

TASK ORDER No. 3

Dated this _____ day of _____, 2014

FORT LAUDERDALE PUBLIC WORKS DEPARTMENT

FORT LAUDERDALE EXECUTIVE AIRPORT PARCELS B, C, D – EARTHWORK CONSTRUCTION SERVICES

PROFESSIONAL SERVICES

This Task Order is pursuant to the Agreement between the City of Fort Lauderdale, a Florida municipality, ("CITY" or "Fort Lauderdale Executive Airport" or "FXE"), and Miller, Legg & Associates, Inc., a Florida corporation, ("CONSULTANT"), for General Civil Engineering Consultant Services dated November 6, 2012.

PROJECT BACKGROUND

The Project is generally described as follows: Fort Lauderdale Executive Airport is planning to prepare Parcels B, C and D, located north of N.W. 65th Street and between N.W. 12th Avenue and N.W. 15th Avenue, in Fort Lauderdale, Florida, for potential development options (see Exhibit 1).

All three (3) parcels were the subject of leases dated March 1, 2000, March 1, 2002 and March 1, 2003, respectively, between the City of Fort Lauderdale and Southern Facilities Development ("SFD"). As a result of lessees' failure to comply with the terms of the leases and its failure to address environmental violations created on Parcels C and D, the City's City Commission, at its February 15, 2011, Regular Meeting, adopted resolutions terminating the leases for the three parcels and reverting the Parcels back to the Airport. Parcel B (9.87 acres) contains upland Natural Resource Area ("NRA"), Parcel C (10.29 acres) contains wetlands, and Parcel D (11.68 acres) contains areas identified with both Natural Resource Area (NRA) and wetlands. Therefore, all three parcels require Environmental Resource Permits and Licenses in order to allow for development. Additionally, Parcels C and D are subject to a Final Consent Order issued by Broward County regarding violations of environmental regulations by lessee resulting from unauthorized impacts to jurisdictional wetlands, damage to trees, and removal of ground cover that occurred in 2001 but were never cured by lessee.

FXE has cleared the property of debris and nuisance vegetation and conducted the necessary natural resource mitigation required in accordance with permits issued by Broward County Surface Water Management and South Florida Water Management District for the parcels. FXE is proceeding with earthwork operations to remove unsuitable material (construction debris, topsoil and muck) and fill and grade the properties to minimum flood elevation in anticipation of marketing for development. This earthwork will address the removal of the wetland located on-site that has been permitted to be filled and of which mitigation has already been performed. The earthwork will involve screening of on-site material, excavation and hauling from airside site at FXE, with the balance to be provided by off-site sources. Total volume of material estimated to be handled is approximately 120,000 cubic yards for the three parcels. The site earthwork operations will be performed by a contractor selected under a separate bid process and will require CONSULTANT's observation and review for consistency with the specifications and permits issued for the sites to blanket fill the property for future development.

SPECIFIC SCOPE OF SERVICES AND DELIVERABLES

The Scope of Services to be provided by CONSULTANT shall be as follows:

Task 1 Construction Services –CONSULTANT shall attend field coordination meetings with CITY and/or contractor. CONSULTANT shall assist in permit processing requirements for earthwork excavation and hauling. CONSULTANT shall assist in addressing requests for information that may arise during the construction of the earthwork operations. Since the airside site was designed to be field adjusted based on operations and site conditions, CONSULTANT shall assist in the field adjustments for the grading associated with the on-site airside site topsoil movement and fill removal. CONSULTANT shall be available for this phase of work in order to ensure compliance with permit requirements. CITY staff will be responsible for the landside site observation and contractor truck tracking, CONSULTANT shall be responsible for the airside site observation and field coordination.

Task 2 Document Review – CONSULTANT shall review the information required to be submitted by the contractor for compliance with the design specifications and permits including but not limited to: submittal reviews, requests for information replies, dump ticket review, geotechnical testing results, and as-built surveys. CONSULTANT shall review the contractor's pay applications and supporting documentation and make recommendations to the CITY regarding processing. CONSULTANT shall also coordinate with permitting agencies for notifications and reporting during this earthwork portion of the project.

Deliverables:

Deliverables for this project shall consist of the following:

- Reviewed Pay application forms – Hard copy and PDF Format.
- Weekly observation reports of the airside site work.

