

RESOLUTION NUMBER 21-13

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING PROPOSAL 240-000-0113 SUBMITTED BY ANGIE BREWER & ASSOCIATES, LC. FOR TECHNICAL SERVICES DURING CONSTRUCTION ASSOCIATED WITH THE TOWN'S NORTH ESTERO WATER & STORMWATER PROJECT FOR \$126,423.72; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PROPOSAL AND EXPEND BUDGETED FUNDS ON BEHALF OF THE TOWN; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach ("Town") empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, Angie Brewer & Associates, LC ("Consultant") has presented Proposal 240-000-0113 ("Proposal") for \$126,423.72 to provide technical services during construction associated with the Town's North Estero Phase 2 Part 1 water & stormwater project.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF FORT MYERS BEACH, AS FOLLOWS:

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein and are hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. Proposal 240-000-0113 for \$126,423.72 to provide technical services during construction associated with the Town's North Estero Phase 2 Part 1 water & stormwater project, attached as Exhibit "A" is approved. The Town Manager is authorized to execute the Proposal and expend budgeted funds on behalf of the Town.

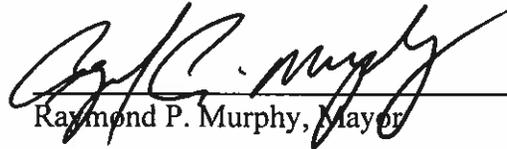
Section 3. This resolution shall take effect immediately upon its adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Veach and seconded by Vice Mayor Hosafros, and upon being put to a vote, the result was as follows:

Raymond P. Murphy, Mayor	Aye
Rexann Hosafros, Vice Mayor	Aye
Dan Allers, Councilmember	Aye
Bill Veach, Councilmember	Aye
Jim Atterholt, Councilmember	Aye

ADOPTED this 16th day of February 2021 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH



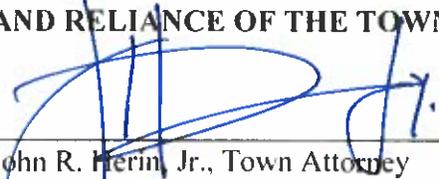
Raymond P. Murphy, Mayor

ATTEST:



Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:



John R. Herin, Jr., Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 18 day of February 2021.



Angle Brewer & Associates, LC
9080 58th Drive East, Suite 200
Bradenton, Florida 34202
Ph: (941) 756-5800

Cost Proposal

Project Information	
Project Name	Water-SW SRF Tech Services During Construction - PH 2 PT 1
ABA Proposal Number	240-000-0113
Community Name	Town of Fort Myers Beach, FL
Client Name	Town of Fort Myers Beach, FL

Services	
Technical Services During Construction	\$ 126,423.72
SUBTOTAL	\$ 126,423.72
TOTAL PROPOSAL	\$ 126,423.72

Scope of Services	
Scope Attached	Yes
Number of Pages	3
Special Conditions	N/A

Offer and Acceptance	
Offered By:	<i>Mark A. Brewer</i>
	Mark A. Brewer, President
	Date: 1/5/2021

Accepted By:	

Scope of Services

Project Information	
Project Name	Water-SW SRF Technical Services during Const. – PH2 PT 1
ABA Proposal Number	240-000-0113
Community Name	Town of Fort Myers Beach, FL
Client Name	Town of Fort Myers Beach, FL

Technical Services During Construction – Phase 2 Part 1

This Scope of Services is based on a 12-month period. Extensions resulting from Construction Contract Change Orders may result in additional costs.

(Monthly - The tasks listed are typical and are anticipated to occur during the project. Each individual task may not occur each month. However, all required work to ensure compliance with the SRF program will be completed during each month.)

Program Coordination	<i>Program Coordination</i> – The Consultant shall coordinate with Town, FDEP, Consulting Engineers, Project Representatives and others as necessary to ensure that all requirements are met. This includes ongoing contact with all personnel related to the project. The Consultant will coordinate and be involved in site visits by funding agency representatives, ie. FDEP, EPA, OIG or DOL. The Consultant shall act as the Liaison between FDEP and the Town to identify and resolve issues regarding the SRF Loan Program. Also, all status and other reporting will be accomplished for successful management and completion of the project.
Funding Reconciliation	<i>Funding Reconciliation</i> – The Consultant shall review and compare the project information with the funding documents to ensure that all SRF requirements are met and consistency between all aspects of the project is achieved.
Processing	<p><i>Pay Estimate(s)</i> – The Consultant shall provide professional services to review and verify eligible costs per contractor pay estimate.</p> <p><i>Engineering Invoice(s)</i> – The Consultant shall provide professional services to review and verify eligible costs related to engineering.</p> <p><i>FDEP Reimbursement Request(s)</i> – The Consultant shall compile required documents and prepare Reimbursement Requests for submittal to FDEP. The Reimbursement Request shall include all properly authorized expenditures for which documentation is available on the date of preparation. The Consultant shall submit the Reimbursement Request to the Engineer for Certification and then to the Town for signature. The Consultant shall be responsible to ensure appropriate parties receive copies of the Reimbursement Request upon receiving the originally signed copy at its office.</p> <p><i>Change Order(s)</i> – The Consultant shall review and process Construction Contract Change Orders/Field Changes. This will result in a request for eligibility determination to be submitted to FDEP. Upon receipt of eligibility determination, all appropriate project information will be modified to allow for the eventual reimbursement of costs if applicable.</p>

