

**RESOLUTION NO. 2023-093**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO EAC CONSULTING, INC. FOR POST DESIGN SERVICES RELATING TO THE VOGEL PARK MARINE FACILITY PROJECT IN AN AMOUNT NOT TO EXCEED \$46,985.80; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, North Bay Village (“Village”) issued Request for Qualifications No. 2019-005 (the “RFQ”) for continuing professional engineering services (the “Services”); and

**WHEREAS**, pursuant to the RFQ, the Village Commission (the “Commission”) selected EAC Consulting, Inc. (the “Consultant”) as one of the consultants to provide the Services and authorized the Village Manager to execute an agreement with the Consultant (the “Agreement”); and

**WHEREAS**, on February 9, 2021, the Commission adopted Resolution No. 2021-004, approving a work order with the Consultant for surveying, permitting strategy, and conceptual design services for the Vogel Park Marine Facility Project (the “Project”); and

**WHEREAS**, on November 2, 2021, the Commission adopted Resolution No. 2021-065, approving a work order with the Consultant for professional engineering services for the Project; and

**WHEREAS**, the Village is now in need of the United States Army Corp of Engineers (“USACE”) permit reverification services, and construction administration post design services for the Project (the “Services”); and

**WHEREAS**, Consultant has provided a proposal to perform the Services for the Project; and

**WHEREAS**, the Village Commission desires to authorize the Village Manager to issue the work order attached hereto as Exhibit “A” for the Services in an amount not to exceed \$46,985.80, consistent with the Agreement previously entered into between the Village and Consultant; 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" in an amount not to exceed \$46,985.80, consistent with the Agreement previously executed.

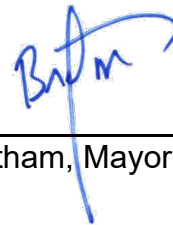
**Section 3. Implementation.** That the Village Manager and the Village Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

**Section 4. Effective Date.** That this Resolution shall be effective immediately upon adoption.

The foregoing Resolution was offered by Commission Cuk 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>Absent</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>

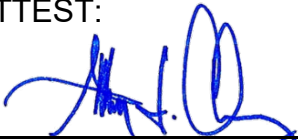
**PASSED AND ADOPTED** on this 19<sup>th</sup> day of July, 2023.



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Brent Latham, Mayor

ATTEST:



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Alba L. Chang, CMC  
Village Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to be 'Weiss', written over a horizontal line.

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Weiss Serota Helfman Cole & Bierman, PL  
Village Attorney

**EXHIBIT "A"**

Work Order No.: 016  
Project No.: CP21-01  
Project Name: Vogel Park Marine Facility Post Design Services  
Consultant: EAC Consulting Inc.  
Contract No.: RFQ 2019-005

**WORK ORDER No. 016**

**Dated this        day of        , 2023**

**NORTH BAY VILLAGE PUBLIC WORKS DEPARTMENT  
VOGEL PARK MARINE FACILITY POST DESIGN SERVICES**

**PROFESSIONAL SERVICES**

This Work Order between North Bay Village, a Florida municipal corporation ("VILLAGE"), and EAC Consulting Inc. authorized to transact business in Florida ("CONSULTANT"), is pursuant to the General Professional Engineering and Architectural Services Agreement dated November 18, 2019 and expiring on November 17, 2023.

**PROJECT DESCRIPTION**

*EAC Consulting, Inc., as part of its Continuing Services Contract (RFQ 2019-005) with North Bay Village (NBV) respectfully submits this scope of services proposal to perform post design services for "Vogel Park Marine Facility" project.*

*North Bay Village's Vogel Park is located at 7920 West Drive, North Bay Village, FL 33141. The Village is requesting to provide environmental permitting: USACE Permit Reverification Services and construction administration/post design services during the construction of a municipal-use dock with a lift for police boat mooring and a separate small floating dock for public launching of shallow draft nonmotorized recreational vessels (i.e., kayaks, paddleboards, etc.) adjacent to Vogel Park.*

*The scope of services will be provided by our team including our sub consultants - Moffat & Nichol, Inc & Basulto & Associates Consulting Engineers.*

**SPECIFIC SCOPE OF SERVICES**

**The Scope of Services to be provided by CONSULTANT shall be as follows:**

**Task 1 – Construction Administration/ Post Design Services** – The following scope is based on four (4) months of construction/contract time and on total hours specified within.

