



## **Deerfield Beach Community Redevelopment Agency**

### **AGENDA**

Tuesday, January 11, 2011, 6:00 P.M.

City Commission Chambers, Deerfield Beach City Hall

#### **CALL TO ORDER AND ROLL CALL**

#### **APPROVAL OF MINUTES\***

December 13, 2010

#### **APPROVAL OF THE AGENDA\***

#### **GENERAL ITEMS**

1. Request to approve Keith and Associates proposal for design and engineering services for water main replacement in the Cove Shopping Center Parking Lot\*
2. Announcement regarding participation in Florida Redevelopment Association South Florida Regional Meeting on January 19, 2011
3. 5 Year Capital Improvements Plan Presentation

#### **BOARD/ADMINISTRATION COMMENTS**

#### **PUBLIC INPUT**

#### **ADJOURN**

\* Indicates an Action Item

(Next Meeting: Tuesday, February 8, 2011, 6:30 PM unless otherwise determined)



**DEERFIELD BEACH COMMUNITY  
REDEVELOPMENT AGENCY  
MEETING MINUTES**

Monday, December 13, 2010, 6:00 P.M.  
City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Noland at 6:00 p.m. on the above date in the City Commission Chambers, City Hall.

**Roll Call:**

**Present:** Mr. Bill Ganz - Tardy  
Ms. Sylvia Poitier - Tardy  
Mr. Martin Popelsky  
Vice Chair Joseph Miller  
Chair Peggy Noland

**Also Present:** Burgess Hanson, City Manager - Tardy  
Andrew Maurodis, City Attorney  
Ada Graham-Johnson, MMC, City Clerk

**APPROVAL OF MINUTES**

**DIGITAL TIME STAMP: 6:00:30**

September 15, 2010, October 12, 2010, and November 8, 2010

**MOTION** was made by Mr. Popelsky and seconded by Vice Chair Miller to approve the meeting minutes of September 15, 2010, October 12, 2010, and November 7, 2010.

Voice Vote: YEAS: Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None.

**APPROVAL OF THE AGENDA**

**DIGITAL TIME STAMP: 6:00:40**

December 13, 2010

Chair Noland stated that the order of agenda items was revised.

**MOTION** was made by Vice Chair Miller and seconded by Mr. Popelsky to approve the December 13, 2010 as amended.

Voice Vote: YEAS: Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None.

Keven Klopp, CRA Director, stated the order of the agenda items as they will be discussed: 1, 2, 4, 5, 6, 8, 3, 7, 9, and 10.

**GENERAL ITEMS**

**ITEM 1**

**DIGITAL TIME STAMP: 6:01:51**

**REQUEST TO PURCHASE BEACH FURNITURE AND RELATED ITEMS**

Keven Klopp, CRA Director, said that \$90,000 was budgeted for this item. He said that it is a sole source request because the City has standardized this manufacturer for its beach furniture.

Mr. Popelsky asked if other sources were checked for price and consistency.

Mr. Klopp replied yes; moreover, the sole source had the lowest price. He explained that other manufacturers would have to setup to make the equipment and the cost is passed along to us.

**MOTION** was made by Vice Mayor Miller and seconded by Mr. Popelsky to approve Item 1.

Roll Call: YEAS: Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None.

*Burgess Hanson, City Manager, entered the meeting at 6:05 p.m.*

**ITEM 2**

**DIGITAL TIME STAMP: 6:03:37**

**REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING STAFF TO NEGOTIATE A PRE-CONSTRUCTION SERVICES AGREEMENT WITH STILES CONSTRUCTION CORPORATION FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE PIER RECONSTRUCTION PROJECT\***

Keven Klopp, CRA Director, provided a brief history on the item, including the ranking of the construction manager at risk; wherein, Stiles Corporation was selected as the number one (1) ranked firm. He said that the Board has the option to proceed with Staff's recommendation or receive the presentations themselves after reviewing the submittals from the four (4) firms. Thereafter, he requested approval to proceed with negotiations with Stiles Corporation.

Chair Noland said that Mr. Ganz is en route and has requested that the item be discussed later.

Vice Chair Miller agreed to hold off until Mr. Ganz arrived.

**GENERAL ITEMS - CONTINUED**

Ada Graham-Johnson, City Clerk, read financial contributions into the record, pursuant to Ordinance 2008/009: Jerry DuBois, JWR Construction, contributed to Chair Noland in 2005; William Gallo contributed to Chair Noland, Ms. Poitier, and Mr. Popelsky in 2005.

**ITEM 4****DIGITAL TIME STAMP: 6:07:13****REQUEST TO BEGIN CONSTRUCTION ON COVE SHOPPING CENTER ENTRYWAY FEATURE**

Kris Mory, CRA Coordinator, stated that upon approval in August, a phased construction schedule was also approved. The entryway feature was originally scheduled for Phase 4. She said that the request is due to various stakeholders in the plaza, as well as West Construction's performance. She applauded West Construction for their performance. Moreover, Ms. Mory explained that this is a limited portion of the project and that the request is part of a very isolated area of the plaza, between the entryway and Hillsboro Boulevard; on the other side is American Rock Café. She explained that there will not be any disruption to parking in the main parking lot; the contractor will stage their material in the back of Phase 1 between the buildings and Hillsboro Boulevard. Additionally, the construction area will be fenced off to prevent any accidents.

