



**CITY OF FORT LAUDERDALE  
City Commission Agenda Memo  
REGULAR MEETING**

**#23-1160**

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

**FROM:** Greg Chavarria, City Manager

**DATE:** December 19, 2023

**TITLE:** Motion Approving an Agreement with BDO USA, P.C., a Virginia Corporation authorized to conduct business in the State of Florida as, BDO USA, P.C., Corp. for Consulting Services to Develop the Project Scope for the New River Crossing Project - (**Commission Districts 1, 2, 3 and 4**)

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**Recommendation**

Staff recommends the City Commission approve an Agreement with BDO USA LLP. and authorize execution of the agreement, in substantially the form attached, for consulting services for the New River Crossing project.

**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 the Florida Department of Transportation to consider the tunnel as the future of commuter rail service in the City of Fort Lauderdale. 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 USA, LLP. to advance the tunnel consideration. Specifically, BDO USA, LLP. was tasked with defining the project, identifying federal funding opportunities, and developing an action plan for the project. The associated scope delivers the baseline for project development but requires additional resources in order to meet federal funding application minimum requirements.

To maximize time and resources associated with meeting upcoming federal funding

application deadlines, at the November 21, 2023, City Commission Meeting, 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 USA LLP. for the New River Crossing project. The proposed agreement defines the terms and conditions for BDO USA LLP. to complete such work.

The proposed scope of work is on an hourly basis and includes, but is not limited to the following:

- Development of the route alignment
- Development of high-level cost estimates
- Identification of high-level acquisition costs
- Conduction of studies required for project development
- Coordination with federal agencies and other stakeholders
- Coordination with City staff for the application submission for the Intercity Passenger Grant Program (or other funding opportunities)

The Consultant's limitation of liability for claims related to the Work or the Agreement, in the aggregate, does not exceed the sum of Ten Million Dollars, except to the extent that any such claim is determined to have resulted from the intentional misconduct or fraudulent acts of any member of the Consultant Group.

### **Resource Impact**

The fiscal impact is determined by the number of billable hours, which shall not exceed \$325,000. Funding was approved at the December 5, 2023 City Commission Meeting, Consolidated Budget Amendment, CAM 23-0974.

<b><i>Funds available as of November 27, 2023</i></b>					
<b>ACCOUNT NUMBER</b>	<b>PROJECT NAME (Program)</b>	<b>CHARACTER/ ACCOUNT NAME</b>	<b>AMENDED BUDGET (Character)</b>	<b>AVAILABLE BALANCE (Character)</b>	<b>PURCHASE AMOUNT</b>
10-001-8041-541-30-3199	Transportation Traffic	Services/Materials / Other Prof Services	\$72,909	\$52,426	\$325,000
<b>PURCHASE TOTAL ►</b>					<b>\$325,000</b>

### **Strategic Connections**

This item is a *Press Play Fort Lauderdale 2024 Strategic Plan*, specifically advancing:

- The Infrastructure Focus Area
- Goal 2: Build a multi-modal and pedestrian friendly community.
- Objective: Improve transportation options and reduce congestion by working with partners.

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

**Attachment**

Exhibit 1 – Agreement

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Prepared by: Ben Rogers, Director, Transportation and Mobility

Department Director: Ben Rogers, Transportation and Mobility