

RESOLUTION NO. 51-07-19

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE TOWN'S AGREEMENT WITH MATHEWS CONSULTING INC. FOR PROFESSIONAL ENGINEERING SERVICES ASSOCIATED WITH THE REDESIGN OF THE LAKE SHORE DRIVE DRAINAGE SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town is empowered to enter into contractual arrangements with public agencies, private corporations or other persons, pursuant to Florida Statutes; and

WHEREAS, in September of 2018, the Town Commission approved a \$283,780.00 contract with Mathews Consulting, Inc. to provide professional engineering services associated with the redesign of the Lake Shore Drive Drainage system (the "Work"); and

WHEREAS, as the Work has progressed, a need for additional professional services has arisen due to unforeseen underground utility conflicts, landscaping adjustments, and other work, which require design modifications to finalize the Work; and

WHEREAS, an amendment is needed to the agreement to cover the additional required services; and

WHEREAS, the cost of this first amendment is \$22,921.00; and

WHEREAS, as part of grant agreement number LP50208 between the Town and the State of Florida, the Town is required to complete the drainage system redesign and shall be reimbursed for its cost; and

WHEREAS, the State of Florida has agreed to approve the needed contract amendment; and

WHEREAS, Mathews Consulting, Inc. has provided professional services to the Town in a satisfactory manner and is qualified and able to provide the additional needed services.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

Section 1. The whereas clauses are true and correct and are incorporated herein.

Section 2. The Commission hereby authorizes Amendment I with Mathews Consulting, Inc. to provide Professional Engineering Services associated with the redesign of the Lake Shore Drive Drainage System. The Mayor is hereby authorized and directed to execute the Amendment between the Town and Mathews Consulting, Inc., which is attached hereto and incorporated herein as Exhibit "A".

Section 3. This Resolution shall become effective immediately upon execution.


The foregoing Resolution was offered by Vice-Mayor Glas-Castro who moved its adoption. The motion was seconded by Commissioner Linden and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR MICHAEL O'ROURKE	<u>✓</u>	<u>—</u>
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>✓</u>	<u>—</u>
COMMISSIONER ERIN FLAHERTY	<u>✓</u>	<u>—</u>
COMMISSIONER JOHN LINDEN	<u>✓</u>	<u>—</u>
COMMISSIONER ROGER MICHAUD	<u>Absent</u>	<u>—</u>

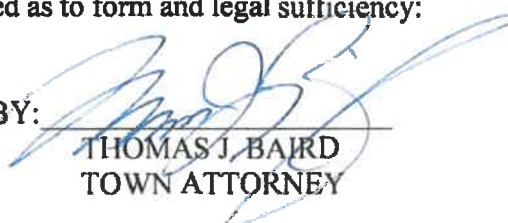
The Town Commission thereupon declared the foregoing Resolution 51-07-19 duly passed and adopted this 3 day of July, 2019.

TOWN OF LAKE PARK, FLORIDA

BY: 
MICHAEL O'ROURKE
MAYOR

ATTEST:

VIVIAN MENDEZ
TOWN CLERK

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY



**AMENDMENT NO. 1 TO
PROFESSIONAL SERVICES AGREEMENT
FOR
LAKE SHORE DRIVE DRAINAGE SYSTEM DESIGN**

This Professional Services Agreement (Agreement) is made by and between the **TOWN OF LAKE PARK**, with an address of 535 Park Avenue, Lake Park, Florida, 33403 (the "Town") and **BAXTER & WOODMAN, INC. d/b/a MATHEWS CONSULTING** (the "Consultant"), an Illinois corporation, with a principal address of 8678 Ridgfield Road, [Crystal Lake], IL 60012 and a local address of 477 S. Rosemary Ave., Ste. 330, West Palm Beach, FL 33401.

Some additional services have been provided and other additional services are still needed associated with the project design. These services include additional utility soft dig locations, Hurricane Mitigation Grant Program assistance, a tree survey and landscaping/irrigation design within the planned bioswale.

SECTION 1 - SCOPE OF ADDITIONAL SERVICES

The Town has selected the Consultant to perform engineering design, permitting, and bidding services for certain utility and roadway drainage improvements to Lake Shore Drive (the "Project").

The Project includes design services of a drainage system and other related improvements for Lake Shore Drive starting at the entrance of the Lake Park Marina and continuing north for 3,220 feet to Castlewood Drive. Lake Shore Drive is subject to frequent flooding and king tides that have risen above the road crown in some locations.

A Preliminary Design Report was completed by the Consultant which recommended street drainage infrastructure, a 50 cfs pump station and a dry detention area/bioswale located in Lake Shore Park that will discharge to the Lake Worth Lagoon through a new stormwater outfall.

The original scope of work for Engineering Services including the following primary tasks:

- Task 1 – Meetings and Coordination with SUA
- Task 2 – Data Collection
- Task 3 – Preliminary Design
- Task 4 – Design Services
- Task 5 – Permitting
- Task 6 – Public Outreach
- Task 7 – Bid Assistance

The Additional Services affect three tasks and related subtasks of the original scope as follows:

Task 2 - Data Collection

Subtask 2.1 Survey

The possibility of a detention area was considered in the original scope in regard to survey. However, the foot print of the detention area has shifted to create more storage and appease residents concerned about the location of the proposed pump station. The final configuration encroaches into an area of trees that need to be surveyed for the landscape architect's use in design.

