

RESOLUTION NO. 21-03-24

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 21-01 EVALUATION COMMITTEE FOR SELECTION OF A CONSULTANT TO PREPARE THE MASTER PLAN FOR THE AREA KNOWN AS "THE FILLS"; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Islamorada, Village of Islands (the "Village") is committed to the protection of coastal resources and the marine environment, providing safe water access and recreational opportunities for residents and visitors, and maintaining a positive image of the Village and the Florida Keys; and

WHEREAS, the area known as "The Fills" is located within Islamorada along US-1 from Mile Marker 77.670 to Mile Marker 79.673 and includes Tea Table Key Fill, Indian Key Fill and Lignumvitae Key Fill; and

WHEREAS, The Fills is approximately 7.38 acres of submerged land that includes the area known as the "Indian Key Boat Ramp", owned by the Board of Trustee of the Internal Improvement Trust Fund of the State of Florida and leased to the Florida Department of Environmental Protection Division of Recreation and Parks (FDEP); and

WHEREAS, the Florida Department of Transportation ("FDOT") is the owner of the property comprising the remainder of the Fills not including FDEP's property on both side of the Overseas Highway; and

WHEREAS, during weekends The Fills is filled with visitors who park on both side of the Overseas Highway, litter the road and mangroves, and create a nuisance for the Village; and

WHEREAS, in lieu of shutting off access to The Fills and to better control public use and activities in the area, the Village entered into a lease agreement with FDOT for the limited purpose of directing and managing recreational traffic for public safety purposes; and

WHEREAS, the Village also entered into a lease with FDEP for maintenance of the parking area and boat ramp located on Indian Key Fill; and

WHEREAS, the lease agreements with both FDOT and FDEP require the Village to design a management plan for the area; and

WHEREAS, on July 30, 2020, the Village Council approved a preliminary step of the Fills Master Plan that includes installation of a cable barrier system to delineate parking areas and protect grassy areas and keep people from parking on the Overseas Heritage Trail; and

WHEREAS, the Village requires a consultant to prepare a formal Fills Master Plan incorporating these elements for approval by FDOT and FDEP; and

WHEREAS, on January 5, 2021, the Village issued Request for Proposal (RFP) 21-01 (Exhibit "A") to solicit competitive proposals for a consultant to create a Master Plan for The Fills; and

WHEREAS, the Acting Village Manager established an Evaluation Committee (the "Committee") to review responsive proposals and make a recommendation to the Village Council for the selection of a consultant to create the Master Plan for The Fills; and

WHEREAS, the Committee reviewed the three (3) proposals received using the selection criteria detailed in RFP 21-01 and recommends selection of the highest-ranked proposal, CPH, Inc., for the requested services; and

WHEREAS, the Village Council finds that approval and selection of CPH, Inc. is in the best interest of the Village and its residents.

**NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA,
VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

Section 1. **Recitals.** The above recitals are true and correct and incorporated into this Resolution by this Reference.

Section 2. **Approval of Selection.** The Village Council hereby approves the selection of CPH, Inc. to assist in creating a Master Plan for The Fills.

Section 3. **Authorization of Village Officials.** The Acting Village Manager and/or her designee and the Village Attorney are authorized to enter into an agreement with CPH, Inc. for the services. If an agreement cannot be reached with CPH, Inc., the Acting Village Manager and/or her designee and the Village Attorney are authorized to enter into an agreement with the second-ranked proposer, Sand County Studios.

Section 4. **Authorization of Fund Expenditures.** Notwithstanding the limitations imposed upon the Acting Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Acting Village Manager is hereby authorized to expend budgeted funds up to \$55,000.00 for the services.

Section 5. **Effective Date.** This Resolution shall become effective immediately upon its adoption.

Motion to adopt by Councilman David Webb, seconded by Councilman Mark Gregg.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Joseph B. Pinder III	YES
Vice Mayor Pete Bacheler	YES
Councilman Mark Gregg	YES
Councilman Henry Rosenthal	YES
Councilman David Webb	YES

PASSED AND ADOPTED THIS 18TH DAY OF MARCH, 2021.



