

RESOLUTION NO. 13-47

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO ISSUE A PURCHASE ORDER TO KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 14, 2007, the Town of Cutler Bay (the "Town") adopted Resolution No. 07-52 approving the execution of Non-Exclusive Professional Services Agreements (the "Agreement") to allow firms to provide various engineering and architectural services for the Town; and

WHEREAS, the Town has budgeted for the construction engineering and inspection services for the Caribbean Boulevard Roadway Improvement(s) Project within 2013-14 Operating Budget; and

WHEREAS, the construction engineering and inspection services phase of the Roadway Improvement(s) Project will be funded by the Town's portion of the Charter County Transit System Surtax proceeds; and

WHEREAS, in accordance with the terms of the Agreement and the provisions set forth in Resolution 07-52, the Public Works Department solicited a proposal from Kimley-Horn and Associates, Inc., which has an executed Agreement with the Town; and

WHEREAS, Town staff has determined that Kimley-Horn and Associates, Inc. would be best suited to provide construction engineering and inspection services because their experience with similar roadway improvement projects within both Miami-Dade County and Broward Counties; and

WHEREAS, Kimley-Horn and Associates, Inc. has provided a total fee for these services to the Town for an amount not to exceed \$557,901.48 (Attached as Exhibit "A"); and

WHEREAS, the Town finds that this Resolution will promote the health, safety and welfare of the Town.

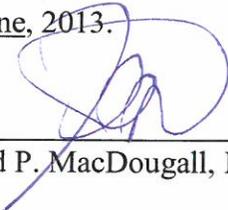
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Authorization. In accordance with the terms and conditions of the Agreement, the Town Manager is authorized, on behalf of the Town, to issue a Purchase Order in the amount of \$ 557,901.48 to Kimley-Horn and Associates, Inc. to provide construction engineering and inspection services on the Caribbean Boulevard Roadway Improvement(s) Project, in substantially the form attached hereto as Exhibit "A".

Section 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 19th day of June, 2013.



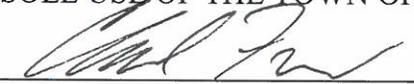
Edward P. MacDougall, Mayor

Attest:



Debra E. Eastman, MMC
Town Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE TOWN OF CUTLER BAY:



WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

Moved By: Council Member Bell
Seconded By: Vice Mayor Sochin

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall	Yes
Vice Mayor Ernest N. Sochin	Yes
Councilmember Peggy R. Bell	Yes
Councilmember Sue Ellen Loyzelle	Yes
Councilmember Mary Ann Mixon	Yes



Kimley-Horn
and Associates, Inc.

June 10, 2013

5200 Northwest 33rd Avenue
Suite 109
Ft. Lauderdale, FL 33309
33309

Mr. Ralph Casals
Town Manager
Town of Cutler Bay
10720 Caribbean Blvd., Suite 105
Cutler Bay, FL 33189

Re: Caribbean Blvd. Roadway Improvement Project
Miami-Dade County Joint Participation Agreement (JPA) 20090088
Construction Engineering and Inspection (CEI) Services

Dear Mr. Casals:

In accordance with the terms and provisions of the Non-Exclusive Professional Services Agreement for Continuing Professional Services approved as Town Resolution No. 07-52 between the Town of Cutler Bay and Kimley-Horn and Associates, Inc. (KHA or Consultant) dated January 17, 2008, KHA is pleased to submit this proposal to provide CEI services to the Town during construction of roadway improvements on Caribbean Blvd. between Coral Sea Road and SW 87th Avenue. The roadway improvement project will be based on construction plans prepared by Stantec entitled "Plans for Proposed Improvements to Caribbean Boulevard from Coral Sea to SW 87th Avenue" Miami-Dade County Joint Participation Agreement (JPA) 20090088 [Peoples Transportation Plan].

Project Scope

The project improvements along Caribbean Blvd. primarily include reconstructing the existing two (2) lanes with curb and gutter, drainage improvements, bus shelter improvements, street lighting, landscaping and irrigation.

Scope of Services

The CEI services that will be provided by KHA associated with the Caribbean Blvd. Roadway Improvement Project include the following:

1. Project initiation and plan review
2. Public Works and permit agency coordination
3. Attendance at a preconstruction meeting and weekly progress meeting
4. Public Involvement Services

TEL 954 535 5100
FAX 954 739 2247



5. Resident Project Representative (RPR) for site observations
6. Shop Drawing Coordination
7. Contract Clarification Coordination
8. Review of Pay Applications and associated field quantities
9. Project Close-out

The proposal is based on a contract duration of 680 days. It is estimated that the total contract duration will consist of 20 days for procurement, 600 days for construction, and 60 days for project close out.

