



Cover Memorandum/Staff Report

File #: 23-1125

Agenda Date: 9/18/2023

Item #: 7.C.

TO: Mayor and Commissioners
FROM: Hugh Dunkley, Finance Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: September 18, 2023

RESOLUTION NO. 177-23, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE SERVICE AUTHORIZATIONS RELATED TO CONTINUING CONTRACTS FOR ENGINEERING, SURVEYING, LANDSCAPING, AND ARCHITECTURAL CONSULTING SERVICES, PURSUANT TO SECTION 287.055, FLORIDA STATUTES, THE CONSULTANTS' COMPETITIVE NEGOTIATION ACT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommended Action:

Staff recommends increasing the maximum limit for Continuing Contracts in accordance with the increased limits, as provided for in Section 287.055, Florida Statutes.

Background:

Florida House Bill 441 (HB441), "Public Procurement of Services (2020-127, Laws of Florida)" became effective on July 1, 2020. This law amends Section 287.055, F.S., to revise the term "continuing contract," and increases maximum dollar amounts for professional architectural, engineering, landscape architectural, and surveying and mapping services.

The Consultants' Competitive Negotiation Act (CCNA), Section 287.055, F.S., requires state and local government agencies to procure the "professional services" of an architect, professional engineer, landscape architect, or registered surveyor and mapper using a qualifications-based selection process. Qualifications-based selection is a process whereby service providers are retained based on competency, qualifications, and experience, rather than price.

Prior to July 1, 2020, the CCNA authorized the use of continuing contracts for construction projects in which the estimated construction cost of each project did not exceed \$2 million or did not exceed \$200,000 in professional fees for study services. As of July 1, 2020, the new law increases the maximum limit for continuing contracts covered by the CCNA by \$2 million to an estimated per-project construction cost of \$4 million. The bill also increases the limit for procuring study services using a continuing contract by \$300,000 per study to a maximum of \$500,000.

On August 2, 2017, the City of Delray Beach City Commission approved agreements with various consultants for continuing engineering, architectural, surveying and mapping, and landscape architecture consulting services pursuant to Request for Qualifications (RFQ) 2017-048. Under these existing agreements, the City Manager was authorized to execute service authorizations for

capital improvement projects previously approved by the City Commission. The limit for these service authorizations was in accordance with the previous CCNA limit of \$200,000. Since the passage of the original CCNA, the costs of professional fees related to CCNA services have risen. So as to facilitate the timely completion of projects, staff is recommending that the City increased its authorized limits for continuing contracts (and the service authorizations pertaining thereto) in accordance with existing law.

The following firms were originally awarded Agreements for Continuing Engineering, Architect, Landscape Architect, and Surveying & Mapping Consulting Services: A.D.A. Engineering, Inc., Avirom & Associates, Inc., Baxter & Woodman Inc., dba Mathews Consulting, Bermello Ajamil and Partners, Inc., Biscayne Engineering Company, Inc., CB&I Environmental & Infrastructure, Inc., Carollo Engineers, Inc., CPH, Inc., Calvin, Giordano & Associates, Inc., Carnahan Proctor and Cross, Inc., Chen Moore and Associates, Inc., Coastal Systems International, Inc., Craven, Thompson & Associates, Inc., EDSA, Inc., Engenuity Group, Inc., Environmental Science Associates Corporation, Erdman Anthony of Florida, Inc., GLE Associates, Inc., Gartek Engineering, Corp., Keith and Schnars, P.A., Kimley-Horn and Associates, Inc., Marlin Engineering, Inc., Master Consulting Engineers, Inc., Michael B. Schorah and Associates, Inc., Mott MacDonald Florida, LLC, Pinnacle Ecological, Inc., SGM Engineering, Inc., Stanley Consultants, Inc., T. Y. Lin International, and Wantman Group, Inc.

Time Sensitive:

N/A