JOSEPH B. PINDER III, MAYOR

ATTEST:



KELLY TOTTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND BENEFIT OF
ISLAMORADA, VILLAGE OF ISLANDS:



ROGET V. BRYAN, VILLAGE ATTORNEY



Islamorada, Village of Islands, Florida

REQUEST FOR PROPOSALS

**MASTER PLAN FOR AREA KNOWN AS "THE FILLS" IN ISLAMORADA,
FLORIDA
(RFP 21-01)**

Issue Date: January 5, 2021

Islamorada, Village of Islands (the "Village"), will receive formal proposals from qualified consultants to create a Master Plan for the area called "The Fills", per the lease agreement between the Village and the State of Florida Department of Transportation ("FDOT"), and the lease agreement with the Florida Department of Environmental Protection until **3:00 p.m. Eastern Standard Time on February 11, 2021.**

Interested firms must submit sealed proposal packages by certified mail or in person to:

Islamorada, Village of Islands
Attn: Village Clerk
86800 Overseas Highway
Islamorada, Florida 33036

It is the sole responsibility of proposing firms to ensure that their submittal is received in a timely manner. Any proposal package submitted past the deadline and/or submitted to other locations or offices shall be deemed non-responsive and will be rejected.

I. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit sealed proposals from qualified consultants to create a Master Plan for the area known as "The Fills" in Islamorada, Florida.

II. OBJECTIVES

The objective of this RFP is to secure the services of an experienced consultant that is capable of efficiently providing all necessary expertise, personnel, tools, materials, equipment, and overall services to create a Master Plan for "The Fills."

III. BACKGROUND AND HISTORY

Islamorada, Village of Islands (the "Village") is a municipality located within the Florida Keys and is comprised of four (4) islands spanning 18 miles. The population is approximately 6,400 and the Village has about 115 full-time employees. As a Florida municipality, the Village must operate within the guidelines of Florida Statutes relating to public records, public meetings, and Sunshine laws. The Village undergoes an annual financial audit pursuant to Florida Statutes. Additionally, the Village must follow the guidelines of its purchasing ordinance when purchasing capital, supplies and services.

The Village is committed to the protection of coastal resources and the marine environment, providing safe water access and recreational opportunities for residents and visitors and maintaining a positive image of the Village and the Florida Keys.

The Fills is an area located within Islamorada in the Florida Keys, along US-1 from Mile Marker 77.670 to Mile Marker 79.673, and connecting Upper Matecumbe and Lower Matecumbe Keys, including Tea Table Key Fill, Indian Key Fill, and Lignumvitae Key Fill. The Fills is approximately 7.38 acres of mostly submerged land that includes the area known as the Indian Key Boat Ramp, identified by Parcel ID Number 0097221, owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida and leased to the Florida Department of Environmental Protection Division of Recreation and Parks ("FDEP").

The Florida Department of Transportation ("FDOT") is the owner of the property comprising the remainder of the Fills not including FDEP's property. The Fills is the area of land on either side of the Overseas Highway, which is the only road that runs through the length of the Florida Keys. During weekends and holidays, the area is filled with visitors who park on either side of the Overseas Highway, litter the road and mangroves, have unauthorized picnic activities, and create a general nuisance for the Village. In lieu of shutting off access to the Fills and to better control public use and activities at the Fills, the Village entered into a lease agreement with FDOT for the limited purpose of directing and managing recreational traffic for public safety purposes. FDOT has authorized the Village to use cones and safety rope/tape to manage the recreational traffic without limiting public access in a discriminatory manner or without limiting public access for any reason other than public safety. FDOT has also authorized the Village to provide safe and traversable pedestrian paths on both sides of Overseas Hwy/SR5/US-1 without limiting or obstructing pedestrian traffic.

The Village also entered into a lease with the State of Florida Department of Environmental Protection Division of Recreation and Parks ("FDEP") for maintenance of the parking area and boat ramp located on Indian Key Fill. The lease agreements are attached hereto as Exhibit "A" (FDOT Lease) and Exhibit "B" (FDEP Lease). Maps of the subject areas are included in the attachments. (Note: the attached Exhibits have not been converted for ADA accessibility. To request ADA accessible exhibits, please contact Ana Hernandez via email to Ana.Hernandez@islamorada.fl.us or call her at 305-664-6439.)