PROJECT ASSUMPTIONS

The applicable permits issued include: Broward County Surface Water Management No. SWM2003-071-2, South Florida Water Management District Permit No. 06-C1048-5-03, City of Fort Lauderdale Tree Removal Permit 12031714, and Broward County Tree Removal License TP10-1012. Specifications and plans that have been issued under Project bid 543-11355 are the appropriate contract documents for field compliance and monitoring. Certification of stormwater management system is not in this scope. Contractor will be responsible for testing and as-built surveys.

CITY'S RESPONSIBILITIES

- CITY shall provide access to site.
- CITY shall provide survey services, if necessary.
- On-site inspection, dump ticket collection, and monitoring for the landside site.
- Observation and verification of topsoil and muck removal at the landside site.
- Full time observation of fill pile (Parcel D), screening, removal of debris, and truck hauling verification at the landside site.
- Written weekly observation reports.

PERFORMANCE SCHEDULE

The CONSULTANT shall perform the services identified in Tasks 1 and 2 inclusive within five (5) months of written Notice to Proceed.

PROJECT FUNDING

Performance of this project is at the CITY's discretion and may be contingent upon the CITY receiving funding from the Airport's Capital Improvement Program, and work shall not begin until the CITY notifies the CONSULTANT that funding sources for this project are in place.

METHOD OF COMPENSATION

The services performed will be accomplished using the Not-to-Exceed method of compensation. The total hourly rates payable by the CITY for each of CONSULTANT's employee categories, reimbursable expenses, if any, and sub-consultant fees, if any, are shown on Exhibit "A" attached hereto and made a part hereof.

TERMS OF COMPENSATION

Services will be provided for the following Not-to-Exceed amounts:

Task No	Task Title	Labor Fees		Total
		Consultant	Sub consultant	
1	Construction Services	\$ 19,685.00		\$ 19,685.00
2	Document / Pay App Review	\$ 11,640.00	\$	\$ 11,640.00
All tasks				\$ 31,325.00
TOTAL				\$ 31,325.00

CITY CONTACTS

Requests for payments should be directed to City of Fort Lauderdale Accounts Payable via e-mail to AcctsPayable@FortLauderdale.gov. All other correspondence and submittals should be directed to the attention of Fernando Blanco, Airport Engineer, at the address shown below. **Please be sure that all correspondence refers to the City project number and title as stated above.**

City of Fort Lauderdale
City Hall, 4th Floor Engineering
100 North Andrews Avenue
Fort Lauderdale, FL 33301

CONSULTANT CONTACTS

Miller Legg & Associates, Inc.
5747 North Andrews Way
Fort Lauderdale, FL 33309
Dylan Larson, PWS, CEP
Email: dlarson@millerlegg.com
Phone: 954-436-7000
Fax: 954-436-8664

IN WITNESS WHEREOF, the parties execute this Task Order No. 3 as follows:

WITNESSES:

CITY OF FORT LAUDERDALE

Print Name:

By: _____
Lee R. Feldman, City Manager

Print Name:

ATTEST:

JONDA K. JOSEPH, City Clerk

Approved as to form:

Senior Assistant City Attorney

CONSULTANT:

WITNESESS:

Marina Hannwacker

Print Name:

Darlene Luna

Print Name

MILLER, LEGG & ASSOCIATES, INC.,
A Florida Corporation

By: [Signature]

Dylan Larson
Principal

ATTEST:

[Signature]

Print Name:

~~Secretary~~ President & CEO

(CORPORATE SEAL)

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 16th day of July, 2014, by Dylan Larson as principal for Miller, Legg & Associates, Inc., a Florida corporation.

