



Mayor
WILLIAM CAPOTE

Deputy Mayor
KENNY JOHNSON

Councilmembers
HARRY SANTIAGO, JR.
JEFF BAILEY
BRIAN ANDERSON

120 Malabar Road, SE - Palm Bay, FL 32907
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AGENDA

SPECIAL COUNCIL MEETING 2020-10

WEDNESDAY

April 8, 2020 – 6:00 P.M.

City Hall Council Chambers

CALL TO ORDER:

ROLL CALL:

CONSENT AGENDA:

There will be no separate discussion on those items listed under Consent Agenda (indicated with asterisks(*)). They will be enacted by the City Council on one motion. If discussion is desired by the City Council, that item will be removed from the Consent Agenda by Council and will be considered in the order that it appears on the agenda.

ADOPTION OF MINUTES:

- *1. Regular Council Meeting 2020-06; March 19, 2020.
- *2. Special Council Meeting 2020-08; March 25, 2020.
- *3. Special Council Meeting 2020-09; April 1, 2020.

PUBLIC COMMENTS:

PROCUREMENT(S):

Award of Bid(s):

- *1. Safe Routes to School sidewalk construction; Columbia, Discovery, Jupiter, Christa McAuliffe and Port Malabar Elementary Schools – IFB 19-0-2020 – Public Works Department (Gregori Construction - \$2,185,984).

THIS MEETING IS BROADCAST LIVE ON THE CITY'S WEBSITE

- *2. Ditch maintenance service, various canals located in the northeast and southeast part of the City – IFB 28-0-2020 – Public Works Department (Universal Contracting and Construction, Inc. - \$407,528).
- *3. Culvert pipe replacement, portion of Waterbury and Freehold Avenues – IFB 33-0-2020 – Public Works Department (Hinterland Group, Inc. - \$696,863.10).
- *4. Culvert pipe replacement, portion of Jacobin Street – IFB 34-0-2020 – Public Works Department (AG-Scape Services, Inc. dba Florida Site Contracting - \$296,998).

Miscellaneous:

- *1. Preliminary design investigation for proposed upgrades, North Regional Wastewater Treatment Plant – TO 01-2019-002 – Utilities Department (Tetra Tech, Inc. - \$59,695).
- 2. Engineering services during construction, South Regional Water Reclamation Facility – TO 20-05 – Utilities Department (Wade Trim - \$1,896,353).

BUSINESS:

- 1. Resolution 2020-11, amending Resolution 2020-09, as amended, extending the State of Local Emergency as declared by Legislative Order D-2020-01.
- 2. Resolution 2020-12, establishing procedures by which public virtual meetings shall be held pursuant to Executive Order 20-69.

ADJOURNMENT:

Pursuant to Section 286.011, Florida Statutes, and Executive Order 20-69, notice is hereby given that the City of Palm Bay shall hold the above public meeting on April 8, 2020, beginning at 6:00 P.M. and lasting until the meeting is complete. The meeting will be conducted via communications media technology (teleconference/video conference).

Public comments may be submitted via email at publiccomments@palmbayflorida.org. Members of the public may also call (321) 726-2740 to provide comments via a dedicated City of Palm Bay public comment voicemail. All comments submitted will be included as part of the public record for this virtual meeting and will be considered by the City Council prior to any action taken. Comments must be received at least twenty-four (24) hours prior to the meeting and shall have a time limit of three (3) minutes.

If an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a record of the proceedings will be required, and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based (Section 286.0105, Florida Statutes). Such person must provide a method for recording the proceedings verbatim.

In accordance with the Americans with Disabilities Act, persons needing special accommodations for this meeting shall contact the Office of the City Clerk at (321) 952-3414 or Florida Relay System at 711.

CITY OF PALM BAY, FLORIDA

REGULAR COUNCIL MEETING 2020-06

Held on Thursday, the 19th day of March 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

Mayor Capote gave the invocation which was followed by the Pledge of Allegiance to the Flag.

ROLL CALL:

MAYOR:	William Capote	Present
DEPUTY MAYOR:	Kenny Johnson	Present
COUNCILMEMBER:	Harry Santiago, Jr.	Present
COUNCILMEMBER:	Jeff Bailey	Present
COUNCILMEMBER:	Brian Anderson	Present
CITY MANAGER:	Lisa Morrell	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

Councilman Santiago participated in the meeting via teleconference.