- a. The CONSULTANT shall attend the pre-construction meeting. The CEI shall be responsible for the meeting minutes.
- b. The CONSULTANT shall make periodic site visits and observe the progress of the construction as requested and authorized in writing by the VILLAGE and submit report of findings to the VILLAGE. EAC shall perform up to two (2) site visits over a construction period of 4 months. Similarly, Moffat and Nichol shall perform up to four (4) site visits and Basulto & Associates up to six (6) site visits over a construction period of 4 months,

- respectively. Any additional field inspections that may be required during construction shall be provided under a separate scope of work.
- c. The CONSULTANT shall attend eight (8) weekly construction virtual progress meetings. The CEI shall be responsible for the meeting minutes.
  - d. The CONSULTANT shall review all shop drawings within seven (7) business days of receipt of the submittal to determine compliance with the drawings and specifications. The CONSULTANT through its designated subconsultant shall review Special Inspection report for pile driving and reinforcement concrete construction.
  - e. The CONSULTANT shall provide written responses to all RFIs within seven (7) business days.
  - f. The CONSULTANT shall assist the VILLAGE with the review and technical evaluation of Contractor's request for change orders, and claims, and provide recommendations and cost evaluations to the VILLAGE. This task is limited to five (5) RCOs.
  - g. The CONSULTANT shall review as-built drawings provided by the Contractor, provide written comments, and recommend submittal action to the VILLAGE.
  - h. The CONSULTANT shall review provide Environmental Permit Administration and permit closeout. The CONSULTANT shall provide consulting services to assist the VILLAGE and the Contractor to fulfil the environmental permit conditions. These conditions are anticipated to include submittal of construction commencement notifications, review of turbidity monitoring reports prior to submittal to agencies, and follow-up regarding closeout of permits. It is anticipated that the marine Contractor shall take the lead in submitting the paperwork required per permit conditions to the agencies. If any additional special permit condition compliance actions, response to any agency or third-party permit compliance concern or permit time extension request submittals are required, these services shall be addressed under a separate scope.
  - i. EAC shall be responsible to assist the Village with overall organization, coordination and management of project tasks for the Construction Administration through our assigned Project Management team. Our designated staff will manage the agreed budget and work activities identified within this scope of work (upon receipt of NTP). Our management efforts will be completely focused on the completion of tasks, quality management, document control protocols, identifying and communicating to North Bay Village all issues that are ongoing and their associated impacts on project progress. EAC shall coordinate the receipt, review, prepare and submit monthly invoices of the project team and supporting documentation for reimbursable expenses.

### **Task 2 – Environmental Permitting: USACE Permit Reverification Services**

Our team shall prepare a U.S. Army Corps of Engineers (USACE) permit application package for the reissuance of the federal permit for the Project and will provide it in draft format to the VILLAGE for review and signature prior to submittal to the USACE Miami Permit Section. The North Bay Village shall provide our team with a signed permit application form; no fee should be required for this application. Our team will submit the permit application package to the USACE for their review and permit re-verification.

### **PROJECT ASSUMPTIONS**

- VILLAGE shall provide access to site.
- Contractor to provide Construction Schedule.
- Assume construction schedule not to exceed four (4) months.

- Contractor to retain geotechnical engineer for special inspection services to include pile driving monitoring and other materials testing that may be required by the VILLAGE as a condition of the building permit.
- Contractor/VILLAGE to retain special inspection services for any and all other special inspections required as a condition of the building permit.
- Client may require full-time observations and construction management, which can be provided under a separate scope of services.
- Permit fees are not included in this proposal. EAC shall include a miscellaneous reimbursable expense budget which upon authorization by the VILLAGE can be utilized to pay permit fees.
- Preparation of meeting minutes for meetings are not part of the scope of services.
- Pay application reviews are excluded from the scope of services.

