

1 EXHIBIT 1

2 RESOLUTION NO. 2023 - _____

3 A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS
4 OF THE HALLANDALE BEACH COMMUNITY
5 REDEVELOPMENT AGENCY APPROVING A GUARANTEED
6 MAXIMUM PRICE PROPOSAL BY BURKHARDT
7 CONSTRUCTION INC. IN THE AMOUNT OF \$2,163,695.04 FOR
8 THE SIDEWALK IMPROVEMENTS PROJECT PURSUANT TO
9 THE CONSTRUCTION MANAGEMENT AT RISK AGREEMENT
10 BETWEEN THE HALLANDALE BEACH COMMUNITY
11 REDEVELOPMENT AGENCY AND BURKHARDT
12 CONSTRUCTION INC.; AUTHORIZING THE EXECUTIVE
13 DIRECTOR TO TAKE ALL ACTION NECESSARY TO
14 IMPLEMENT THE GUARANTEED MAXIMUM PRICE
15 PROPOSAL FOR THE SIDEWALK IMPROVEMENTS PROJECT;
16 AND PROVIDING AN EFFECTIVE DATE.

17 **WHEREAS**, the Hallandale Beach Community Redevelopment Agency (“HBCRA”) and
18 Burkhardt Construction, Inc. (“Contractor”) entered into that certain Construction Management at
19 Risk Agreement pursuant to Resolution No. 2021-013 CRA adopted on May 5, 2021, as amended
20 by that certain First Amendment to Construction Management at Risk Agreement dated June 21,
21 2022 (collectively, the “CMAR Agreement”); and
22

23 **WHEREAS**, the CMAR Agreement provides for the construction of various public projects
24 on a guaranteed maximum price (“GMP”) basis; and
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26 **WHEREAS**, pursuant to Section 3.3.1 of the CMAR Agreement “[u]pon receipt of a
27 proposed GMP, if the HBCRA and the Contractor are able to negotiate and agree upon a GMP,
28 an agenda item will be prepared for submission to the HBCRA Commission for approval of a the
29 GMP” and
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31 **WHEREAS**, HBCRA staff has received a GMP proposal of \$2,163,695.04 from the
32 Contractor for the Sidewalk Improvements project throughout the Community Redevelopment
33 Area; and
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35 **WHEREAS**, the Board of Directors of the HBCRA desires to (a) approve the GMP
36 proposal of \$2,163,695.04 from the Contractor for the Sidewalk Improvements project throughout
37 the Community Redevelopment Area and (b) authorize the Executive Director to take all action
38 necessary to implement the GMP proposal of \$2,163,695.04 for the Sidewalk Improvements
39 project including the negotiation, execution and delivery of an Addendum to the CMAR
40 Agreement.
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42 **NOW, THEREFORE, BE IT RESOLVED BY THE CHAIR AND BOARD OF DIRECTORS**
43 **OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY:**
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45 Section 1. Recitals. The recitals in the whereas clauses are true and correct, and
46 incorporated into this Resolution.

47
48 Section 2. Approval of GMP Proposal for Sidewalk Improvements Project. The GMP of
49 \$2,163,695.04 from the Contractor for the Sidewalk Improvements project throughout the
50 Community Redevelopment Area is hereby approved.

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52 Section 3. Implementation of GMP Proposal for Sidewalk Improvements Project. The
53 Executive Director is hereby authorized to take all steps necessary and appropriate to implement
54 the GMP proposal of \$2,163,695.04 for the Sidewalk Improvements project including the
55 negotiation, execution and delivery of an Addendum to the CMAR Agreement.

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57 Section 4. Effective Date. This Resolution shall take effect immediately upon approval.

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59 PASSED AND ADOPTED by a _____ vote of the Board of the Hallandale
60 Beach Community Redevelopment Agency, this 18th day of September, 2023.

61 ATTEST: HALLANDALE BEACH COMMUNITY
62 REDEVELOPMENT AGENCY

63
64
65
66 _____
67 JENORGEN M. GUILLEN JOY COOPER
68 HBCRA SECRETARY CHAIR

69
70 APPROVED AS TO FORM
71 AND LEGAL SUFFICIENCY:

72
73
74
75 _____
76 TAYLOR ENGLISH DUMA LLP
77 HBCRA ATTORNEY

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79 **FINAL VOTE ON ADOPTION**
80 Chair Cooper _____
81 Vice Chair Lima-Taub _____
82 Director Adams _____
83 Director Butler _____
84 Director Lazarow _____