*Mr. Ganz entered the meeting at 6:12 p.m., as well as Ms. Poitier.*

Continuing, Ms. Mory said that if granted, the construction will commence upon issuance of a permit.

Chair Noland said that she spoke with some of the Cove business owners and they praised the contractor for their performance.

Vice Chair Miller said that there was one person that was not in favor of the scheduling of Phase 1, and that there be no construction during Christmas and New Years. He said that the purpose of no construction was to avoid business interruptions; however, the current phase appears to be working. He asked if the entryway will be blocked.

Ms. Mory replied that there will not be any disruption to the entryway.

Vice Chair Miller said that it would be a positive to complete the project and that it may draw attention to the shopping center. He spoke in favor of proceeding with the project.

**GENERAL ITEMS - CONTINUED**

**MOTION** was made by Vice Mayor Miller and seconded by Mr. Popelsky to approve Item 4.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None

**ITEM 2 (CONTINUED)****DIGITAL TIME STAMP: 6:12:05****REQUEST FOR APPROVAL OF A RESOLUTION AUTHORIZING  
STAFF TO NEGOTIATE A PRE-CONSTRUCTION SERVICES  
AGREEMENT WITH STILES CONSTRUCTION CORPORATION  
FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR  
THE PIER RECONSTRUCTION PROJECT\***

Mr. Klopp provided a recap of the item. He reiterated the Board's options of accepting the committee's recommendations or the Board may rank each firm by presentation. He asked that the Board approve authorization to begin negotiations with the top ranked firm, Stiles Construction Corporation.

Mr. Ganz asked if it is normal to have people serve on the evaluation committee when they are not City employees; there are two (2) individuals that are not employees.

Mr. Klopp explained that the two (2) individuals served due to their expertise and closeness to the project. He said that the Ordinance for this particular matter has been changed to allow professional staff; thus, the engineer and architect are considered an extension of staff.

Mr. Ganz asked for the difference between the top two (2) ranked firms, as there is a one (1) point differential. He also stated that one firm is a local firm and the other is not.

Mr. Klopp said that each committee member did their own ranking, which was not discussed. He said that his ranking was consistent with the overall committee's rankings and Stiles Corporation had much more experience in constructing projects on the beach in the coastal construction area, which is the primary challenge of this project. He also commented on their staff size being a positive component. Lastly, he said that the experience and overall firm size were the major factors in the decision.

Chair Noland outlined the options, to accept or have the Board to interview the firms and re-rank them. She said that Stiles is a very good company and they built the Fire Station on SW 11<sup>th</sup> Way; however, she said that she would like to give work to people in the community.

**GENERAL ITEMS - CONTINUED**

Vice Chair Miller asked if the Board would have to hear the presentations if they chose not to go along with staff's recommendation.

Andrew Maurodis, City Attorney, explained the Board's options. He said that if the Board decides to listen to the presentations that a future meeting must be set for this purpose.

Vice Chair Miller commented on the scores for the first and second firm, as well as the ranking criteria. He agreed with Chair Noland regarding the selection of a local company.

Mr. Maurodis said that the selection criteria must be utilized. He emphasized that the Board cannot apply a criterion that is not in the standard.

Chair Noland asked if the Board would have to interview all the proposers.

Mr. Maurodis replied yes.

Mr. Ganz said that he has been consistent to go with staff's recommendation; however, he is not opposed to going along with the Board. He expressed concern with the two (2) individuals serving on the committee being outside the City. He said that he is willing to go with Staff's recommendation, as being a local company was not a part of the original criterion; nevertheless, he will follow along with the rest of the Board.

Ms. Poitier agreed with Commissioner Ganz regarding the individuals who are not City employees; she spoke in opposition to using non-City employees.

Mr. Maurodis explained that the two (2) individuals were considered Staff because they are retained by the City for purposes of this project.

Mr. Popelsky agreed to go along with Staff, as they are more qualified on certain disciplines.

Chair Noland said that she does have any qualms with using outside people, as they likely bring a different perspective. Additionally, she said that they will be working closely with whoever is awarded the bid and will look at things differently than Staff.

**MOTION** was made by Vice Mayor Miller and seconded by Mr. Popelsky to approve Item 2, adopting CRA Resolution 2010/013.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None.

Chair Noland asked if there is a way to keep the work local. She referenced military personnel getting preference points.

**GENERAL ITEMS - CONTINUED**

Mr. Maurodis said that he will look into adopting a local preference ordinance. He said that he stressed this point because he did not want the Board making a decision based on something that was not in the criteria, because it would be subject to challenge.

**ITEM 5****DIGITAL TIME STAMP: 6:25:08****REQUEST TO APPROVE CHANGE ORDER FROM WEST CONSTRUCTION FOR THE RESTORATION OF PRIVATE PROPERTY BEHIND COVE SHOPPING CENTER PHASE 1 BUILDINGS**

Kris Mory, CRA Coordinator, outlined Item 5 and said that the request is valued at \$17,801.57. She said that West Construction is contractually obligated to restore areas outside of the right of way to pre-construction conditions. She outlined the pre-construction conditions, i.e. loose sand, weeds, mix match pavers, etc. She said that there are concerns for the French drain and requested approval of the change order to keep the area stable and keep debris out of the new system.