### **ADDITIONAL SERVICES**

If authorized in writing by the VILLAGE, as an amendment to this Task Order, the CONSULTANT shall furnish, or obtain, Additional Services of the types listed in the MASTER AGREEMENT. The VILLAGE, as indicated in the MASTER AGREEMENT, will pay for these services.

### **PERFORMANCE SCHEDULE**

The CONSULTANT shall perform the services identified in Tasks 1 within four months.

### **PROJECT FUNDING**

Performance of this project is at the VILLAGE's discretion and may be contingent upon the VILLAGE receiving funding and work shall not begin until the VILLAGE provides a Notice to Proceed to CONSULTANT.

### **METHOD OF COMPENSATION**

The services performed will be accomplished using the Not-to-Exceed method of compensation. The total hourly rates payable by the VILLAGE for each of CONSULTANT's employee categories, reimbursable expenses, if any, and sub-consultant fees, if any, are shown on **Exhibit A** attached hereto and made a part hereof. Pay application requests shall be prepared on the VILLAGE's approved pay application request form. The CONSULTANT shall submit the pay application request to the VILLAGE's Project Manager for review and approval. Once the VILLAGE's Project Manager approves the CONSULTANT's pay application request, the CONSULTANT may submit it to the VILLAGE's accounts payable department via email ([Pwdocuments@nbvillage.com](mailto:Pwdocuments@nbvillage.com)) with a copy to the Project Manager. Pay application requests shall be submitted monthly.

### **TERMS OF COMPENSATION**

Services will be provided for the following Not-to-Exceed amounts:



Work Order No.: 016  
Project No.: CP21-01  
Project Name: Vogel Park Marine Facility Post Design Services  
Consultant: EAC Consulting Inc.  
Contract No.: RFQ 2019-005

Task 1 -Construction Administration/ Post Design Services	\$ 45,985.80
Task 2 – Environmental Permitting: USACE Permit Reverification	\$ 3,819.70
Reimbursable Expenses	\$1000.00
<b>Grand Total</b>	<b>\$46,985.80</b>

### **VILLAGE CONTACTS**

Requests for payments should be directed to North Bay Village Accounts Payable via e-mail to [Pwdocuments@nbvillage.com](mailto:Pwdocuments@nbvillage.com) after getting approval from the VILLAGE's Project Manager. All other correspondence and submittals should be directed to the attention of Name of *PM*, Project Manager, at the address shown below. **Please be sure that all correspondence refers to the VILLAGE project number and title as stated above.**

**Delroy Peters**  
Project Manager  
Public Works  
North Bay Village  
Village Hall, 3<sup>rd</sup> Floor Public Works  
1666 Kennedy Causeway  
North Bay Village, FL 33141  
(305) 756-7171 Ext. 29  
[Dpeters@nbvillage.com](mailto:Dpeters@nbvillage.com)

**Marlon Lobban, PE**  
Director of Public Works  
North Bay Village  
Village Hall, 3<sup>rd</sup> Floor Public Works  
1666 Kennedy Causeway  
North Bay Village, FL 33141  
(305) 756-7171 ext. 66  
[Mlobban@nbvillage.com](mailto:Mlobban@nbvillage.com)

### **CONSULTANT CONTACTS**

**Consultant POC**  
Evelyn Rodriguez, P.E.  
EAC Consulting, Inc  
5959 Blue Lagoon Drive Suite 410  
Miami Fl, 33145  
Email: [erodriguez@eacconsult.com](mailto:erodriguez@eacconsult.com)  
Phone: 305-265-5460



**VILLAGE**

IN WITNESS OF THE FOREGOING, the parties have set their hands and seals the day and year first written above.

