

MEMORANDUM
FROM THE OFFICE OF THE CITY MANAGER

To: Mayor and City Commission
From: Pam Brangaccio, City Manager *PDB*
Re: City Manager's Report – November 11, 2014
Date: November 4, 2014

Orientation has been scheduled for the newly elected Commission member for Zone 2 on Friday, November 7th. The morning will consist of staff reviewing the City Budget, Capital Improvement Projects, US1 CRA status & proposed projects, December strategic planning, JPA with the County on annexations, Police & Fire Chief recruitment. In the afternoon we will tour the City capital improvement projects under construction & under design and permitted.

The City of New Smyrna Beach and Waste Pro are sponsoring “Residential Curbside Cleanup” November 3rd through the 7th; detailed information is provided in the attached press release.

The 24th Annual Flamingo Follies will be held this weekend, November 8th & 9th from 9:00 a.m. to 5:00 p.m. along Flagler Avenue, followed by the Hangar Hootenanny to benefit the Police Athletic League beginning at 6:00 p.m.

The 8th Annual Police Motorcycle Skills Challenge will be November 13 – 15 in the Walmart parking lot on SR44, the schedule of events is provided.

Attached is a draft of the Noise Ordinance proposed language as signed off by the Police & Code Enforcement. This will be scheduled for a future Commission meeting.

Included with this report is a copy of the bullet points, and an aerial on the Isleboro project that was discussed with Representative Taylor. We have notified them that we would like to present at the Volusia County Legislative Delegation meeting in December.

An application has been submitted for the FPZA 6th Annual Awards, nominating the NSBCRA Opportunity Sites Grant Program for Outstanding Private and Public Partnership, a copy of the submittal is provided with this report.

The City Engineer sent the attached letter to Whitehouse Contracting, following the final inspection of the 7th Street & Coronado Elementary School Sidewalk Projects; there were a few administrative items that need to be resolved to complete the project.

Bids were opened for the North Causeway Boat Ramp Park Improvement Project and Quinten Hampton & Associates recommended the project be awarded to Saboungi Construction in the amount of \$824,799.42. A copy of the bid tabulation information is attached. The bid award is scheduled for the November 18th agenda.

The County has authorized the following 2014/15 CDBG activities:

- Park Improvement – Pettis Park
- Code Enforcement
- PAL After School Program
- Atlantic Arts Mural Program

A grant application has been submitted to replace the 17-year old playground structure at Rocco Park on Sunset Drive, this replacement is budgeted in FY 2014-15.

The Sport Complex Bleachers design-build packet is not on this agenda. The Florida Statutes require for a design-build project that a local government, even for the initial prep of the specs, has to secure at least three proposals from engineering firms to draft the specifications, for the design-bid package to be placed out to bid. We had hoped to be able to use the firm that had just completed the structural review, but had to remove the item from the November 11th agenda to solicit proposals from three of the engineering firms in our “pre-approved*” library of engineers; then review and rank the proposals before we can place the design-build specifications for approval of the Commission. Could be as late as December 9th agenda, as the two November meetings are November 11 & 18th.

(*pre-approved as the City had already gone out to RFQ for engineering firms; reviewed, ranked and secured on-going contracts with multi-firms; so it is not a three to four month process, more like 2-4 weeks process to select a firm to prepare the specifications.)

Our meeting with the Superintendent and her staff on the bleachers went very well; we proposed a long-term agreement with the three schools, with multi-capital improvements to be funded jointly. She has since followed up by meeting with the three athletic directors.

Also attached is the RFQ authorized by the City Commission for Stormwater Design Services, as well as draft criteria for the purchase of repetitive flooding homes.

Should you have any questions or need additional information or clarification, please let me know.

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Should you have any questions or need additional information or clarification, please let me know.

October 21, 2014

News media contacts:

Faith Miller, Maintenance Operations Mgr.
City of New Smyrna Beach
386.424.2202

Ted Oglesby, Waste Pro
386.424.1850

NEWS FOR IMMEDIATE RELEASE

'Residential Curbside Cleanup' November 3-7 in New Smyrna Beach

New Smyrna Beach residents may get a little help cleaning up during Residential Curbside Clean-up Week November 3-7.

"This is an opportunity for residents to pick up and clean up, and we'll take away the trash," said Faith Miller New Smyrna Beach Maintenance Operations Manager. "In the process, we'll be promoting community pride and a clean environment."

Acceptable items must be placed neatly at the property's curb before 7 a.m. but not more than two days in advance. Items also must be separated by type – household garbage and construction debris.

Examples of acceptable items include appliances, cabinets, car rims, car tires, couches, fencing, furniture, mattresses, rugs, sinks, etc. Small loose items must be in garbage containers and may not weigh more than 50 pounds, Miller said.

"By participating, residents may save themselves a trip to the landfill and the fees associated with disposing of these types of items," Miller said. "If they place it neatly at the curb, we'll pick it up at no additional charge. It's also good timing to clean up before the holidays."

Doors on cabinets and appliances must be removed before curb placement.

Household hazardous waste will not be picked up curbside but will be accepted from 9 a.m. - 3 p.m., Saturday, November 8, at the New Smyrna Beach Maintenance Operations Works Department, 124 Industrial Park Avenue.

Household garbage, recycling, and yard waste will be collected as regularly scheduled.

Residential Curbside Clean-up Week is sponsored by the City of New Smyrna Beach and its solid waste contractor, Waste Pro.

A detailed list of acceptable items is online at www.cityofnsb.com. For more information, please contact Waste Pro at 386.424.1850 or New Smyrna Beach Maintenance Operations at 386.424.2205.

THURSDAY, NOVEMBER 13

7 am - Noon: Course Practice

Noon - 1 pm: Lunch Break

1 - 5 pm: Course Practice

FRIDAY, NOVEMBER 14

7 am - Noon: Course Practice

Noon - 1 pm: Lunch Break

1 - 2 pm: CHALLENGE RIDE

Competitors ride an undisclosed course for time. They only have one opportunity to ride with no practice.

2 - 5 pm: Course Practice



SATURDAY, NOVEMBER 15

7 am - 7:45 am: Course is open for final practice

7:45am - 8 am: Rider/Judges Meeting

8 am - Noon: INDIVIDUAL RIDERS

Competitors race alone against the clock.

Noon - 1 pm: Lunch Break

1 - 3 pm: PARTNER RIDE

Two-person teams compete for the best time with one rider following the other.

3 - 3:30 pm: Raffle Drawing

3:30 - 4 pm: Trophy Presentation



NEW SMYRNA BEACH POLICE MOTORCYCLE SKILLS CHALLENGE

Chapter 38. Environment

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Article III. Noise

Sec. 38-71. Definition of plainly audible; enforcement.

(1) The purpose of this Section is to set forth the definition of the term "plainly audible" and establish standards regarding how sound shall be measured by personnel who enforce this Article.

(2) *Plainly Audible* shall mean any sound produced by a mechanical or electronic soundmaking device, or instrument, from within or upon a lot, building or structure that can be clearly heard outside the lot, building, or structure by a person using his or her normal hearing faculties, at a distance of twenty-five feet (25') or more from the lot, building, or structure, whichever distance is greater.

(3) Any law enforcement personnel, code enforcement officer, or other person who hears a sound that is plainly audible, as defined herein, shall be entitled to measure the sound according to the following standards:

(a) The primary means of detection shall be by means of the ordinary auditory senses, so long as the person's hearing is not enhanced by any mechanical or electronic device, such as a microphone or hearing aid.

(b) The person must have a direct line of sight and hearing to the location producing the sound so that he or she can readily identify the offending location and the distance involved.

(c) The person need not determine the particular words or phrases being produced or the name of any song or artist producing the sound. The detection of a rhythmic bass reverberating type sound is sufficient to constitute a plainly audible sound.

Sec. 38-72. Noises; unnecessary and excessive prohibited.

(1) It shall be unlawful for any person to make, continue, or cause to be made or continued any unreasonably loud, excessive, unnecessary or unusual noise. In addition, the following acts, among others, are declared to be unreasonably loud, excessive, unnecessary or unusual noises in violation of

this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle, bus or other vehicle on any street or public place of the City, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for any unnecessary and unreasonable period of time.