CITY STAFF: Present was Suzanne Sherman, Deputy City Manager.

ANNOUNCEMENT(S):

Deputy Mayor Johnson announced the following vacancies and terms expiring, and solicited applications for same:

- 1. Three (3) vacancies on the Community Development Advisory Board (represents 'for-profit provider', 'actively engaged in home building', and 'employer within the City').++**
- 2. One (1) vacancy on the Youth Advisory Board (represents youth board member 'at-large' position).++**
- 3. Four (4) terms expiring on the Disaster Relief Committee.++**

4. One (1) vacancy on the Citizens' Budget Advisory Committee (represents 'at-large' position).+

AGENDA REVISION(S):

1. Mrs. Morrell announced that Item 1, under Proclamation(s), and Item 1, under Presentation(s), had been withdrawn from the agenda.

CONSENT AGENDA:

All items of business marked with an asterisk were considered under Consent Agenda and enacted by the following motion:

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, that the Consent Agenda be approved with removal of Item 1, Contract, under Procurement(s), from consent and tabled to the next regular meeting. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

PROCLAMATION(S):

1. **National Procurement Month, March 2020.** The item, announced under Agenda Revisions, was withdrawn from the agenda.

PRESENTATION(S):

1. **Ken Parks, Children's Home Society of Florida – Space Coast Circle of Heroes Challenge.** The item, announced under Agenda Revisions, was withdrawn from the agenda.

ADOPTION OF MINUTES:

***1. Regular Council Meeting 2020-05; March 5, 2020.**

The minutes, considered under Consent Agenda, were approved as presented.

PUBLIC COMMENTS/RESPONSES: (Non-agenda Items Only)

A resident made a general comment.

PUBLIC HEARING(S):

1. Ordinance 2020-06, amending the Code of Ordinances, Chapter 93, Real Property Nuisances, Subchapter 'Unsightly and Unsanitary Conditions' by modifying provisions contained therein, final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. Mrs. Morrell presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-06. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

2. Ordinance 2020-20, amending Ordinance 2019-68, which amended the Code of Ordinances, Chapter 178, Signs, by eliminating the time limit provisions related to the display of temporary signs (Case T-5-2020, City of Palm Bay), final reading.

The City Attorney read the ordinance in caption only. The public hearing was opened. Mrs. Morrell presented the request to Council. The public hearing was closed.

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-20. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

PROCUREMENT(S):

Award of Bid(s):

***1. Biosolids transportation and disposal – IFB 35-0-2020 – Utilities Department (H&H Liquid Sludge Disposal, Inc. - estimated annual amount \$107,000).**

Staff Recommendation: Approve the award for biosolids transportation and disposal to H&H Liquid Sludge Disposal, Inc. (Branford) for an estimated annual amount of \$107,000, for a one-year term contract, renewable by the Procurement Department for four (4) additional one-year terms.

The item, considered under Consent Agenda, was approved as recommended by City staff.

Award of Proposal(s):

***1. Firefighter physical exams – RFP 07-0-2020 – Fire Department (Life Extension Clinics, Inc. dba LifeScan Wellness Centers - \$116,100).**

Staff Recommendation: Approve the award for Firefighter physical exams to Life Extension Clinics, Inc. dba LifeScan Wellness Centers of Tampa in the amount of \$116,100, for an initial twenty-four (24) month period, with two (2) additional twelve (12) month renewal periods, up to a cumulative total of forty-eight (48) months.

The item, considered under Consent Agenda, was approved as recommended by City staff.

Miscellaneous:

***1. “Cooperative Purchase’, Caterpillar diesel generator, Fire Station 5 (Sourcewell contract) – Fire Department (Ring Power - \$71,268).**

Staff Recommendation: Approve the cooperative purchase of a Caterpillar diesel generator, Model D60-2LC, for Fire Station 5, utilizing the Sourcewell contract, with Ring Power (Atlanta, Georgia), in the amount of \$71,268.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***2. ‘Cooperative Purchase’, replacement vehicles (Florida Sheriffs Association contract) – Public Works Department (Duval Ford - \$177,815); authorize appropriation from General Fund.**

Staff Recommendation: Approve the cooperative purchase of six (6) Ford Ranger Super Cab 4X4 pick-up trucks and one Ford F-150 Crew Cab 4X4 pick-up truck, utilizing the Florida Sheriff's contract, from Duval Ford (Jacksonville), in the amount of \$177,815; authorize the appropriation of \$177,815 from the General Fund to purchase the vehicles.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***3. Biosolids transportation and disposal, North Regional Wastewater Treatment Plant, purchasing authority – Utilities Department (H&H Liquid Sludge Disposal, Inc. – increase of \$85,000).**

Note: The item, approved under Consent Agenda, was inadvertently considered and voted upon separately by City Council.