BY: \_\_\_\_\_  
NAME: Ralph Rosado  
TITLE: Village Manager

BY: \_\_\_\_\_  
Name: Elora Riera  
TITLE: Village Clerk

\*Pursuant to § 36.25 - Procurement requirements of the Code of Ordinances of North Bay Village, Florida

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
NAME: WEISS, SEROTA, HELFMAN, COLE  
& BIERMAN, PL  
TITLE: Village Attorney

**CONSULTANT/CONTRACTOR**

**WITNESSES:**

DocuSigned by:  
Evelyn Rodriguez  
5F9C463B9E2E42F...  
Evelyn Rodriguez, PE  
[Witness print/type name]

DocuSigned by:  
Huntley Higgins  
30533378DE8E483...  
Huntley Higgins, PE  
[Witness print/type name]

(CORPORATE SEAL)



STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

EAC Consulting, INC.,  
a FLORIDA corporation (if not a Florida corporation add: authorized to transact business in Florida )

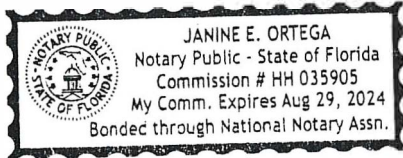
DocuSigned by:  
Michael Adeife  
E7EE48BDDFE342D...  
Michael Adeife, PE  
[Print Name, check title]

- President  Vice President
- Authorized Signatory (Please provide corporate authorization)

ATTEST:  
DocuSigned by:  
Marie Chong  
6A7D7FF7D09044D...  
Secretary  
Marie Chong, SVP & CFO  
[Print Name]

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 12<sup>th</sup> day of July, 2020, by Michael Adeife as Sr. Vice President for EAC Consulting, Inc., a Florida company (or corporation).

(SEAL)



[Signature]  
(Signature of Notary Public – State of Florida)  
Janine Ortega  
(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known  OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



Work Order No.: 016  
Project No.: CP21-01  
Project Name: Vogel Park Marine Facility Post Design Services  
Consultant: EAC Consulting Inc.  
Contract No.: RFQ 2019-005

**Exhibit A – Work Break Down Fee Schedule**



Work Order No.: 008-A1  
Project No.: CP21-01  
Project Name: Vogel Park Marine Facility Post Design Services  
Consultant: EAC Consulting Inc.  
Contract No.: RFQ 2019-005

**Exhibit B – Subconsultant Fee Proposal**



Moffatt & Nichol, Inc.  
2937 SW 27<sup>th</sup> Ave, Suite 101A  
Miami, FL 33133  
(305) 230-1924  
www.moffattnichol.com

June 30, 2023

10907/09

Mr. Mike Adeife  
**EAC Consulting, Inc.**  
5959 Blue Lagoon Drive, Suite 410  
Miami, FL 33126

Via email: [madeife@eaconsult.com](mailto:madeife@eaconsult.com)

**RE: North Bay Village Professional Construction Administration Services – Vogel Park Marine Works Project, North Bay Village, Florida**

Dear Mr. Adeife:

Pursuant to our recent discussions with North Bay Village (NBV), Moffatt & Nichol (M&N) is pleased to present this proposal for construction administration services associated with the proposed Vogel Park Marine Works Project (Project), which includes a municipal-use dock with a lift for police boat mooring and a separate small floating dock for public launching of shallow draft nonmotorized recreational vessels (i.e., kayaks, paddleboards, etc.) adjacent to Vogel Park.

The following work tasks outline the construction administration services to be provided by M&N for EAC Consulting (Client).

### **EXHIBIT “A” – SCOPE OF SERVICES**

#### **Part 1 – Construction Administration**

- a. **Office Administration:** M&N will provide construction administration services for the Project to supplement full-time construction management by the general contractor and special inspection services. M&N services will include the following, as applicable:
- Shop drawing reviews.
  - Responses to Requests for Information (RFI’s).
  - Review special inspection reports for pile driving and reinforcement concrete construction.
  - Review of change order requests.
  - Attend up to one (1) construction progress meeting virtually per week.
  - Review of as-built plans and project close out

Mr. Mike Adeife  
North Bay Village – Vogel Park Marine Works Construction Admin.