(b) *Radios, televisions, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, television set, musical instrument, phonograph, CD player, or other electronic or mechanical machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants with ordinary auditory senses, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the location in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 8:00 a.m. in such manner as to be plainly audible at a distance of 25' or more from the lot, building, structure or vehicle in or on which it is located, whichever distance is greater, shall be prima facie evidence of a violation of this section.

(c) *Animals, birds, etc.* The owning, harboring, possessing or keeping of any dog, animal or bird which causes frequent, habitual or long continued noise which is plainly audible at a distance of 25' from the lot, building, or structure in which the dog, animal or bird is located.

(d) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, or motor vehicle except through a muffler or other device which will effectively prevent unreasonably loud or explosive noises therefrom.

(e) *Defect in vehicle or load.* The use of any automobile, motorcycle, jet ski, water bike, recreational vehicle, dirt bike or motor vehicle so out of repair, so loaded or in such manner as to create unreasonably loud or unnecessary grating, grinding, rattling or other noise within a residential area.

(f) *Schools, courts, hospitals.* The creation of any excessive or unreasonably loud noise on any street adjacent to any school, institution of learning, house of worship or court while the same are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institutions, or which disturbs or unduly annoys the patients in the hospital, provided conspicuous signs are displayed in such streets indicated that it is a school, hospital or court street.

(g) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers, and vendors which disturb the peace and quiet of the neighborhood or any of its residents.

(h) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of any unreasonably loud or unnecessary noise to any performance, show, sale, display or advertisement of merchandise.

(i) *Loudspeakers, etc.* The use or operation on or upon the public streets, alleys and thoroughfares anywhere in the City for any purpose of any device known as a sound truck, loudspeaker or sound amplifier or radio or any other instrument of any kind or character which emits therefrom unreasonably loud noises and is attached to and upon any vehicle operated or standing upon such streets or public places aforementioned.

(j) *Power tools and landscaping equipment.* The operation of noise-producing lawn mowers, lawn edgers, weed trimmers, blowers, chippers, chain saws, power tools and other noise-producing tools which are used to maintain or at a residence out-of-doors between 10:00 p.m. and 7:00 a.m. the following day.

(k) *Shouting.* Any unreasonably loud shouting in any residential area for no lawful purpose.

Sec. 38-73.

(a) No speakers or other device producing amplified sound or noise shall be permitted to operate between the hours of 10:00 p.m. and 7:00 a.m. the following day except within a completely enclosed structure or building. Completely enclosed shall mean the structure has a roof and solid walls, with any openings covered by solid doors and/or glass or plexiglass windows.

(b) This section shall not apply if a permit allowing such noise has been issued by the City in connection with a special event at the location. The permit shall not exceed a total of ten (10) cumulative days annually.

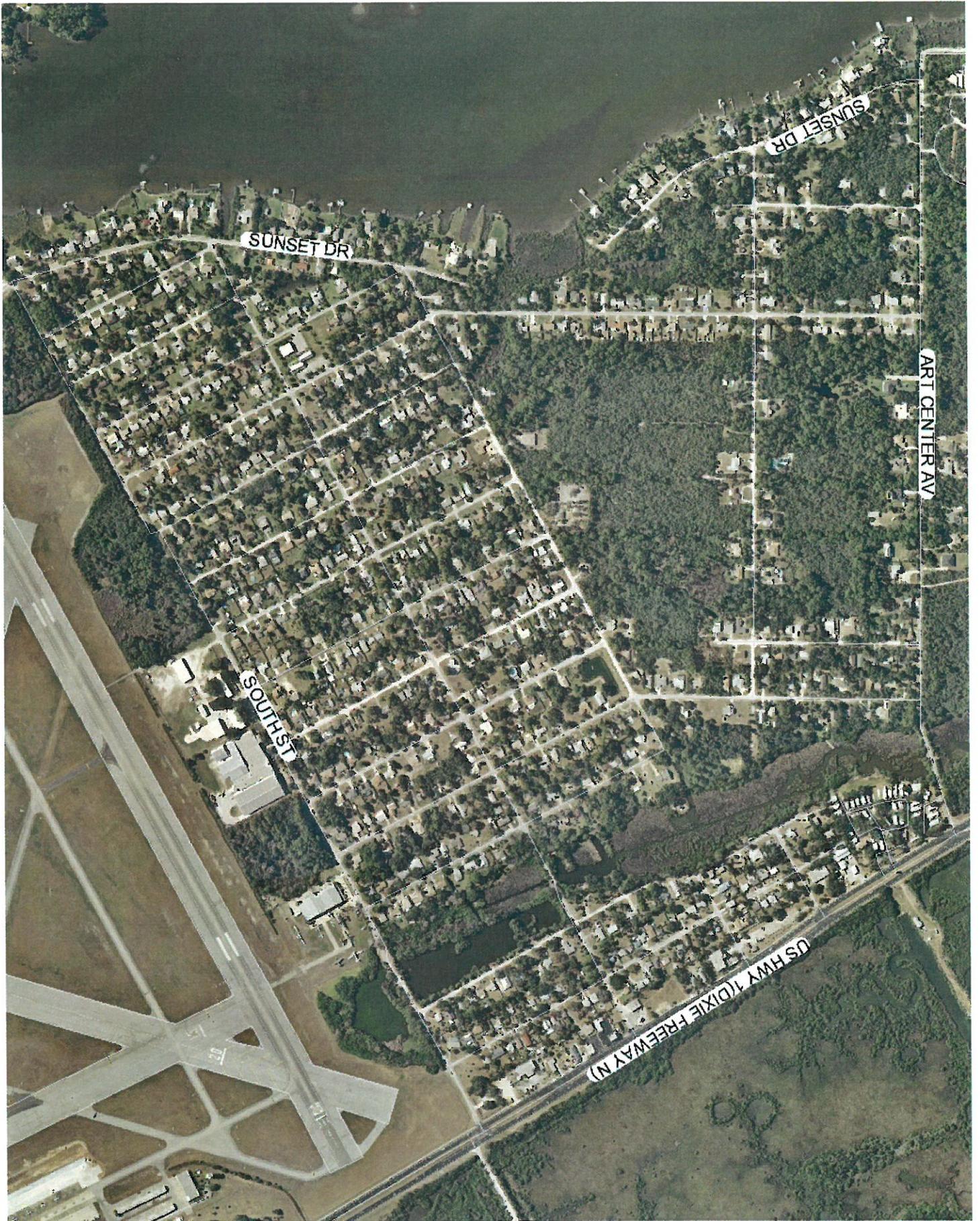
Sec. 38-74. No enforcement of this Article shall commence in the absence of actual hearing of the noise by a law enforcement officer or code enforcement officer, or in the absence of a signed complaint by a citizen or person hearing the noise.

Sec. 38-75. Any person violating this Article may be cited to appear before the code enforcement board as provided in Chapter 162, F.S., and Chapter 26, Article XV of this Code.

City of New Smyrna Beach

Isleboro Area Stormwater Master Plan

- **Location:** North of New Smyrna Beach Municipal Airport and East of U.S.1
- **Area:** 446 Acres – Development prior to the stormwater management regulation
- **34%** falls within the 100-year FEMA floodplain
- **Annual Rainfall:** 50 inches
- **Master Plan:** Master plan of the entire area was developed along with a preliminary cost estimate
- **Total Cost to Implement Master Plan:** Estimated \$2M
- **Maintenance:** City maintains the majority of the existing drainage and conveyance system. Historical swales have filled in over time.
- **Past Improvements:** The City has done several small projects within the past 20 years (paving and drainage)
- **Funding:** The funding for past projects was from stormwater utility funds as well as general funds. Also, FEMA grants were used to acquire repetitive flooded homes.
- **Flooding Experience:** The area experienced flooding in 1994, 1998, 2001, 2004, 2009, and 2014.
- **Recent Flooding:** The most recent flooding was in 2014 where 7” – 8” of rainfall in 4 hours. As a result, several homes suffered interior flooding, as well as major yard and street flooding.
- **City’s action:** The City is currently retaining an engineering firm to complete the design of major stormwater projects presented in the 2012 Master Plan.
- **City’s request:** The City is requesting state assistance of 1/2 M. The remainder of the funding will be City Stormwater Utility Funds.





