

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2080.10

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING A PROPOSAL FOR DESIGN SERVICES WITH O'LEARY RICHARDS DESIGN ASSOCIATES, INC. FOR PARK IMPROVEMENTS WITHIN SOUTH PARK; PROVIDING FOR EXEMPTION FROM COMPETITIVE NEGOTIATIONS AND WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council wishes to engage O'Leary Richards Design Associates, Inc. ("O'Leary") to design certain improvements to the area known as South Park, which improvements consist of a fitness course, shelter, lighting, water features, etc. (the "Design Work"); and

WHEREAS, O'Leary has agreed to perform the Design Work; and

WHEREAS, the Town and O'Leary wish to enter into a contract for the Design Work, pursuant to the terms of the proposal attached hereto as Exhibit "A" to this Resolution (the "Proposal"); and

WHEREAS, the Design Work is exempt from competitive negotiations under Florida law, and it is otherwise impractical to competitively bid the Design Work; and

WHEREAS, the Town Council has determined that it is in the best interests of the Town to design the improvements and to approve a contract with O'Leary;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

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

Section 2. Authorization and Approval. The Town Council hereby authorizes and approves a contract with O'Leary pursuant to the terms of the Proposal attached hereto as Exhibit "A," authorizes the Mayor to execute a contract on behalf of the Town once approved as to form and legal sufficiency by the Town Attorney, and authorizes the expenditure of funds as detailed in the attached Proposal.

Section 3. Waiver of Competitive Bidding. Pursuant to the Town's Ordinance No. 540.09, the Town Council hereby finds that it is impractical to competitively bid the Design Work.

Section 4. Implementation. The Town Mayor and Town Manager are hereby authorized to take any and all action necessary to implement this Resolution in accordance with its terms and conditions.

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

Sponsored by Town Administration.


The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Vice Mayor Einstein and on roll call the following vote ensued:

| | |
|-----------------------------|---------------|
| Mayor Glenn Singer | <u>Aye</u> |
| Vice Mayor Ben Einstein | <u>Aye</u> |
| Councilmember Ken Bernstein | <u>Aye</u> |
| Councilmember Amy Rojas | <u>Absent</u> |
| Councilmember Judy Lusskin | <u>Aye</u> |

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 23rd day of February, 2010.


MAYOR GLENN SINGER

ATTEST:


ELIZABETH SEWELL
TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


STEPHEN J. HELFMAN
TOWN ATTORNEY

February 17, 2010

Mr. Alexander Diaz
Town Manager
Town of Golden Beach
One Golden Beach Drive
Golden Beach, FL 33160

**Re: Proposal for Professional Services
South Park
Town of Golden Beach, Florida**

Dear Mr. Diaz:

O'Leary Richards Design Associates, Inc. (ORDA) is pleased to submit our proposal to the Town of Golden Beach (Owner) for providing professional Landscape Architectural services for the above referenced project. Our proposal is based on a general understanding and our discussions.

Our project understanding for these parks is as follows:

- South Park - .70 acre passive park to include a Parcourse Fitness Course, drinking fountain, pre-fabricated shelter (alternate), passive landscape lighting, landscaping and irrigation.

Deliverables

The basic services to be provided will include landscape architectural design for a permit set of documents. ORDA will make submissions to the Client at the completion of Conceptual Design, Design Development and Construction Documentation. Our understanding of the scope is as follows:

- I) Site Evaluation/Data Collection
 - A) Conduct site visit to verify existing conditions, identify potential opportunities/constraints and document existing trees and elements on site. Review local codes and requirements.
- II) Conceptual Design
 - A) Prepare Conceptual Master Plan with general notes to convey overall design intent to be reviewed and approved by Owner.
 - B) Prepare plan view rendering to be used for presentation purposes.
 - C) Attend workshop with residents.
 - D) Attend (1) presentation to Town Council.
 - E) Attend working meetings with Town representatives to review conceptual design, as needed.
 - F) With approval from Owner, proceed to the next phase, update design.