June 30, 2023

*Conditions:*

- Assume construction schedule not to exceed four (4) months.
- Contractor to retain geotechnical engineer for special inspection services to include pile driving monitoring and other materials testing that may be required by the City as a condition of the building permit.
- Contractor to retain special inspection services for any and all other special inspections required as a condition of the building permit.
- NBV may require full-time observations and construction management, which can be provided under a separate scope of services.

**Part 2 – Site Visits**

M&N will attend one (1) preconstruction meeting and make three (3) periodic site visits to observe the construction, and one (1) substantial completion site visit. Site observation reports will be compiled with representative photographs and distributed to the Client and contractor. Any additional inspections that are required during construction will be provided under a separate scope of work.

**Part 3 – Environmental Permit Administration and Close-Out**

M&N will provide approximately sixteen (16) hours of consulting services to assist NBV, the Client and the Project marine contractor to fulfill the environmental permit conditions. These conditions are anticipated to include submittal of Construction Commencement notifications, review of turbidity monitoring reports prior to submittal to the agencies, and follow-up regarding close-out of the permits. It is anticipated that the marine contractor will take the lead in submitting the paperwork required per permit conditions to the agencies. If any additional special permit condition compliance actions, response to any agency or third-party permit compliance concerns or permit time extension request submittals are required, these services will be addressed under a separate scope of work.

**Part 4 – Environmental Permitting: USACE Permit Re-Verification**

M&N will prepare a U.S. Army Corps of Engineers (USACE) permit application package for the reissuance of the federal permit for the Project and will provide it in draft format to the Client for review and signature prior to submittal to the USACE Miami Permit Section.

The Client or NBV shall provide M&N with a signed permit application form; no fee should be required for this application. M&N will submit the permit application package to the USACE for their review and permit re-verification.

**Contract Terms**

The scope of services will be subject to a mutually acceptable subconsultant agreement referencing the master agreement between the Client and NBV.



Mr. Mike Adeife  
North Bay Village – Vogel Park Marine Works Construction Admin.

June 30, 2023

### Schedule

The schedule for the services is as follows:

- Parts 1, 2, 3 and 4 are approximately four (4) months.

### Compensation

Compensation will be invoiced based on hours expended for hourly tasks in accordance with the tasks outlined above at the time of billing. Reimbursable expenses will be billed at cost.

Task	Description	Fee	Fee Type
<b>1</b>	<b>Office Administration</b>		
a	Pre-construction Meeting and Minutes	\$599.80	T&M
b	Construction Progress Meetings	\$2,623.60	T&M
c	Shop Drawing Review	\$1,324.00	T&M
d	RFI Responses	\$1,196.00	T&M
e	Review of Change Orders	\$840.00	T&M
f	As-built Review and Closeout	\$598.00	T&M
<b>2</b>	<b>Site Visits</b>	\$3,165.50	T&M
<b>3</b>	<b>Environmental Permit Administration and Close-Out</b>	\$2,493.60	T&M
<b>4</b>	<b>Environmental Permitting: USACE Permit Re-Verification</b>	\$3,023.70	T&M
	Reimbursable Expenses	\$300.00	Allowance
	<b>Total Compensation for this Work Order</b>	<b>\$16,164.20</b>	

Moffatt & Nichol looks forward to the opportunity to continue our working relationship with NBV and EAC Consulting on this important waterfront project. Please contact Anca Predescu at (305) 265-5460 or [apredescu@moffattnichol.com](mailto:apredescu@moffattnichol.com) with any questions or if you require additional information.