Terms and Fees

In accordance with the terms and provisions of the Non-Exclusive Professional Services Agreement for Continuing Professional Services, KHA will complete this scope of services based on hourly rates up to an estimated budget of **\$557,901.48**.

A Project Description, Scope of Services, Payment Schedule, and Staffing Hour spreadsheet are attached for reference.

We appreciate the opportunity to submit this proposal and to work with you and your staff on this important project. Please contact me at (954) 535-5100 if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Gary R. Ratay, P. E.
Senior Associate

If you concur in all the foregoing and wish to direct us to proceed with the services, please execute this Scope of Services in the spaces provided below.

Mr. Ralph Casals
Town Manger
Town of Cutler Bay

Town Resolution #:
13-47
Adopted June 19, 2013

Town Purchase Order #:
447



Project Description

This proposal is to assist the Town during construction of roadway improvements on Caribbean Blvd. between Coral Sea Road and SW 87th Avenue. The roadway improvement project will be based on construction plans prepared by Stantec entitled "Plans for Proposed Improvements to Caribbean Boulevard from Coral Sea to SW 87th Avenue" Miami-Dade County Joint Participation Agreement (JPA) 20090088 [Peoples Transportation Plan].

The CEI services that will be provided by KHA associated with the Caribbean Blvd. Roadway Improvement Project include the following:

1. Project initiation and plan review
2. Public Works and permit agency coordination
3. Attendance at a preconstruction meeting and weekly progress meeting
4. Public Involvement Services
5. Resident Project Representative (RPR) for site observations
6. Shop Drawing Coordination
7. Contract Clarification Coordination
8. Review of Pay Applications and associated field quantities
9. Project Close-out

The proposal is based on a contract duration of 680 days. It is estimated that the total contract duration will consist of 20 days for procurement, 600 days for construction, and 60 days for project close out.



Scope of Services

The professional services for this project will include the following:

Task 1 - Project Initiation and Plan Review, Fee \$2,159.34

KHA shall meet with the Town to discuss the construction plans and contract documents prepared by Stantec entitled "Plans for Proposed Improvements to Caribbean Boulevard from Coral Sea to SW 87th Avenue" Miami-Dade County Joint Participation Agreement (JPA) 20090088 [Peoples Transportation Plan]. It is recommended that a representative from Stantec attend the meeting.

KHA will review the construction plans and contract documents in preparation of attending the pre-construction meeting, providing CEI services, and permit agency coordination.

Task 2 – Public Works and Permit Agency Coordination, Fee \$6,931.06

KHA shall review the Miami-Dade County Department of Environmental Resource Management (DERM) drainage permit and the Miami-Dade Public Works Department (Traffic Division) striping plan associated with this project. KHA will coordinate with the Town's Public Works Department to confirm construction is being performed in general compliance with the permit conditions. As the engineer of record, any permit related questions submitted by the contractors during the construction phase will be coordinated with Stantec as needed. KHA shall also coordinate with Miami-Dade County on funding requirements based on the Joint Participation Agreement through the People's Transportation Plan.

Task 3 – CEI Services

KHA shall provide CEI services during construction of the project. There are seven separate construction phase sub tasks regarding the Caribbean Blvd. Roadway Improvement Project. The tasks are as follows:

1. Progress Meetings
2. Public Involvement Services
3. Resident Project Representative (RPR)
4. Shop Drawing Coordination
5. Contract Clarification Coordination
6. Review of Pay Application
7. Project Close-out



The proposal is based on a contract duration of 680 days. It is estimated that the total contract duration will consist of 20 days for procurement, 600 days for construction, and 60 days for project close out.

3.1 Progress Meetings, Fee \$83,536.82

KHA shall attend weekly progress meetings (as scheduled by KHA) with the Contractor(s) to assess the project schedule and Contractor progress for the duration of the construction process.