Staff Recommendation: Approve the increase in annual purchasing authority in the amount of \$85,000 for biosolids transportation and disposal with H&H Liquid Sludge Disposal, Inc. (Branford).

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to adopt Ordinance 2020-20. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

Contract(s):

***1. Engineering services during construction, South Regional Water Reclamation Facility – TO 20-05 – Utilities Department (Wade Trim - \$1,896,353).**

The item, announced under Consent Agenda, was tabled to the next regular Council meeting.

***2. Sewer pipe and manhole repair, Lift Station 42/Danr Drive (emergency purchase, change order) – Utilities Department (Gregori Construction - \$22,100).**

Staff Recommendation: Approve the change order for additional services to complete the sewer pipe and manhole repair with Gregori Construction Inc. (Titusville) in the amount of \$22,100.

The item, considered under Consent Agenda, was approved as recommended by City staff.

UNFINISHED AND OLD BUSINESS:

1. Appointment of two (2) members to the Police and Firefighters' Retirement Pension Plan, Board of Trustees (represents one (1) Councilmember and one (1) resident).

Motion by Deputy Mayor Johnson, seconded by Mr. Bailey, to appoint James Winfield Brock to the 'resident' position of the Board of Trustees. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

Motion by Mr. Bailey, seconded by Deputy Mayor Johnson, to appoint Mayor Capote as Council representative to the Board of Trustees. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

COUNCIL REPORTS:

Councilmembers addressed various subject matters.

NEW BUSINESS: (Ordinance is for first reading.)

***1. Resolution 2020-06, extending the commencement period for a conditional use granted for retail automotive gas/fuel sales in CC (Community Commercial District) zoning (1.5 acres)(Case CU-2-2019, Carmel Development LLC).**

The City Attorney read the resolution in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***2. Resolution 2020-07, supporting the efforts of Brevard Zoo to bring a world class aquarium to Brevard County.**

The City Attorney read the resolution in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***3. Resolution 2020-08, amending Resolution 2019-34, as amended, adopting rates, charges, and fees, for Fiscal Year 2019-2020, pursuant to the Code of Ordinances, Title XVII, Land Development Code.**

The City Attorney read the resolution in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***4. Ordinance 2020-21, amending the Code of Ordinances, Title III, Administration, by creating Chapter 39, Community and Economic Development.**

The City Attorney read the ordinance in caption only.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***5. Consideration of a budget amendment from Designated Fund Balance to SHIP Single-Family Rehabilitation, Other Current Charges, and Other Contractual Services for the purposes of SHIP programming (\$109,100).**

Staff Recommendation: Approve a budget amendment allocating \$109,100 from Designated Fund Balance to SHIP Single Family Rehabilitation, Other Current Charges and Other Contractual Services account.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***6. Consideration of expenditures from the Palm Bay Police Department's Law Enforcement Trust Fund (\$79,852).**

Staff Recommendation: Approve the expenditure of funds as specified in the City Manager's memorandum.

The item, considered under Consent Agenda, was approved as recommended by City staff.

***7. Acknowledgement of the City's monthly financial report for January 2020.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

***8. Acknowledgement of the 2019 Annual Report for the Bayfront Community Redevelopment Agency.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

***9. Acknowledgement of the 2019 Ad Valorem Tax Exemption Annual Report for L3Harris Technologies Inc.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

***10. Acknowledgement of the 2019 Ad Valorem Tax Exemption Annual Report for Midwest Dental Arts.**

The item, considered under Consent Agenda, was acknowledged by the City Council.

***11. Consideration of travel and training for specified City employees.**

Staff Recommendation: Approve the travel and training as specified.

The item, considered under Consent Agenda, was approved as recommended by City staff.

ADMINISTRATIVE AND LEGAL REPORTS:

1. Mrs. Morrell advised that all City facilities would be closed to public access effective at noon on Friday, March 20th. Many employees would be teleworking from home, but City operations would continue through April 15th. If residents needed to come to City Hall, it would be by appointment only.

