

RESOLUTION NO. 2023-040

A RESOLUTION OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE ISSUANCE OF A WORK ORDER TO EAC CONSULTING, INC. TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE TREASURE ISLAND ADA SIDEWALK IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$38,606; AMENDING THE BUDGET FOR FISCAL YEAR 2022-23; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, North Bay Village (“Village”) desires to implement Phase 2 of the Treasure Island ADA Sidewalk Improvements Project (the “Project”); and

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

WHEREAS, pursuant to the RFQ, the Village 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 Consultant (the “Agreement”); and

WHEREAS, BCC Engineering, LLC has provided the Village with design services for the Project; and

WHEREAS, in order to ensure construction of the Project is done in accordance with the Project design documents, the Village requires construction engineering and inspection (CEI) services (the “Services”) for the Project; 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 Project in an amount not to exceed \$38,606, consistent with the Agreement previously entered into between the Village and Consultant; 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, 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” in an amount not to exceed \$38,606, 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 Cuk 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 Andrew Rotondaro	<u>Yes</u>
Commissioner Rachel Streitfeld	<u>Yes</u>

PASSED AND ADOPTED on this 8th day of March, 2023.

Brent Latham

Brent Latham, Mayor

ATTEST:

Alba L. Chang

Alba L. Chang, CMC
Village Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Haydee Serota

Weiss Serota Helfman Cole & Bierman, PL
Village Attorney

WORK ORDER No. 11

Dated this day of , 2022

NORTH BAY VILLAGE PUBLIC WORKS DEPARTMENT

TI ADA SIDEWALK IMPROVEMENTS-CONSTRUCTION

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 18, 2022.

PROJECT DESCRIPTION

EAC Consulting, Inc (EAC) shall perform professional Engineering Services for the "Treasure Island ADA Improvements" project.

The Village is a thriving waterfront community situated between the cities of Miami and Miami Beach in the middle of Biscayne Bay.

The Village is requesting to perform professional services to assist the Village with Treasure Island ADA Improvements project. The construction work will be done under the Invitation to Bid (ITB) #2022-006, FM# 444197-1-58-01.

The construction project includes Type F Curb and Gutter, Type D Curb, proposed curb ramps, proposed concrete sidewalk, proposed detectable warnings, existing concrete sidewalk to be removed and replaced, existing driveway to be removed/replaced by others, and upgrades to 4 intersections along JFK Causeway at Adventure Avenue, Hispanola Avenue, 1800 Block, and East Treasure Drive to modify existing Accessible Pedestrian Signals (APS) and install additional APS on the minor street, as shown in the set of signed and sealed Contract Plans (dated June 22, 2022) prepared by BCC Engineering, LLC.

The estimated construction cost is \$114,738.21, and the estimated construction time is nine (9) months or approximately 270 calendar days as advised by the Village's Project Manager (PM).

GENERAL REQUIREMENTS

Quality Control

The CONSULTANT is responsible for the quality control (QC) of their work and of its sub-consultants. The CONSULTANT shall provide to the VILLAGE the list of sub-consultants which shall be used for this project. This list shall not be changed without prior approval of the VILLAGE. All sub-consultant documents and submittals shall be submitted directly to the CONSULTANT for their independent QC review. The VILLAGE shall only accept submittals for review and action from the CONSULTANT.

EAC's Construction Engineering & Inspection (CEI) Quality Management Plan (QMP) Program, which we enforce on our sub-consultants, includes:

- Quality Staffing – Highly experienced personnel ensuring an excellent match between the task and staff.
- Quality Management - Proper Quality Management of a project incorporates Quality Assurance (QA)/Quality Control (QC) and is essential for achieving the required product quality.
- Quality Control - Quality Control consists of checking on our deliverables, project documentation, field inspection, and sampling and testing.
- Quality Assurance - Quality Assurance monitors and assesses the Quality Control process. Our Quality Assurance leader Andrew Pierce, PE or his designee will be assigned to this project to review procedures and the products these processes yield. QA/QC Reviews will not exceed a six-month interval.

SPECIFIC SCOPE OF SERVICES

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

The work will require the presence of one part-time Project Manager (PM) and part-time CEI Inspector (I). Refer to Tasks 1 and 2 below.

EAC will follow the contract documents, including the 2021-2022 FDOT Standard Plans and the January 2021 FDOT Specifications listed on the plans, the project's Specification Package, the Miami-Dade County Public Works Manual, the 2009 MUTCD, and perform the following scope:

Task 1 – Part-Time Project Manager (PM)

- The part-time PM will manage and administrate the CEI Inspector and the inspections.