Mr. Alexander Diaz
February 17, 2010
South Park
Page 2

III) Design Development

- A) Prepare Design Development Plans that include the layout of park features and typical details depicting elements (civil engineering by others).
- B) Prepare landscape plan that defines the location, variety, size and quality of all existing and proposed vegetation.
- C) Attend working meetings with the Town representatives, as required.
- D) Coordination with permitting agencies.
- E) Prepare DD Probable Statement of Construction Costs.
- F) Upon approval from Owner, proceed to Construction Documentation phase.

IV) Construction Documentation

- A) Prepare Layout Plan including dimensions of park features, walkways, etc.
- B) Prepare Site Furnishings Plan that depicts locations and specifications of proposed site furnishings.
- C) Prepare Hardscape Plans depicting paving materials, color, pattern, etc.
- D) Prepare a detailed Landscape Plan defining the location, variety, size, quality, and quantity of all proposed vegetation.
- E) Prepare a detailed Irrigation Plan including details and specifications.
- F) Prepare a Schematic Landscape Lighting Plan indicating location and type of fixtures with details and specifications (electrical engineering by others).
- G) Prepare technical specifications.
- H) Prepare Final Probable Statement of Construction Costs.
- I) Attend working meetings with the Town representatives, as required.

V) Construction Administration

- A) On-site observation not to exceed (4) times per month, as professionally appropriate.
- B) RFI's and shop drawing review.
- C) Change order review and comments.
- D) Complete substantial and final landscape and irrigation observation.

Fee Proposal

Our proposed lump sum fee for basic services to design South Park for the Town of Golden Beach, as described above, is as follows:

Basic Services

| | |
|------------------------------------|---------------------|
| I. Site Evaluation/Data Collection | \$ 1,000.00 |
| II. Conceptual Design | \$ 2,000.00 |
| III. Design Development | \$ 2,500.00 |
| IV. Construction Documentation | \$ 6,500.00 |
| V. Construction Administration | <u>\$ 3,000.00</u> |
| Total Fee | \$ 15,000.00 |

(Fee does not include Structural Engineering estimated at \$4,000 - \$6,000 or Electrical Engineering estimated at \$2,000 - \$3,000)

Mr. Alexander Diaz
February 17, 2010
South Park
Page 3

Permit Fees/Application Fees

The professional service fees set forth herein do not include the payment of governmental agency submittal fees, review fees or permit fees, or any other charges assessed by said agencies. These fees shall be paid for by the Town of Golden Beach. Payments for basic services will be made upon work completed and made in proportion to the services performed in each phase so that the payments for Basic Compensation for each phase shall equal the amounts shown above of the total compensation payable.

Budget

ORDA shall reasonably strive to propose a design and prepare documents consistent with the Owner's budget of \$190,000 for South Park and \$225,000 for North Park. Opinions of probable construction costs are based on the designer's familiarity with the construction industry and are provided only to assist the Client's budget planning; such opinions shall not be construed to provide a guarantee or warranty of the actual construction costs at the time construction bids are solicited or construction contracts negotiated.

Owner Responsibilities

The Client is responsible to provide cad files of a topographic survey including underground utilities and proposed streetscape improvements along Golden Beach Drive and we will rely on the accuracy of these plans.

Additional Services

The scope of services is limited by the specific terms of this proposal. In reviewing this proposal for professional services, it should be understood that the above proposal items and their corresponding fees do not necessarily represent the full scope of services required for the project. Rather, it represents our best effort to set forth those services which we believe to be those requested by you, the Client, and/or those we can determine to be needed to accomplish a particular objective. However, we recognize and we ask that the Client recognize that as a project progresses the scope of service as originally defined may change in content to include work not initially identified. Several factors will cause this to happen such as, better understanding of the project and the Client's goals as progress on the project is made; additional requirements identified by the Client (ie. expanding limit of work); or new laws or governmental agency requirements.

As these influences occur, ORDA shall provide additional services beyond the scope previously outlined and beyond the stipulated fees as authorized in writing by the client. These services include, but are not limited to professional renderings, animations, surveying, special engineering studies, traffic studies, reports, special testing, civil, structural, electrical, mechanical or plumbing engineering of any kind, and/or change in scope of work.

We appreciate the opportunity to provide professional services to the Town of Golden Beach and look forward to working with you on this project. If you have any questions regarding the above, please feel free to contact me.

Sincerely,



Kathryn O'Leary Richards, ASLA
President