The Village's current management activities include creating parking spaces, limiting areas of access by vehicles, installing additional trash drums, increasing the frequency of trash collection, placing and maintaining portable toilets, and assigning staff members to monitor and direct visitors. The management activities were considered successful in the improvement of safety and enjoyment of the area while reducing the environmental damaged caused by overuse.

The Village needs to develop a long-term maintenance plan to continue the management activities, including an appropriate level of parking and recreational space. The FDOT lease and the FDEP lease referenced above, require the Village to prepare and submit a Management Plan for each agency's approval. The Village is therefore seeking a firm capable of creating a Management Plan consistent with the terms of the FDOT lease, the terms of the FDEP lease, and the Village's interest in maintaining safe water access, recreational opportunities for residents and visitors, protection of coastal resource and the marine environment, and maintaining a positive image of the Village and the Florida Keys.

At its meeting on July 30, 2020, the Village Council approved installation of a cable barrier system to delineate parking areas and protect grassy areas and keep people from parking on the Overseas Heritage Trail. The Council also approved a preliminary Fills Master Plan that would include the following elements for consideration by FDOT:

1. Installing a barrier along US-1 (12' shoulder).
2. Installing access gates to "No Parking" areas
3. Informational signs with rules
4. Paid parking (app-based parking system)
5. Asphalt parking spaces with striping and signs
6. Make the Indian Key boat ramp area a "No Swimming Zone"
7. Project for a permanent boat ramp with launching dock (grant funded)
8. Bathroom facilities at each parking location
9. Install charcoal grills at populated areas (excluding Indian Key boat ramp)
10. Install additional landscaping (possible FDOT funded project)
11. Vista/viewing lookout on the shoreline
12. Pedestrian underpasses under the bridges
13. Move informational sign at Indian Key Fill boat ramp
14. Access gate at boat ramp (limit use from sunrise to sunset)

The Village requires a Fills Master Plan incorporating these elements for consideration and approval by FDOT and FDEP pursuant to the respective lease agreement.

IV. SCOPE OF SERVICES

The Scope of Work for the creation of the Master Plans includes the following components:

A. Master Plan for FDOT Property

- Assess the Village's current need for directing and managing recreational traffic for public safety purposes.
- Assess the Village's current methods for directing and managing recreational traffic for public safe purposes.
- Assess the requirements of the FDOT Lease to create a Master Plan conforming to those requirements.
- Create a conceptual plan for directing and managing recreational traffic utilizing a cable barrier system.
- The conceptual plan shall not limit public access in a discriminatory manner or purpose other than for public safety.
- Attend at least two (2) Village Council meetings to discuss the Master Plan.
- Prepare and provide a DRAFT Master Plan report that documents the elements of the plan, including, but not limited to, a description of the overall methodology, findings, supporting justification, recommendations, priorities and projected budget for an implementation plan soon after the first public input meeting. This document shall present information at briefing meetings with the Village Manager, Village staff and affected Village departments at critical points in the preparation process.
- Prepare a Final Master Plan report of the plan to be presented to the Village Council for review and approval at the Village Council regular meeting on or before May 31, 2021.

B. Master Plan for FDEP Property

- Assess the Village's current need for protection of coastal resources and the marine environment in the area known as The Fills.
- Asses the Village's current methods for protection of coastal resources and the marine environment in the area known as The Fills.
- Assess the requirements of the FDEP Lease to create a Management Plan conforming to those requirements.
- Create a conceptual plan for directing and managing the boat ramp, parking spaces and protection of coastal resources and marine environment
- The Management Plan shall emphasize the original management concept at the time of acquisition of the property which established the primary public purpose for which the subleased premises were acquired. The Management Plan shall implement applicable Best Management Practices for all activities conducted under the sublease in compliance with paragraph 18-2.018(2)(h), Florida Administrative Code for the protection and enhancement of the subleased premises.
- The Management Plan shall identify and designate the respective arthropod control district or districts all of the environmentally sensitive and biologically highly productive lands contained within the subleased premises, in accordance with Section 388.4111, Florida Statutes and Chapter 5E-13, Florida Administrative Code, for the purpose of obtaining a public lands arthropod control plan for such lands.