Chair Noland said that she went by the area on Saturday and recommended that it be consistent with the others and make it look nice. Also, it will help the parking for the businesses.

Vice Chair Miller asked if this includes curbing around a perimeter.

Ms. Mory explained where the curbing is and how far it will come up.

Mr. Ganz asked if the CRA has made any attempt to talk to the business about contributing to these changes, because it is private property.

Ms. Mory replied yes. She said that this change order was brought to the CRA's attention by a private property owner. The Board can vote to charge the property owners, but the problem is that the improvements are from the public right of way onto private property. She said that this change order will achieve uniformity rather than trying to enforce a private site plan improvement. Notwithstanding going through an improvement process with each property owner will have wasted time whereby all the soil and loose material will come into the French drain.

Mr. Ganz referenced the Deerfield Mall wherein the mall owner advised the store owners that the parking lot would be resurfaced; which was completed approximately 3 to 4 weeks ago. The owners did not have an option. He said that the only difference between these projects is that one is owned by City government and the other by private industry. He said that the Deerfield Mall did not have the opportunity that the Cove does. He expressed concerns with spending money on private property. He said that for the sake of time and not disrupting the project, he will go along with it. However, in the future, he believes that the people should contribute.

**GENERAL ITEMS - CONTINUED**

Ms. Mory said that the two (2) property owners that approached the CRA intend to improve their property and asphalt it. She said that they saw the improvement during the latter part of construction and are unable to effectuate a site plan at this time.

Chair Noland said that during construction, much of this was demolished. She explained the condition of the property because of the construction. Lastly, she asked what Ms. Mory hopes to accomplish.

Ms. Mory said that from an engineering standpoint, they are making changes that will allow the owners to lay asphalt in the future.

Vice Chair Miller asked if the improvements are related to the Admiral Building.

Ms. Mory replied yes.

Vice Chair Miller said that he spoke to the owners and they want to make improvements.

**MOTION** was made by Vice Mayor Miller and seconded by Mr. Ganz to approve Item 5.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None

**ITEM 6****DIGITAL TIME STAMP: 6:33:25****REQUEST FOR BOARD INPUT ON PROPOSED DATES AND LOCATIONS FOR PUBLIC HEARINGS ON 5-YEAR CAPITAL IMPROVEMENTS PLAN\***

Kris Mory, CRA Coordinator, said that she has located two locations for the public input sessions; Wednesday, January 19<sup>th</sup> at the Royal Fiesta at 6:00 p.m. and Wednesday, February 2<sup>nd</sup> at Briggs Hall, Community Presbyterian Church at 6:00 p.m.

After a brief discussion, the dates were changed to Thursday, January 20<sup>th</sup> at Royal Fiesta and Thursday, February 3<sup>rd</sup> at the Community Presbyterian Church.

**MOTION** was made by Vice Mayor Miller and seconded by Mr. Ganz to approve Item 6.

Ms. Poitier asked if both dates were on Thursday.

Chair Noland replied yes.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. NAYS: None.

**GENERAL ITEMS - CONTINUED**

Keven Klopp, CRA Director, said that he would follow up with the facilities to verify availability and confirm with the Board.

**ITEM 8****DIGITAL TIME STAMP: 6:37:18****REQUEST TO APPROVE ADDITIONAL SERVICES FOR  
GARCIA STROMBERG TO DESIGN TEMPORARY BAIT SHOP\***

Keven Klopp, CRA Director, said that when the design of the pier project began, they were not sure how access to the pier would be addressed during construction. After Staff review and analysis, they decided to build temporary access, consisting of a ramp from the walkway along the beach, south of the pier, towards the ocean and then north to connect with the pier. He said that from the pier connection point back toward the land, is where construction will be and it will be closed off to the public. Furthermore, it was determined that access control would be needed which would give the City ability to collect a fee to use the pier. He said that a temporary access building is the same as constructing a new building; utilities, foundation, the structure, etc. He said that they think it is proper for Garcia Stromberg to build it. He provided two (2) options, a standard shed pre-fabricated building or have Garcia Stromberg design a building that would be fabricated for this purpose, for additional monies. He outlined the benefits of having Garcia Stromberg design a building; being more aesthetically pleasing. Moreover, Mr. Klopp said that the current shed is temporary and a new one would be temporary, but also aesthetically pleasing.

Vice Chair Miller said that the lifeguards have always wanted a shed. He asked if it is possible to use a pre made shed for the bait house during construction and ultimately have the lifeguards use it to store their equipment, instead of disposing of it.

Chair Noland said that she spoke with Mr. Klopp about this project, and if we let the architect do it, it will then go where the rental of the chairs are.

Mr. Klopp said that there may be an extra shed that could be refurbished for that purpose.

Chair Noland said that the pre-fabricated shed would not align with the aesthetics of the pier, once construction is done.

Vice Chair Miller commented on the shed having a dual purpose. He said that he would agree to spend the money for aesthetics if there is going to be long term use.

In response to Ms. Poitier's question, Mr. Klopp replied that the design will cost approximately \$13,000 for a pre-fab; \$19,000 for the design if it is designed in concert with the plans for the new pier buildings.

**GENERAL ITEMS - CONTINUED**

**MOTION** was made by Vice Chair Miller and seconded by Ms. Poitier to approve Item 8.

Roll Call: YEAS: Ms. Poitier, Vice Chair Miller, and Chair Noland. NAYS: Mr. Ganz and Mr. Popelsky.

