

# **CITY OF DELRAY BEACH**

## **PROPOSAL FOR ADDITIONAL CEI SERVICES**

FOR

**Lowson Boulevard from Dover Road  
to SE 5th Avenue  
(US1/Federal Highway)  
LAP Project FM No. 436896-1-58-01  
Federal Aid Project ID D418-024-B**

## **Amendment #2: Extension of CEI Services**

SUBMITTED BY:



January 2024

## CITY OF DELRAY BEACH

**Lowson Boulevard from Dover Road to SE 5th Avenue (US1/Federal Highway)**

### **Agreement for Additional Construction Engineering & Inspection Services**

Our original Agreement was approved on July 06, 2021 Resolution Number: 54-21 for Construction Engineering & Inspection Services in the Amount of **\$730,582.64**. City Purchase Order 2021-00001087 was issued.

The City also approved Amendment #1 in the amount of **\$319,227.00** for Additional Construction Engineering and Inspection (CEI) Services from April 01, 2023 to December 31, 2023.

In addition the City has requested Amendment #2 be prepared for Additional Construction Engineering and Inspection (CEI) Services from December 2, 2023 (date when Amendment #1 funds expired) to March 31, 2024.

Therefore, **Total Amendment #2** Fee as shown on Exhibit B NTE (Additional CEI Services) = **\$135,000.00**

Original Agreement Amount plus Amendment #1: **\$730,582.64 + \$319,227.00= \$1,049,809.64 + Amendment #2 \$135,000.00 = \$1,184,809.64 (New Contract Amount)**

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## **Additional Construction Engineering & Inspection Services**

### **A. PROJECT DESCRIPTION**

This Scope of Additional Services by Baxter & Woodman, Inc. (Consultant) provides Construction Engineering and Inspection (CEI) services for the construction of Lowson Boulevard from Dover Road to SE 5<sup>th</sup> Avenue (US1/Federal Highway) for the City of Delray Beach, Florida. The project includes generally the mill and overlay of single-lane and two-lane undivided roadway section, segments with the addition of curbing, traffic signage, pavement markings, a pedestrian bridge on the north and the south sides of Lowson Boulevard over the LWDD E-4 Canal, signalization improvements at various intersections, and drainage structure and swale improvements.

The Lowson Boulevard project is funded by both the City and the Florida Department of Transportation (FDOT) under the Local Agency Program. In addition to the CEI services, Consultant shall provide Public Involvement services, agency and utility coordination, and LAP Administration services during the four (4)-month extended construction period.

### **B. SCOPE OF SERVICES**

#### **Task 1 – Construction Administration**

Consultant shall provide CEI services as identified and further detailed below:

##### **Task 1.1 – Progress Meetings**

CEI shall attend construction progress meetings with the City and Contractor twice per month and provide an agenda and written summary of the issues discussed. Project meetings will be conducted by the Construction Manager with the Resident Project Representative also in attendance depending on work activities. Following the meeting, the Construction Manager will prepare and distribute meeting minutes to the City and other attendees. Meetings will be held in-person at the City Swinton Center Facility and virtually on Teams. Eight (8) progress meetings are included in the budget for this task.

##### **Task 1.2 – Pay Estimate Review**

CEI shall review monthly payment applications (total of five) submitted in a format acceptable to the City. Consultant shall verify the quantities as represented on the pay request and make a recommendation to the City to proceed with the payment as requested, or as modified based on CEI review. A four (4)-month construction period is assumed for budgeting this task.

##### **Task 1.3 – Construction Schedule Review**

CEI shall monitor the construction schedule monthly and report to the City conditions that may cause delay in completion. If schedule slippage is identified, the CEI will notify the Contractor in writing and request the Contractor to provide a recovery plan.

##### **Task 1.4 - Construction Clarifications**

CEI shall respond in writing to Contractor's Request for Information (RFI) regarding the design documents. Consultant shall issue design interpretations and clarifications of the Contract Documents, along with associated support materials, as requested by the Contractor. This task

also includes coordination with the design engineer regarding original design intent. These interpretations will be rendered, and a response prepared and submitted to the Contractor in a timely manner.

#### **Task 1.5 – Construction Claims and Changes**

CEI shall prepare and negotiate City requested or Contractor initiated Change Orders (CO) and Work Change Directives (WCD) as required during the four (4)-month construction period.

CEI will also review and respond to all Contractor delay claims or requests for compensation and respond per the Contract Documents.

CEI shall maintain all necessary records for QA Plan compliance and initiate QA Plan Review to make any necessary revisions during the Construction Project.

#### **Task 1.6– Material Sampling Verification Testing**

CEI shall track and oversee Contractor's testing lab for all specified material sampling and testing and verify chain of custody. CEI shall also review signed and sealed reports from testing agencies for compliance.

As required by FDOT Standard Specifications or deemed necessary by the City, the CEI shall provide testing lab for verification purposes.