Mr. Bailey asked about permitting and site inspections. Mrs. Morrell answered that home inspections, if not an emergency, would most likely be delayed. Construction and outdoor related permits and inspections would continue as normal.

Mr. Anderson asked that it be relayed to the public that if their permit expired, they would not be charged, and the City would work with those individuals. Mrs. Morrell confirmed same and added that utilities would not be shut off due to non-payment and the City would make every attempt to accommodate the needs of the residents.

Mayor Capote understood that social media was a main venue to get information out to the residents, but he wanted to ensure that all avenues were utilized, including radio. He said that many residents did not use or have access to the internet. Mrs. Morrell said staff would do its best to get information out in other ways.

PUBLIC COMMENTS/RESPONSES:

1. Peter Filiberto, resident, asked if quarantined employees could be paid from the contingency fund instead of having to use their personal time. Mrs. Morrell advised that all employees were being paid at this time and were not using any personal leave. Mr. Filiberto requested an update on the Southern Interchange. Mrs. Morrell said that staff had a brief meeting with Brevard County this week, with a follow-up conversation to occur next Wednesday. Brevard County would be providing its comments at that time.

Mr. Anderson said he had spoken to Commissioner Isnardi and the County Manager about the Interlocal Agreement (ILA) and everyone seemed to be in agreement that the next ILA draft should be fair to both entities.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 7:35 p.m.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

* Identifies items considered under the heading of Consent Agenda.

CITY OF PALM BAY, FLORIDA

SPECIAL COUNCIL MEETING 2020-08

Held on Wednesday, the 25th day of March 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

Public notice procedures for this meeting were waived pursuant to Legislative Order D-2020-01; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 7:00 P.M.

ROLL CALL:

MAYOR:	William Capote	Present
DEPUTY MAYOR:	Kenny Johnson	Present
COUNCILMEMBER:	Harry Santiago, Jr.	Present
COUNCILMEMBER:	Jeff Bailey	Present
COUNCILMEMBER:	Brian Anderson	Present
CITY MANAGER:	Lisa Morrell	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

Mayor Capote, Deputy Mayor Johnson and Councilman Bailey participated in the meeting via teleconference.

PUBLIC COMMENTS:

There were no public comments.

BUSINESS:

1. Resolution 2020-09, extending the State of Local Emergency and consideration of Discretionary Emergency Regulations declared by Legislative Order D-2020-01.

The City Attorney read the resolution in caption only.

Motion by Deputy Mayor Johnson, seconded by Mr. Santiago, to adopt Resolution 2020-09. Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 7:02 p.m.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

CITY OF PALM BAY, FLORIDA

SPECIAL COUNCIL MEETING 2020-09

Held on Wednesday, the 1st day of April 2020, at the City Hall Council Chambers, 120 Malabar Road, SE, Palm Bay, Florida.

Public notice procedures for this meeting were waived pursuant to Legislative Order D-2020-01; the minutes are on file in the Office of the City Clerk, City Hall, Palm Bay, Florida.

The meeting was called to order at the hour of 6:00 P.M.

ROLL CALL:

MAYOR:	William Capote	Present
DEPUTY MAYOR:	Kenny Johnson	Present
COUNCILMEMBER:	Harry Santiago, Jr.	Present
COUNCILMEMBER:	Jeff Bailey	Present
COUNCILMEMBER:	Brian Anderson	Present
CITY MANAGER:	Lisa Morrell	Present
CITY ATTORNEY:	Patricia Smith	Present
CITY CLERK:	Terese Jones	Present

Mayor Capote, Deputy Mayor Johnson and Councilmembers Santiago and Bailey participated in the meeting via teleconference.

PUBLIC COMMENTS:

There were no public comments.

BUSINESS:

1. Resolution 2020-10, amending Resolution 2020-09, by extending the State of Local Emergency as declared by Legislative Order D-2020-01.

The City Attorney read the resolution in caption only.

Motion by Mr. Santiago, seconded by Mr. Bailey, to adopt Resolution 2020-10.

Mayor Capote asked if extensions to the State of Local Emergency would have to occur every seven (7) days up to April 30th. Ms. Smith confirmed same. Mr. Bailey wanted to ensure that the meetings were streamed live through the City's website and Facebook.

