



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0720

TO: Honorable Mayor & Members of the Fort Lauderdale City Commission

FROM: Susan Grant, Acting City Manager

DATE: August 20, 2024

TITLE: Motion Approving a Second Amendment to the Agreement with BDO USA, P.C., a Virginia Corporation authorized to Conduct Business in the State of Florida as, BDO USA, P.C., Corp. to Modify the Not-To-Exceed Amount and Contract Term for Consulting Services for the New River Crossing Project – \$974,000 - (**Commission Districts 1, 2, 3 and 4**)

Recommendation

Staff recommends the City Commission approve a Second Amendment to the Agreement with BDO USA, P.C. (BDO), a Virginia Corporation, and authorize execution of the agreement, in substantially the form attached, to modify the not-to-exceed amount for consulting services for the New River Crossing project from \$375,000 to \$1,349,000 and to modify the contract term from December 31, 2024, to December 31, 2025.

Background

In 2019, Legislative Specific Appropriation Bill 1939 directed the Florida Department of Transportation (FDOT) to develop a proposal to provide a crossing solution that meets the reasonable needs of navigational traffic, freight trains, and passenger transit for the New River. The FDOT feasibility study identified four crossing alternatives which included three bridge alternatives and one tunnel alternative.

As a future New River crossing will have impacts on downtown Fort Lauderdale, the City Commission approved Resolution 22-20 on January 5, 2022, which urged FDOT to consider the tunnel as the future of commuter rail service in the City. In addition, the City of Fort Lauderdale and Broward County agreed to conduct a joint study for the rail infrastructure alternatives of the New River. On February 7, 2023, the City Commission approved an Interlocal Agreement with Broward County for the joint study.

On October 18, 2023, the City procured the services of BDO to advance the tunnel consideration. Specifically, BDO was tasked with defining the project, identifying federal funding opportunities, and developing an action plan for the project. The associated scope delivered the baseline for project development but required additional resources in order to meet federal funding application minimum requirements.

On November 21, 2023, the City Commission approved a walk-on item, Resolution 23-277 Waiving the Formal Competitive Solicitation and Selection Processes Pursuant to Division 2, Procurement, of Article V. of Chapter 2 of the City of Fort Lauderdale Procurement Ordinance, for Consulting Services with BDO for the New River Crossing project.

On December 19, 2023, the City Commission approved an agreement with BDO for Consulting Services to Develop the Project Scope for the New River Crossing Project. The agreement defined the terms and conditions for BDO to complete such work. The City Commission received the BDO final report via Commission Memo 24-062 in April 2024.

On April 16, 2024, BDO presented at the City Commission Conference meeting which included an overview of current potential Federal grant opportunities. The City Commission did not provide specific direction but indicated general support to pursue potential funding opportunities.

On May 7, 2024, the City Commission approved a first amendment to the agreement with BDO to provide additional funding in the amount of \$50,000 to the existing agreement so that BDO could provide additional services associated with grant writing. The additional funds have not been utilized to date.

The City Commission approved Resolution 24-51 on March 5, 2024, approving a grant agreement and authorizing the acceptance of \$974,000 from the United States Department of Transportation for the Regional Infrastructure Accelerator (RIA) Demonstration Program. After the agreement was executed, City staff and the grantor completed a project kick-off meeting to discuss the project timelines, objectives, and potential challenges. City staff requested that BDO be permitted to serve as the City's consultant given their familiarity with the project, the existing agreement between the City of Fort Lauderdale and BDO, and the potential delays associated with procuring, selecting, and transitioning the project to a different consulting firm. On July 22, 2024, the grantor approved the request.

City staff recommend that the City Commission approve the second amendment and allocate \$974,000 to the BDO agreement. The second amendment will incorporate the tasks defined in the RIA agreement into the BDO agreement, extend the BDO contract term to align with the RIA grant timeline, and allocate \$974,000 towards the agreement. This additional \$974,000 is reimbursable from the grantor.

Resource Impact

There is a fiscal impact associated with this action in the amount of \$974,000 which increases the total contract amount to \$1,349,000. The additional funds subject to reimbursement from the Regional Infrastructure Accelerator grant agreement.

Funds available as of August 1, 2024					
ACCOUNT NUMBER	PROJECT NAME (Program)	CHARACTER/ ACCOUNT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
10-129-9300-541-30-3199-24GUSDOTRIA	REGIONAL INFRASTRUCTURE ACCELERATOR - NEW RIVER STUDY	SERVICES- MATERIALS / OTHER PROF SERVICES	\$974,000	\$974,000	\$974,000
PURCHASE TOTAL ►					\$974,000

Strategic Connections

This item is a *FY 2024 Commission Priority*, advancing the Transportation & Traffic Initiative.

This item is a *Press Play Fort Lauderdale 2029 Strategic Plan*, specifically advancing:

- The Infrastructure and Resilience Focus Area Goal 4: Facilitate an efficient, multimodal transportation network.

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are United*.

This item supports the *Advance Fort Lauderdale 2040 Comprehensive Plan* specifically advancing:

- The Infrastructure Focus Area
- Transportation & Mobility Element
- Goal 2: Obtain the highest possible value and utility from investments in the City’s transportation network

Attachments

Exhibit 1 – Agreement

Exhibit 2 – Letter from United States Department of Transportation

Exhibit 3 – Regional Infrastructure Accelerator Grant Agreement

Prepared by: Ben Rogers, Acting Assistant City Manager, City Manager’s Office

Charter Officer: Susan Grant, Acting City Manager