

RESOLUTION NO. 2023-061

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE ISSUANCE OF A WORK ORDER TO LMK PIPE RENEWAL LLC FOR PHASE 2 OF THE SANITARY SEWER REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$979,886.42; AMENDING THE BUDGET FOR FISCAL YEAR 2022-2023; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 21, 2013, the Miami-Dade County (the “County”) Board of County Commissioners (the “BCC”) adopted Resolution No. R-393-13 approving and authorizing the execution of a Consent Decree between the County, the United States of America, the State of Florida, and the Florida Department of Environmental Protection for settlement of alleged violations of federal and state environmental laws relating to the County’s sewage system (the “Consent Decree”); and

WHEREAS, in response to the Consent Decree, the County adopted an ordinance amending Section 24-42.3 of the County Code of Ordinances to incorporate Capacity, Management, Operations and Maintenance Program requirements for “Volume Sewer Customers,” which are municipal utilities served by the Miami-Dade Water and Sewer Department, and require such municipal utilities to submit a plan of compliance that must include: a sewer overflow response plan; information management system program; sewer system asset management plan; gravity sewer system operation and maintenance program; pump station operations and preventative maintenance program; and force main operations, preventative maintenance, and assessment/rehabilitative program; and

WHEREAS, pursuant to Section 24-42.2(3)(a) of the County Code, as amended pursuant to the Consent Decree, North Bay Village (“Village”) is required to implement a sewer system evaluation survey (“SSES”) and submit a report summarizing the findings of the SSES to the County’s Department of Regulatory and Environmental Resources (the “Department”) for review and approval on or before each and every ten (10) year anniversary of November 12, 2002 (the original due date required by the County Code); and

WHEREAS, on November 9, 2018, the Village submitted to the Department its

2018 Sanitary Sewer Evaluation Survey Report evaluating levels of infiltration and inflow (“INI”) into the sanitary sewer system, which indicated substantial improvements in the reduction of INI rates but reflected that the Village was still experiencing INI rates that exceeded allowable levels, requiring further investigation; and

WHEREAS, as part of the SSES Second Cycle Phase III Report, 300 Engineering Group, P.A. (“300 Engineering”) provided recommendations to rehabilitate and address INI deficiencies located throughout the Village’s four basins known as the Sanitary Sewer Rehabilitation Project (the “Project”); and

WHEREAS, on September 3, 2020, the City of St. Petersburg, Florida, (“St. Petersburg”) adopted a Resolution competitively awarding LMK Pipe Renewal, LLC (the “Contractor”) an agreement (the “St. Petersburg Contract”) for rehabilitation of deteriorated gravity sewer mains and public laterals citywide (the “Services”); and

WHEREAS, on August 30, 2022, pursuant to Section 36.25(J) of the Village Code, the Village Commission adopted Resolution No. 2022-66 approving an agreement with the Contractor to perform the Services for Phase 1 of the Project based on the terms of the St. Petersburg Contract (the “Agreement”) and authorizing the Village Manager to issue a work order to the Contractor for the provision of the Services consistent with the terms and conditions of the Agreement and the proposal in an amount not to exceed \$168,872.00; and

WHEREAS, after implementation of Phase 1 of the Project, the main pump station basin has been determined to be in compliance with the Department’s Corrective Action Plan (CAP); and

WHEREAS, the Village now requires the Services for Phase 2 of the Project in order to address the deteriorated sewer mains and public laterals found in the Village’s remaining three basins (Village Hall, Hispaniola, and South Treasure); and

WHEREAS, based on the INI analysis by 300 Engineering, a public exigency continues to exist in the Village that requires the Village to purchase the Services for Phase 2 of the Project without delay that may result from publicizing a competitive solicitation and therefore the Village seeks to utilize the Contractor’s Services for Phase 2 of the Project based on the previously executed Agreement; and

WHEREAS, the Contractor has provided the Village with a proposal to provide the

additional Services for Phase 2 of the Project in an amount not to exceed \$979,886.42, which proposal is attached hereto as Exhibit “A” (the “Proposal”); and

WHEREAS, the Village Commission desires to authorize the Village Manager to issue the work order attached hereto as Exhibit “A” for the provision of the additional Services for Phase 2 of the Project in an amount not to exceed \$979,886.42, consistent with the Agreement previously entered into between the Village and Contractor; and

WHEREAS, on September 29, 2022, the Village Commission adopted Resolution No. 2022-79 approving the budget for fiscal year 2022-2023 (the “Budget”); and