- The Management Plan should improve the safety and enjoyment of the area while reducing the environmental damage caused by overuse, including an appropriate level of parking and recreational space.
- The conceptual plan shall not limit public access in a discriminatory manner or purpose other than for public safety.
- Attend at least two (2) Village Council meetings to discuss the Master Plan.
- Prepare and provide a DRAFT Master Plan report that documents the elements of the plan, including, but not limited to, a description of the overall methodology, findings, supporting justification, recommendations, priorities and projected budget for an implementation plan soon after the first public input meeting. This document shall present information at briefing meetings with the Village Manager, Village staff and affected Village departments at critical points in the preparation process.
- Prepare a Final Master Plan report of the plan to be presented to the Village Council for review and approval at the Village Council regular meeting on or before May 31, 2021.

Consultant shall provide all expertise, personnel, tools, materials, equipment, transportation, supervision and all other services to create the Master Plan.

V. ELIGIBILITY CRITERIA

To be eligible for selection consideration, interested consultants/firms must submit one (1) original printed package, three (3) printed copies, and one (1) electronic copy provided as an email attachment or via link to online storage (i.e., One Drive Link) provided through email. The electronic copy should be identical to the original printed package, in natively converted PDF format and should be labeled **"Management Plan for Area known as "The Fills" in Islamorada, Florida (RFP 20-15)."**

Proposal packages must contain the following information:

1. Cover Letter: Provide a cover letter introducing your firm and proposal.
2. Company Overview: Provide an overview of the company detailing the total number and expertise of professional staff, describing staff credentials, and identifying office locations and staff assigned to those offices throughout the Florida Keys or the nearest locations to the Florida Keys. Please note that the Village prefers to contract directly with prime entities and the use of sub-consultants in your submission may affect proposal scoring.
 - a) Detail the qualifications and experience of the firm and services offered, including specific experience in drafting master plans for counties, cities or municipalities.
 - b) Describe the firm's familiarity with the Village area and any experience with other Florida Keys jurisdictions.
 - c) Provide an organizational chart, identifying key personnel and the reporting

relationship of key personnel within the organization. Include other proposed sub-contractors, if any, and describe their roles and availability.

3. Project Approach:

- a) Present your understanding of the Village's needs and the scope of services required.
- b) Explain the firm's capability and commitment of resources to meeting the Village's requirements, including but not limited to logistical conditions, staffing, mapping, and the requirements of the permits.
- c) Present the firm's proposed approach for creating the master plan.

4. Firm References:

- a) Provide a list and description of at least three (3) of the most recent contracts the firm has had with other local, state, and / or federal government agencies where services like those contemplated by this RFP were provided.
- b) Provide the dates of services and the scope of work of the previous contracts.
- c) For each contract listed, include contact information for a representative who can verify the firm's performance

5. Fee Schedule: Provide a lump sum fee for the project.

6. Insurance: The Respondent shall be responsible for all necessary insurance coverage as indicated below. Certificates of Insurance must be provided to Village within fifteen (15) days after award of contract, with Village Council listed as additional insured as indicated. If the proper insurance forms are not received within the fifteen (15) day period, the contract may be awarded to the next selected Respondent/Proposer. Policies shall be written by companies licensed to do business in the State of Florida and having an agent for service of process in the State of Florida. Companies shall have an A.M. Best rating of VI or better.

Worker's Compensation	Statutory Limits
Employers' Liability Insurance	\$1,000,000 Accident
\$1,000,000 Disease, policy limits	
\$1,000,000 Disease each employee	
General Liability, including	\$1,000,000 Combined Single Limit
Premises Operation	
Products and Completed Operations	
Blanket Contractual Liability	
Personal Injury Liability	
Expanded Definition of Property Damage	

Vehicle Liability (Owned, non-owned and hired vehicles)	\$1,000,000 per Occurrence \$1,000,000 Combined Single Limit
Pollution Liability \$2,000,000 Aggregate	\$1,000,000 per Occurrence
Watercraft Liability	\$1,000,000

Jones Act Coverage - Recognizing that the work governed by this contract involves Maritime Operations, the Contractor's Workers' Compensation Insurance Policy shall include coverage for claims subject to the Federal Jones Act (46 U.S.C.A. subsection 688) with limits not less than \$1 Million.

The Contractor shall be permitted to provide Jones Act Coverage through a separate Protection and Indemnity Policy, in so far as the coverage provided is no less restrictive than would have been provided by a Workers' Compensation policy.