*Item 8 was approved by a 3 – 2 vote.*

**ITEM 3****DIGITAL TIME STAMP: 6:44:00****REQUEST TO SPONSOR SPECIAL EVENT (FOUNDER'S DAY)**

Keven Klopp, CRA Director, said that he spoke with the CRA Attorney and the Attorney General on CRA expenditures and sponsor is not the proper word. He said that for special events, the CRA would have to directly expend funds for special events and not sponsor nonprofit organization special events. He requested feedback from the Board regarding support and involvement of Founder's Day. He said that the Founder's Day Committee has indicated that they will not be moving forward with the event. Additionally, other community stakeholders have expressed a desire to continue with the event. He said that the CRA sees this event as a benefit if they are able to support the event. Since it would be a direct CRA expenditure, they would have to coordinate with the Founder's Day Committee. Subsequently, the committee has decided to move forward with the event and have submitted an application to the Commission to hold the event. He asked what the pleasure of the Board was.

Ms. Poitier said that she discussed this matter with Mr. Klopp and suggested that the public be made aware of what a disaster it would be to lose this event. She said that Founder's Day is one of the oldest celebrations in the City that gives back. She commented on the history of Founder's Day, which was once called Cracker Day. She said that the Founder's Day Committee would be able to gather funds through sponsorships if they explained the history of the event; thus, without expending City funds. Notwithstanding, if you give to one organization, you have to give to all; if not, it is inequitable. Furthermore, she will not support anything that will further divide the City. She reiterated the opportunity to seek outside sponsors and offered to donate funds personally.

Mr. Popelsky asked if he can assume that the Founder's Day Committee changed their minds because of the possibility of receiving CRA funds.

Mr. Klopp said that he is unsure, but they have indicated that they would like to seek CRA assistance; nevertheless, they do have funds to operate the festival. He explained that the revenues obtained from this year's festival will run next year's festival. He said that they have also heard from possible sponsors; which may have swayed their decision.

**GENERAL ITEMS - CONTINUED**

Chair Noland said that she received calls from businesses and residents that did not want to see this fall aside. She recommended that they contact the committee as she is not involved. She said that CRA funding had no impact on their decision, but was due to the outpour from the community. She said that there are sponsorship requests in the newspaper because this is the 64<sup>th</sup> year and it has never been broken.

Mr. Popelsky said that they received a letter from them saying that they were going to cancel. He said that he would like to see Founder's Day happen, but expressed concerns about Mango Festival and the Brazilian Festival.

Ms. Poitier said that we must be fair and should not spend money on one and not the other.

Mr. Popelsky agreed.

Mr. Ganz said that this was first put on as an action item and he did not want to be put in the situation of making a decision. Although, he would like to see Founder's Day continue, as well as other festivals, but if you give to one, you have to give to the others. He said that he does not support using CRA funds for special events. He further stated that this is an end around on the Commission's vote to not have City funds going towards this festival. He also commented on the event starting outside of the CRA and ending in the CRA boundary; therefore, the perception would be that this is choosing one over the other. He agreed with Ms. Poitier to reiterate to the businesses and the community the importance of this festival and try to obtain private sponsorship. He objected to using CRA funds for Founder's Day.

**ITEM 7****DIGITAL TIME STAMP: 6:52:44****REQUEST FOR ADDITIONAL FUNDING FOR THE GREEN MARKET**

Keven Klopp, CRA Director, said that they have received input from individuals who attended the Green Market and there are ways to improve it. However, those improvements will cost money; therefore, the Board can decide on whether to implement improvements now or see what occurs during the remainder of the year. Continuing, Mr. Klopp outlined various options to improve the Green Market, live entertainment, parking, and advertising. Essentially, they are looking at the green market being viable; thereafter, he outlined the purpose of a green market. He asked for feedback from the Board with regard to improvements, and suggested they be addressed at a future meeting. Additionally, if there is a desire to make improvements in the very next week of the market, authorization is needed because the funds set aside have already been expended.

Chair Noland said that she attended the Delray Beach Green Market and they have no more fruit and vegetable vendors than we have. She said that she has handed out cards to get more businesses. She also commented on the Boca Raton Green Market

**GENERAL ITEMS - CONTINUED**

and why theirs appears to be so large. She suggested finding other ways to improve the market without expending additional funds. She also suggested locals playing music at no cost.

Mr. Klopp said that there was a vendor who considered it, but could not accommodate a Sunday. Mr. Klopp said that they will continue to work on it and will try to get volunteers to assist as much as possible.

**ITEM 9****DIGITAL TIME STAMP: 6:58:16****COVE CONSTRUCTION UPDATE****ITEM 10****DIGITAL TIME STAMP: 6:58:16****GREEN MARKET UPDATE**

Keven Klopp, CRA Director, said that Items 9 and 10 are for informational purposes only; and the updates have been provided in the backup. He said that he or Kris Mory, CRA Coordinator, are available for questions.

**BOARD/ADMINISTRATION COMMENTS**

*There were no Board or Staff comments.*

**PUBLIC INPUT**

Maureen Kenny, 615 SE 7<sup>th</sup> Avenue, Deerfield Beach, said that she spoke to a few residents that are willing to play their own music at the Green Market.