Sincerely,  
**Moffatt & Nichol**



Hugo Bermudez, P.E.  
Business Unit Leader  
HB:AE





Moffatt & Nichol  
Fee Proposal Worksheet

Project Number: 10997-09  
 Project Title: North Bay Village Vogel Park Marine Works - Construction Admin.  
 Project Manager: Anca Predescu  
 Project Principal: Hugo Bermudez

Date: 06/29/23

Sub Mark-up: 0%  
 ODC Mark-up: 0%

CLASSIFICATION/RATES																	
Phase	Task	Title	Principal Eng./Sci P-9, P-8	Supervisory Eng./Sci P-7	Senior Eng./Sci P-6	Eng./Sci III P-5	Eng./Sci III P-4	Eng./Sci I P-3	Staff Eng. P-1, P-2	Senior Tech. T-5	Designer T-4	CADD II T-3	CADD I T-2, T-1	Word Processor A-4, A-3	General Clerical A-1, A-2	HOURS	LABOR TOTAL
1	a	Office Administration	\$233.00	\$199.00	\$178.00	\$147.00	\$121.00	\$121.00	\$83.49	\$90.00	\$85.00	\$85.00	\$85.00	\$57.90	\$57.90	-	\$0.00
	b	Pre-construction Meeting and Minutes			8.00			4.00						2.00		6.0	\$599.80
	c	Construction Progress Meetings			2.00			8.00						4.00		20.0	\$2,623.60
	d	Shop Drawing Review			4.00			4.00								8.0	\$1,324.00
	e	RFI Responses			2.00			4.00								6.0	\$1,196.00
	f	Review of Change Orders			2.00			4.00								6.0	\$840.00
	F	As-built Review and Closeout			2.00			2.00								4.0	\$598.00
2		Site Visit			8.00			12.00						5.00		25.0	\$3,165.50
3		Environmental Permit Administration and Closeout			6.00									4.00		16.0	\$2,493.60
4		Environmental Permitting			32.00			12.00						3.00		21.0	\$3,023.70
TOTAL MAN-HOURS			6.00	6.00	32.00	0.00	0.00	54.00	0.00	0.00	0.00	0.00	0.00	18.00	0.00	116.0	\$3,023.70
TOTAL MAN-LABOR			\$1,398.00	\$1,194.00	\$5,696.00	\$0.00	\$0.00	\$6,534.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,042.20	\$0.00	\$0.00	\$15,864.20
III. OTHER COSTS																	
A. Subconsultants																	
1.	Total		\$0	Mark-up	\$0												
2.	Total		\$0	Mark-up	\$0												
3.	Total		\$0	Mark-up	\$0												
4.	Total		\$0	Mark-up	\$0												
5.	Total		\$0	Mark-up	\$0												
6.	Total		\$0	Mark-up	\$0												
7.	Total		\$0	Mark-up	\$0												
8.	Total		\$0	Mark-up	\$0												
9.	Total		\$0	Mark-up	\$0												
10.	Total		\$0	Mark-up	\$0												
B. Other Direct Costs																	
	Airfare				N/A												
	Lodging				N/A												
	Meals				N/A												
	Mileage/Rental Car				N/A												
	Outside Reproduction		\$100		N/A												
	Postage/Delivery		\$50		N/A												
	Telephone/Fax				N/A												
	I&R/Driving Equipment		\$150		N/A												
	Other Reimbursables - Aerial/Parcel Data		\$300		\$0												
IV. PROJECT SUMMARY																	
Total M&N Labor													\$15,864.20				
Total Subconsultant Cost:													\$0.00				
Total Other Direct Costs:													\$300.00				
Mark-up on Subconsultants:													\$0.00				
Mark-up on ODCs:													\$0.00				
<b>Total Project Estimate</b>													<b>\$16,164.20</b>				



April 20, 2023

Proposal # 2023025

Mrs. Evelyn Rodriguez  
 EAC Consulting, Inc.  
 5959 Blue Lagoon Dr, Ste 410  
 Miami, FL 33126

Project: Police Dock Construction Administration  
 Location: North Bay Village, FL

Dear Mrs. Rodriguez,

We are pleased to submit our proposal to provide Professional Engineering Services for the above-mentioned project.

