



Cover Memorandum/Staff Report

File #: 25-1257

Agenda Date: 10/14/2025

Item #: 6.P.1.

TO: Mayor and Commissioners
FROM: Missie Barletto, Public Works Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: October 14, 2025

APPROVAL OF RESOLUTION NO. 192-25 TO AWARD AN AGREEMENT WITH KEITH AND ASSOCIATES DBA KEITH FOR OWNER'S REPRESENTATIVE SERVICES FOR THE TROPIC ISLE NEIGHBORHOOD IMPROVEMENTS PROJECT, PURSUANT TO RFQ NO. 2025-010 IN THE AMOUNT OF \$4,269,080.00

Recommended Action:

Motion to Approve Resolution No. 192-25 to award an Agreement with Keith and Associates dba Keith (Keith) for Owner's Representative services for the Tropic Isle Neighborhood Improvements project, pursuant to RFQ No. 2025-010 (Public Works Project No. 19-015) in the amount of \$4,269,080.00.

Background:

The Tropic Isle residential subdivision was constructed in the 1970s. The City of Delray Beach (City) is responsible for the maintenance of the roadways within the neighborhood, bound by McCleary Street to the north, Florida Boulevard to the west, Spanish Circle to the south, and the Intracoastal Waterway to the east. The neighborhood includes a total of approximately 5.75 miles of roadways.

Over many years, these roads have experienced uneven surface wear of the roadways, excessive sinkholes, asphalt cracking, and accelerated deterioration, which has adversely impacted roadway drainage and drivability. Furthermore, deterioration of the roadways has caused an increase in maintenance costs and has shortened the lifespan of the roadways. A recent engineering evaluation of the subsurface soils showed evidence of muck underneath the roadways which may be a leading factor in the roadway deterioration. In addition to the subsurface investigation, a utility assessment was conducted which determined that both the water and sewer infrastructure was more than 50 years old and nearing the end of their expected lifespans. The area also experiences seasonal flooding due to high tides and the increase in sea level rise. Some of the older average-sized homes have been replaced with larger, modern homes. The City is committed to improving the neighborhood's infrastructure and to continue to adequately serve its residents.

On December 5, 2024, the City issued Request for Qualifications (RFQ) No. 2025-010 to acquire a firm which will provide Owner's Representative services related to the construction of this project and who shall also be responsible for complete compliance with FDEP Grant 22FRP60.

On January 29, 2025, the City received four (4) submittals, all of which were found to be responsive and responsible to the requirements of RFQ No. 2025-010. On April 29, 2025, the Selection Committee completed its review of the submittals and made the following ranking recommendations:

Rank	Firm	Final Score
1	Keith	275.0
2	Baxter & Woodman, Inc.	272.0
3	Chen Moore and Associates	265.0
3	Colliers Project Leaders	265.0

In accordance with Florida Statutes, representatives from the Purchasing and Contracts Administration Division and Public Works Department conducted a negotiation meeting with Keith on June 5, 2025.

Staff has reviewed the negotiated fee of \$4,269,080.00 and finds it to be fair and reasonable. This fee will be paid based upon the proposed hourly rates and actual hours worked.

Construction, via Construction Management at Risk (CMAR, RFQ No. 2025-023) is currently expected to begin in the Summer of 2026 and last approximately 48 months of a 3-phase construction project. The agreement terms will be from the date of full execution (Notice to Proceed) through the completion of work and full acceptance by the City.

Either party, at its sole discretion, reserves the right to terminate the agreement with or without cause immediately upon providing written notice. Upon receipt of such notice, the contractor shall not incur any additional costs under the agreement. The City shall be liable only for reasonable costs incurred by contractor prior to the date of the notice of termination. The City shall be the sole judge of "reasonable costs."

This motion is in accordance with Code of Ordinances Section 36.02, Commission Approval Required.

Attachments:

1. Resolution No. 192-25
2. Agreement RFQ No. 2025-010
3. Exhibit A - Scope of Services
4. Exhibit B - Fee Proposal
5. Legal Review Checklist
6. Keith RFQ Submittal
7. Final Solicitation RFQ No. 2025-010

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source:

Funding for the Tropic Isle Neighborhood Improvements project (Finance Project Code 41030) is available in the amount of \$7,500,000 from 448-38-300-538-68-03 (Capital Outlay Tropic Isles) and \$2,500,000 is available from 442-36-260-537-68-03 (Capital Outlay Tropic Isles). These funds will be allocated amongst this agreement and CMAR RFQ No. 2025-023. This project has been awarded FDEP Grant Agreement 22SRP60, providing \$19,800,000 in state funds. An additional \$1,450,000 is

pending via a Community Development Block Grant (CDBG). Additional funds will be requested in future fiscal years through the CIP budget.

Timing of Request:

Timely approval of this agreement is requested.