Task 2 – Part-Time CEI Inspector (I)

- The part-time CEI Inspector will inspect the removal, installation and quantify the construction elements per the contract documents, curbs, sidewalks, driveways, detectable warnings, APS modifications and new APS; will prepare and submit daily construction reports to the Village Project Manager and coordinate as required; will review monthly payment application quantities; and will enforce the Contractor with the requirements of the Stormwater Pollution Protection Plan, Plan Sheet 5; and will generate the punchlist and perform the final inspection.

Per the Village, Part-Time CEI Resident Compliance Specialist (RCS) will not be required. FDOT, the funding agency will review contractors' contract and will approve based on Federal rules compliance qualification. No additional services will be required once contract is awarded.

Per the Village, laboratory testing will be carried out by the contractor and results submitted to the Village. The Inspector will be required to assist the Village in review and approval of testing results.

This proposal does not include a CEI Project Administrator (PA), RCS, and laboratory testing services. An additional work order will be required if the Village requires these services.

PROJECT ASSUMPTIONS

- VILLAGE shall provide access to site.

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 Task 1 within 9 months of the written Notice to Proceed.

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. Please copy the PW department’s administrative assistant at pwdocument@nbvillage.com on all payment correspondences. Pay application requests shall be submitted monthly.

TERMS OF COMPENSATION

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

Task 1 – Part-Time Project Manager (EAC)	\$10,746.00
Task 2 – Part-Time CEI Inspector (EAC)	\$27,360.00
Reimbursable Expenses (printed copies, etc.).	\$500.00
Grand Total	\$38,606.00

VILLAGE CONTACTS.

Requests for payments should be directed to North Bay Village Accounts Payable via e-mail to 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, 3rd Floor Public Works
1666 Kennedy Causeway
North Bay Village, FL 33141
(305) 756-7171 Ext. 29
Dpeters@nbvillage.com

Marlon Lobban, PE
Director of Public Works
North Bay Village
Village Hall, 3rd Floor Public Works
1666 Kennedy Causeway
North Bay Village, FL 33141
(305) 756-7171 ext. 66
Mlobban@nbvillage.com

CONSULTANT CONTACTS

Consultant POC
Firm Name: EAC Consulting, Inc.
Address: 5959 Blue Lagoon Drive, Suite #300, Miami, Florida
Email: marze@eacconsult.com (Mauricio Arze, PE)
Phone: (786) 209-5573 cell.
Fax: N/A

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, PhD
TITLE: Village Manager

BY: _____
Name: Alba Chang, MMC
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:

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

[Witness print/type name]

[Print Name, check title]

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

[Witness print/type name]

ATTEST:

(CORPORATE SEAL)

Secretary

[Print Name]

STATE OF _____:
COUNTY OF _____:

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ___ day of _____, 2020, by _____ as _____ for _____, a _____ company (or corporation).

(SEAL)

(Signature of Notary Public – State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

Exhibit A – Work Break Down Fee Schedule

Please see below spreadsheet.

Firm: EAC Consulting, Inc.
 Date: 3-Mar-23



Client: City of North Bay Village - General Professional Engineering and Architectural Services Agreement dated November 18, 2019 and expiring on November 18, 2022.
 Description: Treasure Island ADA Improvements
 Contract Duration: Estimated 9 Months per Village's PM

Task	Staff Name	Classification	Months/Staff Hours												Total Hrs.	Hourly Rate Exhibit "B"	Fee	
			1	2	3	4	5	6	7	8	9	10	11	12				
1	Mauricio Arze, PE - EAC	Project Manager	6	6	6	6	6	6	6	6	6	0	0	0	54	\$199.00	\$10,746.00	
2	TBD - EAC	CEI Inspector	40	40	40	40	40	40	40	40	40	0	0	0	360	\$76.00	\$27,360.00	
																Reimbursables Sub Total EAC/Sub-consultant Services		\$38,106.00
																Reimbursable Expenses (Printed copies, etc.)		\$500.00
																Grand Total		\$38,606.00

Exhibit B – Sub-Consultants Proposals

Not Applicable



Budget Amendment Form

Department Transportation	Date 3/8/2023
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Fund(s) to be changed: Transportation Fund

GL Account	GL Line Item	Transfer to:	Transfer from:
115.00.389.3890	Appropriation of Fund Balance	\$ -	\$ 38,606.00
115.18.541.6308	Roads & Street Improvements Project #TF23-01	\$ 38,606.00	\$ -
TOTAL (Columns must be equal)		\$ 38,606.00	\$ 38,606.00

Description:

Appropriate fund balance to pay for EAC Work Order #011 for CEI costs.

EXHIBIT "B"