



AGENDA ITEM REQUEST FORM

Municipal Services

Department Submitting Request

Bud Bentley

Dept Head's Signature

REGULAR COMMISSION MTG Meeting Dates - 7:00 PM

DEADLINE TO Town Clerk

ROUNDTABLE MEETING Meeting Dates - 7:00 PM

DEADLINE TO Town Clerk

- Nov 9, 2010
- Dec 14, 2010 SPECIAL MTG
- Jan 25, 2011
- Feb 22, 2011
- Mar 22, 2011

- Oct 29 (5:00 pm)
- Nov 30 (5:00 pm)
- Jan 14 (5:00 pm)
- Feb 11 (5:00 pm)
- Mar 11 (5:00 pm)

- Nov 22, 2010
- Dec 14, 2010
- Jan 11, 2011
- Feb 8, 2011
- Mar 8, 2011

- Nov 12 (5:00 pm)
- Dec 3 (5:00 pm)
- Dec 30 (5:00 pm)
- Jan 28 (5:00 pm)
- Feb 25 (5:00 pm)

*Subject to Change

- Presentation
- Resolution
- Reports
- Quasi Judicial
- Consent
- Old Business
- Ordinance
- New Business

SUBJECT TITLE: Work Order with Chen & Associates – Design & Permitting of Stormwater Improvements for West Tradewinds Ave

EXPLANATION: The Town's contract with Chen & Associates limits the amount of work to be awarded to Chen each fiscal year to \$50,400 plus a cola for each year. The limit for FY 2011 is \$56,725. We have already assigned a task order to Chen to design the Flamingo Drive stormwater improvements for approximately \$36,000. The work order for them to design and permit the West Tradewinds stormwater improvements (\$26,083) will take us over the limit. Funds are available in the FY 2011 CIP for this project.

RECOMMENDATION: Approve the additional work order in an amount not to exceed \$26,083.

EXHIBITS: Task Order – West Tradewinds

FISCAL IMPACT AND APPROPRIATION OF FUNDS:

- Amount \$26,803
- Transfer of funds required
- Acct # 300-559.007-500.629
- From Acct # _____

Reviewed by Town Attorney
 Yes No

Town Manager Initials CB



**Town of Lauderdale By the Sea
Stormwater Improvements – West Tradewinds Avenue**

BACKGROUND:

The Town of Lauderdale By-The-Sea (LBTS) has requested a proposal from Chen and Associates (CHEN) to develop engineering drawings for the construction of drainage improvements on West Tradewinds Avenue from Miramar Avenue to South Tradewinds Avenue. Based on our preliminary review of the project area, the proposed drainage improvements will include the demolition of the existing drainage system within the right of way areas, the installation of new exfiltration trench system which would be connected with the existing outfall. The existing outfall pipe will need to be rehabilitated during the completion of this project. This project will be completed according to the scope of services listed below:

SCOPE OF SERVICES:

CHEN shall prepare stormwater calculations of the above-described areas to determine the extent of drainage improvements required to alleviate the existing ponding within the right of way areas. CHEN shall also prepare construction documents for the installation of these drainage improvements along with a construction cost estimate. A detailed breakdown of this project is defined in deliverable based tasks below:

Task 1 – Data Collection

In order to complete the stormwater calculations, stormwater modeling, and construction documents, CHEN will collect and review information related to the project area, which includes but is not limited to the following items:

- **Soil Data / Percolation Rates**
CHEN shall enter into an agreement with a local geotechnical engineering firm to acquire the soils information required to estimate soil permeability.
- **Topographical Information**
CHEN shall enter into an agreement with a State Certified Surveying and Mapping firm to obtain topographical and surface feature data for this area. This survey is required for the design and permitting phases of this project.
- **Existing Utility Information**
CHEN shall contact the Sunshine State One Call Service to determine what above and below ground utilities are located in this area. This information will be utilized to avoid conflicts during construction. If there are extensive existing utilities that are in conflict with the proposed drainage improvements, underground utility locating may be required. If so, CHEN shall enter into an agreement with a local utility locating firm to acquire the depth and location of underground utilities.

"We are diverse and highly motivated professionals building solutions for you with a passion. Because we believe."

BROWARD
500 West Cypress Creek Road - Suite 410
Fort Lauderdale, Florida 33309
Tel: (954) 730-0707
Fax: (954) 730-2030

MIAMI-DADE
420 Lincoln Road - Suite 444
Miami Beach, Florida 33139
Tel: (786) 497-1500
Fax: (786) 497-2300

TREASURE COAST
500 S. Australian Avenue - Suite 615
West Palm Beach, Florida 33401
Tel: (561) 746-6900
Fax: (561) 746-8333

Task 1 Deliverable – CHEN shall provide the Town with a copy of the survey completed for this area in paper and electronic format (AutoCad format) along with any test reports related to the geotechnical investigation and utility locations. Task 1 shall be completed within 30 calendar days of the notice to proceed from the TOWN on this project.