WHEREAS, pursuant to Section 166.241(5), Florida Statutes, the Village Commission may amend a budget at any time within a fiscal year; and

WHEREAS, in order to fund the additional Services and pursuant to Section 35.21 of the Village Code of Ordinances and Florida Law, the Village Commission desires to amend the Budget consistent with the staff memorandum accompanying this resolution by authorizing the line item transfers as further provided in Exhibit “B” attached hereto and incorporated herein; and

WHEREAS, the Village Commission finds that this Resolution is in the best interest and welfare of the residents of the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:

Section 1. Recitals. That each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Authorization. That the Village Commission hereby authorizes the Village Manager to issue the work order attached hereto as Exhibit “A” to the Contractor to provide the Services for Phase 2 of the Project in an amount not to exceed \$979,886.42, consistent with the Agreement previously executed.

Section 3. Amending Budget. That the Village Commission hereby approves an amendment to the budget by authorizing the line item transfers as further provided in Exhibit “B” attached hereto and incorporated herein.

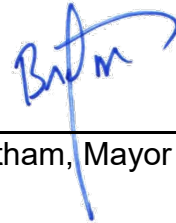
Section 4. Implementation. That the Village Manager and the Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

Section 5. Effective Date. That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Chervony who moved its adoption. The motion was seconded by Commissioner Streitfeld and upon being put to a vote, the vote was as follows:

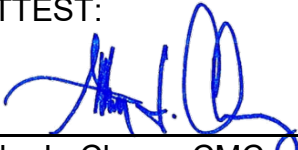
Mayor Brent Latham	<u>Yes</u>
Vice Mayor Richard Chervony	<u>Yes</u>
Commissioner Goran Cuk	<u>Yes</u>
Commissioner Andy Rotondaro	<u>Yes</u>
Commissioner Rachel Streitfeld	<u>Yes</u>

PASSED AND ADOPTED on this 18th day of April, 2023.



Brent Latham, Mayor

ATTEST:



Alba L. Chang, CMC
Village Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Weiss Serota Helfman Cole & Bierman, PL
Village Attorney

EXHIBIT "A"



PROPOSAL

LMK Pipe Renewal LLC

1131 NW 55th Street
Fort Lauderdale, Florida 33309

(954) 772-0075 office • (954) 772-0086 fax • • Email: Shaun@LMKPipe.com

Submitted To: **North Bay Village**
C/O 300 Engineering Group, PA
2222 Ponce De Leon Blvd. Ste 300
Coral Gables, FL 33134

Date: **March 29th, 2023**
Phone: 305-602-4602
Fax: 305-675-2373
Cell#: 786-873-5200
email: PADavalos@300Engineering.com

Attention: Paola Davalos, Jhonny Montano Baez

Project: **NBV/I-I REHABILITATION PLAN/LATERAL REHAB/REMAINING BASINS PH 2**

Payment terms: 1) Progress payments monthly, for work completed. Payment within 30 days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. Florida law will govern the construction and performance of this agreement. Venue is Broward County, Florida. Should litigation be required to collect monies owed to LMK, LMK will be reimbursed for Attorney fees court costs, all collection costs.

Authorized Signature: x _____

Note: This proposal may be withdrawn if not accepted within 30 days.

We hereby submit prices to furnish and install the following items:

Item	Description	QTY	UNIT	PRICE	TOTAL
	VILLAGE HALL				
S-1.2	SEWER MAIN CCTV INSPECTION - 10"-12" DIAMETER	290	LF	\$ 3.37	977.30
S-3.2	SPECIALTY CLEANING - 10"-12" DIAMETER (If Applicable)		LF	\$ 12.56	0.00
	MH 103 to MH 104; (Estimated Service Reinstatements is 8) Mainline Cured-In-Place Pipelining	297	LF	\$ 51.60	15,325.20
	MH 104 to MH 105; (Estimated Service Reinstatements is 8) Mainline Cured-In-Place Pipelining	302	LF	\$ 51.60	15,583.20
	MH 107 to MH 113; (Estimated Service Reinstatements is 2) Mainline Cured-In-Place Pipelining	261	LF	\$ 51.60	13,467.60
	MH 117 to MH 118; (Estimated Service Reinstatements is 9) Mainline Cured-In-Place Pipelining	302	LF	\$ 51.60	15,583.20
	MH 118 to MH 119; (Estimated Service Reinstatements is 4) Mainline Cured-In-Place Pipelining	259	LF	\$ 51.60	13,364.40
	MH 125 to MH 126; (Estimated Service Reinstatements is 7) Mainline Cured-In-Place Pipelining	260	LF	\$ 51.60	13,416.00
	MH 127 to Wet Well; (Estimated Service Reinstatements is 0) Mainline Cured-In-Place Pipelining This line crosses 10 Lanes of traffic with MH 127 being located in the center of the South Lane.	146	LF	\$ 74.50	10,877.00
	Lateral Service Reinstatement AFTER Mainline CIPP Liner Has	38	EA	\$ 185.00	7,030.00
S-4.1	Chemical Sealing of Host Pipe – 10" Diameter and Less This is grouting a mainline joint.	5	EA	\$ 565.11	2,825.55
S-5	Chemical Sealing – Grout This cannot be zero. We KNOW that "some" grout will need to be used to seal these joints. Typically it is 1 to 2 gallons depending on the void outside of the host pipe. However, we will only charge for what is used and the inspector onsite can verify material consumption. This would be true for the South Treasure grouting as well.	10	PER GAL	\$ 456.66	4,566.60
S-24	Initial Service Lateral CCTV From Main. As far as the camera can go UP TO 30' from the mainline.	42	EA	\$ 331.08	13,905.36
S-35	CLEAN OUT RESTORATIONS IN GRASS/MULCH AREAS Until Lateral Launching and Locates are completed we have no way to determine what the surface restorations are going to be.	20	EA	\$ 1,484.14	29,682.80
S-36	Clean-Out Restoration in Asphalt Area		EA	\$ 1,655.38	0.00
S-37	Clean-Out Restoration in Concrete Driveway		EA	\$ 1,712.47	0.00
S-38	Clean-Out Restoration in Paver Driveway		EA	\$ 2,854.11	0.00
	Point Repair(s) As Needed AND Pending CCTV				0.00
S-26.1	CIPP Lateral Lining, 8" to 10" Full Circle Main/Lateral Connection,	42	EA	\$ 4,106.49	172,472.58
S-30	CIPP Lateral Lining - Additional, Beyond 15 LF (Only Applies with Pay Items S-26 to S-29)		LF	\$ 79.92	0.00
	HISPANIOLA This is priority.				