(SEAL)

[Signature]

Notary Public, State of Florida
(Signature of Notary Public)



Name of Notary Typed, Printed or Stamped

Personally Known ☒ OR Produced Identification _____
Type of Identification Produced _____

EXHIBIT 1

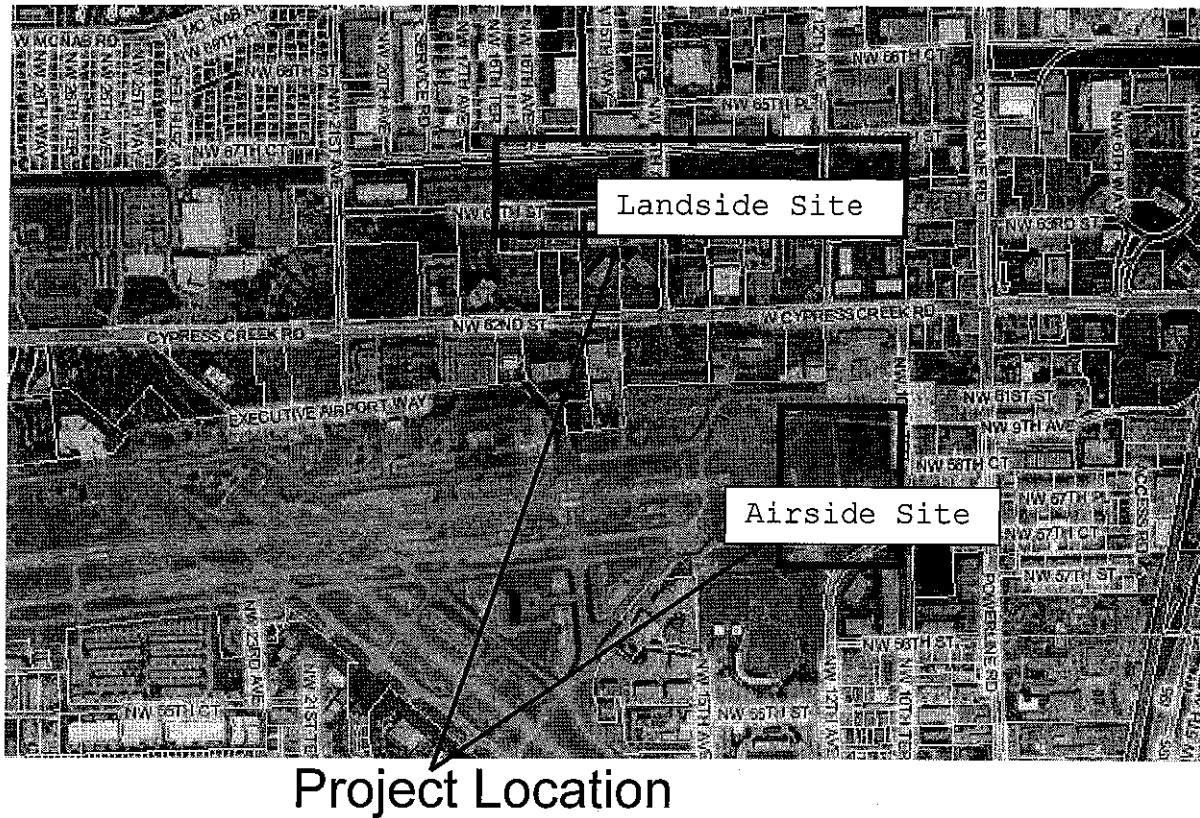


EXHIBIT A

Fee Schedule

CONSULTANT

Fee Schedule											Total Hours	Labor Cost (\$)
Labor Category		Principal 9%		Sr. Const. Specialist 43%		Civil Eng. 39%		Admin. 10%				
Percent Utilization												
Labor Rate		\$180.00 /hr		\$125.00 /hr		\$110.00 /hr		\$55.00 /hr				
Task No.	Task Time	Hours	Subtotal (\$)	Hours	Subtotal (\$)	Hours	Subtotal (\$)	Hours	Subtotal (\$)			
1	Construction Services	7	\$ 1,260.00	88	\$ 11,000.00	50	\$ 5,500.00	35	\$ 1,925.00	180	\$ 19,685.00	
2	Document review/Pay app	8	\$ 1,440.00	20	\$ 2,500.00	60	\$ 6,600.00	20	\$ 1,100.00	108	\$ 11,640.00	
			\$ -		\$ -		\$ -		\$ -	0	\$ -	
			\$ -		\$ -		\$ -		\$ -	0	\$ -	
Totals		15	\$ 2,700.00	108	\$ 13,500.00	110	\$ 12,100.00	55	\$ 3,025.00	288	\$ 31,325.00	