

RESOLUTION NO. 18-08-72

A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA APPROVING THE FIRST AMENDMENT TO WORK AUTHORIZATION NO. 3 BETWEEN WADE TRIM, INC. AND ISLAMORADA, VILLAGE OF ISLANDS FOR GENERAL ENGINEERING SERVICES TO PROVIDE OWNER'S REPRESENTATIVE SERVICES, DESIGN, PERMITTING AND CONSTRUCTION PHASE SERVICES, PERMITTING AND CONNECTION ASSISTANCE SERVICES, AND OPERATIONS ASSISTANCE FOR THE VILLAGE WASTEWATER UTILITY; AUTHORIZING VILLAGE OFFICIALS TO IMPLEMENT THE TERMS AND CONDITIONS OF THE FIRST AMENDMENT TO WORK AUTHORIZATION #3; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE THE AMENDMENT TO THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on June 4, 2015, Islamorada, Village of Islands (the "Village") entered into a Continuing Services Agreement (the "Agreement") with Wade Trim, Inc. ("Wade Trim") for engineering services; and

WHEREAS, on October 5, 2017, the Village Council of Islamorada, Village of Islands (the "Village Council") passed and adopted Resolution No. 17-10-84, thereby approving Project Agreement/Work Authorization No. 3, under the Agreement at a not-to-exceed amount of \$190,000.00 for fiscal year 2017-2018; and

WHEREAS, through a memorandum dated July 2, 2018, Wade Trim advised the Village that by early July 2018, the not-to-exceed amount of \$190,000.00 would be met, and that Wade Trim requested an increase in the not-to-exceed amount by \$63,400.00 to \$253,400.00 through September 30, 2018; and

WHEREAS, the Village and Wade Trim. desire to enter into the First Amendment to Work Authorization No. 3 (the "First Amendment") to the Agreement, to provide the aforementioned services; and

WHEREAS, the Village Council finds that approval of the First Amendment to Work Authorization No. 3 is in the best interest of the Village.

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 Amendment.** The Village Council hereby approves the First Amendment to Work Authorization No. 3 between Wade Trim and the Village, a copy of which is attached as Exhibit "A," together with such non-material changes as may be acceptable to the Village Manager and approved as to form and legality by the Village Attorney.

Section 3. **Authorization of Village Officials.** The Village Manager and/or her designee and the Village Attorney are authorized to take all actions necessary to implement the terms and conditions of the Work Authorization.

Section 4. **Authorization of Fund Expenditure.** Notwithstanding the limitations imposed upon the Village Manager pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Authorization.

Section 5. **Execution of Agreement.** The Village Manager is authorized to execute the First Amendment on behalf of the Village, to execute any required agreements and/or documents to implement the terms and conditions of the First Amendment and to execute any extensions and/or amendments to the First Amendment, subject to the approval as to form and legality by the Village Attorney.

Section 6. **Effective Date.** This Resolution shall take effect immediately upon adoption.

Motion to adopt by Vice Mayor Deb Gillis, second by Councilman Jim Mooney.

FINAL VOTE AT ADOPTION

VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS

Mayor Chris Sante	YES
Vice Mayor Deb Gillis	YES
Councilman Mike Forster	YES
Councilwoman Cheryl Meads	YES
Councilman Jim Mooney	YES

PASSED AND ADOPTED this 9th day of August, 2018.



CHRIS SANTE, MAYOR

ATTEST:



KELLY TOTH, VILLAGE CLERK

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



ROGET V. BRYAN, VILLAGE ATTORNEY

**FIRST AMENDMENT TO PROJECT AGREEMENT
BETWEEN
ISLAMORADA, VILLAGE OF ISLANDS
AND
WADE TRIM, INC.
FOR
WORK AUTHORIZATION NO. 3**

This First Amendment to the Project Agreement for Work Authorization No. 3 (the "First Amendment") is made and entered into this 16th day of August, 2018, by and between **ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA**, a Florida municipal corporation (the "VILLAGE") and **WADE TRIM, INC.**, A Florida corporation (the "CONSULTANT").

The VILLAGE and CONSULTANT previously entered into a Project Agreement for Work Authorization No. 3, dated October 1, 2017 (the "Project Agreement"), pursuant to the provisions contained in the "Continuing Services Agreement" between the VILLAGE and CONSULTANT dated June 4, 2015 (the "Continuing Services Agreement"). This First Amendment restates and duplicates the Project Agreement in all respects other than as reflected in strike-through/add format below reflecting the changes made by this First Amendment. Other than as set forth in strike-through/add format herein, the terms of the Project Agreement remain the same as set forth previously and in full force and effect as originally written.

This First Amendment amends the Payment Schedule and constitutes and is deemed a "Change Order," as defined and required in the Continuing Services Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth in this First Amendment, the parties hereby amend the Project Agreement as follows:

Section 1. Amendment to Agreement. The Agreement is amended to read as follows:

SECTION 4. AMOUNT, BASIS AND METHOD OF COMPENSATION

4.1 **Hourly Not to Exceed Compensation.** VILLAGE agrees to pay CONSULTANT as compensation for performance of all services described in Exhibit "2" at CONSULTANT'S hourly rates, up to a maximum not to exceed amount of \$190,000.00 \$253,400.00 for the 2017-2018 fiscal year as shown in exhibit 3.