Item	Description	QTY	UNIT	PRICE	TOTAL	
S-S1.1	SEWER MAIN CCTV INSPECTION - 8" DIAMTER	105	LF	\$ 2.57	269.85	
S-3.1	SPECIALTY CLEANING - 8" DIAMETER (If Applicable)		LF	\$ 10.27	0.00	
S-1.2	SEWER MAIN CCTV INSPECTION - 10"-12" DIAMETER	551	LF	\$ 3.37	1,856.87	
S-S1.3	SEWER MAIN CCTV INSPECTION - 14"-18" DIAMETER	193	LF	\$ 5.99	1,156.07	
S-3.3	SPECIALTY CLEANING - 14"-18" DIAMETER (IF NEEDED)		LF		0.00	
S-35	CLEAN OUT RESTORATIONS IN GRASS/MULCH AREAS		EA		0.00	
S-36	CLEAN OUT RESTORATIONS IN ASPHALT AREA		EA		0.00	
S-37	CLEAN OUT RESTORATIONS IN CONCRETE DRIVEWAY	12	EA	\$ 1,712.47	20,549.64	
S-38	CLEAN OUT RESTORATIONS IN PAVER DRIVEWAY		EA	\$ 2,854.11	0.00	
	MH 55 to MH 56; (Estimated Service Reinstatements is 10) 8" Mainline Cured-In-Place Pipelining	301	LF	\$ 51.60	15,531.60	
	MH 58 to MH 59; (Estimated Service Reinstatements is 8) 8" Mainline Cured-In-Place Pipelining	214	LF	\$ 51.60	11,042.40	
	MH 59 to MH 60; (Estimated Service Reinstatements is 9) 8" Mainline Cured-In-Place Pipelining	299	LF	\$ 51.60	15,428.40	
	MH 60 to MH 61; (Estimated Service Reinstatements is 9) 8" Mainline Cured-In-Place Pipelining	302	LF	\$ 51.60	15,583.20	
	MH 45.3 to MH 45.2; (Estimated Service Reinstatements is 4) 10" Mainline Cured-In-Place Pipelining	121	LF	\$ 51.60	6,243.60	
	Lateral Service Reinstatement AFTER Mainline CIPP Liner Has Been Installed/Cured.	40	EA	\$ 175.00	7,000.00	
	GRAVITY MAIN POINT REPAIRS (Pricing To Be Determined After CCTV Work Completed)	4	EA		0.00	
S-24	SUSPECT LATERAL CLEANING AND CCTV " Every one of them should be lateral launched."	17	EA	\$ 331.08	5,628.36	1 Counted 40 Potential Laterals on Map. Need to clearly identify addresses needing launched.
S-26.1	CIPP Lateral Lining, 8" to 10" Full Circle Main/Lateral Connection, Up To 15 LF	17	EA	\$ 4,106.49	69,810.33	
S-30	CIPP Lateral Lining - Additional, Beyond 15 LF (Only Applies with Pay Items S-26 to S-29)		LF	\$ 79.92	0.00	
	SOUTH TREASURE					
S-37	CLEAN OUT RESTORATIONS IN CONCRETE DRIVEWAY	12	EA	\$ 1,712.47	20,549.64	
S-38	CLEAN OUT RESTORATIONS IN PAVER DRIVEWAY		EA	\$ 2,854.11	0.00	
S-4.1	Chemical Sealing of Host Pipe – 10" Diameter and Less	2	EA	\$ 565.11	1,130.22	
	Need Gallons of Grout	4	GA	\$ 456.66	1,826.64	
	POINT REPAIRS AS NEEDED (TBD)				0.00	
S-24	SUSPECT LATERAL CLEANING AND CCTV	52	EA	\$ 331.08	17,216.16	
S-26.1	CIPP Lateral Lining, 8" to 10" Full Circle Main/Lateral Connection,	52	EA	\$ 4,106.49	213,537.48	
S-30	CIPP Lateral Lining - Additional, Beyond 15 LF (Only Applies with MH 3 to MH 4; (Estimated Service Reinstatements is 10) Mainline Cured-In-Place Pipelining	303	LF	\$ 51.60	15,634.80	
	MH 6 to MH 7; (Estimated Service Reinstatements is 11) Mainline Cured-In-Place Pipelining	277	LF	\$ 51.60	14,293.20	
	MH 7 to MH 8; (Estimated Service Reinstatements is 9) Mainline Cured-In-Place Pipelining	300	LF	\$ 51.60	15,480.00	
	MH 8 to MH 9; (Estimated Service Reinstatements is 9) Mainline Cured-In-Place Pipelining	299	LF	\$ 51.60	15,428.40	
	MH 10 to MH 11; (Estimated Service Reinstatements is 10) Mainline Cured-In-Place Pipelining	274	LF	\$ 51.60	14,138.40	
	MH 12 to MH 13; (Estimated Service Reinstatements is 10) Mainline Cured-In-Place Pipelining	300	LF	\$ 51.60	15,480.00	
	MH 15 to MH 16; (Estimated Service Reinstatements is 9) Mainline Cured-In-Place Pipelining	296	LF	\$ 51.60	15,273.60	
	MH 16 to MH 17; (Estimated Service Reinstatements is 10) Mainline Cured-In-Place Pipelining	303	LF	\$ 51.60	15,634.80	
	Lateral Service Reinstatement AFTER Mainline CIPP Liner Has Been Installed/Cured.	82	EA	\$ 175.00	14,350.00	
	MAIN					
S-24	SUSPECT LATERAL CLEANING AND CCTV: MH-68 -MH62-52-	1	EA	\$ 331.08		
S-4.3	Chemical Sealing of Host Pipe – 18"-24" Diameter	1	EA	\$ 742.07	742.07	
	Need Gallons of Grout	2	GA	\$ 456.66	913.32	
				Sub Total:	\$ 890,805.84	
	10 % Contingency Line Items	10%	Percent		\$ 89,080.58	
				Total:	\$ 979,886.42	
Terms & Conditions:						
See Attached						
Original copy to LMK Pipe Renewal LLC. Sub contracts must include this proposal as terms of our agreement.						



EXHIBIT "B"

Budget Amendment Form

Department	ARPA Capital Projects	Date	4/18/2023
	Fund		

Fund(s) to be changed: ARPA Capital Projects

GL Account	GL Line Item	Transfer to:	Transfer from:
317.20.525.6532	SSES Eval Repairs	\$ 979,886.42	
317.20.525.6322	Stormwater Masterplan CIP		\$ 979,886.42
TOTAL (Columns must be equal)		\$ 979,886	\$ 979,886

Description:

Transfer Budget in the ARPA Fund from Project#SW23-03 to Project#SI23-02 to complete the 2nd Phase of the SSES Evaluation Repairs.