The insurance provided by Respondent shall apply on a primary basis. Any insurance, or self-insurance, maintained by the Village shall be excess of, and shall not contribute with, the insurance provided by Respondent.

Except where prior written approval has been obtained hereunder, the insurance maintained by Respondent shall apply on a first dollar basis without application of a deductible or self-insured retention. Respondent shall pay on behalf of the Village or the Village's council members, officials, officers, agents and employees any deductible or self-insured retention applicable to a claim against the Village or the Village's council, officials, officers, agents and employees.

Compliance with these insurance requirements shall not limit the liability of Respondent. Any remedy provided to the Village by the insurance provided by Respondent shall be in addition to and not in lieu of any other remedy (including, but not limited to, as an indemnitee of Respondent) available to the Village under the Agreement or otherwise.

Neither approval nor failure to disapprove insurance furnished by Respondent shall relieve Respondent from responsibility to provide insurance as required by this Agreement.

Certificates of Insurance must be completed as follows:

1. **Certificate Holder**
Islamorada, Village of Islands
86800 Overseas Highway, 3rd Floor
Islamorada, Florida 33036

**2. Additional Insured for Commercial General Liability
Islamorada, Village of Islands and its Council members, officials, officers
and employees.**

7. State Authorization to Transact Business: Submit proof of authorization from the Secretary of the State of Florida to transact and conduct business in the State of Florida. Firms must be fully licensed and certified in the State of Florida at the time of submittal for the type of services to be rendered.

All inquiries and requests for clarification or interpretation regarding this Request for Proposals shall be made in writing to the attention of the Procurement and Grants Administrator by mail to 86800 Overseas Highway, Islamorada, Florida 33036; by email to ana.hernandez@islamorada.fl.us; or by fax to (305) 664-6464 no later than February 1, 2021.

The Village shall issue appropriate addenda as necessary via DemandStar at <https://www.demandstar.com> and on the Village's website at <http://www.islamorada.fl.us>. No oral change or interpretation of the provisions contained in this Request for Proposals is valid. Written addenda shall be issued when changes, clarifications or amendments to the Request for Proposals document are deemed necessary. The issuance of a written addendum is the only official method whereby interpretation, clarification or additional information can be given.

VI. EVALUATION SCORING AND TIMELINE

A publicly noticed bid opening will be held at the Village Administrative Center. An Evaluation Committee made up of three Village staff members will convene in a publicly noticed meeting to evaluate proposals after they are opened. Proposals will be evaluated for responsiveness to the RFP and to prepare a ranking of recommendations based on a point system to the Village Council for entering into contract negotiations. Negotiations will commence with the first-ranked firm. If the Village and the first-ranked firm are unable to finalize a contract, then the negotiation process will move to the second-ranked firm and so forth.

The point system for the evaluation and scoring of responsive proposals will be as follows:

Company Overview	0 – 15 points
Approach	0 – 30 points
Fee Schedule	0 – 40 points
References	0 – 15 points
TOTAL POINT RANGE	0 – 100 POINTS

The Village reserves the right to accept or reject any or all proposals, to waive irregularities, technical errors and formalities, and to select a qualified firm or firms to

provide the Services as it deems will best serve the interests of the Village.

VII. CONFIDENTIALITY AND PUBLIC RECORDS

The Proposal Documents and related materials received from the Firms in response to this RFP will become the property of the Village and will not be returned. The Village is a public agency subject to the Florida Public Records Law. Upon the Village's notice of a decision or intended decisions on selection of a Proposer or within ten (10) days after the opening of the Proposal Documents, whichever is earlier, any material submitted in response to this RFP will become a "public record" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes (Florida Public Records Law). All documents submitted to the Village pursuant to this RFP are public records or documents subject to disclosure, except as specifically exempted by Florida law or Applicable Law. The Village reserves the right to make all final determination(s) of the applicability of the Florida Public Records Law.

By submitting their Proposals, each Firm expressly acknowledges and agrees that the Village will not be responsible or liable in any way for any losses that the Firm may suffer from disclosure of information or materials to third parties and the Firm agrees to defend, indemnify, and hold harmless the Village from all costs (including reasonable attorneys' fees) arising from or related to any action under Florida Public Record's Law.

(end)