City of New Smyrna Beach

October 30, 2014

Ms. Becky Mendez, AICP
Volusia County
bmendez@volusia.org

RE: Application for FPZA 6th Annual Awards:

Dear Ms. Mendez,

Please find attached with the cover letter the City of New Smyrna Beach Community Redevelopment Agency (CRA) application for the FPZA 6th Annual Awards program:

- Name of Nomination: the New Smyrna Beach Community Redevelopment Agency "Opportunity Sites Grant Program"
- Award Sought: Outstanding Private and Public Partnership
- Recipient: City of New Smyrna Beach CRA
- Applicant Contact: Tony Otte, CRA/Economic Development Director
City of New Smyrna Beach
210 Sams Ave
New Smyrna Beach, Florida 32168
(386) 424-2265
totte@cityofnsb.com

Please don't hesitate to contact me if you have any questions.

Sincerely,



Pam Brangaccio,
City Manager

Brief Summary

City of New Smyrna Beach CRA Opportunity Site Grant Program

In 2010 the City Commission approved a CRA Master Plan Update, which includes a reference to certain "Opportunity Sites" for redevelopment. In 2011 the CRA developed a program to incentivize these and other sites for redevelopment. There were 5 grants awarded (final grant reimbursement in December, 2013), the first two for the renovation of large, vacant buildings in disrepair on the primary downtown commercial street.(Canal St). Those buildings, renovated in compliance with the street's Design Guidelines, now have commercial tenants. Private investment totaling over \$750,000 has renovated six additional sites in the Canal St area.

Outstanding Private and Public Partnership: Opportunity Site Grant Program

Narrative

This project meets three of the purpose statements of the FPZA:

- To encourage observance of sound planning and zoning practices
- To furnish information, advice and assistance to its members and provide a medium for exchanging information, advice and assistance among them
- To promote cooperation among official planning and zoning boards and commissions, civic bodies, citizens, technicians, private center and students interested in planning and zoning within Volusia and Flagler Counties

Background

New Smyrna Beach is a historic “beach town” with a population of 23,000. It has several commercial areas: The Canal St area is the historic downtown area on the mainland; Flagler Avenue area is the historic beachside area; and the two are connected by the North Causeway area.

In 2010 – 2011 the Canal Street area had a significant number of vacancies, with the highest number counted in July, 2011: 17. Among its storefront spaces, the two largest buildings were vacant and in disrepair:

- The former Pennysaver building was vacant for over three years. The building was built in 1967 as the post office and occupies half of a block in the middle of the downtown area. It is also across the street and between the two entryway streets from SR 44. The building was designed with façade block that was popular in the 1960’s but is now dated and unattractive.
- The former Badcock furniture store is prominently located at the corner of US 1 and Canal St, and the building is a gateway to the historic Canal St “downtown”. The building was vacant for seven years and had structural failures in the wall along US 1, as well as roof leaks. The building also needed painting.
- The Flagler Ave area had a number of underutilized properties, a few in disrepair; and the North Causeway has both commercial and residential sites with little recent building activity before 2013.

Innovativeness

Previously, the New Smyrna Beach CRA had a typical array of programs with “Façade Grants” being popular. Once the Master Plan Update was received, the CRA began

developing new programs. There was a sense that in order to achieve substantive results, a program larger than the "Façade Grant" program needed to be offered, and The Opportunity Site Grant program was one of the programs developed. This program also offered funding on a reimbursement, dollar for dollar matching basis; however, it was innovative in that:

- It was approved with no funding cap
- The site had to be approved before an application could be filed
- The application process required several steps:
 - ✓ The site must be specifically referenced in the 2010 CRA Master Plan Update or be added to the list;
 - ✓ The CRA must approve a set of "deal points" to be included in a contract; and
 - ✓ The City Commission must approve the contract for the grant award.
- Each grant award contract has provisions that include:
 - ✓ The grantee is the property owner.
 - ✓ The grant will cover no more than 50% of the renovation or building cost according to a budget submitted by a licensed general contractor. Any cost overruns must be paid for by the grantee..
 - ✓ The grant is on a reimbursement basis. The grantee makes the expenditures per the grant budget, the project is inspected, and invoices and cancelled checks are supplied to document the costs.
 - ✓ The building design must comply with the design guidelines for that area.

Effectiveness

The City Commission approved the Opportunity Site Grant Program on August 23, 2011. The first application, for the Pennysaver building, was approved that October. The application for the Babcock Building was approved the following February. Both buildings had new owners, each investing over \$450,000 in their properties.

These two buildings and a third large building on Canal St were vacant in 2011. The Pennysaver and Badcock Building were renovated through the Opportunity Site Grant Program and now have commercial tenants. (The third building received a Rental Assistance Grant.)

Following the approval of the first two Opportunity Site grants, a third Opportunity Site grant was awarded to construct a two story building on a vacant lot where a store had been demolished following a fire in 2008. The vacant lot is on a prominent corner on Canal St and was used for five years as an informal, unapproved parking lot, with no space delineation or landscaping.

Within two years there were two more distressed Canal St area properties purchased and those sites and four others were renovated with a total investment in the six sites exceeding \$750,000, without CRA assistance. From a high of 17 vacancies in the area in July of 2011, there are only one or two vacancies now.

The other two Opportunity Site locations have also been viewed as helping to stimulate private investment. On Flagler Ave, the principal economic driver is a new Hampton Inn, also a project that was completed with CRA assistance. The “Inn on the Avenue”, a two story Bed and Breakfast, was constructed on an underutilized property with a vacant single family house through the Opportunity Site Program. That building was built in compliance with the Flagler Avenue Design Guidelines.

The fifth and final Opportunity Site is a restaurant on the North Causeway that is part of a larger project – the New Smyrna Beach Harbor Marina.

Implementation

The Opportunity Site Grant Program was developed to address the needs of sites that could also be catalysts for the development of surrounding properties.

Applicability to Other Communities:

Other cities with prominent sites for redevelopment in a community redevelopment area have the ability to incorporate all or portions of the Opportunity Site Grant Program.

Comprehensiveness

The Opportunity Site Grant Program was comprehensive in that:

- The concept was included in the 2010 Master Plan Update; and
- The process for developing an application and approval of a grant included a number of requirements that were above and beyond what was required in the other CRA grant programs



Canal Street - Badcock Furniture building (before) purchased by Total Vision



Total Vision and TUI Xerox Center along with 3 other businesses (after)



Canal Street - Pennysaver Newspaper building (before)



Coastal Interiors, Flooring Center, and Corkscrew Bar & Grille (after)