Chair Noland suggested that she speak with Keven Klopp, CRA Director, and provide the information to him.

Ms. Kenny said that one person wanted to be paid and the others thought it was a good idea.

Mr. Klopp said that they too think it is great, but there will likely be a cost to have someone set up the sound system.

Mr. Ganz suggested that this be discussed with the residents prior to considering this.

Chair Noland said that in Boca and Delray, there is only quiet music playing.

Ms. Kenny said that they are only suggesting one (1) or two (2) people playing guitars.

**ADJOURNMENT**

There being no further business the meeting adjourned at 7:01 p.m.

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PEGGY NOLAND, CRA CHAIR

ATTEST:

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ADA GRAHAM-JOHNSON, MMC, CITY CLERK

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**REQUESTED ACTION:**

Approve addition to scope of services for Design and to provide Construction Engineering Services for water main replacement in the Cove Shopping Center for an amount not to exceed \$7,900.00.

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**SUMMARY EXPLANATION/BACKGROUND:**

While Phase 1 of the Cove Shopping Center Parking Lot was under construction, a water main was unearthed. The water main is made of transite pipe – a very brittle, old material that, when disturbed, loses its structural integrity. Transite main is no longer in use. The main was disturbed during construction and ruptured. The main received a temporary repair consisting of a sleeve that was placed over the break. The main runs in a north/south direction roughly beginning at Hillsboro Boulevard, through the vacant Blue Waters LLC parking lot and continuing on to a probable connection near the entrance to the alleyway just to the west of Royal Fiesta Caterers (see attached map). Since a large portion of this path will be under construction during Phase 2 of the parking lot reconstruction, staff's recommended strategy is to undertake the necessary improvement in conjunction with Phase 2.

The scope of services would compensate Keith and Associates for underground locating of the main to determine the specific length of main to be replaced, designing the new water main, permitting the project and providing onsite inspection and supervision services while the new infrastructure is being installed. The design will be such that the new pipe is completely installed alongside the old pipe so that the new service will be tied in and fully functional prior to the removal of the old main.

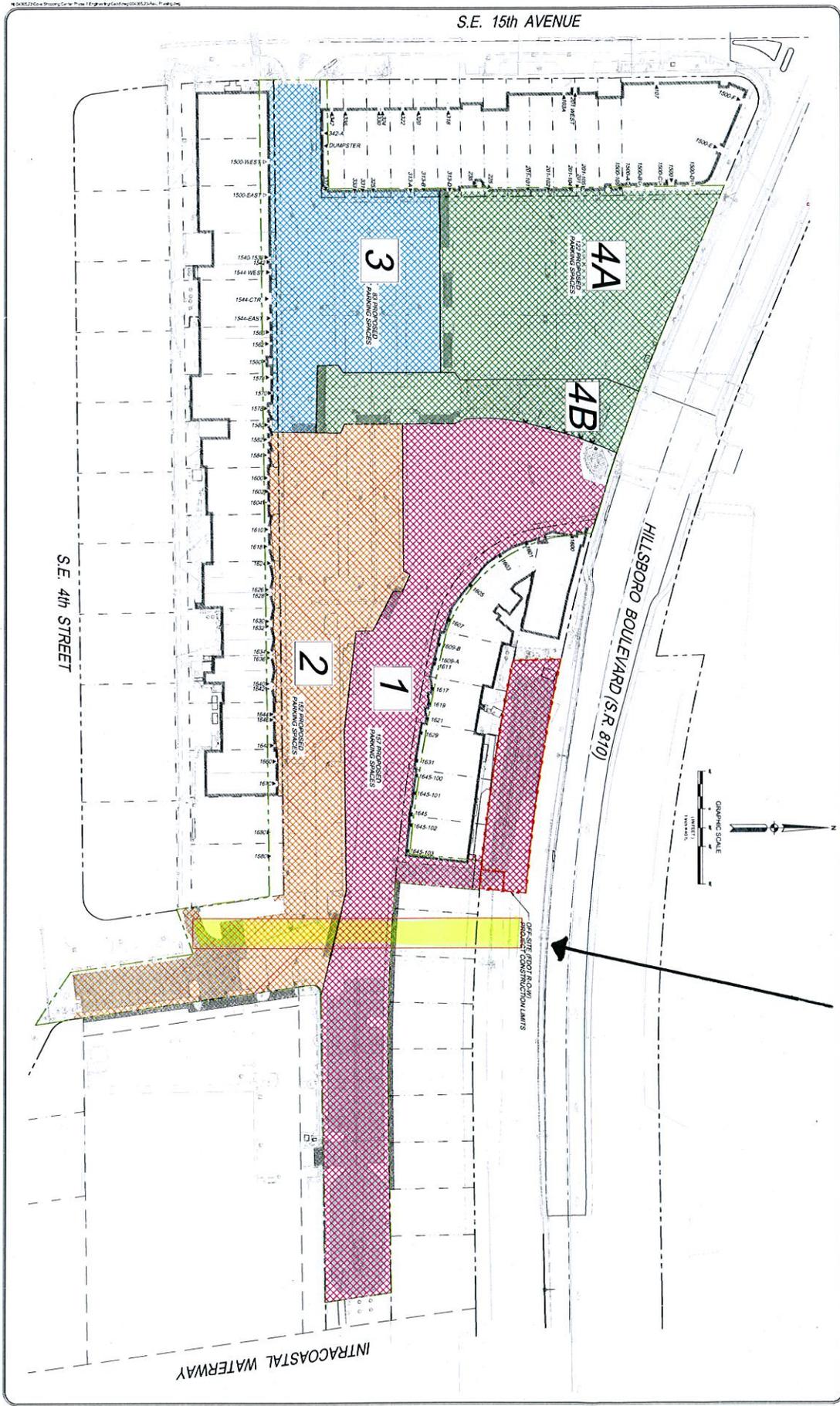
Staff anticipates that upon completion of the design, a future request will be brought to the CRA Board to construct the improvement. The project engineer estimates the cost of construction, disposal of old pipe and restoration of the area to be approximately \$70,000.

