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**INTER-OFFICE CORRESPONDENCE**

**MEMORANDUM NO. 2020-001**

**TO:** Mark Gomes, Procurement Director  
Gabriel Fernandez, Purchasing Manager

**CC:** Charles F. Dodge, City Manager  
Aner Gonzalez, Assistant City Manager  
Marlene D. Graham, City Clerk

**FROM:** Samuel S. Goren, City Attorney *SSG*  
Jacob G. Horowitz, Assistant City Attorney *JGH*

**DATE:** January 6, 2020

**RE:** City of Pembroke Pines ("City") / CCNA Compliance

Pursuant to your request, the City Attorney's Office has reviewed Request for Qualifications #PSUT-18-03 (the "RFQ"), related to the procurement of utilities comprehensive master plan services, and the prospective award of a contract to CH2M Hill Engineers, Inc. ("CH2M") to ensure compliance with Section 287.055, F.S., the Consultant's Competitive Negotiation Act ("CCNA").

Based on our review, the proposed agreement with CH2M has been procured in accordance with the legal requirements of the CCNA.

Please consider the following:

1) On June 6, 2018, the City Commission publicly approved the RFQ, which included a general description of the project and indicated how professional consultants may apply for consideration.

2) On August 14, 2018, the Evaluation Committee (the "Committee") convened to consider the three (3) responses to the RFQ and hear presentations from the three (3) prospective consultants. The Committee unanimously recommended that the City Commission award a contract to CH2M and direct the city manager to negotiate a contract with CH2M, and move on the second-ranked firm if a contract could not be successfully negotiated.

3) On September 17, 2018, the City Commission approved the findings and recommendations of the Committee to award a contract to CH2M pursuant to the RFQ and directed the city manager to negotiate a contract for services. The agenda

request form included findings of the Committee and identified the rank order of the firms that submitted a response to the RFQ.

- 4) City Administration engaged in negotiations with CH2M, in accordance with the City Commission's direction, and has presented a contract with CH2M to the City Commission for consideration. The proposed contract satisfies the requirements of a contract for professional services, as set forth in the CCNA.

Please also note that the City Attorney's Office was previously asked to examine whether any conflict would be created by the engagement of CH2M to perform this service given OMI's operation of the City's utility plant. On August 28, 2018, the City Attorney's Office issues an email legal analysis confirming that the City's engagement of CH2M would not create an actual legal conflict, and further opining as to CH2M's status as a local county vendor.

Please contact our office if there is any additional information that we can provide.