Task 2 – Stormwater Calculations

CHEN shall utilize the information acquired in Task 1 to complete the stormwater calculations required properly configure the proposed drainage improvements. CHEN shall utilize Streamline Technologies Interconnected Channel and Pond Routing (ICPR) Software to complete a stormwater model of this area.

Task 2 Deliverable – CHEN shall provide a copy of the model results to the TOWN. Task 2 shall be completed within 20 calendar days of receipt of the topographic survey.

Task 3 – Construction Documents

CHEN shall prepare construction documents for the proposed drainage improvements, which will include engineering plans, technical specifications, and cost estimates. The engineering plans will include the proposed layout of catch basins and exfiltration trench along site grading and restoration. The engineering plans will also include profiles of utility crossings and standard detail drawings of proposed installations. The technical specifications will define the construction requirements for all items. CHEN will attend a review meeting with the TOWN to discuss the proposed improvements. CHEN will incorporate any review comments from the TOWN or permitting agency prior to the completions of the final construction documents.

Task 3 Deliverables – CHEN shall provide the TOWN with the following deliverables:

- 90% Design Submittal includes 3 sets of engineering drawings (11"x17"), technical specifications, and construction cost estimates and will be completed within 20 calendar days of receipt of the topographic survey.
- 100% Construction Documents includes 3 sets of final engineering drawings on (11"x17"), technical specifications, and construction cost estimates and will be completed within 20 calendar days of receipt of all review comments from the TOWN and regulatory agencies.

Task 4 – Permitting

CHEN shall submit permit application packages to Broward County Environmental Protection and Growth Management Division (BCEPGM) and South Florida Water Management District (SFWMD) as required to construct these stormwater improvements. CHEN shall also respond to up to three requests for additional information from the regulatory agencies during this permitting process. If any questions or concerns raised by these permitting agencies cannot be resolved for any reason, CHEN will notify the TOWN as soon as possible for further direction.

Task 4 Deliverables – CHEN shall provide copies of all permit application packages submitted to regulatory agencies. CHEN shall submit the required permit applications to the regulatory agencies within 30 calendar days of the receipt of the topographic survey.

Task 5 – Construction Administration

CHEN shall provide construction administration assistance during the construction of this project. This work shall include the review of bids submitted by contractors, the attendance of a pre-construction meeting, the review of shop drawings, the response to technical questions from the contractor, the review of pay applications, and the attendance scheduled progress meetings. CHEN shall provide a construction inspector to be present on site during major construction activities and shall approve all such activities prior to the contractor moving forward. This task includes up to 15 hours of inspection time. If construction lasts longer than is typical drainage improvement project of this scope, CHEN may require additional funds to complete the additional inspection. CHEN shall certify this project to Broward County, FDEP, and TOWN at final completion of the work.

Task 5 Deliverables – CHEN shall certify this project to Broward County, FDEP and the TOWN at the completion of the project. CHEN shall provide inspection reports to the TOWN at their request. Task 5 shall be completed upon completion of all construction activities by the contractor.

Task 6 – Reimbursable Expenses

All reproduction costs for the preparation of construction documents will be billed at cost under this task. The TOWN will be responsible for payment of permit fees to the permitting agencies. All direct payments to sub-consultants will be reimbursed by the TOWN under this task.

- Reproduction – \$250 (Not to Exceed)
- Soil / Percolation Testing – \$1,000 (Not to Exceed)
- Topographic Survey – \$2,500 (Not to Exceed)
- Existing Utility Information – \$1,500 (Not to Exceed)

OWNER PROVIDED SERVICES

- TOWN will be responsible for any and all activities associated with the selection of a contractor to complete this work.
- TOWN to provide the permit application fees in the form of a check in a timely manner.
- TOWN to provide required signatures for permit applications in a timely manor.
- TOWN to perform any work related to obtaining easements

FEE AND PAYMENT

The fee for the above scope of service comes to a total of **\$26,083** as defined within the attached fee schedule. All work for Tasks 1-3 shall be billed on a lump sum basis. All work for Task 4 and 5 will be billed on an hourly not to exceed basis. Sub-consultant fees shall be billed at cost under Task 6 and a copy of the sub-consultant invoice will be provided as back-up documentation.

INSURANCE

CHEN maintains a general liability and professional liability insurance coverage of \$1,000,000. The OWNER is named as a certificate holder.

TERMINATION

This Agreement and the relationship between OWNER and CHEN shall terminate upon the occurrence of any of the following events: (a) the parties mutually agree to terminate the Agreement and execute a written document evidencing such intent; (b) OWNER terminates the Agreement, with or without cause, by providing thirty days' written notice to CHEN; and (c) CHEN terminates the agreement, with cause, by providing thirty days' written notice to OWNER during which time OWNER has the opportunity to cure any alleged breach of the terms of the agreement.