Mr. Anderson said that a meeting was set for April 15th to extend the local emergency, and then the regular Council was scheduled for April 16th. He suggested that the two meetings be combined and held on April 15th. Mrs. Morrell advised that there were a few issues that required Council action in the near future, such as procurement items, the solid waste contract and the interlocal agreement with Brevard County. She said tentative meetings were scheduled for April 9th and April 16th.

Motion carried with members voting as follows: Mayor Capote, Yea; Deputy Mayor Johnson, Yea; Councilman Santiago, Yea; Councilman Bailey, Yea; Councilman Anderson, Yea.

Mr. Anderson said the City Charter required at least two regular meetings per month. He asked if those provisions had been waived due to the state of emergency. Ms. Smith answered in the affirmative. Mr. Anderson asked for consensus to combine the meetings of April 8th and 9th (meeting would be held on April 8th), and the meetings of April 15th and 16th (meeting would be held on April 15th). Council concurred. Ms. Smith asked that Council consider the procedures for virtual meetings as the first item of business on April 8th.

Deputy Mayor Johnson said that an option for staff to explore for virtual meetings was the Zoom software. Mrs. Jones advised that staff was researching the utilization of same.

Deputy Mayor Johnson suggested that the City Manager create a quick video press release to the residents on the recently enacted “Stay at Home” Executive Order. Mr. Bailey felt it should be done by the Mayor, City Manager or Public Information Officer. He felt it was important to have only one communicator to the residents instead of several.

ADJOURNMENT:

There being no further business, the meeting adjourned at the hour of 6:20 p.m.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Gary Woodson, Public Works Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Award of Invitation for Bid #19-0-2020/SB, Safe Routes to School Sidewalk Construction, Financial Project ID # 439485-1-58-01, 439494-1-58-1, 439486-1-58-01, 439677-1-58-01, and 439667-1-58-01

SUMMARY:

The City of Palm Bay was awarded Safe Routes to School (SRTS) federal funds from the Florida Department of Transportation Local Agency Program (FDOT LAP) for the design of sidewalks and surrounding crosswalks for five Elementary Schools - Port Malabar Elementary, Christa McAuliffe Elementary, Columbia Elementary, Discovery Elementary, and Jupiter Elementary. Council awarded the competitively solicited engineering contract to Infrastructure Engineers, Inc. (now called Consor Engineers, LLC) on June 7, 2018. The City through resolution entered into LAP agreements with FDOT for those designs on April 5, 2018 resolution 2018-10-14. LAP award amount covered 100% of the engineering award amount. Design is now complete.

The City of Palm Bay was then awarded Safe Routes to School FDOT LAP federal funds for the construction of the same five sidewalks and surrounding crosswalks for the following five Elementary Schools in the amounts listed below:

- Columbia Elementary \$338,689
- Discovery Elementary \$412,497
- Jupiter Elementary \$917,369
- Christa McAuliffe Elementary \$552,383
- Port Malabar Elementary \$269,120

Funds for construction are programmed by the State for fiscal year 2020. The LAP Agreements for construction were approved by City Council by resolution 2019-49 to 2019-53 in order to accept the funds and solicit for construction bids. The City Procurement Department, with the assistance of the Public Works Department, solicited bids for the construction of the projects following signature of the LAP agreement by both the City and FDOT and Notice to Proceed from FDOT.

Two bids were received for the project. The Procurement Department staff reviewed the bids for responsiveness. Public Works Department evaluated the bids for responsibility and ability to perform the scope of services. The Department found the lowest responsive bid to be acceptable. FDOT concurred on the City's recommendation on April 1, 2020.

The City's projected budget for this project was \$2,490,058. Public Works staff has reviewed the low bidder's Summary of Pay Items, proposed Subcontractors, Equipment List and References and is satisfied with the evidence provided by the contractor. Staff recommends Gregory Construction, Titusville, Florida for award of IFB 19-0-2020/SB- Safe Routes to School Sidewalk Construction.

Local Preference was not applied to the two vendors as it is prohibited when utilizing Federal funds.

REQUESTING DEPARTMENTS:

Public Works Department and Procurement Department

FISCAL IMPACT:

The total project award of \$2,185,984 will be appropriated from the Community Investment Fund, G/L Account 301-7090-541-6315, Project No. 18PW02, on the FY 20 Second Budget Amendment

RECOMMENDATION:

Motion to approve award IFB 19-0-2020/SB, Safe Routes to School Sidewalk Construction to Gregori Construction out of Titusville, Florida.