Because the bid came in under the estimated budget, there are adequate funds available in the Cove Shopping Center Reconstruction budget (190-8000-545.63-01) to cover this work (design and construction). This addition to Keith and Associates' scope of work is valued at \$7,900.00.

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**ATTACHMENTS:**

**Site map of probable main path and length  
Keith and Associates Scope of Services  
Resolution**



Approximate Location of Water Main Replacement

**THE COVE SHOPPING CENTER**  
**PHASE I - PARKING LOT IMPROVEMENTS**  
**EXPEDITED - CONSTRUCTION PHASING PLAN**  
 CITY OF DEERFIELD BEACH      BROWARD COUNTY, FLORIDA

**KEITH**  
 CONSULTING ENGINEERS  
 301 EAST ATLANTIC BOULEVARD  
 POMPANNO BEACH, FLORIDA 33060-6643  
 (954) 788-3400 FAX (954) 788-3500  
 STATE OF FLORIDA CERTIFICATE OF  
 AUTHORIZATION NUMBER - 7028

DATE	REVISION
DEC. 4 2009	CITY / PERMIT AGENCY COMMENTS
JAN. 28 2010	RFQ PROVIDED ANTICIPATED CONSTRUCTION PHASING

ROBERT M. SENEVY, P.E.  
 FLORIDA REG. NO. 4154  
 (FOR THE FIRM)

DATE:	FEBRUARY 2009
SCALE:	1"=50'
DRAWN BY:	M.S.
DESIGNED BY:	M.S.
CHECKED BY:	R.M.

PROJECT NO. 04085.23  
 SHEET NO. C-16

**CONTRACT ADDENDUM NO. 007**

PROJECT NAME: The Cove Shopping Center Phase I Parking Lot Improvements (Work Authorization #23)		PROJECT NO.: 04065.23	DATE: January 5, 2011
CLIENT: City of Deerfield Beach 150 NE second Avenue Deerfield Beach, FL 33441		CONSULTANT: Keith and Associates, Inc 301 East Atlantic Boulevard Pompano Beach, Florida 33060 Phone: 954/788-3400 Fax: 954/788-3500	
CLIENT REPRESENTATIVE: Keven Klopp, Community Redevelopment Agency (CRA) Director		PROJECT MANAGER: Robert McSweeney / Mark Castano	
PHONE: (954) 480-4222	FAX: (954) 422-5816	START DATE: Upon receipt of executed addendum	
EMAIL:		END DATE: 365 Days after NTP Issuance	

The CLIENT is required to execute this Addendum and return it to the CONSULTANT prior to commencement of the additional services described herein. All items, terms, and conditions of the original Agreement (as amended to include the scope defined herein) remain unchanged and in full force and effect.

**DESCRIPTION OF ADDITIONAL SERVICES**

The CONSULTANT shall provide services associated with the design, permitting and construction observation for certification for the replacement of an existing 6" transite (AC) water main within the limits The Cove Parking Lot improvements, currently under construction. The water main replacement is anticipated between S.E. 4<sup>th</sup> Street and the existing 10" water main located near the southern embankment of Hillsboro Boulevard (S.R. 810). The water main replacement will be approximately 550 linear feet.

**TASK 039 Additional Utility Designation and Location Services**

The CONSULTANT shall complete the following services for the utility designation and location:

1. Coordinate all fieldwork with the CLIENT.
2. Horizontally designate the existing utilities (provide the horizontal alignment of the identified subsurface utility as determined from the surface). Sweep the area along the probable path of the existing utility using standard electromagnetic techniques and ground penetrating radar (GPR) as necessary. Review the Technical Limitations section that follows for additional information about the process and limitations of this service.
3. Mark on the surface, at appropriate intervals to be surveyed, the approximate horizontal location of the facility. Related survey services are included in this task. Utilities designated shall be marked on the surface with pink spray paint. Said markings are temporary and should be surveyed as soon as possible after marking.
4. Mark the utilities found and insert location information into design plan sheets.
5. Notify the Sunshine One-Call system in accordance with State Law.
6. Based on the horizontal designation performed above, provide vacuum excavation

services at areas designated by CONSULTANT and agreed upon by CLIENT, to expose and confirm the facility and to provide accurate horizontal and vertical data (a test hole): a) neatly cut and remove any sod, asphalt or concrete surface at the selected locations, b) use vacuum excavation techniques to safely expose the facility, c) measure and record the depth to the top of the facility, d) backfill the test hole with native soil, compact in lifts and provide restoration of the surface. Compaction will be performed with a hand held tamper, density tests will not be taken.

