



**CITY OF FORT LAUDERDALE  
COMMUNITY REDEVELOPMENT AGENCY**

DATE: December 16, 2021  
TO: Glenn Marcos, Chief Procurement Officer/Assistant Finance Director  
FROM: Clarence Woods, Community Redevelopment Agency (CRA) Manager *ew*  
BY: Tom Green, Beach CRA Project Manager  
SUBJECT: Emergency Purchase – Material Testing – Wood Environmental Services, Inc.

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This memo is to address the material testing service purchase made by the Beach CRA to support the construction of the City's Aquatic Center Renovation Project (P12315). The Beach CRA is seeking approval to obtain these services as an emergency purchase.

Material testing and threshold inspections are quality control checks of construction activities to ensure that structural elements are constructed per the approved and permitted construction documents. They are a mandatory requirement by the building department and provide assurances that structural elements are built per plan. The construction contract for P12315 excluded material testing and required the City to procure these services outside of the construction contract.

The Beach CRA improperly initiated a \$268,140 task order to Wood Environmental & Infrastructure Solutions, Inc. (f/k/a AMEC Foster Wheeler Environment & Infrastructure, Inc.) under the continuing contract no. 466-11730. The task order was approved by the City Commission on May 21, 2019 under Commission Agenda Memo #19-0514. On January 13, 2021, a \$97,060 task order amendment was initiated by the Beach CRA to address increased material testing scope for significant construction scope changes. The construction scope changes include the addition of a 27-Meter dive tower and a rooftop amenity deck. The task order amendment was approved by the previous Chief Procurement Officer because the amendment value did not exceed the remaining available funding balance on the continuing contract.

Contract No. 466-11730 is a continuing contract and was procured by following State Statute 287.055 which is commonly known as the Competitive Consultant Negotiation Act (CCNA). The CCNA states that these contracts may only be utilized for individual projects in which the construction cost does not exceed \$4 million. The initial construction contract award for the Aquatic Center Renovation Project is approximately \$27 million. The Beach CRA realizes this construction costs exceeds the CCNA maximum value and the continuing contract should not have been used. The error was not made intentionally and it has been



addressed with staff the importance of purchasing procedures, which will be followed for future purchases.

The CCNA State Statute is the enabling legislation controlling this procurement process and only afford a declaration of an emergency to cure this mishap. The City's Procurement Ordinance Section 2-181(f)(4), then requires the City Commission to approve the emergency and references the Procurement Manual for further guidance. Section Y.1.a.iv of the Manual recognizes emergency action to be taken to address non-compliance of Florida Statutes. The Beach CRA is requesting approval to process the previously approved \$365,200 as an emergency purchase to address CCNA non-compliance. The Beach CRA is also requesting approval to process an additional proposed \$42,200 amendment to finish material testing. The Aquatic Center Project is in active construction and it would be beneficial to the City to keep the same material testing firm on the project.

The Beach CRA understands that next steps would include the following:

1. Approval in writing from Chief Procurement Officer
2. Approval in writing from City Manager
3. An advertisement in Sun Sentinel announcing the emergency
4. An emergency consent purchase item on the next available Commission Meeting (January 18, 2022)

Approved by: Glenn Marcos  
Chief Procurement Officer/  
Assistant Finance Director- Procurement and Contracts

Digitally signed by Glenn Marcos  
Date: 2021.12.22 12:30:48 -05'00'