Attachment: (available upon request)

- 1) Tabulation



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Gary Woodson, Public Works Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Award of Invitation for Bid # 28-0-2020 Ditch Maintenance Service for Seven Locations

SUMMARY:

Public Works is responsible for the maintenance of over 105 miles of canals and ditches in the City of Palm Bay. Over the past 30 years, some ditches have fallen outside the City's scope to maintain. Many of these ditches were built with only one access road for maintenance and others were built with no access road for maintenance, subsequently leaving the ditches unmaintainable. Although some overgrown ditches function with the ability to carry the capacity of water they were designed for, others have failed due to erosion, overgrown vegetation on the banks and others have become a liability during hurricanes to homeowners' property; growing past the City right of way (ROW). The goal of this project is to remove the overgrown vegetation on seven (7) canals, located in the Northeast and Southeast of Palm Bay. At the end of the project a total of 14,020 linear foot of canal banks will be maintainable for in-house forces.

The City solicited for a base bid of four (4) ditches deemed to be most critical, with an alternate of three (3) additional ditches if funding allowed. Six (6) bids were received in response to the City's solicitation. Procurement staff reviewed the bids for responsiveness, and two (2) bids were deemed non-responsive for not meeting the licensing requirements. Public Works staff evaluated the bids for responsibility and ability to perform the scope of services. The department found the lowest responsive bid to be acceptable. The department requests award of both the base bid and the alternates, for a total award of seven (7) ditches.

Staff recommends Universal Contracting & Construction, Inc. as the contractor for Ditch

Maintenance Service in the amount of \$407,527.96, base bid plus alternates.

Local preference was applied to the responses submitted from two (2) of the bidders. The preference did not affect the outcome of the tabulation.

REQUESTING DEPARTMENTS:

Public Works Department, Procurement Department

FISCAL IMPACT:

The estimated budget for this project was \$600,000. Total project award will be \$407,527.96.

Funds are available in the Stormwater Utility Fund account 461-7083-538-4629 Canal

Maintenance in the amount of \$600,000.

RECOMMENDATION:

Motion to approve award of IFB # 28-0-2020, Ditch Maintenance Service for Seven Locations to Universal Contracting and Construction, Inc. out of Melbourne, Florida.

Attachments: (all available upon request)

- 1) PDF maps
- 2) Tabulation Sheet



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Gary Woodson, Public Works Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Award of Invitation for Bid #33-0-2020/JG – Culvert Pipe Replacement – Waterbury Ave MTWCD Canal C-39 and Freehold Ave MTWCD Canal C-41R

SUMMARY:

This project is comprised of the removal, disposal, replacement, and restoration of two individual culvert crossings along the Melbourne Tillman (MT) Water Control District (WCD) Canals 39 and 41R: Waterbury Avenue @ MT C-39 and Freehold Avenue @ MT C-41R. Construction of these projects are all turn-key and will include all aspects of work.

Nine (9) bids were received. The Procurement Department staff reviewed the bids for responsiveness. Public Works Department evaluated the bids for responsibility and ability to perform the scope of services. The Department found the lowest responsive bid to be acceptable. The City's engineers estimate for this project was \$821,320.69. The low bidder was Hinterland Group, Inc. at \$696,863.10. Public Works staff has reviewed the low bidder's Summary of Pay Items, proposed Subcontractors, Equipment List and References and is satisfied with the evidence provided by the contractor. Staff recommends Hinterland Group, Inc of Cocoa, Florida for award of IFB #33-0-2020/JG – Culvert Pipe Replacement – Waterbury Avenue @ MT C-39 and Freehold Avenue @ MT C-41R.

Local Preference did not impact the outcome of the recommendation of award. Although there are four (4) Brevard County vendors, including the lowest most responsive and responsible bidder, only one of those vendors claimed local preference, which did not modify the tabulation.

REQUESTING DEPARTMENTS:

Public Works Department, Procurement Department

FISCAL IMPACT:

The estimated budget for this project was \$821,320.69. Total project award will be \$696,863.10 will be appropriated from the Stormwater Utility Fund as follows 1) \$392,473.10 in account 461-7083-538-6309, Project No. 20SU06 Waterbury at C-39 Pipe Replacement with a budget amount of \$475,000 2) \$304,390.00 in account 461-7083-538-6309, Project No. 20SU07 Freehold at C41R Pipe Replacement with a budget amount of \$312,000.