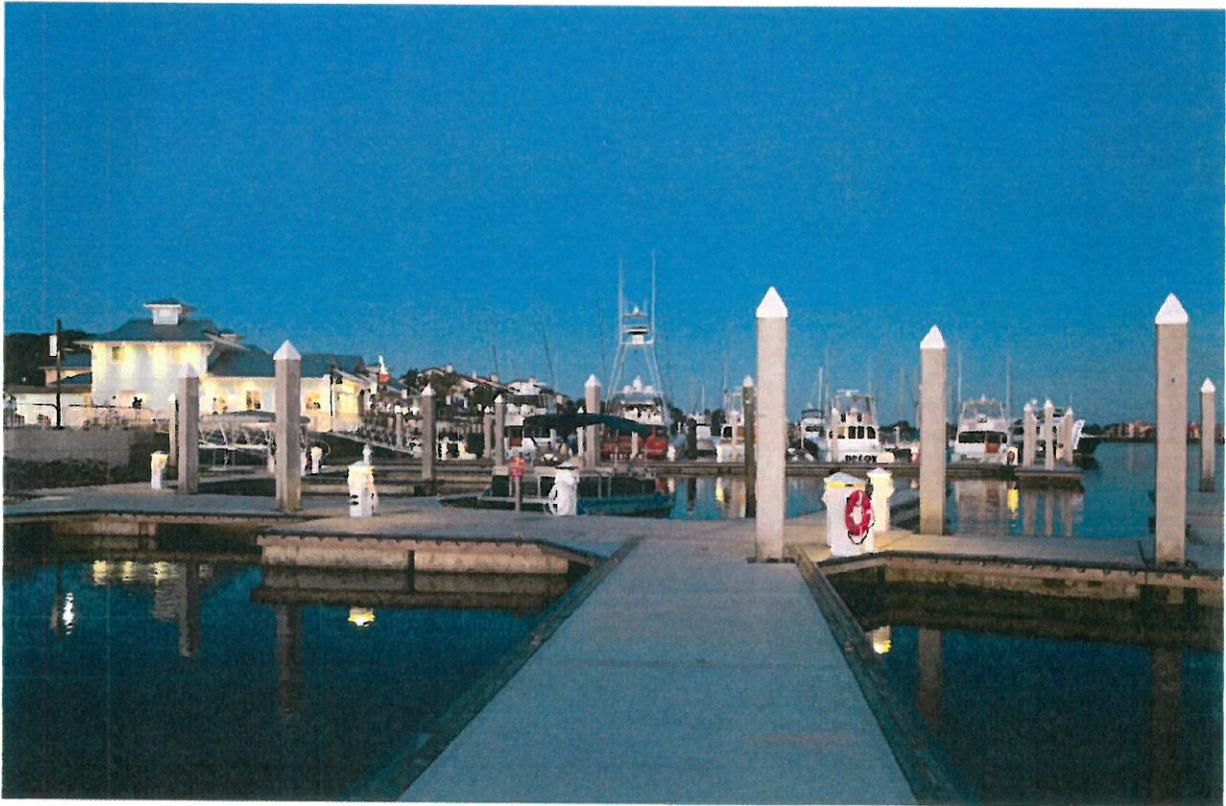
Canal Street - Rosedale Property after building burned down – empty lot



Rosedale J&J Building with upstairs and downstairs businesses (after)



North Causeway - Feger's Marine (before)



New Smyrna Harbor Marina with Dry Storage, Fishing Store and Outriggers Restaurant and Tiki Bar (after)



309 Flagler Avenue - unoccupied residence (before)



Inn on the Avenue Bed and Breakfast (after)



City of New Smyrna Beach

October 24, 2014

Andrew Whitehouse
Whitehouse Contracting LLC
819 E Kicklighter Rd
Lake Helen, FL 32744

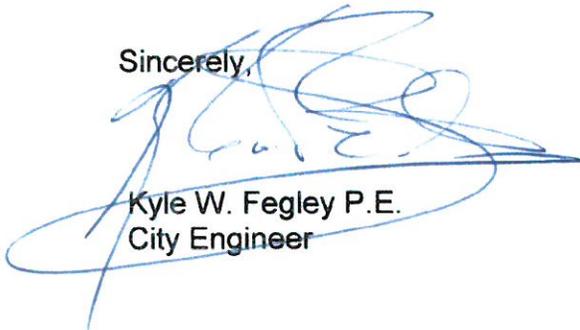
**RE: Final Completion Inspection
FPN#: 433619-1-58-01/433622-1-58-01
7th Street & Coronado Elementary School
Sidewalk Projects**

Dear Mr. Whitehouse:

As a result of the final inspection performed yesterday, the City found several minor items including removal of grade stakes and one piece of concrete debris that were addressed and confirmed by City Staff later that date. As such the projection completion date is established on October 23, 2014 with administrative items to be resolved. These include EEO/DBE reporting, retro reflectivity report for the striping, as-built drawings and a final change order associated with validating in-place quantities.

We appreciate the infrastructure improvements and quality of workmanship Whitehouse Contracting provided and look forward to successfully closing out the administrative items in the near future.

Sincerely,



Kyle W. Fegley P.E.
City Engineer

cc: Pam Brangaccio, City Manager
Khalid Resheidat, Asst. City Manager
Althea Philord, Finance Director
Jesse Meyers, Civil Engineer
Michelle Updike, Capital Projects Mgr
Alan Fisher, FDOT
Lauren Davis, FDOT

BRAD T. BLAIS, P.E.
DAVID A. KING, P.E.
ANDREW M. GIANNINI, P.E.
KEVIN A. LEE, P.E.

Quentin L. Hampton Associates, Inc.
Consulting Engineers
P.O. DRAWER 290247
PORT ORANGE, FLORIDA 32129-0247

TELEPHONE: (386) 761-6810
FAX: (386) 761-3977
EMAIL: qlha@qlha.com

October 22, 2014

Kyle Fegley, PE
City Engineer
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168

**CITY OF NEW SMYRNA BEACH
NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
AWARD RECOMMENDATION**

Dear Kyle,

On October 21, 2014, the City received six (6) sealed construction bids for the above referenced project. All were reviewed for bid compliance and all deemed responsive. Based on the bids submitted and the bid tabulation, the apparent low bidder is Saboungi Construction, Inc. of Ormond Beach, Florida with a total bid of \$824,799.42. The second low bidder is C&L Landscape of Jacksonville, Florida with a total bid of \$849,998.17. The bid proposal of the low bidder appears to be complete and properly executed.

Based on the information presented in the bid proposal, the low bidder is a licensed general contractor in the State of Florida and seems to possess the manpower, facilities, and equipment necessary to perform the work contemplated with the time specified. Saboungi submitted several projects to represent their experience on projects similar in nature to the subject project.

After careful review of the qualifications and experience of the low bidder, and based on work performed on previous projects for the City, we recommend that the City award the project to Saboungi Construction, Inc. for the amount of \$824,799.42 as shown on the attached certified bid tabulation.

We look forward to assisting the City during the construction phase of this project. Please call our office if there are questions.

Respectfully,
QUENTIN L. HAMPTON ASSOCIATES, INC.


Andrew M. Giannini, P.E.
Project Manager

AMG:el

Enclosure: Certified Bid Tabulation

cc: Pat Drosten, City of New Smyrna Beach

**NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FLORIDA**

Engineers Certification

I hereby certify that this is a true and correct tabulation of the bids received. If applicable, unit prices were assumed to prevail in correcting any mathematical errors made by bidders. Owner may choose to award bid based upon original submitted totals.

 10-22-19 Date
 Andrew M. Giannini, P.E. * No 46601
 Quentin L. Hampton Associates, Inc. *
 Florida Registration No. 46601 STATE OF FLORIDA


Saboungi Construction C&L Landscape General Mechanical

Item	Description/Payment and Performance Bonds	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1	Mobilization/Payment and Performance Bonds	1 LS	\$ 79,950.00	\$ 79,950.00	\$ 96,000.00	\$ 96,000.00	\$ 66,000.00	\$ 66,000.00
2	Pre-Construction Video	1 LS	\$ 550.00	\$ 550.00	\$ 1,200.00	\$ 1,200.00	\$ 600.00	\$ 600.00
3	Maintenance of Traffic	1 LS	\$ 3,300.00	\$ 3,300.00	\$ 2,500.00	\$ 2,500.00	\$ 6,000.00	\$ 6,000.00
4	Demolition, Clearing and Disposal	1 LS	\$ 17,300.00	\$ 17,300.00	\$ 31,287.50	\$ 31,287.50	\$ 11,760.00	\$ 11,760.00
5	Excavation, Grading and Embankment	1 LS	\$ 25,800.00	\$ 25,800.00	\$ 18,500.00	\$ 18,500.00	\$ 23,688.00	\$ 23,688.00
6	Storm Pipe							
	a. 15" RCP	180 LF	\$ 52.00	\$ 9,360.00	\$ 60.00	\$ 10,800.00	\$ 57.60	\$ 10,368.00
7	Storm Structure							
	a. FDOT Type E	4 EA	\$ 2,310.00	\$ 9,240.00	\$ 2,250.00	\$ 9,000.00	\$ 2,520.00	\$ 10,080.00
	b. Rock Weir	1 LS	\$ 2,000.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00	\$ 2,160.00	\$ 2,160.00
	c. Flume	2 EA	\$ 1,320.00	\$ 2,640.00	\$ 1,750.00	\$ 3,500.00	\$ 1,440.00	\$ 2,880.00
8	Lift Station Mods including pumps, control and valve	1 LS	\$ 9,130.00	\$ 9,130.00	\$ 18,000.00	\$ 18,000.00	\$ 12,332.40	\$ 12,332.40
9	Road Base including tack coat	8200 SY	\$ 15.40	\$ 126,280.00	\$ 8.00	\$ 65,600.00	\$ 21.60	\$ 177,120.00
10	Asphaltic Concrete, 2" Type S-1	8200 SY	\$ 10.40	\$ 85,280.00	\$ 9.75	\$ 79,950.00	\$ 18.00	\$ 147,600.00
11	Concrete Sidewalk							
	a. 4" Thick, 3000 psi w/WWF	350 SY	\$ 25.80	\$ 9,030.00	\$ 36.00	\$ 12,600.00	\$ 36.00	\$ 12,600.00

**NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FLORIDA**

Saboungi Construction

C&L Landscape

General Mechanical

Item	Description	Qty	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
	b. 8" Thick, 5000 psi Concrete Curb	50	SY	\$ 47.00	\$ 2,350.00	\$ 38.00	\$ 1,900.00	\$ 88.80	\$ 4,440.00
12	Concrete Curb								
	a. Environmental	280	LF	\$ 17.50	\$ 4,900.00	\$ 16.00	\$ 4,480.00	\$ 19.20	\$ 5,376.00
	b. 6" Vertical (contingency item)	200	LF	\$ 35.50	\$ 7,100.00	\$ 12.00	\$ 2,400.00	\$ 12.00	\$ 2,400.00
13	Outdoor shower including floor drain and pipe	1	LS	\$ 7,130.00	\$ 7,130.00	\$ 8,600.00	\$ 8,600.00	\$ 3,600.00	\$ 3,600.00
14	Handrails								
	a. Timber and cable type on New Concrete Cap	145	LF	\$ 56.00	\$ 8,120.00	\$ 73.00	\$ 10,585.00	\$ 174.00	\$ 25,230.00
	b. Aluminum on Existing Dock Access Ramp	60	LF	\$ 78.00	\$ 4,680.00	\$ 110.00	\$ 6,600.00	\$ 176.16	\$ 10,569.60
15	Restroom Building including plumbing and electric	1	LS	\$ 96,500.00	\$ 96,500.00	\$ 125,600.00	\$ 125,600.00	\$ 105,600.00	\$ 105,600.00
16	Concrete Cap and Deadman System Replacement (includes Concrete Cap)	180	LF	\$ 500.00	\$ 90,000.00	\$ 385.00	\$ 69,300.00	\$ 265.20	\$ 47,736.00
17	Seawall Construction (UC50) with Concrete Cap	20	LF	\$ 950.00	\$ 19,000.00	\$ 925.00	\$ 18,500.00	\$ 1,587.60	\$ 31,752.00
18	Rock Revetment	15	SY	\$ 220.00	\$ 3,300.00	\$ 95.00	\$ 1,425.00	\$ 240.00	\$ 3,600.00
19	Wood Pier	1	LS	\$ 72,320.00	\$ 72,320.00	\$ 129,300.25	\$ 129,300.25	\$ 87,379.20	\$ 87,379.20
20	10" dia. X 25' Long Timber Piles with wrapping	11	EA	\$ 1,210.00	\$ 13,310.00	\$ 650.00	\$ 7,150.00	\$ 1,020.00	\$ 11,220.00
21	Wrapping Existing Piles	16	EA	\$ 1,210.00	\$ 19,360.00	\$ 250.00	\$ 4,000.00	\$ 240.00	\$ 3,840.00
22	Dumpster Enclosure	1	LS	\$ 7,260.00	\$ 7,260.00	\$ 8,500.00	\$ 8,500.00	\$ 12,360.00	\$ 12,360.00
23	Site Electrical/Lighting	1	LS	\$ 5,169.00	\$ 5,169.00	\$ 8,900.00	\$ 8,900.00	\$ 1,410.00	\$ 1,410.00
	a. UCNSB Fees for light pole	1	LS	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73
	b. UCNSB Electrical Connection Fees	1	LS	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69
24	Striping and Signage	1	LS	\$ 3,400.00	\$ 3,400.00	\$ 10,500.00	\$ 10,500.00	\$ 6,630.00	\$ 6,630.00

**NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FLORIDA**

Saboungi Construction

C&L Landscape

General Mechanical

Item	Description	Qty	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
25	Trash Receptacle	5	EA	\$ 1,030.00	\$ 5,150.00	\$ 1,000.00	\$ 5,000.00	\$ 990.00	\$ 4,950.00
26	Landscape and Irrigation including Sod	1	LS	\$ 14,960.00	\$ 14,960.00	\$ 12,500.00	\$ 12,500.00	\$ 15,360.00	\$ 15,360.00
27	Layout and As-built Drawings	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 9,500.00	\$ 9,500.00	\$ 16,800.00	\$ 16,800.00
28	Environmental Compliance	1	LS	\$ 5,300.00	\$ 5,300.00	\$ 4,500.00	\$ 4,500.00	\$ 1,080.00	\$ 1,080.00
29	Unsuitable Material Excavation/Replacement	10	CY	\$ 55.00	\$ 550.00	\$ 12.00	\$ 120.00	\$ 90.00	\$ 900.00
30	Rock Excavation	10	CY	\$ 55.00	\$ 550.00	\$ 45.00	\$ 450.00	\$ 96.00	\$ 960.00
31	Bulk Concrete	100	CY	\$ 120.00	\$ 12,000.00	\$ 225.00	\$ 22,500.00	\$ 149.50	\$ 14,950.00
32	Field Locate and Expose Existing Utilities	1	LS	\$ 900.00	\$ 900.00	\$ 2,500.00	\$ 2,500.00	\$ 600.00	\$ 600.00
33	Compliance with Florida Trench Safety Act	1	LS	\$ 700.00	\$ 700.00	\$ 300.00	\$ 300.00	\$ 600.00	\$ 600.00
34	Picnic Pavilion including two (2) picnic tables	1	LS	\$ 16,260.00	\$ 16,260.00	\$ 16,500.00	\$ 16,500.00	\$ 12,600.00	\$ 12,600.00
35	Bike Rack	1	LS	\$ 940.00	\$ 940.00	\$ 500.00	\$ 500.00	\$ 600.00	\$ 600.00
36	Park Bench	6	EA	\$ 1,280.00	\$ 7,680.00	\$ 900.00	\$ 5,400.00	\$ 990.00	\$ 5,940.00
	TOTAL BID				\$ 824,799.42		\$ 849,998.17		\$ 922,721.62

