



## Cover Memorandum/Staff Report

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**File #:** 25-1285

**Agenda Date:** 10/14/2025

**Item #:** 6.M.

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**TO:** Mayor and Commissioners  
**FROM:** Hassan Hadjimiry, P.E., Utilities Director  
**THROUGH:** Terrence R. Moore, ICMA-CM  
**DATE:** October 14, 2025

APPROVAL OF AMENDMENT NO. 2 TO PROGRESSIVE DESIGN-BUILD AGREEMENT (DBIA) CONTRACT NO. 545, PURSUANT TO RFQ NO. 2023-066, (PROJECT NO. 23-005U), WITH CDM CONSTRUCTORS, INC., FOR ADDITIONAL DESIGN SERVICES FOR PHASE I, IN THE AMOUNT OF \$291,347, EARLY PROCUREMENT PACKAGE (EPP) IN THE AMOUNT OF \$9,952,638, AND ADDITIONAL SCOPE OF SERVICES RELATED TO PHASE II CONSTRUCTION COMPONENTS DEEP INJECTION WELL, ENGINEERING SERVICES DURING CONSTRUCTION IN A TOTAL AMOUNT OF \$2,886,021, FOR AN OVERALL TOTAL REVISED CONTRACT VALUE OF \$28,912,315.

### **Recommended Action:**

Approval of Amendment No. 2 to Progressive Design-Build Agreement (DBIA) Contract No. 545, Pursuant to RFQ No. 2023-066 (Project No. 23-005U), with CDM Constructors, Inc., for additional design services for Phase I, in a total amount of \$291,347, Early Procurement Package (EPP) in the amount of \$9,952,638, and additional scope of services related to Phase II Construction Components Deep Injection Well, Engineering Services during Construction in a total amount of \$2,886,021, for an overall total revised contract value of \$28,912,315.

### **Background:**

On March 25, 2024, CDM Constructors, Inc., (CDM) entered into a Design-Build Agreement (DBIA) Contract No. 545, pursuant to City of Delray Beach RFQ 2023-066, for Water and Wastewater Projects. Phase II Construction will require the acquisition of new equipment necessary to complete construction of the water treatment plant, which requires long-lead times. Engineering services for (Phase II) are necessary during the construction of two (2) deep injection wells awarded to Youngquist Brothers, LLC pursuant to ITB No. 2025-022.

The same terms and condition of the Agreement for Amendment No. 1, remain in full force. Amendment No. 2 under Phase II Construction authorizes the City to proceed with Design-Builder CDM with engineering services for the wells, and authorize to acquire long lead time pieces of equipment.

### **City Attorney Review:**

Approved to form and legal sufficiency.

### **Attachments:**

1. Amendment No. 2, RFQ 2023-066 including "Exhibit A"
2. Legal Review Checklist

**Funding Source/Financial Impact:**

Utilities - Capital Outlay - Water Treatment Plant GL account 443-36-260-536.63-90 Finance Capital Project ID #36001

**Timing of Request:**

Approving this agreement is extremely time sensitive in order to meet the established completion date and maintain the construction schedule.