#### **Task 1.7- Certification of Construction Completion**

CEI shall notify the City, FDOT and Contractor in writing once the Project is deemed to meet Contract Completion milestones. CEI shall certify based on visible project features inspections, and review of testing reports that the project was constructed in accordance with the plans and specifications, and all permit conditions.

CEI shall also prepare and submit certification packages to the applicable permitting agencies once it is determined that the construction work has been completed in substantial conformation with the conditions of the approved permits. These include the SFWMD, LWDD, and Palm Beach County Land Development – ROW Division.

#### **Task 1.8 - Substantial and Final Inspections**

In conjunction with FDOT and City staff, CEI shall make preliminary and final inspections and assist in the preparation of a Project Completion "punch list" to achieve Final Completion. CEI shall review completion of identified punch list items to assist in the determination that Final Completion has been achieved by the Contractor. CEI shall administer FDOT LAP Final Completion procedures, advise the City, and provide formal notice to the Contractor once Final Acceptance of the project has been reached in accordance with the Contract Documents.

#### **Item 1.9 – Record Drawings**

CEI shall review monthly progressive as-built record drawings from the Contractor and provide comments to achieve the final set of as-built record drawings upon Final Completion.

#### **Item 1.10 – FDOT LAP Administration**

CEI shall provide full LAP Administration services and Compliance Specialist for the duration of the Construction Contract, including provision of all necessary LAP Closeout Procedures. CEI shall maintain all required records for FDOT LAP Compliance and upload to LAPIT as Required.

CEI shall conduct LAP Administration compliance review meetings with City and FDOT as required following Bi-Monthly Progress Meetings.

#### **Item 1.11 – Utility & Public Agency Coordination**

CEI shall coordinate and assist the City regarding utility coordination with FPL, Comcast, AT&T, Palm Beach County Traffic, and other utility providers in the project area. Work will include attendance at monthly Utility Coordination Meetings. CEI shall prepare and maintain the utility tracking spreadsheet.

CEI shall coordinate with LWDD for the pedestrian bridge's construction work located within the E-4 Canal ROW.

#### **Item 1.16 – NPDES Compliance Verification**

CEI shall coordinate for the Contractor to submit the NPDES NOI and NOT for the project; shall monitor the Contractor's adherence to the requirements of the SWPPP; and shall collect and monitor the Contractor's reporting as required under the NPDES permit requirements.

### **Task 2 – Inspection Services**

Consultant shall provide (1) Full-time (40 hours/week) Inspector during the construction (assumed four months/17.3 weeks) of the work (for a total of 693 hours) Activities under this task consist of providing an Inspectors during the construction of the project, to observe the quality of the construction work; Contractor's conformance to FDOT Big 4 LAP Specifications; determine in general, if the construction is proceeding in accordance with the contract documents so that an engineering certification can be made regarding the construction of the proposed improvements.

Baxter & Woodman, in conjunction with our sub-consultant Terracon, shall provide the commercial inspections for the structural components of the pedestrian bridges as required in Section 23.6.2 of the FDOT LAP Manual.

#### **Task 2.1 – Consultant Liaison**

Serve liaison with construction Contractor, working principally through the contractor's superintendent and assisting in understanding the intent of the contract documents.

#### **2.2 On-Site Observations**

Conduct on-site observations of the work in progress to assist in determining if the work is proceeding in accordance with the contract documents and that completed work conforms to the contract documents. Consultant's Project Manager shall report, in writing to the City, whenever

Consultant believes that work is unsatisfactory, faulty or defective, or does not conform to the contract documents, or does not meet the requirements of inspections, tests or approval required to be made, or has been damaged prior to final payment.

### **2.3 Accompany Inspectors**

Accompany visiting inspectors representing permit or regulatory agencies having jurisdiction over the project. Record in writing, the outcome of these inspections and report same to the City.

### **2.4 Evaluation**

Consider and evaluate construction contractor's suggestions for modifications in drawings or specifications and report them to the City, in writing. CEI's Construction Manager shall make recommendations for action by the City.

### **2.5 Review As-Build Records**

Review Contractor's As-Built Record Drawing information on a monthly basis to confirm proper updates are being made.

### **2.6 Coordination**

Assist the Contractor in coordinating all required materials and density testing, as required by the Construction Documents.

### **2.7 Quantity Sheet**

Inspector shall work with the Contractor and develop a Daily Pay Item Quantity Sheet (based on the approved Schedule of Values) to be reviewed and accepted each day agreeing to the quantities of Schedule of Value items installed.

## **LIMITATIONS OF AUTHORITY**

Limitations of Inspector Authority. Except upon written instructions from the City, Inspector:

1. Shall not exceed limitations on CEI's authority as set forth in the Contract Documents.
2. Shall not undertake any of the responsibilities of Contractor, Subcontractors or CEI Construction Manager, or expedite the Work.
3. Shall not issue directions relative to any aspect of the means, methods, techniques, sequences, or procedures of construction unless such is specifically called for in the Contract Documents.
4. Shall observe and oversee but not participate in specialized field or laboratory tests.