RECOMMENDATION:

Motion to approve award of IFB #33-0-2020/JG Culvert Pipe Replacement – Waterbury Avenue @ MT C-39 and Freehold Avenue @ MT C-41R to Hinterland Group, Inc of Cocoa, Florida.

Attachment: (available upon request)

- 1) Tabulation



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Gary Woodson, Public Works Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Award of Invitation for Bid #34-0-2020/JG, Culvert Pipe Replacement – Jacobin St. at MTWCD Canal C-60

SUMMARY:

This project is comprised of the removal, disposal, replacement, and restoration of individual culvert crossings along the Melbourne Tillman (MT) Water Control District (WCD) Canals 60 and Jacobin St. Construction of this project is all turn-key and will include all aspects of work.

Seven (7) bids were received. The Procurement Department staff reviewed the bids for responsiveness. Public Works Department evaluated the bids for responsibility and ability to perform the scope of services. The Department found the lowest responsive bid to be acceptable.

The City's engineers estimate for this project was \$335,843.01. The low bidder was AG-Scape Services, Inc. dba Florida Site Contracting at \$296,997.50. Public Works staff has reviewed the low bidder's Summary of Pay Items, proposed Subcontractors, Equipment List and References and is satisfied with the evidence provided by the contractor. Staff recommends AG-Scape Services, Inc. dba Florida Site Contracting of Vero Beach, Florida for award of IFB #34-0-2020/JG, Culvert Pipe Replacement – Jacobin St. at MTWCD Canal C-60.

Local Preference did not impact the outcome of the recommendation of award. Although there are two (2) Brevard County vendors, only one of those vendors claimed local preference, which did not modify the tabulation.

REQUESTING DEPARTMENTS:

Public Works Department, Procurement Department

FISCAL IMPACT:

The estimated budget for this project was \$335,843.01. Total project award will be \$296,997.50. Funds are available in the Stormwater Utility Fund account 461-7083-538-6309, Project No. 20SU04 in the amount of \$336,400.

RECOMMENDATION:

Motion to approve award of IFB 34-0-2020/JG, Culvert Pipe Replacement – Jacobin St. at MTWCD canal C-60 to AG-Scape Services, Inc. dba Florida Site Contracting out of Vero Beach, Florida.

Attachment: (available upon request)

1) Tabulation



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Christopher A. Little, PE, Utilities Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Tetra Tech Task Order 01-2019-002, North Regional Water Treatment Plant Upgrades

SUMMARY:

Tetra Tech has submitted Task Order 01-2019-002, North Regional Water Treatment Plant (NRWTP) Upgrades. The scope of work under this task order is a preliminary design investigation to develop cost-effective, feasible recommendations for upgrades to the NRWTP. This investigation will provide options for the upgrades, the advantages and disadvantages of the options, and conceptual costs for the options. In addition, the recommendations from the investigation will be used to develop the scope of services for the final design. The services for final design will be submitted under a separate task order.

In accordance with the provisions of Section 287.055, Florida Statutes for Consultants Competitive Negotiation Act (CCNA), the Procurement Department solicited and accepted qualification submittals on behalf of the Utilities Department from firms to provide design, permitting, funding assistance, bidding assistance and construction management services for the expansion of the South Regional Water Treatment Plant (SRWTP), and for the rehabilitation of the reverse osmosis plant at the North Regional Water Treatment Plant (NRWTP). On January 3, 2019, City Council awarded RFQ #47-0-2018/JM for these consulting services.

Staff has reviewed the scope of work and requests council approval to proceed with Task Order 01-219-002 in the amount of \$59,695.

REQUESTING DEPARTMENTS:

Utilities Department, Procurement Department

FISCAL IMPACT:

The total amount for the task order is \$59,695. Funding is available in the Utilities Department's Operating Fund 421-8013-536-3121.

RECOMMENDATION:

Motion to approve and authorize the execution of Tetra Tech Task Order 01-2019-002 for the North Regional Water Treatment Plant Upgrades, against the Master Agreement for a total of \$59,695.