**Basic Services:**

Our scope of work will consist of:

Construction Administration shall be limited to shop drawing review, response to RFI's and three site visits, per discipline, during construction.

**Compensation:**

Our proposed fee shall be as follows:

Pre-Construction Meeting:	\$1,481.90
Response to Contractor RFI's:	\$2,659.90
Shop Drawing Review:	\$2,193.90
Site Inspections (Limited to 3 per discipline):	\$4,329.90
<b>TOTAL</b>	<b>\$10,665.60</b>

Payments are requested as follows:

As per City of North Bay Village Payment Schedule

*Payment is according to the listed prices above. In accordance with Florida Statutes, Section 715.12, "Prompt Payment Law" we reserve the right to accrue interest at a rate of 12% APR, beginning 14 days after payment is due.*

**Please make checks payable to: "Basulto & Associates, Inc."**

Compensation for Additional Services shall be hourly at:

Principal Hours:	\$150.80
Engineering Hours:	\$105.97
Drafting Hours:	\$ 81.20
Clerical Hours:	\$ 72.50

Thank you for an opportunity to serve you. We look forward to working with you on this project. Should you have any questions, please do not hesitate to contact our office.

Sincerely,



René I. Basulto, PE, MSEM  
CGC, CFEI, CPE, CPD  
Principal

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**LETTER OF AGREEMENT ACCEPTANCE**

I, the undersigned, having authority to execute this Agreement for and having read and understood this proposal and attachments, hereby agree to terms and conditions stated herein as well as to any terms and conditions attached hereto and made part of this Agreement. Please return one executed copy to BASULTO & ASSOCIATES, INC. and keep the other for your records.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date





**NORTH BAY VILLAGE**  
EST. 1945

**ITEM NO. 11.E**

## **North Bay Village Recommendation Memorandum**

**DATE:** July 19, 2023

**TO:** Honorable Mayor, Vice Mayor and Members of the Village Commission

**FROM:** Delroy Peters, Engineer / CIP Manager

**SPONSORED  
BY:**

**SUBJECT:** A Resolution Authorizing Work Order No. 016 to EAC Consulting Inc. in the Amount of \$46,985.80 to Provide Post-Design Services for the Vogel Park Marine Facility Project - *Village Manager Ralph Rosado, PhD, AICP (CIP Manager Delroy Peters)*

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### **RECOMMENDATION**

**A RESOLUTION OF THE COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO ISSUE A WORK ORDER TO EAC CONSULTING, INC. FOR POST DESIGN SERVICES RELATING TO THE VOGEL PARK MARINE FACILITY PROJECT IN AN AMOUNT NOT TO EXCEED \$46,985.80; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

It is recommended that the Village Commission approve the proposed resolution for the post design services.

### **BACKGROUND AND ANALYSIS**

#### **Project Scope**

North Bay Village contracted EAC Engineering under its Continuing Services Contract (RFQ 2019-005) with the Village to assess the feasibility of constructing a marine facility at Vogel Park, including a police boat dock and a kayak launch site. EAC was also tasked with producing a design for the facility, seeking the required permits, and preparing documents for an Invitation to Bid for the construction phase.

#### **Project/Approval History**

The commission approved WO 004, under Resolution 2021-004, for surveying, permitting

strategy, and conceptual design services in February 2021. After the Village submitted and accepted the conceptual designs, the designers proposed to complete the full design of the facility and submitted a work order proposal (WO 008). The Village Commission reviewed WO 008 and approved it under resolution 2021-065 in November 2021 for full design services.

### **Project Status**

The design and permitting process is 95% complete. Permits were obtained from the Florida Department of Environmental Protection (FDEP) and the United States Army Corp of Engineers (USACE). The Miami-Dade Department of Environmental Resources Management (DERM) will issue the final Class I permit. EAC will provide final bid documents for solicitation in July 2023.