Saboungi - Corrected Total Bid Shown

**NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FLORIDA**

Haycock Construction

Masci Corporation

A.G. Pifer

Item	Description	Qty	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
14	Handrails								
	a. Timber and cable type on New Concrete Cap	145	LF	\$ 127.00	\$ 18,415.00	\$ 95.77	\$ 13,886.65	\$ 86.25	\$ 12,506.25
	b. Aluminum on Existing Dock Access Ramp	60	LF	\$ 130.00	\$ 7,800.00	\$ 97.25	\$ 5,835.00	\$ 98.75	\$ 5,925.00
15	Restroom Building including plumbing and electric	1	LS	\$ 110,348.00	\$ 110,348.00	\$ 183,200.00	\$ 183,200.00	\$ 160,326.25	\$ 160,326.25
16	Concrete Cap and Deadman System Replacement (includes	180	LF	\$ 577.00	\$ 103,860.00	\$ 358.90	\$ 64,602.00	\$ 625.00	\$ 112,500.00
17	Seawall Construction (UC50) with Concrete Cap	20	LF	\$ 1,298.00	\$ 25,960.00	\$ 1,635.70	\$ 32,714.00	\$ 1,487.50	\$ 29,750.00
18	Rock Revetment	15	SY	\$ 173.00	\$ 2,595.00	\$ 85.00	\$ 1,275.00	\$ 487.50	\$ 7,312.50
19	Wood Pier	1	LS	\$ 50,185.00	\$ 50,185.00	\$ 132,500.00	\$ 132,500.00	\$ 78,300.00	\$ 78,300.00
20	10" dia. X 25' Long Timber Piles with wrapping	11	EA	\$ 1,048.56	\$ 11,534.16	\$ 1,310.00	\$ 14,410.00	\$ 2,625.00	\$ 28,875.00
21	Wrapping Existing Piles	16	EA	\$ 288.40	\$ 4,614.40	\$ 750.00	\$ 12,000.00	\$ 737.50	\$ 11,800.00
22	Dumpster Enclosure	1	LS	\$ 12,968.00	\$ 12,968.00	\$ 5,210.00	\$ 5,210.00	\$ 11,400.00	\$ 11,400.00
23	Site Electrical/Lighting	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 5,595.00	\$ 5,595.00	\$ 17,875.00	\$ 17,875.00
	a. UCNSB Fees for light pole	1	LS	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73	\$ 824.73
	b. UCNSB Electrical Connection Fees	1	LS	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69	\$ 225.69
24	Striping and Signage	1	LS	\$ 4,118.00	\$ 4,118.00	\$ 4,320.00	\$ 4,320.00	\$ 6,906.25	\$ 6,906.25
25	Trash Receptacle	5	EA	\$ 953.00	\$ 4,765.00	\$ 923.00	\$ 4,615.00	\$ 1,156.25	\$ 5,781.25
26	Landscape and Irrigation including Sod	1	LS	\$ 12,866.00	\$ 12,866.00	\$ 30,000.00	\$ 30,000.00	\$ 13,646.25	\$ 13,646.25
27	Layout and As-built Drawings	1	LS	\$ 3,368.00	\$ 3,368.00	\$ 12,900.00	\$ 12,900.00	\$ 16,900.00	\$ 16,900.00
28	Environmental Compliance	1	LS	\$ 14,550.00	\$ 14,550.00	\$ 12,390.00	\$ 12,390.00	\$ 3,750.00	\$ 3,750.00
29	Unsuitable Material Excavation/Replacement	10	CY	\$ 35.00	\$ 350.00	\$ 25.00	\$ 250.00	\$ 168.75	\$ 1,687.50
30	Rock Excavation	10	CY	\$ 35.00	\$ 350.00	\$ 25.00	\$ 250.00	\$ 287.50	\$ 2,875.00

**NORTH CAUSEWAY BOAT RAMP PARK IMPROVEMENTS
CITY OF NEW SMYRNA BEACH, FLORIDA**

Haycock Construction

Masci Corporation

A.G. Pifer

Item	Description	Qty	Unit	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
31	Bulk Concrete	100	CY	\$ 144.00	\$ 14,400.00	\$ 140.00	\$ 14,000.00	\$ 127.50	\$ 12,750.00
32	Field Locate and Expose Existing Utilities	1	LS	\$ 2,307.00	\$ 2,307.00	\$ 5,000.00	\$ 5,000.00	\$ 1,875.00	\$ 1,875.00
33	Compliance with Florida Trench Safety Act	1	LS	\$ 1,153.00	\$ 1,153.00	\$ 5,000.00	\$ 5,000.00	\$ 1,875.00	\$ 1,875.00
34	Picnic Pavilion including two (2) picnic tables	1	LS	\$ 10,111.00	\$ 10,111.00	\$ 33,210.00	\$ 33,210.00	\$ 18,650.00	\$ 18,650.00
35	Bike Rack	1	LS	\$ 882.00	\$ 882.00	\$ 1,325.00	\$ 1,325.00	\$ 2,150.00	\$ 2,150.00
36	Park Bench	6	EA	\$ 1,018.00	\$ 6,108.00	\$ 1,332.00	\$ 7,992.00	\$ 2,750.00	\$ 16,500.00
	TOTAL BID				\$ 924,628.58		\$ 1,013,663.57		\$ 1,228,757.53



To
Michelle +
Debra Banks

(Cover etc
for next
CM report)

October 23, 2014

Ms. Pam Brangaccio, City Manager
City of New Smyrna Beach
210 Sams Avenue
New Smyrna Beach, FL 32168-9985

**Re: FY 2014/15 Community Development Block Grant (CDBG)
Subrecipient Agreement and Authorization to Proceed**

Dear Ms. Brangaccio:

The following activities the City of New Smyrna Beach has planned for the 2014/15 fiscal year has been environmentally cleared in accordance with Code of Federal Regulations (CFR) Part 58. This letter constitutes an authorization to proceed with the activities.

Activity Description	Budget
Park Improvement- Pettis Park	\$30,000
Code Enforcement	\$25,000
Public Services- PAL After School Program	\$50,000
Public Services- Atlantic Arts Mural Program	\$6,484
Total	\$111,484

Please note that if the City is responsible for construction activities where federal funds will be used, in full or in part, to pay for the project costs, the City must comply with all Davis-Bacon Labor Standards and Minority/Women's Business Enterprise (MWBE) affirmative marketing requirements. If you have questions regarding Davis-Bacon or MWBE compliance, please contact the CDBG Capital Projects Coordinator, James Lynam, at (386) 736-5955, extension 13236.

Further, for all capital projects, the City must be responsible for contacting the CDBG Capital Projects Coordinator prior to implementing any phase of the construction. The City must also inform and include the Capital Projects Coordinator in all pre-bid, pre-construction, or any other applicable meetings related to any capital project.

Monthly status reports of all CDBG activities are required regardless of the level of activity or costs incurred. The status report should include any progress that has been made in meeting the objectives listed in Attachment 1 – Statement of Work included in the agreement.

Should you have any questions regarding the information contained herein, please feel free to contact me at (386) 736-5955, extension 12970.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corry Brown".

Corry Brown, CDBG Coordinator
Housing and Grants Administration

Cc: Donna Banks, Community Resource Coordinator

Background:

The City of New Smyrna Beach is a premier beach and riverfront community of 23,398 located on Florida's east coast Central Florida. The City is approximately 38 square miles in size, in the County of Volusia, just north of Cape Canaveral with easy access to both Interstate 95 and Interstate 4. The City is 15 miles south of Daytona Beach, and 56 miles east of Orlando. New Smyrna includes 7 miles of beachfront property and 8 miles or riverfront property along the Indian River.

The City, as a very popular tourist destination, has a total of 24 parks including a multi-field 68-acre Sports Complex, a dog park, skateboard park, beachfront and riverfront parks. The Parks' Division Mission is to provide safe, accessible and inviting parks and public spaces where quality of place, service, and stewardship meet. Our Goals are:

- Keep all the City Parks clean, safe and in usable condition for everyone to enjoy;
- Provide excellent public service to create a positive experience;
- Create a Culture of Sustainability – Manage our Parks and green spaces in a sustainable manner;
- Ensure Fiscal Responsibility – Manager our Parks efficiently.

The City presently does not have a Universally Accessible playground to provide a safe and enjoyable atmosphere and place for children with special needs. We are planning to replace a 17-year playground structure at Rocco Park with a new Universally Accessible playground structure and make associated overall improvements to this Park.

Scan and email your application to grant@gametime.com or fax your completed application to 423-648-5902.

Instructions

Read carefully

Please complete the appropriate sections of the application form. Once completed, validate the information by means of the project administrator's signature. Immediately return the completed and signed application form to your GameTime representative.

Project Info

List contact info and address of your project

Project Name: Rocco Park **Type:** Replacement playground
Address: 2490 Sunset Drive
City: New Smyrna Beach **State:** FL **Zip:** 32168
Contact Person: Faith G. Miller **Title:** Maint. Operations Mgr.
Phone: 386-424-2202 **Fax:** 386-424-2198 **E-mail:** f.miller@cityofnsb.com

Background

Please provide a description of your organization, its goals, and why it should be considered for a grant.

