price from the next General Contractor on the list.**

Upon award of the GMP, the CMAR contract becomes a contract where the CMAR firm assumes responsibility for the performance of the work, including the work performed by project subcontractors. The City pays the CMAR firm the actual cost of the work plus the agreed-upon CMAR fee, up to the GMP Price. Any additional costs beyond the GMP is the responsibility of the CMAR. Within the GMP is a 6% percent contingency for unanticipated scope changes for unforeseen site conditions or other unanticipated events encountered during construction. Unutilized contingency within the GMP will be returned to the City upon completion of the project.

As an additional incentive and cost saving measure, the GMP contract includes a provision that will allow for the City and Contractor to share in any cost savings. Therefore, as an incentive to reduce the cost of the project, any savings effectuated by the CMAR will be shared with the City retaining 60% of the savings and the Contractor receiving 40%.

### **Project Schedule**

The 90% construction documents were submitted to the City on December 21, 2016. They have been reviewed by the Building Department, first round on comments were completed on February 27, 2017 and resubmitted on March 27, 2017. As set forth in the attached schedule and contract, construction is estimated to be substantially completed within 418 days from the City's issuance of the Notice to Proceed to KAUFMAN LYNN CONSTRUCTION. Ground breaking is currently being coordinated and will be scheduled for the beginning of May. KAUFMAN LYNN CONSTRUCTION will begin full mobilization, pending permit approval, June 1, 2017.

The project will be divided into two phases to minimize impact to the Park Department operations. Phase I will commence with construction of the ballfields, basketball courts, field house, underground infrastructure and streetscapes. Phase II will include the upper Three quarters of the site located on the North West section of the property adjacent to Dixie Hwy. Phase II includes the building, playground, parking lot, tennis courts. See Exhibit 6

Phase II is scheduled to begin on September 1, 2017 and will include the construction of the community building, playground and tennis courts. Phase II construction is estimated to be approximately 14 months in length.

Attached Exhibit 1.A and 1.B sets forth the full scope of services to be performed by Kaufman Lynn as well as the negotiated fee for the Pre-Construction services.

### **WHY ACTION IS NECESSARY**

Pursuant to the City of Hallandale Beach Code of Ordinances Chapter 23, Section 23-4, Competitive Bidding Required, all purchases and contracts for equipment, supplies and contractual services, when the estimated cost shall exceed \$50,000, shall be based on competitive bids. Furthermore, pursuant to Chapter 23, Section 23-6 - Award of Contract, the City Manager shall have the authority to recommend to the City Commission award of contracts.

The City released RFP FY #2014-2015-010 on September 9, 2015. The Preconstruction Phase was awarded to Kaufman Lynn Construction Inc. in October, 2015.

In order to limit the disruption to the existing park operations, the project will be completed in two phases with a separate GMP for Phase I followed by Phase II. Phase II GMP will be back to City Commission this summer which will be the final GMP for the conclusion of the Bluesten

Park Project. The source of funding is allocated in the in the Capital projects account and both GMP's will not exceed the allocated funding of \$32,319,614.

**Fiscal Impact:**

As proposed in attached Exhibit A.1., Kaufman Lynn Construction Inc. will perform Phase I construction services for Bluesten Park for a Guaranteed Maximum Price of **\$14,682,785.00**. The development will include: construction of (3) ballfields with all amenities, field house with concession area and restrooms, maintenance facility for Parks and & Recreation, multipurpose synthetic field, streetscape that will surround the streets that border the park, and a new SE 4<sup>th</sup> Avenue connector road that will provide north / south access once Old Federal Hwy has been vacated

**Proposed Action:**

Staff recommends the City Commission to authorize the City Manager to execute an agreement with Kaufman Lynn Construction, Inc., for the construction phase of Bluesten Park with a Guaranteed Maximum Price of Fourteen Million Six Hundred Eighty Two Thousand Seven Hundred and Eighty Five dollars (**\$14,682,785.00**), in substantially the same form as Exhibit A.1. Furthermore, authorize the City Manager to utilize the Parks General Obligation Fund to make any and all necessary purchases within the GMP approved amount. Further, staff recommends that the City Manager be authorize to approve all change orders under \$25,000 to facilitate the construction and avoid delays and report those changes to the City Commission monthly. This authority will not allow the budget for the project to be exceeded

**Attachment(s):**

Exhibit 1 – Resolution for Construction Phase Guaranteed Maximum Price  
Exhibit A.1 – Agreement between the City of Hallandale Beach and Kaufman Lynn Construction, Inc.  
Exhibit B-- Community Benefit Plan  
Exhibit 2 – Estimated Project Cost – Construction Phase  
Exhibit 3 – RFP# FY 2014-2015-010  
Exhibit 4 – Preliminary Project Schedule  
Exhibit 5 – 90% Bluesten Park - Site Plan  
Exhibit 6-- Project Phase Layout