Attachment: (available upon request)

- 1) Tetra Tech Task Order 01-2019-002



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Lisa Morrell, City Manager

REQUESTING DIRECTOR: Christopher A. Little, PE, Utilities Director; Juliet Misconi, Chief Procurement Officer

DATE: April 9, 2020

RE: Wade Trim Task Order 20-05, South Regional Water Reclamation Facility Engineering Services During Construction

SUMMARY:

Wade Trim has submitted Task Order 20-05, South Regional Water Reclamation Facility (SRWRF) Engineering Services During Construction for approval. The scope of work will consist of Engineer of Record services and on-site project management from the pre-construction process through project closeout.

On April 17, 2008, City Council awarded Wade Trim Task Order 07-06, South Regional Water Reclamation Facility Design, Permitting, Competitive Solicitation Process Assistance and Construction Services, through competitive Request for Qualifications process (RFQ #68-0-2007). This project was subsequently put on hold when development in the City declined. Over the past several years, the City has been experiencing growth and will require an increase in wastewater treatment disposal capacity to meet demands. In 2015 the process was re-started for the construction of a SRWRF using the original design from RFQ #68-0-2007. It was determined that a design assessment, update, and permitting would be required and these were completed under Wade Trim Task Orders 15-06, 16-08, and 0018-2017 (approved by Council September 17, 2015, August 4, 2016, and November 2, 2017 respectively). This is permitted under Florida Statute 287.055(10), Reuse of Existing Plans, which states: "there shall be no public notice requirement or utilization of the selection process as provided in this section for projects in which the agency is able to reuse existing plans from a prior project of the agency."

In addition, funding for the project will be provided by a low interest loan via the Florida Department of Environmental Protection's State Revolving Fund (SRF). Council approved 1) the SRF Capital Financing Plan and authorized submission of the plans to Florida Department of Environmental Protection (FDEP) on June 20, 2019, Resolution 2019-18; and 2) the State Revolving Loan Program loan application on December 5, 2019, Resolution 2019-54. The requested amount of the loan, which does not include capitalized interest, is \$35,926,800 which will be amortized over twenty years. Staff has reviewed the scope of work and requests Council approval to proceed with Task Order 20-05 in the amount of \$1,896,353.

REQUESTING DEPARTMENTS:

Utilities Department, Procurement Department

FISCAL IMPACT:

The total amount for the task order is \$1,896,353. Funding for this will be from State Revolving Fund; and will be available in the Utilities Department's Utilities Connection Fee Fund 423-8031-535-6221, project 16WS05.

RECOMMENDATION:

Motion to approve Wade Trim Task Order 20-05, South Regional Water Reclamation Facility Engineering Services During Construction.

Attachment: (available upon request)

1) Task Order 20-05

RESOLUTION 2020-11

A RESOLUTION OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING RESOLUTION 2020-09, AS AMENDED BY RESOLUTION 2020-10, BY EXTENDING THE STATE OF LOCAL EMERGENCY DECLARED BY LEGISLATIVE ORDER D-2020-01; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, during the past weeks, a severe acute respiratory illness known as Coronavirus Disease 2019 (COVID-19) has spread among humans through respiratory transmission and other potential methods, and presents symptoms similar to those of influenza with the elderly and persons with underlying medical issues particularly at risk, and

WHEREAS, Governor Ron Desantis declared that a state of emergency existed within the State of Florida and issued Executive Order 20-52 on March 9, 2020, and

WHEREAS, Mayor Capote declared a State of Local Emergency and issued Legislative Order D-2020-01 on March 19, 2020, and

WHEREAS, City Council approved extensions to the State of Local Emergency via Resolutions 2020-09 and 2020-10, and

WHEREAS, the City's State of Local Emergency terminates at the end of a period of seven (7) consecutive days (April 9, 2020) unless prior to the end of the time frame, the City Council extends or terminates same by resolution, and

WHEREAS, the City Manager has certified that the emergency continues to exist.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The State of Local Emergency, declared by Legislative Order D-2020-01, is hereby extended by seven (7) days (April 16, 2020).

SECTION 2. All provisions contained within Legislative Order D-2020-01 shall remain in full force and effect.

SECTION 3. This resolution shall take effect immediately upon the enactment date.

This resolution was duly enacted at Meeting 2020- , of the City Council of the City of Palm Bay, Brevard County, Florida, held on , 2020.

William Capote, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

NEW BUSINESS

ITEM 2

RESOLUTION 2020-12

TO BE DISTRIBUTED

PRIOR TO

MEETING DATE