Subtask 2.3 Field Verification (soft digs)

Based on coordination with existing utility companies, the estimate of 15 utility locations is insufficient due to the number of utility services to the condominiums. It is recommended that an additional 10 locations be added. Consultant shall furnish the services of a professional underground services company to provide underground field locations of affected existing utilities. The services shall consist of measuring and recording the approximate horizontal, vertical, width and depth data of affected utilities within the Project limits.

Task 4 - Design Services

Subtask 4.2 Design Drawings

Landscaping and irrigation design for the proposed bioswale was not included in the original scope because it was not known if that design option would be chosen. Construction drawings in that regard will be prepared for the 60 percent, 90 percent and 100 percent stages of the project design. The Consultant shall meet with the Town to discuss comments, and incorporate comments into final documents. The Consultant shall furnish two (2) hard copies of plans (and in PDF format) of the 60%, 90% and 100% design drawings, one (1) set of AutoCAD Version 2016 files in electronic format upon completion of the Project.

Subtask 4.3 Technical Specifications

The additional landscaping and irrigation design associated with the bioswale will be included in the Technical Specifications which shall be prepared by Consultant for bidding purposes for the proposed improvements within the Project area. The Consultant shall submit the specifications to the Town for its review at 60 percent, 90 percent and 100 percent stages.

Subtask 4.4 Construction Cost Opinion

The additional landscaping and irrigation design associated with the bioswale will be included in the Engineer's Opinion of Probable Construction Cost which shall be prepared by Consultant for the proposed improvements within the Project area. The Consultant shall submit the construction cost estimates to the Town for its review at 60 percent, 90 percent and 100 percent stages. The cost estimate format shall be consistent with Section 5 of the original agreement.

Task 5 - Permitting

Subtask 5.6 Hurricane Mitigation Grant Assistance

This new subtask includes assistance provided to the Town and the Town's consultant, WRMA, Inc., for the purpose of applying for a grant from FEMA. The services included property value research, property damage estimates for pre and post flood mitigation, setting up a BCA model and coordination with FDEM and WRMA.

SECTION 2 - COMPLETION SCHEDULE

2.1 Schedule

Some additional time will be needed to obtain the survey and soft dig information. Changes to the milestone and deliverable dates are listed below:

- Mid-October, 2018 – meeting with Seacoast Utility Authority (SUA) to review US1 corridor planning.
- Coordination with SUA as needed from Mid-October, 2018 through early March, 2019.
- October 1, 2018 – November 15, 2018 (45 days) – complete additional surveys.
- October 15, 2018 – November 30, 2018 (45 days) – utility coordination.
- October 15, 2018 – November 15, 2018 (30 days) – pavement cores.
- October 15, 2018 – November 15, 2018 (30 days) – additional soil borings.
- October 15, 2018 – November 15, 2018 (30 days) – soft digs.
- Mid-November, 2018 – public outreach meeting.
- Mid-January, 2020 – public outreach meeting.
- December 1, 2018 – February 11, 2019 (70 days) – Preliminary Design Report.
- February 11, 2019 – March 11, 2019 (21 days) – Town review.
- Mid-February, 2019 – public outreach meeting.
- End of February, 2019 – pre-application meetings with all permitting agencies.
- March 1, 2019 – May 1, 2019 (60 days) – 60% Design
- May 1 2019 – May 14, 2019 (14 days) – Town review of 60% Design.
- May 14, 2019 – ~~June 28, 2019 (45 days)~~ July 19, 2019 – 90% Design.
- June 2019 (30 days) – seagrass study.
- ~~July 1, 2019 – July 14, 2019 (14 days)~~ July 19 – July 31, 2019 – Town review of 90% Design.
- July 1, 2019 – September 30, 2019 (90 days) – permitting with all applicable agencies.
- ~~July 15, 2019 – August 5 (21 days)~~ August 1- August 22, 2019 – 100% Design.
- ~~August 5, 2019 – August 19, 2019 (14 days)~~ August 22 – September 4, 2019 – Town review of 100% Design.
- October 1, 2019 – December 30, 2019 (90 days) – bidding assistance for construction contractor procurement.

IN WITNESS WHEREOF, the parties hereto have made and execute this Amendment as of the day and year last execute below.

ATTEST:

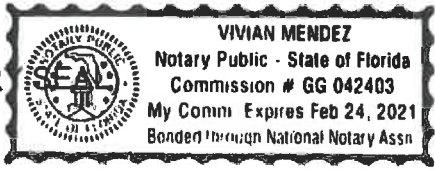
By: [Signature] **TOWN OF LAKE PARK SEAL** **TOWN OF LAKE PARK**
Vivian Mendez, Town Clerk By: [Signature]
Michael O'Rourke, Mayor

APPROVED AS TO FORM AND LEGAL SUFFICIENCY **FLORIDA**
By: [Signature]
Thomas J. Baird, Town Attorney

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument has been acknowledged before me this 3 day of July 2019 by Michael O'Rourke, Mayor of the Town of Lake Park, and who is personally known to me.

(NOTAR )

[Signature]
Notary Public, State of Florida

WITNESSES:

Baxter Woodman DBA Matthews Consulting.

By: [Signature]
Jeffrey Hiscock
Printed Name

By: [Signature]
Rebecca Travis, Vice President
Printed Name

By: [Signature]
DAVID PHAM
Printed Name