See attached

Site Info

List specific info about the area in which the play equipment will be located

Number of players: 100 **Age range:** 5-12 **Total play area size:** 2,340 sq. ft. **Is the site level?:** Yes
Special site conditions: (utilities, retaining walls, soil conditions, excessive slope, concrete slab, etc.)
Existing playground structure, tire swing, & swing set approx. 17 yrs. old

Budget Info

List your actual contribution to the play equipment purchase only.

Dollar Amount you want GameTime to match: \$40,000

Equipment Choices

Consult your GameTime catalog for complete product information and model numbers.

Equipment Selection:
2014 Catalog Model #: G195091 Playful
5033 - Blue
Find a unit with these play events:

Rules & Limitations

Read carefully

Grant Rules and Limitations:
 GameTime grants can only be applied to additional GameTime purchases and only in conjunction with the original purchase. GameTime standard policies and warranties as listed in the 2014 GameTime Playground Design Guide apply. Freight and applicable sales tax are extra and not included. To qualify for a 100% matching grant, list price of the qualifying playground system must exceed \$75,000 and payment in full must accompany your order. For play systems that require credit terms or for systems with a list price of less than \$75,000, GameTime playground grants are available with matching funds ranging between 50-80%. Matching funds are subject to rounding rules and may vary based on qualified purchase. No other offer, discount, or special programs can be used with this grant program. This special matching fund offer applies to PowerScape®, PrimeTime®, and Xscape® systems only. All applications must be validated by the project administrator. GameTime reserves the right to decline any application for a GameTime grant. Orders accepted by GameTime must ship by December 31, 2014. This offer expires November 14, 2014

Authorization Signature

Project administrator's signature

Authorized Signature: Pam Brangaccio **Date:** 10/23/14
Name (please print): Pam Brangaccio **Title:** City Manager

Criteria of acquiring properties within the City of New Smyrna Beach

The following is draft criteria for acquiring properties which have been subject to flooding:

- **Purchases will be made only upon determination of sufficient public benefit at the sole discretion of the City Commission.**
- **Purchases are contingent upon appropriation of stormwater revenues.**
- **Only properties ineligible for FEMA funding, as determined by City staff analysis, will be eligible to apply for City purchase.**
- **Objective evidence of flooding of a habitable structure at least twice (through insurance claims, photographs, newspaper stories, other independent documentation) is required.**
- **Property must be contiguous to City right-of-way.**
- **Only properties with single and duplex family houses are eligible.**
- **Purchase of the property will provide material benefit to the function of the City maintained drainage/stormwater management system.**
- **The City will obtain two appraisals of the property before considering a negotiated purchase of property.**

**CITY OF NEW SMYRNA BEACH,
FLORIDA**



RFQ#

**REQUEST FOR QUALIFICATIONS
CONTINUING CONSULTANT SERVICES**

**Islesboro Subdivision Stormwater
Management Improvements Design**

**Proposals must be submitted by:
December 4, 2014 by 2:00 p.m.**

**Pat Drosten, Purchasing Coordinator
210 Sams Ave
New Smyrna Beach, FL 32168**

RFQ#
Islesboro Subdivision Stormwater
Management Improvements Design

Closing Date: Thursday, December 4, 2014 by 2:00pm

PURPOSE

The City of New Smyrna Beach requires professional consulting engineering and related services as defined by FS 287.055(2)g. The engineering services are specific to the scope of work necessary to implement and complete the Islesboro Subdivision Stormwater Management Improvements Design.

SCOPE OF WORK

The professional services will include the surveying, sub-surface exploratory work, geotechnical, planning, design, permitting and preparation of construction documents for the Islesboro Subdivision Stormwater Management Improvements Design:

Primary services required include civil engineering services, with emphasis on stormwater management and drainage design within urban areas. Therefore, the firm must have an Engineering Certificate of Authorization in the State of Florida.

Consultants must be experienced in providing investigation, evaluation, design, permitting, construction administration, and project management services for municipal/public works projects. Consultants must also demonstrate the ability to perform Civil Stormwater Modeling, and be familiar with St. Johns River Water Management District's as well as the Florida Department of Environmental Protection's permitting criteria.

HISTORY

The Islesboro Subdivision is primarily a residential area comprising of approximately 446 acres located on the north side of the City and essentially bordered by the Turnbull Creek to the west, Art Center Road to the north, US 1 to the east and South Street to the south. The subdivision was platted and single family homes were developed without an overall stormwater master plan although several pond and treatment systems exist throughout the neighborhood, which were implemented primarily as shellrock roads were paved.

Islesboro Subdivision Stormwater Management Improvements project shall be comprehensive of the overall area taking into account existing infrastructure and the constraints of the unimproved sections of the subdivision. Consultants will be required to address in their proposals and during the presentations their expertise and the level of technical staff available to work on this project.

There are some existing stormwater and drainage improvements within the subdivision that will need to be accounted for in the final design. In particular the City experienced flooding September 23 and 24, 2014 during an unusual rain event that resulted in several homes realizing water and properties being inundated in particular in the 2600 block of Fairmont & Westwood Avenues.

The consultant is expected to attend at least four (4) public meetings during design and preparation of construction plans.

PRE-SUBMITTAL CONTACT

Pat Drosten, Purchasing Coordinator, is designated as the point of contact for the project. If technical or procedural questions arise, Ms. Drosten is the only City representative who will respond. She can be reached at:

Pat Drosten, Purchasing Coordinator
210 Sams Avenue
New Smyrna Beach, FL 32168
Ph: 386-424-2121 Fax: 386-424-2270
pdrosten@cityofnsb.com

Consultants shall submit their questions in writing only.

Consultants are instructed to contact only the designated point of contact. NO OTHER CITY EMPLOYEES MAY BE CONTACTED ABOUT THIS PROPOSAL DURING THE SELECTION PROCESS.

INSTRUCTIONS TO PROPOSERS

Firms or companies desiring to provide services as described herein shall submit proposals in an original and three (3) copies no later than the aforementioned date and time to the attention of:

RFQ#
Pat Drosten, Purchasing Coordinator
City Hall
210 Sams Avenue
New Smyrna Beach, FL 32168

1. Proposals received after the specified time and date shall be returned unopened.
2. Consultants must submit ONLY the attached forms in the same order as presented herein. The forms attached are as follows: A, B, C, D and E. Forms must be completed in their entirety.
3. Consultants are permitted to reproduce or recreate the forms in the exact format as shown. Completed qualification packages must be submitted on white 8½" x 11" paper using black ink only. Font size must be no less than 10 point on any form or page.
4. Consultants are instructed to submit GSA Standard Form SF330.
5. Consultants are instructed NOT to fax their proposal.
6. Consultants must indicate on their proposal the following:

- **STATEMENT OF QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES**
- Date of Opening
- Name of Consultant
- Return Address of the Consultant

BRIBERY AND LOBBY CLAUSE

By submission of a statement of qualification response, the prospective company certifies that no one in their organization, any affiliate or sub-consultant has bribed or lobbied, or attempted to bribe or lobby any employee of the City of New Smyrna Beach.

INSURANCE REQUIREMENTS

Listed below are various insurance requirements that must be met by the company that the City contracts with for services. Your company **is not required** to submit proof of insurance with this RFQ however, failure to provide proof of insurance as prescribed by this document no later than three (3) working days after your company is notified that it has received a first place ranking will automatically disqualify your firm from further consideration.

Workmen's compensation insurance in accordance with the laws of the State of Florida sufficient to secure the benefits of the Florida Workmen's Compensation Law for all employees of the Contractor and employer's liability coverage providing limits as specified in the following paragraph:

Comprehensive General Liability	\$1,000,000 per person
Bodily Injury, including Death	\$1,000,000 each occurrence
Property Damage	\$1,000,000 each occurrence
	\$1,000,000 aggregate
Comprehensive Auto	
Auto Liability	\$ 500,000 each person
Bodily Injury, including Death	\$ 500,000 each occurrence
Property Damage	\$ 200,000 each accident
Professional Liability: (errors and omissions)	\$1,000,000 (Minimum)

Furthermore, the Consultant will be required to indemnify, hold harmless, and defend the City of New Smyrna Beach, and their officer and directors, representatives, and employees from any and all suits or claims for damages or injuries, including death, to any and all persons or property, arising out of the Consultant's work, product, services or operations under this procurement including any negligent act or omission on the part of the selected firm or its subconsultants, if any.