**Town of Fort Myers Beach
240-000-0113
Water-SW SRF Technical Services – Phase 2 Part 1
Scope of Services Continued**

<p>Program Management</p>	<p><i>Program Management Meeting(s)</i> – The Consultant shall prepare for and attend Program Management Meetings. Meeting minutes shall be prepared and disseminated to appropriate parties upon completion. These meetings are held for the purpose of discussing FDEP program requirements, reimbursement requests, eligibility requests' status, construction progress, contract changes/issues, payment procedures/status, monitoring issues, additional funding needs and other information regarding the project.</p> <p><i>MBE/WBE Monitoring</i> – The Consultant shall provide a form to be completed by the contractor and submitted with each pay estimate. The information submitted by the contractor shall be used to prepare the Minority/Women's Business Enterprises (MBE/WBE) Utilization Report. This report shall be submitted to the Town and FDEP on a monthly basis during construction.</p> <p><i>Agency Monitoring Visit(s)</i> – The Consultant shall prepare for and attend agency monitoring visits. The Consultant shall provide responses to any agency questions.</p>
<p>Davis-Bacon Compliance</p>	<p><i>Contractor Compliance Preparation</i> – The Consultant shall review the contractor and subcontractors current Davis Bacon practices and policies to determine compliance with the funding program and funding agreement requirements. The Consultant shall suggest changes required to ensure compliance with the program requirements.</p> <p><i>Provide Required Signage</i> – The Consultant shall provide digital or physical copies of required signage with directions for posting the signs. The contractor is responsible for the production and display of the signs.</p> <p><i>Compliance Monitoring</i> – The Consultant shall provide monthly monitoring of Federal Labor Standards requirements, including labor interviews and verification of information reported by the contractors and subcontractors during construction.</p> <p><i>Certified Payroll(s)</i> – The Consultant shall provide professional services to review and verify certified payrolls as submitted by the contractors and subcontractors. The Consultant shall prepare detailed exception reports as required.</p> <p><i>Coordination</i> – The Consultant shall monitor all applicable federal and state regulations. The Consultant shall assist the contractors with conformance of additional wage rates as required for the program.</p>
<p>American Iron and Steel (AIS) Compliance</p>	<p><i>Contractor Compliance Preparation</i> – The Consultant shall review the contractor and subcontractors current materials acquisition processes to determine compliance with the funding program and funding agreement requirements. The Consultant shall suggest methods to ensure compliance with the program requirements.</p> <p><i>American Iron and Steel Compliance</i> – The Consultant shall provide monthly monitoring of the project for compliance with the American Iron and Steel requirements. The Consultant shall complete the required documentation for compliance.</p>

**Town of Fort Myers Beach
240-000-0113
Water-SW SRF Technical Services – Phase 2 Part 1
Scope of Services Continued**

Closeout and Audit Assistance – Phase 2 Part 1	
Project Closeout	<p><i>Project Closeout</i> – Consultant shall prepare closeout information required for FDEP regarding the project. The Final Request for Reimbursement is included in this task. This includes the Final Construction Inspection, Preliminary Administrative Closeout, and Final Administrative Closeout conducted by FDEP representatives. The necessary closeout documents shall be prepared regarding final eligibility for construction, engineering, administration, design and other project costs and submitted to FDEP to allow closeout of the loan. This effort will result in the preparation, review and approval of the Final Loan Amendment.</p>
Audit Assistance	<p><i>Annual Audit Assistance</i> – The Consultant shall provide necessary data to the Town to allow inclusion of the loan in the required Single Audit Report prepared as part of the Annual Audit. This also includes corresponding with FDEP regarding eligibility requests and assistance during the annual audit.</p> <p><i>Project Specific Audit</i> – The Consultant will also provide closeout and other information to the Town’s Independent Auditors in order to allow for the required Project Audit within 12 months of execution of the Final Loan Amendment.</p>