



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
CONFERENCE MEETING

#22-0086

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

FROM: Chris Lagerbloom, ICMA-CM, City Manager

DATE: February 1, 2022

TITLE: Emergency Purchase for Fort Lauderdale Aquatic Center (FLAC)
Renovation Project - (**Commission District 2**)

The purpose of this memorandum is to advise the City Commission of authorization for emergency purchases made on May 21, 2019 and January 13, 2021 associated with material testing services to support the construction of the Fort Lauderdale Aquatic Center (FLAC) Renovation Project. Material testing and threshold inspections are quality control checks of construction activities to ensure structural elements are built per the approved and permitted construction documents. They are a mandatory building department requirement and provide assurances that structural elements are built per plan.

The Beach Community Redevelopment Agency (CRA) initiated a \$268,140 task order to Wood (formerly known as AMEC Foster Wheeler Environment & Infrastructure, Inc) for material and testing services under the continuing contract no. 466-11730. The task order was approved by City Commission on May 21, 2019 on Commission Agenda Memo (CAM) #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 additions which included the 27-Meter Dive Tower and North Amenity Deck. The task order amendment was approved administratively because the amendment value did not exceed the remaining available 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 cost for the FLAC Renovation Project was approximately \$27 million. The Beach CRA realizes this construction cost exceeds the CCNA maximum value and the continuing contract should not have been used.

The CCNA is the enabling legislation controlling this procurement process and only affords a declaration of an emergency to cure this mishap. Pursuant to the Code of Ordinances of the City of Fort Lauderdale, Florida, Division 2 – Procurement, Section 2-181(f)(4) affords a declaration of emergency and references the Procurement Manual for

further guidance. Section Y.1.a.iv of the Procurement Manual recognizes emergency action to be taken to address non-compliance of Florida Statutes. The emergency purchase of the previously approved \$365,200 material testing services addresses CCNA non-compliance. The Beach CRA also requires an additional \$42,200 emergency purchase task order amendment to finish material testing. The Fort Lauderdale 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 through final completion. The task order amendment approval will be on a separate CAM 22-0085 on the February 1, 2022 Regular Agenda.

Resource Impact

There is no resource impact associated with this item.

Strategic Connections

This item is a *2021 Top Commission Priority*, advancing the Parks and Public Places initiative.

This item supports the *Press Play Fort Lauderdale 2024* Strategic Plan, specifically advancing:

- The Public Places Area
- Goal 3: Build a healthy and engaging community
- Objective: Improve access to and enjoyment of our beach, waterways, parks, and open spaces for everyone

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

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

- The Public Places Focus Area
- The Parks, Recreation & Open Space Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City.

Attachment

Exhibit 1 – Emergency Purchase Memo

Prepared by: Tom Green, Project Manager, Beach CRA

Executive Director: Chris Lagerbloom, ICMA-CM, City Manager