MISCELLANEOUS PROVISIONS

- CHEN does hereby indemnify and hold OWNER harmless of and from any claim(s) in tort for damages to person(s) or tangible property that arise out of any acts of omission, commission or negligence by CHEN or its agents or employees relating to the Scope of Services of this Agreement.
- This Agreement contains the entire understanding of the parties and may only be amended by a written document signed by both parties.
- This Agreement shall be governed by the laws of the State of Florida and venue shall lie in Broward County, Florida.
- In the event of litigation arising out of this Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs, including appellate fees and costs, from the non-prevailing party.
- Services requested outside the scope of work will be subject to additional fees and will be billed at the unit rates presented in this proposal.

If the former is acceptable to you, this letter can serve as a notice to proceed by affixing your signature in the space below and return one copy of the letter to this office.

Town of Lauderdale By the Sea
Stormwater Improvements – West Tradewinds Avenue

Approved By:
The Town of Lauderdale-By-The-Sea

By: _____
Town Manager  _____
Date

Submitted By:
Chen and Associates

By: _____
James Barton P.E. _____
Date

Town of Lauderdale-By-The-Sea
Fee Schedule - Stormwater System Design Improvements - West Tradewinds Avenue

| | Subcontract | | Professional Staffing | | | | | Total | |
|--|-------------|-----------|-----------------------|------------------|-----------------------|---------------|-----------|---------|-----------------|
| | Technician | Inspector | Associate Engineer | Project Engineer | Professional Engineer | Town Engineer | Principal | | |
| Hourly Rate 2009 | \$75.00 | \$88.00 | \$83.43 | \$94.76 | \$139.05 | \$154.50 | \$217.33 | | |
| Task 1: Data Collection | | | | | | | | | |
| Soil Data / Percolation Rates | | | | | 4 | 2 | | \$865 | |
| Topographical Information | | | | | 4 | 8 | | \$1,782 | |
| Existing Utility Information | | | | 8 | | 2 | | \$1,067 | |
| Task 1 Total | \$0 | \$0 | \$0 | \$0 | \$758 | \$1,112 | \$1,545 | \$0 | \$3,724 |
| Task 2: Stormwater Calculations | | | | | | | | | |
| Stormwater Calculations | | | | | 12 | 4 | 4 | | \$2,311 |
| Task 2 Total | | \$0 | \$0 | \$0 | \$1,137 | \$568 | \$618 | \$0 | \$2,311 |
| Task 3: Construction Documents | | | | | | | | | |
| 90% Design Submittal | | | | | 18 | 8 | 4 | | \$3,436 |
| 100% Construction Documents | | | | | 8 | 4 | 4 | | \$1,932 |
| Task 3 Total | | \$0 | \$0 | \$0 | \$1,708 | \$1,112 | \$618 | \$0 | \$5,368 |
| Task 4: Permitting | | | | | | | | | |
| Permitting | | 16 | | | 24 | 12 | 8 | | \$6,379 |
| Task 4 Total | | \$1,200 | \$0 | \$0 | \$2,274 | \$1,069 | \$1,236 | \$0 | \$6,379 |
| Task 5: Construction Administration | | | | | | | | | |
| Construction Inspection | | | 15 | | | 8 | 4 | | \$3,050 |
| Task 5 Total | | \$0 | \$1,320 | \$0 | \$0 | \$1,112 | \$618 | \$0 | \$3,050 |
| REIMBURSABLES | | | | | | | | | |
| Printing / Copying: | | \$250 | | | | | | | \$250 |
| Soil Data / Percolation Rates | | \$1,000 | | | | | | | \$1,000 |
| Topographical Information | | \$2,500 | | | | | | | \$2,500 |
| Existing Utility Information | | \$1,500 | | | | | | | \$1,500 |
| Reimbursables Total | | \$5,250 | | | | | | | \$5,250 |
| TOTAL PROJECT FEES | | | | | | | | | \$26,083 |
| Task 1: Data Collection | | | | | | | | | \$3,724 |
| Task 2: Stormwater Calculations | | | | | | | | | \$2,311 |
| Task 3: Construction Documents | | | | | | | | | \$5,368 |
| Task 4: Permitting | | | | | | | | | \$6,379 |
| Task 5: Construction Administration | | | | | | | | | \$3,050 |
| REIMBURSABLES | | | | | | | | | \$5,250 |
| TOTAL | | | | | | | | | \$26,083 |
| Chen Fees | | | | | | | | | \$20,833 |
| SubConsultants | | | | | | | | | \$5,250 |
| TOTAL | | | | | | | | | \$26,083 |