## **Task 3 – Public Outreach**

CEI shall develop and update project website and social media site for updates on the construction progress on a routine basis.

CEI shall administer a Project Hotline and Resident's Concern Log to administer items for the Contractor to address and track the status of resolution on all items. The City will be updated by the CEI Team at each progress meeting for the duration of the project.

The CEI will provide a Public Information Officer to provide services to keep the community aware of the status and traffic impacts of the referenced project. With approval from the City's designee, prepare and disseminate information to the public, elected officials and the media of any upcoming events, which will affect traffic flow. CEI's Representative shall produce and distribute all publications, letters, door hangers, mail notifications to homeowners (including postage), flyers, brochures, and news releases to the public as necessary for this construction contract. Prior to release, the City's designee will approve all responses, letters, news releases and the like.

#### **Task 4 – FDOT LAP Administration**

CEI shall provide full LAP Administration services and Compliance Specialist for the duration of the Construction Contract, including provision of all necessary LAP Closeout Procedures. CEI shall maintain all required records for FDOT LAP Compliance and upload to LAPIT as Required.

CEI shall conduct LAP Administration compliance review meetings with City and FDOT as required following Bi-Monthly Progress Meetings.

#### **C. TIME OF PERFORMANCE**

The completion dates for this work will be as follows:  
Start. December 2, 2023, to Finish March 31, 2024

##### **CEI Services**

	<u>Time per Phase</u>
Task 1 – Construction Admin	4 months/17.3 wks
Task 2 – Inspection Services	4 months/17.3 wks
Task 3 – Public Outreach	4 months/17.3 wks
Task 4 – FDOT LAP Admin	4 months/17.3 wks
Additional Services	As Requested

#### **D. COMPENSATION**

The compensation for CEI services provided shall be billed on an hourly basis plus reimbursable expenses for each phase of work, up to the following not to exceed the cost for each phase. Refer to ***Fee Estimate*** attachment **Exhibit B**.

##### **CEI Services**

	<u>Estimated Fees</u>
Task 1 – Construction Administration	\$ 49,467.00
Task 2 – Inspection Services	\$ 75,537.00
Task 3 – Public Outreach	\$ 995.00
Task 4 – FDOT LAP Compliance	\$ 9001.00
Supplemental Survey Services	\$ 0.00
Geotechnical Services	\$ 0.00
Direct Expenses	\$ 0.00
<b>TOTAL COST</b>	<b>\$ 135,000.00</b>

EXHBIT C-Fee Estimate/Month- December 2, 2023 to March 31, 2024

City of Delray Beach, Project No. 17-004

Lowson Blvd from Dover Rd to SE 5th Ave (US1/Federal Highway)

LAP Project FM No. 436896-1-58-01; Federal Aid Project ID D418-024-B

01/10/2024

TASK DESCRIPTION / ACTIVITY	CLASSIFICATION AND RATES											
	Principal/ Sr. Eng V	Sr. Eng V	Sr. Eng IV	Sr. Eng I/II	Engineer III	Marketing Professional	Construction Manager	Sr. Inspector	Inspector	Admin. Support	Total	Total
	Project Engineer	Engineer	Construction Admin	Project Engineer	Utility Coordination Public Outreach	Public Info Officer	Construction Admin	Inspector	Inspector	Clerical	Work	Labor Costs
	Contract - Hourly Rates	\$192.00	\$192.00	\$162.52	\$162.52	\$143.00	\$90.00	\$129.00	\$109.00	\$102.00	\$80.00	Hours
TASK 1 - CONSTRUCTION ADMINISTRATION		9.00	263.5				35.00			5.00	312.5	\$49,467.00
TASK 2 - CEI INSPECTION SERVICES								693.00			693.00	\$75,537.00
TASK 3 - PUBLIC OUTREACH						5.00		5.0		0.00	10.0	\$995.00
TASK 4-FDOT LAP ADMINISTRATION			20.0				44.58				64.58	\$9,001.00
Total Workhours		9.00	283.5	0.00	0.00	5.0	79.58	698.0	0.00	5.0	1,080.0	\$135,000.00
Sub-Total Dollars		\$1,728.00	\$46,074.42	\$0	\$0	\$450.00	\$10,265.82	\$76,082	\$0.00	\$400.00		\$135,000.00
Consultant												\$135,000.00
Subconsultant - Dennis J. Leavy & Assoc. (Survey Services)												\$0.00
Subconsultant - Terracon (Geotechnical Materials Sampling and Testing)												\$0.00
Direct Expenses (Direct Reimbursables, Flyers, Door Hangers, Travel, Website etc.)												\$0.00
Total Dollars*												\$135,000.00

\*Hours of work are estimated and may not represent the actual hours required to complete the project