TAXES

The City of New Smyrna Beach is exempt from any taxes imposed by the State of Florida and/or Federal Government. Exemption certificates will be provided upon request. State Sales Tax Exemption Certificate No. 85-8012621648C-1 applies and appears on each purchase order. Federal Employer ID Number is: 596000387.

VENUE

Venue for any legal proceeding arising from any contract or agreement resulting from this RFQ shall be in a court of competent jurisdiction located in Volusia County, Florida.

APPLICABLE LAWS AND REGULATIONS

The selected individual / firm shall comply with all federal, state and local laws, rules and regulations which may apply.

TERMS AND CONDITIONS

1. Selection shall be in accordance with F.S. 287.055, the Consultant's Competitive Negotiation Act (CCNA), and the City's standard selection procedures.
2. The City reserves the right to determine whether the consultant's responses are adequate or inadequate, complete or incomplete, and to determine what constitutes the grounds for disqualification of a consultant who may submit inadequate or incomplete responses. The City reserves the right to determine if a proposal is unresponsive. The City may disqualify a consultant who submits a proposal determined by the City to be unresponsive or which contains insufficient, inadequate, or incomplete responses. The City Manager shall make such determinations and will rely on the staff selection committee for input in this matter.
3. The City reserves the right to request clarification of information submitted and to request additional information from consultants after the deadline for receipt of qualifications.
4. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entry in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.
5. Any proposal may be withdrawn until the date and time set above for submission of the proposals.
6. Costs of preparation of a response to this RFQ are solely those of the proposer and the City assumes no responsibility for any such costs incurred by the proposer.
7. Consultants shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age, or national origin. Consultants will take affirmative action to ensure that minority and disadvantage applicants are employed and employees are treated during their employment without regard to race, religion, color, sex, age, or national origin.
8. The consultant understands that this RFQ does not constitute an agreement or contract with the City.

9. Any consultant, who submits in its proposal to the City any information that is determined by the City to be substantially inaccurate, misleading, exaggerated, or incorrect, may be disqualified from consideration. The City Manager will determine if a consultant will be disqualified.

EVALUATION CRITERIA

During the evaluation process the following key considerations will be made:

1. Minimum requirements to qualify:
 - The prime consultant must be a licensed Engineering Business in the State of Florida and have a licensed Professional Engineer in the local office.
 - The prime consultant’s local office location to New Smyrna Beach City limits is taken into consideration although not a key component and, if compliant must be within 40 miles of the City limits.
 - The prime consultant’s principal-in-charge must be located in the local office. This person must be authorized to negotiate fees, contracts, staffing commitments, etc. on behalf of the firm to satisfy the requirements of the contract. In addition, the office must be staffed with clerical and technical support, and appropriate office, computer, and CAD software for successful completion of assigned City projects.
 - Secondary services can be performed at other office locations outside the 40-mile driving distance.
 - The affiliation and location of all team members must be clearly indicated on the accompanying forms.
 - The contract between the City and the selected consultant(s) will include limitations on markup of subcontracted services. A mark up limit of 10% is allowed.
 - The qualifications will be reviewed and evaluated in accordance with the following criteria:

<u>Criteria</u>	<u>Points</u>
Ability of Professional Personnel (to include past performance and experience)	25
Past Performance and Experience – Firm	25
Ability to Complete Projects on Time	20
Ability to Complete Projects Within Budget	15
Current and Projected Workloads	10
Location of Local Office (See schedule)	<u>5</u>
TOTAL	100

In the Event of a Tie, Volume of Work Previously Awarded

This rating will be used to separate firms in the event there is a tie score after the previous six (6) evaluation criteria scores are totaled, by giving an advantage to those firms that have not done work with the City within the previous 10 years. Firms that have done no work within the last 10 years may receive 3 points; firms having performed work in the last 10 years, 0 points. It should be noted that should two (2) firms be tied for first rank, this rating would separate them, ranking the lower score in

second place. This criterion will likewise be used to differentiate between the second and third place, and third and fourth place firms where ties exist. The only time a firm would “drop off” the short list of a committee member would be in the event of a third place tie, where this factor would be used to separate the third place firms into third and fourth place.

Local Office Location Schedule:

	<u>Points</u>
Office established within limits of City of New Smyrna Beach 6 months prior to the proposal	5
Outside City limits, but within 40 miles	3
Greater than 40 miles from City limits	0

The statement of qualifications/proposals from the respondents are scheduled initially to be reviewed by the Review and Selection Committee, composed of four (4) members consisting of the City Engineer, Operations Maintenance Manager, Chief Planner and Director of Economic Development.

The tentative schedule for the selection process is as follows:

RFQ submittal date:December 4th, 2014
 Review and Selection Committee Determination: December 18th, 2014
 Consultant Presentations:.....January 5th, 6th, 7th, 2015
 Agenda deadline for City Commission Approval:.....January 27th, 2015
 City Commission Approval:February 10th, 2015

- - - END OF SECTION - - -

**REQUEST FOR QUALIFICATIONS
CENTRAL BEACH FLOOD MITIGATION PROJECT PHASE III
CITY OF NEW SMYRNA BEACH, FLORIDA
CLOSING DATE: December 4th, 2014
TIME: 2:00 PM**

NAME OF FIRM: _____

ADDRESS: _____

PHONE NUMBER: _____

FAX NO: _____

EMAIL: _____

CONTACT PERSON: _____

TITLE: _____

PAST PERFORMANCE EXPERIENCE FOR THE FIRM – SIMILAR CONTINUING CONSULTANT PROJECTS

List a minimum of one and maximum of five projects completed in Florida most closely related to the referenced scope of work that the designated office of your firm has completed in the past five years.

PROJECT NAME/OWNER	BRIEF DESCRIPTION	REFERENCE NAME, ADDRESS, PHONE NUMBER	CONSTRUCT- ION COST	CHANGE ORDER HISTORY	PROJECT COMPLETION DATE	CONSULTANT OF RECORD

LOCATION

Please provide the following information on the location of the prime consultant's office and provide list of firms you may use for Surveying or other secondary services.

TEAM MEMBER/FIRM NAME	OFFICE LOCATION	NO. OF PERSONNEL			NO. OF YEARS IN BUSINESS AT THIS LOCATION
		PROFESSIONAL	TECHNICAL SUPPORT	OFFICE SUPPORT	
Primary Services Office					
Satellite Offices(s)					
Secondary Services (may list more than one firm for each type of service) Surveying					
Traffic					
Landscape Architect					
Geotechnical					

CONFLICT OF INTEREST AND LITIGATION STATEMENT

The conflict of interest, litigation, and MBE statements are for informational purposes only and will not be used in the initial scoring process.

Please mark one of the following:

- To the best of our knowledge, the undersigned firm has no potential conflicts of interest due to any other clients, contracts, or property interest for this project.
- The undersigned firm, by attachment to this form, submits information which may be a potential conflict of interest due to other clients, contracts, or property interest for this project.

Please mark one of the following:

- The undersigned firm has had no litigation on any design projects in the last five years.
- The undersigned firm, by attachment to this form, submits a summary and disposition of individual cases of litigation during the past five years.

The City reserves the right to request additional information on these subjects and also to eliminate any firm from the selection process that has material conflict(s) of interest or a history of litigation resulting from engineering errors or omissions or unethical or illegal business practices. The City Manager shall make any such determination.

MINORITY BUSINESS ENTERPRISE

State whether your firm, or any firm to which you may subcontract services related to this project, is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985.

Prime Consultant: _____

Subcontracted Services: _____

**REQUEST FOR QUALIFICATIONS TO PROVIDE
PROFESSIONAL ENGINEERING SERVICES**

**COMPANY'S REPRESENTATIVE WHO IS AUTHORIZED
TO SUBMIT THIS STATEMENT OF QUALIFICATIONS**

COMPANY NAME _____

AUTHORIZED SIGNATURE _____

NAME (PRINT OR TYPE) _____

TITLE _____

DATE _____