

RESOLUTION NO. 2025- 3400

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AMENDING RESOLUTION 2025-3396 APPROVING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KEITH AND ASSOCIATES, INC. FOR ADDITIONAL PROFESSIONAL ENGINEERING BUILDING DESIGN SERVICES RELATED TO THE SURFSIDE MEMORIAL; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 14, 2023, the Town of Surfside Commission adopted Resolution No. 2023-3220, approving a Professional Services Agreement (“PSA”) with Keith and Associates, Inc. (“Consultant”) to provide professional engineering building design services (“Services”) for the Surfside Memorial (the “Project”) in an amount not to exceed \$246,000.00; and

WHEREAS, pursuant to Section 287.055, Florida Statutes (also known as the Consultants’ Competitive Negotiation Act), the Town of Surfside (the “Town”) entered into the PSA with the Consultant, which was executed by the parties on February 6, 2024, and is attached hereto as Exhibit “A”; and

WHEREAS, due to an increase in the scope and complexity of the Project, the Consultant and Town have agreed to an amendment to the PSA for the provision of additional services for the Project in the amount of \$85,000.00 (“Additional Services”), excluding the retention of an artist, consistent with and substantially in the form of the Consultant’s Proposal attached hereto as Exhibit “B”; and

WHEREAS, the Consultant's Proposal provides for a scope of services detailing the Additional Services to be provided by the Consultant, as well as a schedule for performance and compensation for the Additional Services in an amount not to exceed \$85,000.00; and

WHEREAS, pursuant to the PSA, the Town Commission wishes to approve the Consultant's Proposal consistent with and in substantially the form attached hereto as Exhibit "B" for the provision of the Additional Services for the Project in an amount not to exceed \$85,000.00, and authorize the expenditure of such funds;

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 Adopted. Each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section. 2. Approval of Amendment and Consultant's Proposal. The Consultant's Proposal attached thereto as Exhibit "B" is hereby approved, in substantially the same form attached hereto, subject to final approval as to form and legal sufficiency by the Town Manager and Town Attorney.

Section 3. Authorization; Expenditure of Funds. Pursuant to the PSA, the Town Manager is hereby authorized to enter into an amendment to the PSA, in substantially the form attached hereto as Exhibit "B," for the Additional Services consistent with the Consultant's Proposal, in an amount not to exceed \$85,000.00.

Section 4. Implementation. The Town Manager and Town Officials are authorized to take any and all necessary or further action to implement the purchase of the Work and the purposes of this Resolution. The Consultant is to work with the families and the Planning and Zoning Board on refining the details of the design concept and the selection of materials.

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

PASSED AND ADOPTED on this 13th day of May, 2025.

Motion By: Commissioner Velasquez

Second By: Vice Mayor Paul

FINAL VOTE ON ADOPTION:

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| Commissioner Ruben A. Coto | <u>Yes</u> |
| Commissioner Nelly Velasquez | <u>Yes</u> |
| Commissioner Gerardo Vildostegui | <u>Yes</u> |
| Vice Mayor Tina Paul | <u>Yes</u> |
| Mayor Charles W. Burkett | <u>Yes</u> |



Charles W. Burkett, Mayor

Attest:



Sandra N. McCready, MMC
Town Clerk



Approved as to Form and Legal Sufficiency



Thais Hernandez, Town Attorney