### **Approval Request**

Construction of the project should commence in September 2023. The Village will require three items to be approved for the successful completion of the project, namely:

1. Approval of WO 016 for post-design services (see attached). After the Village awards the project, the designers' Engineer of Record (EOR) will work with the contractor to ensure the project construction is performed according to design plans and specifications.
2. Environmental re-verification of USACE permit. The permit will expire in July 2023, before the start of construction of the project. Provide under WO 016.
3. Construction Engineering Inspection. Staff will submit a WO to the commission for approval at a later meeting.
4. Construction Contract - approval at a later meeting.

Staff requires the commission's approval for WO 016 for a not-to-exceed amount of \$46,985.80 for EAC to carry out the necessary post-design services. Items #3 and #4 will be taken before the commission at a later date.

### **Funding**

Funds allocations are as follows:

- WO 004 – Conceptual Designs – \$30,952.33 (FY 2021) - **approved** WO 007 – Bathymetric Survey – \$12,796.00 (FY 2021) - **approved**
- WO 008 – Design and permitting - \$133, 467.00 (FY 2022) - **approved**
- WO 016 – Post Design Services (Construction Administration) - \$46,985.80 (FY 2023) - to be approved

The Village obtained grants to benefit the project; A Florida Inland Navigation District(FIND) grant of \$100,000 for design and permitting (with a required dollar-for-dollar match), and a

FIND grant of \$300,000 for construction.

The 2022-2023 adopted budget provides \$150,000 for the design phase. From this amount, \$133,467 was encumbered for the design phase from the previous year. The difference of \$16,533 will be allotted to WO 016. There remains a balance of \$30,452.80 to satisfy the required \$46,985.80 for the WO 016. This balance will be transferred from General Fund Unreserved Fund Balance.

It is recommended that the Village Commission approve a resolution to provide post design services for the Vogel Park Marine Facility Project to EAC Consulting, Inc.

Approval of this item hopes to achieve two of its NBV100 goals, namely:

### Livability

By centering on people – residents, business owners, and visitors – North Bay Village will become a more attractive place to work, live and do business. The NBV100 Livability pillar puts the focus on place-making in four ways:

- \*Prioritizing people over cars,
- \*Embracing the waterfront,
- \*Improving the quality of life, and
- \*Refreshing the NBV identity

### Resilience

Adaptive, proactive measures on climate change are necessary for our water-privileged community. NBV100 initiatives prepare for further environmental changes through three stages:

- \*Created in water,
- \*Thriving with water, and
- \*Protected from water

### **BUDGETARY/FINANCIAL IMPACT (Finance Dept.)**

Appropriate \$46,985.80 from General Unreserved Fund Balance 001.00.389.3891 and increase expense line item 320.61.630.6201 project #CP21-01.

### **PERSONNEL IMPACT**

NONE

### **ATTACHMENTS**

[Resolution Authorizing Work Order For Post Designs For Vogel Park](#)

NBV WO- 016 - Vogel Park Marine Facility.pdf  
Exhibit 'A' Budget Amendment Form-Capital 7-19-2023.pdf





**Budget Amendment Form**

<b>Department</b> Capital Projects	<b>Date:</b> 7/19/2023
<b>Fund(s) to be changed:</b> Capital Projects Fund	

<b>GL Account</b>	<b>GL Line Item</b>	<b>Project #</b>	<b>Transfer to:</b>	<b>Transfer from:</b>
<a href="#">001.00.389.3891</a>	Appropriation of Unreserved Fund Balance		\$ -	\$ 46,985.80
<a href="#">001.19.519.9132</a>	Transfer to Capital Projects		\$ 46,985.80	\$ -
<a href="#">320.00.381.3801</a>	Transfer in from General Fund			\$ 46,985.80
<a href="#">320.61.630.6201</a>	Vogel Park Marine Facility Design	CP21-01	\$ 46,985.80	
<b>TOTAL (Columns must be equal)</b>			<b>\$ 93,971.60</b>	<b>\$ 93,971.60</b>

**Description:**

Transfer \$46,985.80 from General Fund to Capital Projects Fund to pay for additional fees for Vogel Park Marine Facility Design CP21-01.