Section 2. No Further Modifications. All other terms and conditions of the existing Agreement not in conflict or superseded by this First Amendment shall remain in full force and effect as if set forth herein.

Section 3. Effective Date. This First Amendment shall be effective on August 9, 2018.

IN WITNESS WHEREOF, the parties execute this First Amendment on the respective dates under each signature: The Village, signing by and through its Village Manager, attested to by its Village Clerk, and by CONSULTANT by and through its principal.

Attest:

ISLAMORADA, VILLAGE OF ISLANDS

Kelly S. Toth
Kelly Toth, Village Clerk

By: Seth Lawless
Seth Lawless, Village Manager

Date: 8/13/18

WADE TRIM, INC.

By: Thomas S. B. C.
Signature
Executive Vice President
Title

Date: 8/16/18

Witness: Crystal Aguirre

**MEMORANDUM**

DATE: July 2, 2018

TO: Seth Lawless, Village Manager
Islamorada, Village of Islands

FROM: Dan Burden, Ph.D., P.E.
Wade Trim

RE: Additional FY18 Budget Request

As discussed at our recent progress meeting, Wade Trim's budget for Work Authorization No. 3 will be completely expended by early July 2018. With three months (15 weeks) remaining in this fiscal year, we anticipate the need for additional budget to continue to provide the Village with engineering services for a number of ongoing project efforts and general engineering services on a daily basis as required for the wastewater department. The attached summary provides you with an overall status report on each of the task items in Work Authorization No. 3 and our estimated budget needs for the remainder of the fiscal year.

Task 6.1 – Permitting

Since October 2017, Wade Trim has reviewed and processed a total of 29 FDEP construction and service connection permits for the Village. Currently we have a total of 24 outstanding FDEP permits that remain to be processed for service connections. We anticipate receiving approximately 8 of these remaining permits over the next 3 months for review processing and approval. Our budget estimate request is based on Wade Trim's average cost (\$2,300) for processing each permit.

Additional FY18 Budget Request for Task 6.1: **\$18,400**

Task 6.2 – KLWTD Assistance

We do not anticipate any additional assistance required under this task effort over the next 3 months.

Task 6.3 – Founders Park Design, Permitting and Collection System Testing

Wade Trim currently has \$14,000 remaining under this task effort to assist the Village with overseeing the repair and testing work being completed by Windy Day Plumbing and providing the Village with assistance executing a contract with the low bidder for the constructing the new pump station. Our budget estimate request is based on the estimated hours for continuing to provide the Village with engineering assistance on this task.

Additional FY18 Budget Request for Task 6.3: **\$6,500**



Task 6.4 – Anne’s Beach Design & Permitting

Wade Trim’s design efforts are just underway on this effort. We anticipate completing design on this project by September 30 and therefore will require an estimated \$30,000 to complete the design work and prepare design drawings and construction documents. Our original budget for this effort was \$53,000, of which only \$7,600 has been expended to date leaving a balance task effort budget \$45,400.

Additional FY18 Budget Requested for Task 6.4: **\$30,000**

Task 6.5 – Operations Assistance

Wade Trim’s efforts under this task effort to date have included:

- Field verification of lateral grades for determination of service availability (vacuum connection vs. a grinder pump connection);
- Participation at weekly construction meetings; and
- Asbuilt information requests required for plumbing connections;
- Engineering and resolution of service connection issues that include:
 - Publix Service Connection
 - Island Resort Service Connection
 - Horton-Jones Property Service Connection
 - Boys Scouts of America Buffer Tank Connection
 - Parmalee Development Plan Review
 - Days Inn Emergency Connection
 - Trading Post

We anticipate additional budget needed to assist the Village on a weekly basis as required for service connections. The requested additional budget is based on the average hours expended per week on providing the Village engineering assistance with these efforts.

Additional FY18 Budget Requested for Task 6.5: **\$5,000**

Task 6.6 – General Engineering

The majority of Wade Trim’s work efforts under this task effort have included providing the Village with engineering assistance on special projects that include:

- FDOT Weigh Station Lighting Construction Improvements
- Founders Park Pedestrian Bridge Coordination
- Snake Creek FDOT Bridge Review



- Dougherty Residence Air Issue
- Conveyance Force Main Pump & Air Complications
- Coordination with Greg Tindle Departure
- Emergency Services Request for Proposals
- UMK Booster Pump Station Issues

We anticipate some additional budget needed to assist the Village on a weekly basis as required for service connections. The requested additional budget is based on the average hours expended per week on providing the Village engineering assistance with these efforts.

Additional FY18 Budget Requested for Task 6.6: **\$3,500**

Summary

The estimated additional budget required for the remainder of FY2018 associated with each task effort is provided in the table below.

Wade Trim Additional FY18 Budget Request (July through September 2018)

Task #	Estimated Additional Task Budget
6.1	\$18,400
6.2	\$0
6.3	\$6,500
6.4	\$30,000
6.5	\$5,000
6.6	\$3,500
Total Additional FY18 Budget Request	\$63,400