



## Cover Memorandum/Staff Report

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**File #:** 21-640

**Agenda Date:** 7/6/2021

**Item #:** 6.L.1.

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**TO:** Mayor and Commissioners  
**FROM:** Missie Barletto, Public Works Director  
**THROUGH:** Jennifer Alvarez, Interim City Manager  
**DATE:** July 6, 2021

APPROVAL OF RESOLUTION NO. 98-21 TO APPROVE AN AGREEMENT WITH BAXTER AND WOODMAN, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR LOWSON BOULEVARD/SW 10th STREET FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PURSUANT TO RFQ NO. 2020-020 (PROJECT NO. 17-009) - \$730,583

**Recommended Action:**

Motion to Approve Resolution No. 98-21 to award an Agreement with Baxter and Woodman, Inc. for Construction Engineering and Inspection (CEI) Services for Lowson Boulevard/SW10th Street from Dover Road to SE 5<sup>th</sup> Avenue (US-1/Federal Highway) pursuant to RFQ No. 2020-020 (Project No. 17-009) in the estimated amount not to exceed \$730,583.

**Background:**

The Palm Beach Transportation Planning Agency (TPA) administers competitive grant application processes annually for the funding of projects located within Palm Beach County. The grant application process typically commences in January, when the Transportation Planning Agency (TPA) posts online application materials. The Long-Range Transportation Plan Directions 2040 carved out future allocations of TPA Surface Transportation funds to be used at the TPA's discretion. As a result, the Local Initiatives (LI) program was created as an annual application process to identify and evaluate potential funding for lower-cost, non-regionally significant transportation projects identified by local communities. Approximately \$18 million was then allocated annually to fund projects under the Local Initiatives (LI) Program. This is a federally funded cost reimbursement program where projects are selected by the TPA but administered by the Florida Department of Transportation (FDOT).

The program funds on and off-road pedestrian and bicycle facilities; infrastructure for improving non-driver access to public transportation for enhanced mobility; community improvement activities; environmental mitigation; recreational trail projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former divided highways.

The City identified a need to improve Lowson Boulevard/SW 10th Street between Military Trail and US-1/SE 6<sup>th</sup> Avenue and submitted a Local Initiatives grant application to the TPA in 2014 for its Fiscal Year 2016 to 2020 priorities list. The project proposed bicycle lanes, shared use paths, sidewalk and roadway milling and resurfacing improvements along the 3.5 miles of roadway. Subsequent to a grant

award from the TPA, through the public involvement process and coordination with the FDOT, the project limits were subsequently reduced to Dover Road to US-1/SE 5th Street. The project is partially funded through federal funds administered by the FDOT under the Local Agency Program (LAP), as well as local agency funds provided by the City.

The City has since completed construction plans and advertised the project to construction, leading to a compliant low bid of \$6,146,436.98 submitted by E & M Equipment Corporation.

The City issued Request for Qualifications (RFQ) No. 2020-020 to acquire a firm to provide professional construction engineering and inspection services for the Lowson Blvd./SW 10th St. from Dover Rd. to SE 5<sup>th</sup> Ave. (US1/Federal Highway) construction project.

On April 20, 2020, the City received three (3) submittals pursuant to the RFQ. A Selection Committee evaluated the proposals in full accordance with the Consultants' Competitive Negotiation Act and shortlisted three (3) firms for interviews/presentations.

The final scores are listed below:

<u>Firm</u>	<u>Final Score</u>
Baxter and Woodman, Inc.	261
KCI Technologies, Inc.	240
AE Engineering, Inc.	236

In accordance with Florida Statutes, representatives from the Purchasing and Public Works Departments conducted negotiations with Baxter and Woodman, Inc. As a result of these negotiations, staff was able to obtain a fee reduction of approximately \$267,133 from the original proposal. The final fee proposal of \$730,582.64 has been reviewed by staff who find it to be fair and reasonable. This estimated fee will be paid based upon their proposed hourly rates and actual hours worked. The construction project has an initial contract time of 530 calendar days after the Notice to Proceed. The Agreement terms will be from the date of full execution through the completion of work and full acceptance by the City.

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

**Attachments:**

1. 2020-020 Agreement
2. Exhibit A - Scope of Services
3. Exhibit B - Fee Proposal
4. Resolution No. 98-21
5. Legal Review Checklist
6. Baxter and Woodman RFQ submittal
7. 2020-020 Scoring Summary

**City Attorney Review:**

The City Attorney recommends approval of this motion.

**Funding Source:**

Funding in an amount not to exceed \$730,582.64 is available from account number 334-41-340-541.68-39 (Capital Outlay, Local Initiative, Lowson Boulevard/SW 10th St. between Dover Road to US-1/Federal Highway).

**Timing of Request:**

Approving this agreement is time sensitive to maintain the budget and schedule commitments made to the Florida Department of Transportation under our Local Agency Program Agreement dated March 10, 2020.