File #: 20-0659, **Version:** 1

MOTION TO APPROVE THE NEGOTIATED AGREEMENT WITH CPH, INC. PURSUANT TO THE AWARD OF RFQ #PSUT-20-01 “DESIGN & POST DESIGN SERVICES: RAW WATER SUPPLY LINE (BETWEEN WATER TREATMENT PLANT AND EASTERN WELLFIELD) & 30” FORCE MAIN RELOCATION”, IN ACCORDANCE WITH FLORIDA STATUTE 287.055, CONSULTANTS COMPETITIVE NEGOTIATIONS ACT (CCNA), FOR AN AMOUNT NOT TO EXCEED $389,769.

PROCUREMENT PROCESS TAKEN:

- Chapter 35 of the City’s Code of Ordinances is titled “PROCUREMENT PROCEDURES, PUBLIC FUNDS.”

- Section 35.15 defines a Request for Qualifications as “A written solicitation for competitive sealed offers with the title, date and hour of the public opening designated. A request for qualifications shall include, but is not limited to, general information, functional or general specifications, statement of work, instructions for offer and evaluation criteria. All requests for qualifications shall state the relative importance of the evaluation criteria. The city may engage in competitive negotiations with responsible offerors determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of and conformance to the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of offers, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining the best and final offer.”

- 35.18(A) states, "A purchase of or contracts for commodities or services that is estimated by the Chief Procurement Officer to cost more than $25,000 shall be based on sealed competitive solicitations as determined by the Chief Procurement Officer, except as specifically provided herein.".*”*

- Section 35.19(A) states "All sealed competitive solicitations as defined in § 35.18 shall be presented to the City Commission for their consideration prior to advertisement."

- Florida Statute (F.S.) 287.055 is known as the “Consultant’s Competitive Negotiation Act” (CCNA).

- F.S. Section 287.055(2)(a) defines Professional services as “those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the state, or those performed by any architect, professional engineer, landscape architect, or registered surveyor and mapper in

connection with his or her professional employment or practice."

- F.S. Section 287.055(2)(f) states "Project" means that fixed capital outlay study or planning activity described in the public notice of the state or a state agency under paragraph (3)(a). A project may include:
1. A grouping of minor construction, rehabilitation, or renovation activities.
2. A grouping of substantially similar construction, rehabilitation, or renovation activities.

- F.S. Section 287.055(3)(a)(1) states "Each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s.287.017 for CATEGORY FIVE ($325,000) or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s.287.017 for CATEGORY TWO ($35,000), except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration."

- Section 35.21 of the City's Code of Ordinances is titled "AWARD OF CONTRACT."

- Section 35.21(A) of the City's Code of Ordinances is titled "City Commission approval."

- Section 35.21(A)(1) states, "An initial purchase of, or contract for, commodities or services, in excess of $25,000, shall require the approval of the City Commission, regardless of whether the competitive bidding or competitive proposal procedures were followed."

SUMMARY EXPLANATION AND BACKGROUND:

1. On January 15, 2020, the City Commission authorized the advertisement of RFQ # PSUT-20-01 "Design & Post Design Services: Raw Water Supply Line (Between Water Treatment Plant and Eastern Wellfield) & 30" Force Main Relocation", which was advertised on January 21, 2020.

2. The purpose of this solicitation was to seek qualification statements from qualified firms that are licensed in the State of Florida to provide design engineering, permitting and post design services for the following:

- The installation of a new Raw Water Main from the Eastern Wellfield located at 7190 Johnson Street, Pembroke Pines, FL 33024 to the Water Treatment Plant located at 7960 Johnson Street, Pembroke Pines, FL 33024.

- The rerouting of a 30" sewer force main located in the vicinity of the Water Treatment Plant at 7960 Johnson Street, Pembroke Pines, FL 33024. The existing force main runs beneath at the Water Treatment Plant and needs to be relocated.

3. On August 5, 2020, the City Commission approved the findings and recommendations of the evaluation committee and awarded RFQ # PSUT-20-01 “Design & Post Design Services: Raw Water Supply Line (Between Water Treatment Plant and Eastern Wellfield) & 30” Force Main Relocation”, to CPH, Inc., and directed the City Manager to negotiate a contract for services.

4. City Staff was able to negotiate a contract with rates, which staff determines are fair, competitive, and reasonable.

5. Request City Commission to approve the negotiated agreement with CPH, Inc. pursuant to the award of RFQ # PSUT-20-01 “Design & Post Design Services: Raw Water Supply Line (Between Water Treatment Plant and Eastern Wellfield) & 30” Force Main Relocation”, in accordance with Florida Statute 287.055, Consultants Competitive Negotiations Act (CCNA), for an amount not to exceed $389,769.

FINANCIAL IMPACT DETAIL:

a) Initial Cost: $389,769
b) Amount budgeted for this item in Account No: $389,769 available in account # 471-533-6031-63250 (Water Well) FY2020-2021
c) Source of funding for difference, if not fully budgeted: Not Applicable.
d) 5 year projection of the operational cost of the project: Not Applicable.
e) Detail of additional staff requirements: Not Applicable.