



Cover Memorandum/Staff Report

File #: 24-1665

Agenda Date: 12/17/2024

Item #: 6.K.3.

TO: Mayor and Commissioners
FROM: Missie Barletto, Director Public Works
THROUGH: Terrence R. Moore, ICMA-CM
DATE: December 17, 2024

APPROVAL OF RESOLUTION NO. 242-24 TO AWARD AN AGREEMENT WITH R.J. BEHAR & COMPANY, INC., FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE OLD GERMANTOWN ROAD FROM PARK ACCESS ROAD TO SOUTH CONGRESS AVENUE (OLD GERMANTOWN IMPROVEMENTS) PROJECT PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 2024-029 IN THE AMOUNT OF \$1,070,987.06

Recommended Action:

Motion to Approve Resolution No. 242-24 to award R.J. Behar & Company, Inc., for Construction Engineering and Inspection (CEI) Services for the Old Germantown Road Improvements Project (Public Works Project No. 20-016) pursuant to RFQ No. 2024-029 in the amount of \$1,070,987.06.

Background:

Following a 2017 application, the City of Delray Beach (City) was awarded a federally funded grant by the Transportation Planning Agency of Palm Beach (TPA) under its Local Initiatives Program for “widening and/or restriping roadways to provide designated bike lanes, construction of pedestrian facilities, shared use paths, greenway/trail corridors, bike and pedestrian supporting facilities”. The project is partially funded through federal funds administered by the FDOT under the Local Agency Program (LAP), as well as local agency funds provided by the City.

The Old Germantown Road Improvements project plans to construct shared-use paths on both sides of the existing roadway. Currently, there are intermittent sidewalks and no bicycle facilities throughout the corridor. This project will fill the gaps, as well as add safe and protected bicycle facilities. These improvements will provide an alternative pedestrian and bicycle route to Linton Boulevard and expand bicycle network connections in Delray Beach. All work will be constructed in existing right-of-way and will comply with ADA accessibility requirements.

On March 27, 2024, the City issued a Request for Qualifications (RFQ) No. 2024-029 to acquire a firm which will provide CEI services related to the construction of these projects.

On May,8 2024, the City received six (6) submittals pursuant to the RFQ, including proposals from Baxter & Woodman, Inc., BCC Engineering, Inc., Carnahan Proctor & Cross, HBC Engineering, Metric Engineering Inc., and R.J. Behar & Company, Inc.

On August 6, 2024, the Selection Committee evaluated the proposals in accordance with Consultants’ Competitive Negotiation Act (CCNA).

The final scores are listed below:

Firm	Total Points	Ranking
R. J. Behar & Company, Inc.	274.0	1
Carnahan Proctor & Cross	268.0	2
Baxter & Woodman, Inc.	266.0	3
BCC Engineering, Inc.	260.0	4
Metric Engineering Inc.	257.0	5
HBC Engineering	255.0	6

In accordance with Florida Statutes, representatives from the Purchasing and Contract Administration Division and the Public Works Department conducted multiple negotiation meetings with R.J. Behar & Company, Inc. On September 10, 2024, the first negotiation session was held followed by a second session on September 26, 2024.

Staff has reviewed the negotiated fee of \$1,070,987.06 for the Old Germantown Road Improvements project and finds it to be fair and reasonable. This fee will be paid based upon the proposed hourly rates and actual hours worked.

Construction for the Old Germantown Road Improvements project is expected to begin/occur in Spring 2025. The Agreement terms will be from the date of full execution through the completion of work and full acceptance by the City.

This motion is in accordance with Code of Ordinances Section 36.02 Commission Approval Required.

Attachments:

1. RFQ No. 2024-029 Agreement
2. Exhibit A - Scope of Services
3. Resolution No. 242-24
4. Legal Review Checklist
5. Bid Tabulation - R.J. Behar & Company, Inc.
6. RFQ No. 2024-029 Final Solicitation

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Funding for this project is available from GL account #334-41-340-541-63.05 (Capital Outlay Germantown Rd Improvements) in the amount of \$6,500,000 for FY25 (Finance Project Number 41020). These funds will be allocated to between CEI and construction services. The project is partially funded with federal funds administered by the FDOT under the TPA Local Agency Program (LAP), as well as local agency funds provided by the City. LAP Grant Agreement No. 44437721-58-01 will provide \$4,706,455.00 toward the cost of this project.

Timing of Request:

Approval of this agreement is time sensitive to maintain schedule and grant deadlines.