



Legislation Details (With Text)

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Title: AWARD OF AN AGREEMENT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR CONTINUING ENGINEERING AND LANDSCAPING ARCHITECTURE CONSULTING SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE RELATED SERVICE AUTHORIZATIONS FOR CAPITAL IMPROVEMENT PROJECTS PREVIOUSLY APPROVED BY THE CITY COMMISSION THROUGH THE BUDGET APPROVAL PROCESS

Sponsors: Public Works Department - Programs & Project Manag

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. 2017-048 Agreement with Kimley-Horn, Vendor Executed, 3. Legal Review Checklist Agreement with Kimley Horn 2017-048, 4. 2017-048 Scoring Summary, 5. RFQ 2017-048 Final, 6. Addendum No. 1 - RFQ 2017-048, 7. Addendum No. 2 - RFQ 2017-048, 8. Addendum No. 3 - RFQ 2017-048, 9. Addendum No. 4 - RFQ 2017-048, 10. Addendum No. 5 - RFQ 2017-048, 11. Addendum No. 6 - RFQ 2017-048, 12. Addendum No. 7 - RFQ 2017-048 Final, 13. Addendum No. 8 - Sample Agreement

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------|----------|--------|
| 7/10/2018 | 1 | City Commission | approved | |

TO: Mayor and Commissioners
FROM: Susan Goebel-Canning, Public Works Director
THROUGH: Mark R. Lauzier, City Manager
DATE: July 10, 2018

AWARD OF AN AGREEMENT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR CONTINUING ENGINEERING AND LANDSCAPING ARCHITECTURE CONSULTING SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE RELATED SERVICE AUTHORIZATIONS FOR CAPITAL IMPROVEMENT PROJECTS PREVIOUSLY APPROVED BY THE CITY COMMISSION THROUGH THE BUDGET APPROVAL PROCESS

Recommended Action:

Motion to award an agreement to Kimley-Horn and Associates, Inc. for continuing engineering and landscaping architecture consulting services and authorize the City Manager to execute related Service Authorizations for Capital Improvement Projects previously approved by the City Commission through the budget approval process.

Background:

On August 2, 2017, the City of Delray Beach (City) Commission approved agreements with various consultants for continuing engineering, surveying, and landscaping architecture consulting services (Agreement) pursuant to Request for Qualifications (RFQ) No. 2017-048. The Agreements are effective through August 30, 2022, with one, two-year option to renew. Kimley-Horn and Associates, Inc. (Kimley-Horn) was included in the original award by the City Commission, having been ranked

and recommended for award by the Evaluation Committee for RFQ No. 2017-048, but they did not execute the Agreement because it inadvertently did not contain language for a lump sum compensation method, nor did it contain a three times multiplier option for the hourly rates (Multiplier Option).

Staff realized the oversights in the Agreements, and amendments (No. 1) were brought before, and approved by, the City Commission on April 17, 2018. These amendments added the Multiplier Option and lump sum compensation method to the existing Agreements (Amendment). Since Kimley-Horn didn't sign the Agreement, they were not included in the award of the Amendment. Now that the City has corrected the issues that Kimley-Horn had with the Agreement, the consultant is now willing and eager to execute the Agreement to begin working for the City as a consultant, once again. They were also one of the previous consultants awarded the 2012 agreement for continuing consulting services.

Staff revised the Agreement for Kimley-Horn to include the Amendment language, which adds the Multiplier Option and lump sum compensation method, thus avoiding the need to execute both the Agreement and the Amendment. Therefore, staff is requesting approval of the Agreement with Kimley-Horn, as well as authorization to allow the City Manager to execute related Service Authorizations for Capital Improvement Projects previously approved by the City Commission through the budget approval process, a process which is expanded on below.

Service Authorizations will be utilized per project to bind the City and the consultants to an agreed-upon project amount for an agreed-upon scope of work. Staff requests authorization to allow the City Manager to execute related service authorizations for Capital Improvement Projects (CIP) previously approved by the City Commission through the budget approval process in a total project value of \$200,000 or less. This approval will allow the City to operate more efficiently by reducing the number of items staff brings forth for the City Commission's approval. CIP projects are approved by the City Commission during the budget approval process. Consulting projects that are more than \$65,000 in total project value and not included in the approved CIP budget will be brought to the City Commission for approval, regardless of their total dollar value, in compliance with City ordinance, policies and procedures.

Continuing consulting service agreements allow staff to obtain consultants for various City projects at already agreed upon pricing, terms and conditions without completing the solicitation process for each individual project, barring the project doesn't exceed the thresholds set by the Consultants' Competitive Negotiation Act (CCNA).

This motion is in accordance with the City Code of Ordinances, Section 36 and City Policies and Procedures, Change Orders and Amendments.

Attachments:

1. Agreement with Kimley-Horn, executed by vendor
2. Legal Review Checklist
3. RFQ Scoring Summary
4. RFQ document
- 5-12. Addenda to RFQ document

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source:

Funding will be provided from various operating and capital accounts in the approved and applicable fiscal year budget.