

**CITY OF FORT LAUDERDALE
DESIGN AND CONSTRUCTION
SERVICES AGREEMENT**

THIS DESIGN AND CONSTRUCTION SERVICES AGREEMENT (“Agreement”) made and entered into this _____ day of October, 2024, by and between the City of Fort Lauderdale, a Florida municipal corporation (“City”) and Chen Moore & Associates, Inc., a Florida corporation (“Contractor”) (“Party” or collectively “Parties”)

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida at its meeting of May 23, 2023, authorized the proper officials by motion to execute an Agreement between Contractor and City authorizing the performance of services in connection with the Design and Construction Administration Services for Galt Ocean Mile Streetscape Improvements amount not to exceed \$398,762.53 (ITB 12709 -126 Project 112585) (“Original Agreement”); and

WHEREAS, the Notice to Proceed for Design issued on June 29, 2023, identified that all Work shall be completed by June 24, 2024, however, due to additional coordination and reviews requested by the neighborhood completion of the final design was delayed; and

WHEREAS, the Agreement expired on June 24, 2024; and

WHEREAS, the City and Contractor are desirous of completing the Project.

NOW, THEREFORE, the Parties hereto, in consideration of the mutual covenants, agreements, terms, and conditions contained herein, do agree as to the following:

1.1 The recitations set forth above are true and correct and are incorporated herein. Initial capitalized terms or other such terms used herein shall have the same meaning given such terms in the Original Agreement, unless otherwise defined herein or unless the context otherwise indicates.

1.2 The Original Agreement and all terms and conditions of the Original Agreement except as modified herein, are incorporated into and made part of this Agreement and are attached hereto as Exhibit A.

1.3 This Agreement will be retroactive to June 24, 2024.

1.4 The Contract Time as defined in the Original Agreement shall be understood to also include the period of time from the termination of the Original Agreement to the time of execution of this Agreement.

1.5 Exhibit D, Performance Schedule, is hereby deleted and replaced with “The Consultant shall perform the services identified in Tasks 1 - 5 within 475 days after the

Notice to Proceed was issued, which is October 16, 2024. Task 6 and 7 schedules shall be determined based on the bid dates and construction award period.”

1.6 Anti-Human Trafficking

As a condition precedent to the effectiveness of this Agreement, the Contractor shall provide the City with an affidavit signed by an officer or a representative of the Contractor under penalty of perjury attesting that the Contractor does not use coercion for labor or services as defined in Section 787.06, Florida Statutes (2024), as may be amended or revised.

1.7 The City’s Project Manager is Gary Foster, whose address is 101 NE 3rd Avenue, Suite 2100, Fort Lauderdale, FL 33301, telephone number 954-828-6233 and email address is gfoster@fortlauderdale.gov.

[REMAINING SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS OF THE FOREGOING, the Parties have set their hands and seals the day and year first written above.

CITY

CITY OF FORT LAUDERDALE, a Florida municipal

By: _____
SUSAN GRANT
Acting City Manager

Date: _____

ATTEST:

By: _____
DAVID R. SOLOMAN
City Clerk

Approved as to Legal Form and Correctness:
THOMAS J. ANSBRO, City Attorney

By: _____
RHONDA MONTOYA HASAN
Senior Assistant City Attorney

CONTRACTOR

WITNESSES:

CHEN MOORE & ASSOCIATES, INC., a Florida corporation

By: _____

PETER M. MOORE
President

Print Name

ATTEST:

Print Name

By: _____

Secretary

(CORPORATE SEAL)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this _____ day of _____, 2024, by Peter M. Moore, President of Chen Moore & Associates Inc., a Florida corporation.

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced: _____