3.2 Public Involvement Services, Fee \$150,734.63

KHA will provide the following services associated with a public involvement program (PIP):

1. Develop and implement public involvement activities through the use of project flyers, printed project updates, social media, e-mail, and the Town's webpage to communicate with the public during construction.
2. Plan and conduct public meetings to inform the community on a monthly basis.
3. Develop a schedule of public involvement activities that will take place throughout construction of the project.
4. Develop and implement a plan for personal interaction with the most impacted residents and Home Owner Associations.
5. Develop and implement a plan for collecting and analyzing public comment.
6. Develop and implement a plan for monitoring the effectiveness of outreach activities.
7. Provide monthly project updates to the Town Council and be available to meet, as needed, with the Town Manager, Public Works Director, and/or Council members.
8. Develop a Media Outreach Plan (MOP) to include how the media will be utilized to keep residents informed at all stages of project construction.

3.3 Resident Project Representative (RPR), Fee \$256,991.10

A Resident Project Representative ("RPR") shall be furnished by KHA and shall act as directed by KHA in order to assist KHA in observing performance of the work of the Contractor(s).

The RPR shall visit the site daily for up to 6 hours during the 20 month construction duration to observe the progress and quality of the executed work of the Contractor(s) and to determine if such work is proceeding in accordance with the contract documents for the construction of the improvements (the "Contract Documents"). The RPR shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by Contractor(s) or the safety precautions and programs incident to the work of Contractor(s). The RPR's efforts will be directed toward providing the Town with a greater degree of confidence that the completed



work of Contractor(s) will conform to the Contract Documents. The RPR shall not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During such visits and on the basis of on-site observations, KHA shall keep the Town informed of the progress of the work, shall endeavor to protect the Town against defects and deficiencies in such work, and may disapprove or reject work if it fails to conform to the Contract Documents. KHA shall perform the observations in accordance with the standard of care of the profession at the time of service.

The RPR shall prepare and submit reports to KHA of the field visits describing the general working conditions, areas of construction activity, tests performed, and special and unusual events. KHA will provide those reports to the Town.

3.4 Shop Drawing Coordination, Fee \$3,810.60

The shop drawing review and approval process will be provided by the Engineer of Record, Stantec. KHA will receive shop drawing materials, coordinate with Stantec, and monitor the shop drawing process.

KHA shall not be responsible for reviewing or approving shop drawings or advising the Town on acceptability of substitute materials or equipment that are proposed by the prime contractor(s) hereinafter called "Contractor(s)".

3.5 Contract Clarification Coordination, Fee \$18,925.98

All contract clarification and responses to requests for information (RFI's) will be provided by the Engineer of Record, Stantec. KHA will receive the RFI's, coordinate with Stantec, monitor the RFI process, review change orders, and issue the Town's instructions to Contractor(s).

KHA shall not be responsible for interpretations and clarifications of the plans and specifications.

3.6 Review of Pay Application, Fee \$9,399.48

Based on KHA's on-site observations and upon review of applications for payment and the accompanying data and schedules, KHA shall determine the amounts owing to Contractor(s) and recommend in writing payments to Contractor(s) in such amounts. Such recommendations of payment shall constitute a representation to the Town based on such observations and review that the work has progressed to the point indicated and that, to the best of KHA's knowledge, information, and belief, the quality of work is in accordance with the Contract Documents (subject to any qualifications stated in KHA's recommendations), and that payment of the amount recommended is due to Contractor(s). KHA will coordinate the pay application review with the Miami-Dade County's inspector assigned to the project.



By recommending any payment, KHA shall not thereby be deemed to have represented that observations made by KHA to check Contractor's work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to KHA in this Agreement. Neither KHA's review of Contractor's work for the purposes of recommending payments nor KHA's recommendation of any payment including final payment will impose on KHA responsibility to supervise, direct, or control Contractor's work in progress or for the means, methods, techniques, equipment choice and usage, sequences, or procedures of construction of safety precautions or programs incident thereto, nor Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work.

KHA will monitor and record approved "Rain Days" awarded to the Contractor(s) as part of the Pay Application review process.

The project requires preparation of quarterly reimbursement request packages as part of the JPA. The Town will be responsible for preparing and submitting all reimbursement packages to Miami-Dade County.

3.7 Project Close-out, Fee \$25,412.47

KHA shall review the Project to determine if the Project is substantially complete and conduct a final review to determine if the work has been completed in accordance with the Contract Documents. If the Contractor has fulfilled all of his obligations there under, KHA may recommend, in writing, final payment to each Contractor and may give written notice to the Town and the Contractor(s) that the work is acceptable (subject to any conditions therein expressed).

