

**RESOLUTION NO. 2024- 3278**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, APPROVING A SECOND REVISION TO THE SCOPE OF SERVICES AND FEES FOR CONSTRUCTION MANAGEMENT AND OWNER REPRESENTATION SERVICES FOR THE 96TH STREET PARK PROJECT PURSUANT TO AN APPROVED PROJECT AGREEMENT WITH 300 ENGINEERING GROUP, LLC; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 287.055, Florida Statutes (the Consultants' Competitive Negotiation Act), the Town of Surfside (the "Town") has retained the services of 300 Engineering Group, P.A. (the "Consultant") for professional engineering services in accordance with the Request for Qualifications (RFQ) No. 2020-06 and the ensuing Continuing Services Agreement for such services executed by the parties on February 16, 2021 (the "CSA"); and

**WHEREAS**, on November 15, 2022, the Town adopted Resolution No. 2022- 2952 approving a Project Agreement ("Agreement") with the Consultant pursuant to the CSA for Construction Management and Owner Representation Services ("Services") for the 96<sup>th</sup> Street Park Project ("Project"); and

**WHEREAS**, on September 12, 2023, the Town Commission adopted a resolution approving a first revision to the scope of services and fees to provide the Services for the Project in the amount of \$76,275 due to construction delays related to supply chain disruptions, delays in material delivery, severe storms, delayed responses, and completion from FPL, and documented project delays; and

**WHEREAS**, the Consultant has proposed a second revision to the scope of services and fees for the Project, as detailed in the proposal attached hereto as

Attachment "A" ("Additional Services Revision"), for the provision of additional Services relating to additional FPL 3-phase power needs for the Project, documentation control coordination, qualify control inspections, and pay application reviews caused by Project delays in the amount of \$94,559.20; and

**WHEREAS**, the Additional Services Revision, attached hereto as Exhibit "A," provides for an updated and revised scope of services, as well as additional fees for the Services; and

**WHEREAS**, the Town Commission wishes to approve the Additional Services Revision and authorize the expenditure of such funds; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

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

**Section 2. Approval of Second Revision to Scope of Services and Fees.** The Additional Services Revision, as detailed in the Consultant's Proposal, attached hereto as Exhibit "A," is hereby approved.

**Section 3. Authorization.** The Town Manager is hereby authorized to execute any necessary agreements or amendments to the Project Agreement with the Consultant for the Additional Services Revision, subject to final approval by the Town Manager and Town Attorney as to form, content, and legal sufficiency. The Town Manager is authorized to expend funds for the Additional Services Revision.

**Section 4. Implementation.** The Town Manager and Town Officials are authorized to take any and all necessary action to implement the purposes of this Resolution.

**Section 5. Effective Date.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 12th day of March, 2024.

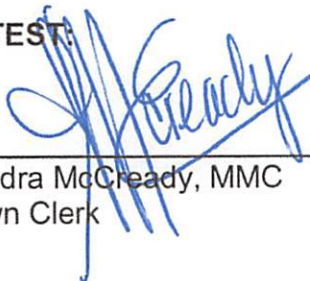
Motion By: Vice Mayor Rose  
Second By: Commissioner Landsman

**FINAL VOTE ON ADOPTION:**

Commissioner Fred Landsman	<u>Yes</u>
Commissioner Marianne Meisheid	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Vice Mayor Jeffrey Rose	<u>Yes</u>
Mayor Shlomo Danzinger	<u>Yes</u>

  
\_\_\_\_\_  
Shlomo Danzinger, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra McCready, MMC  
Town Clerk



**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**

  
\_\_\_\_\_  
Weiss Serota Helfman Cole & Bierman, P.L.  
Town Attorney



February 7, 2024

Hector Gomez  
Town Manager  
**Town of Surfside**  
9293 Harding Avenue  
Surfside, FL 33154

**Re: RFQ No. 2020-06 – 96<sup>th</sup> Street Park Construction Management and Owner Representation Services – Revision 2**

As mentioned previously, the updated budget for the 96th Street Park Construction Management and Owner Representation Services is nearing its capacity. We are submitting this request to expand the budget to allow us to continue to serve through the anticipated completion date.

The Contractor continues to experience delays in the construction progress. Currently, there have been delays in the procurement of the storefronts and windows, glass railings, fencing, Playground equipment installation, and overall building finishes. In addition, we continue to experience delays in the completion of the primary electrical service from FPL, which also affects the installation of the elevator for the building.

The additional Scope of Services are identified for the following tasks:

- 100: Project Management Services & Coordination Meetings
  - Additional coordination and follow-up with FPL for 3-phase power needs to the Park.
  - Additional coordination and meetings due to extended Contract Time.
- 200: Documentation Control Coordination
  - Additional tracking of Change Order Request submitted by the Contractor.
  - Additional maintenance of RFI and Submittal logs.
- 300: Quality Control & Quality Assurance
  - Re-initiate the quality control inspections for a term of 6 weeks.
- 500: Pay Applications Review
  - Additional pay application reviews due to delays in the Project's construction.
  - Review and recommend approval of Change Order Requests to the Town.
  - Document Change Orders for approval by Town Council.
  - Maintain Change Order Log.
  - Review and approval of updates to the Construction Schedule, and recommendations on the Construction Schedule's for recovery within the Contract Time. Review possible Construction Schedule sequencing errors and request revisions to Contractor to meet the Contract Time.

The additional services related to Revision 2 will be performed on a Time & Materials fee basis as per Contract "Article 3 – Compensation" in the amount of \$94,559.20. Please refer to "Appendix B" of the attached revised Scope of Services for the overall breakdown of the anticipated expenditures.

If there are any questions, please do not hesitate to contact us.

Sincerely,

Paola Davalos, PE, ENV SP  
Senior Project Manager

Cc: Rodolfo E. Remon, MS, ENV SP / 300 Engineering  
Ricardo Escobar, PE, CGC / 300 Engineering



**Town of Surfside**  
**96th Street Park Construction Management and Owner Representation Services**  
**Task # 4 - Revision 2**  
**Proposed Fee Schedule**  
**Appendix B**

		Project Manager	Senior Construction Manager	Project Engineer	Senior Construction Inspector	Total Hours	Total Amount
Rate, \$/Hr		\$194.00	\$200.00	\$140.00	\$135.00		
<b>Task</b>							
100	Project Management & Coordination Meetings	0	173	17	0	191	\$37,064.80
200	Document Control Coordination	0	0	52	0	52	\$7,274.40
300	Quality Control & Quality Assurance	0	0	0	240	240	\$32,400.00
400	Safety Inspections	0	0	0	0	0	\$0.00
500	Pay Application Reviews	0	87	0	0	87	\$17,320.00
	<b>Total (Hours)</b>	0	260	69	240	569	
	<b>Sub-Total Labor Fee</b>						<b>\$94,059.20</b>
	<b>ODC's (Mileage, Reproduction &amp; Reimbursable)</b>						<b>\$500.00</b>
	<b>Sub-Total Labor Fee/ODC</b>						<b>\$94,559.20</b>
	<b>Total Project Cost (Labor/ODC)</b>						<b>\$94,559.20</b>
	<b>% Utilization</b>	0.00%	45.65%	12.17%	42.17%	100.00%	
	<b>Total (\$)</b>	<b>\$0.00</b>	<b>\$51,960.00</b>	<b>\$9,699.20</b>	<b>\$32,400.00</b>		<b>\$94,559.20</b>