7. Install an identifiable above ground marker at the test hole location. Field markers will consist of a nail and disk in asphalt, an iron rod and cap with survey stake in grassed areas or X chiseled in concrete. The test hole number and the utility found will be identified on the ground or on the stake, as appropriate.
8. Prepare and provide CLIENT a report of the test hole results and findings.

The CONSULTANT shall provide for up to 4 test hole locations associated with locating existing utilities in connection with the proposed demolition and engineering design of the proposed development.

The number of test holes including Maintenance of Traffic (MOT) provided is an estimate. Final invoicing will reflect the actual units of work performed. This proposal assumes all areas will be accessible to vehicle traffic.

The services included in this Task will be invoiced on a per test hole basis at a rate of \$400.00 per test.

The Estimated Not to Exceed (NTE) Fee for this Task is:.....\$1,600.00

**TASK 040 Preparation of Water Main Plans and Specifications**

The CONSULTANT shall prepare water main plans for the removal and installation of a new water main segment (6" or 8" – size to be determined by CITY) within the limits of The Cove Parking Lot. The water main plans will include reconnections to the existing water main(s) and services based on information provided by the City of Deerfield Beach Public Works & Environmental Services Department, and the results of the utility investigation and location services. The City of Deerfield Beach standard utility details, notes and specifications for the construction of the new water main will be included.

It is anticipated that the water main plans and specifications will be added to the CITY's on-going construction contract with West Construction, Inc. for The Cove Shopping Center Parking Lot Improvements

The Estimated Not to Exceed (NTE) Fee for this Task is:.....\$3,200.00

**TASK 041 Permit Processing of Water Main Plans**

The CONSULTANT shall prepare, submit and process permit application packages for the construction and installation of the new water main segment (6" or 8" – size to be determined by CITY) through the following regulatory agencies.

City of Deerfield Beach Engineering & Utilities Department

Broward County Health Department (BCHRS)  
Florida Department of Transportation (FDOT)

The Estimated Not to Exceed (NTE) Fee for this Task is:.....\$1,500.00

#### **TASK 042 Construction Observation and Certification Services**

The CONSULTANT shall provide construction observation services in order to ensure the integrity of the design intent, and certify to the CITY and other jurisdictional agencies that the construction work has been completed in substantial compliance with the approved documents and permits. Services included in this task are described as follows:

1. Shop Drawings: The CONSULTANT shall review shop drawings, samples and calculations, which the selected contractor is required to submit for review. This review will only be for conformance with the design concept of the project and compliance with the information provided on the design drawings and specifications. Such review will not extend to methods, means, techniques, construction sequence(s) or procedures, or to safety precautions and related programs. CONSULTANT shall also determine the acceptability, subject to CITY approval, of substitute materials and equipment proposed by contractors.
2. Periodic Site Visits and Construction Observation: The CONSULTANT shall visit the Project at intervals appropriate to the various stages of construction, as the CONSULTANT deems necessary to observe as an experienced and qualified design professional to review the progress and quality of the various aspects of the contractor's work. The CONSULTANT shall coordinate and attend one (1) Pre-construction Meetings. This task includes construction observation services for an anticipated construction period of one (1) month. These services will be invoiced on a time and material basis in accordance with our Professional Service Fee schedule (attached).
3. Issue Clarifications: CONSULTANT shall Issue all instructions of the CITY to contractor(s); issue necessary interpretations and clarifications of the contract documents; have authority, as the CITY's representative, to require special inspection or testing of the work; act as initial interpreter of the requirements of the contract documents and judge of the acceptability of the work thereunder, and make decisions on all claims of the CITY and contractor(s) relating to the acceptability of the work or the interpretation of the requirements of the contract documents pertaining to the execution and progress of the work. CONSULTANT shall render all interpretations or decisions in good faith and in accordance with the requirements of the contract documents.
4. As-builts Review: CONSULTANT will review the record drawings (as-builts) to ensure substantial conformance to the approved plans. The CONSULTANT will only review and reject any particular as-built set a maximum of two (2) times, any additional review will be considered additional services. The contractor will be expected to have the as-builts revised in accordance with all comments.

5. Final Inspections – CONSULTANT shall participate, with the CITY’s representative, in a semi-final inspection for the purpose of determining if the project is substantially complete, and participate in the preparation of a written “Punch List” of all incomplete, defective or deficient items. Upon notice from the CITY, participate in a final inspection together with CITY and contractor representatives to assure that all “Punch List” items are completed and the work is indeed completed in accordance with all contract documents. Upon completion of the final inspection, certify, in writing, that the work in-place is acceptable, subject to any conditions therein expressed.
  
6. Final Certification: CONSULTANT will prepare final certification to all appropriate permitting agencies utilizing record drawings for the design from the survey information supplied by the contractor, or by other means agreed to by both CONSULTANT and CITY.

Note: It is the contractor’s responsibility to coordinate through the CONSULTANT the scheduling of testing. The CONSULTANT shall represent the CITY in performing periodic observation of construction as necessary to confirm construction is in accordance with the approved plans.

This task includes construction observation and certification services for an anticipated construction period of three (3) weeks.

We anticipate the following items requiring as-built certification:

- Water Main Extension

Note: Construction-related surveying (stakeout, as-builts, etc.) and testing (densities, concrete, LBR’S, etc.) services are not included in this Agreement.