KHA will review project record drawings prepared, provided, and certified by the Contractor. One set of reproducible "As-Built" drawings will be provided to the Town.

"As-Built" drawings will also be provided to Stantec for their review and use in developing documents/application packages for closing all necessary permits.

KHA shall not be responsible for the acts or omissions of any Contractor or subcontractor, any of the Contractor(s)' or subcontractor(s)' agents or employees, or any other persons (except KHA's own employees and agents) at the site or otherwise performing any of the Contractor(s)' work.



Payment Schedule

KHA will complete this scope of services based on hourly rates up to an estimated budget of **\$557,901.48**. If necessary, prior to exceeding the budgeted amount, KHA shall inform the Town and obtain authorization. The following is a breakdown of the estimated fee for reference:

Task	Description	Labor Fee
1	Project Initiation and Plan Review	\$2,159.34
2	Public Works and Permit Agency Coordination	\$6,931.06
3.1	Progress Meetings	\$83,536.82
3.2	Public Involvement Services	\$150,734.63
3.3	Resident Project Representative (RPR)	\$256,991.10
3.4	Shop drawing Coordination	\$3,810.60
3.5	Contract Clarification Coordination	\$18,925.98
3.6	Review of Pay Applications	\$9,399.48
3.7	Project Close-out	\$25,412.47
	ESTIMATED FEE	\$557,901.48



Staffing Hours Spreadsheet

KHA's Staffing Hour spreadsheet in support of the estimated fee is attached for reference.

**CARIBBEAN BLVD ROADWAY IMPROVEMENT PROJECT, JOINT PARTICIPATION AGREEMENT (JPA) #20090088
CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES - STAFFING HOURS**

PROJECT:		Caribbean Blvd. Roadway Improvement Project CEI		SHEET:			
CLIENT:		Town of Cutler Bay		FILE NO:			
ESTIMATOR:		Gary R. Ratay		DATE:		5/20/2013	
DESCRIPTION:							
Project duration is 680 days from NTP							
Estimate 20 days for procurement							
Estimate 600 days for construction (20 months)							
Estimate 60 days for close out							
Project Manager	Senior Engineer	Construction Manager	Construction Observer/ Public Involvement	Administrative Staff	Line Total	Estimated Fee by Task	
Task 1: Project Initiation and Plan Review							
3	3				\$1,079.67		
3	3				\$1,079.67	\$2,159.34	
Task 2: Public Works and Permit Agency Coordination							
1	3				\$675.32		
1	3				\$675.32		
12	20				\$5,580.41	\$6,931.06	
Task 3.1: Progress Meetings							
40	240	240			\$75,915.62		
	40				\$7,621.20	\$83,536.82	
Task 3.2: Public Involvement Services							
			900		\$88,596.45		
			80		\$7,875.24		
			8		\$787.52		
			160		\$15,750.48		
			100		\$9,844.05		
			80		\$7,875.24		
60			60		\$18,036.84		
			20		\$1,968.81	\$150,734.63	
Task 3.3: Resident Project Representative (RPR)							
		2026			\$256,991.10	\$256,991.10	
Task 3.4: Shop Drawing Coordination							
	20				\$3,810.60	\$3,810.60	
Task 3.5: Contract Clarification Coordination							
	80	40			\$18,925.98	\$18,925.98	

DESCRIPTION OF EMPLOYEE CATEGORIES

Project Manager – Registered Engineer that assumes project responsibility. Coordinates and communicates project issues to identify, establish, and maintain the project goals, scopes, budgets, and schedule.

Senior Engineer – Registered Engineer that assumes technical responsibility during project construction. Plans and develops project implementation approach. Provides project and permitting coordination, facilitates progress meetings, coordinates and expedites shop drawings, contract clarifications, review of applications for payment, and project close-out.

Construction Manager – Resident Project Representative (RPR) responsible for observing project construction for general compliance with project plans and specifications. Provides onsite observations, attends progress meetings, and assists with application for payment reviews, quantity coordination, and project close-out.

Construction Observation/Public Involvement – Personnel responsible for developing, implementing, and evaluating the Public Involvement Activity program, attending public and project meetings, and observes construction progress.

Data Processing/Clerical/Administrative – Personnel responsible for providing administrative and clerical support throughout the project duration.