The Estimated Not to Exceed (NTE) Fee for this Task is:.....\$1,600.00

**COMPENSATION FOR CONSTRUCTION MANAGEMENT SERVICES**

Total Fees (Not to Exceed)	\$7,900.00
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**ACCEPTANCE OF SERVICES AND TERMS**

KEITH and ASSOCIATES, INC		ADDENDUM APPROVED BY CLIENT AUTHORITY:	
SIGNATURE:		SIGNATURE:	
PRINT NAME:	A. Dodie Keith	PRINT NAME:	Keven Klopp
TITLE:	President	TITLE:	Community Redevelopment Agency (CRA) Director
DATE:	January 5, 2010	DATE:	



RESOLUTION NO. 2011/\_\_\_\_\_

**A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING CONTRACT ADDENDUM #7 TO KEITH AND ASSOCIATES TO PROVIDE ENGINEERING DESIGN, PERMITTING AND PROJECT MANAGEMENT SERVICES FOR WATER MAIN REPLACEMENT IN THE COVE SHOPPING CENTER FOR AN AMOUNT NOT TO EXCEED \$7,900.**

**WHEREAS**, the CRA wishes to pair ruptured water main in the Cove Shopping Center Park Lot,

**WHEREAS**, these improvements are necessary to ensure continued water service to surrounding neighborhoods, and

**WHEREAS**, Keith and Associates designed the reconstruction and drainage improvements to the front of the Cove Shopping Center Parking Lot;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REVELOPMENT AGENCY OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

**Section 1.** The above referenced "Whereas" clauses are true and correct and made a part hereof.

**Section 2.** The CRA hereby approves contract addendum #7 to Keith and Associates for the design, permitting and project management of water main installation in the Cove Shopping Center Alleyway for an amount not to exceed \$7,900.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
PEGGY NOLAND, CHAIR

ATTEST:

\_\_\_\_\_  
ADA GRAHAM-JOHNSON, MMC, CITY CLERK

**REQUESTED ACTION:**

None

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**SUMMARY EXPLANATION/BACKGROUND:**

The City of Deerfield is pleased to be hosting the South Florida Regional Meeting of the Florida Redevelopment Association on January 19, 2011 from 10am-2pm at the FAU Innovation Centre located at 1501 SW FAU Research Park Boulevard (SW 11<sup>th</sup> Way). This workshop will focus on CRA compliance with Florida Statutes and recent Florida Attorney General Opinions that effect how CRA's legally function. CRA staff and Board Members from across South Florida are expected to attend. As host City, the Deerfield Beach CRA will be making a brief presentation showcasing Deerfield projects. Board members are encouraged to attend to stay up to date on CRA issues and to network with other South Florida CRA Board Members and colleagues.

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**ATTACHMENTS:**

**Florida Redevelopment Association South Florida Regional Meeting Agenda**



## South Florida Regional Meeting

Wednesday, January 19, 2011

9:30 a.m. – 2:30 p.m.

FAU Innovation Centre

Deerfield Beach

### CRA Compliance Workshop

**Time:** 9:30 a.m. (registration) – 2:30 p.m.

**Location:** FAU Innovation Centre  
1501 S. W. FAU Research Park Blvd. (S.W. 11<sup>th</sup> Way)  
Deerfield Beach

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#### **AGENDA**

- 9:30 a.m. Registration and Coffee Service
- 10:00 a.m. Welcome  
*Marwan Mufleh, FRA South Florida Regional Representative*
- 10:15 a.m. Deerfield Beach CRA Presentation  
*Keven Klopp, AICP, CRA Director/Asst. City Manager*
- 10:30 a.m. CRA General Best Practices  
*Carol Westmoreland, FRA Executive Director*
- 11:00 a.m. CRA compliance and ethics  
*Karen M. Peterson, Attorney, William J. Peebles, P.A.*
- 11:45 a.m. Lunch and networking
- 12:45 p.m. Legal Dos and Don'ts  
*Clifford B. Shepard, FRA Counsel, Shepard, Smith & Cassidy, P.A.*
- 1:45 p.m. Questions
- 2:00 p.m. Adjourn

Registration form can be downloaded at [www.redevelopment.net](http://www.redevelopment.net).

**REQUESTED ACTION:**

Presentation and Discussion regarding the 5 Year Capital Improvements Plan (CIP)

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**SUMMARY EXPLANATION/BACKGROUND:**

In order to plan the next five years' activities of the CRA, staff is continuing to develop a 5 Year Capital Plan. This plan lists the projects that the CRA anticipates implementing, provides a narrative of and justification for each of the projects, and lists the costs involved for each project. Projects are prioritized and scheduled on a timetable that is manageable for staff to implement.

The Capital Improvements Plan needs to be integrated into the CRA annual budget each year, with the current year's capital projects appearing as line items within the budget. This type of integration will allow staff to accurately benchmark progress, CRA accomplishments and return on investment.

Public input workshops have been scheduled for January 20, 2011 and February 3 in order to assist in the development of the CRA projects to be implemented over the next five years.

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**ATTACHMENTS:**

1. Copy of Staff's Powerpoint Presentation
2. Draft CRA 5 Year Capital Plan Spreadsheet 2012-2016

