

TOWN OF BAY HARBOR ISLANDS

January 14, 2019

AGENDA

STATEMENT OF DECORUM

All comments must be addressed to the Council as a body and not to individuals. Any person making a racial or slanderous remark or who becomes boisterous while addressing the Town Council, staff, etc. shall be barred from the audience by the presiding officer. No profanity, shouting, heckling, verbal outbursts or disruptive behavior in support of or opposition to a speaker or his/her remarks is permitted. Please mute or turn off your cell phone or other electronic devices at the start of the meeting. Failure to do so may result on being barred from the meeting. Persons exiting the Chambers shall do so quietly.

CALL TO ORDER: 7:00 p.m.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

SPECIAL PRESENTATION:

1. Certificate of Achievement for Excellence in Financial Reporting - Melissa Cruz, Finance Director

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

TOWN MANAGER'S REPORT:

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

PUBLIC COMMENT:

*There is a three (3) minute time limit for each speaker during public comment and a two (2) minute time limit for each speaker during all other agenda items. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than three (3) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. **A request form is available from staff; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment.** Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.*

COMMITTEE REPORTS:

2. **Report** from the Parks and Recreation Committee.

CONSENT AGENDA: *(Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)*

3. **Consideration and Approval** of the following Meeting Minutes:

- a. May 1, 2018 - Joint Workshop
- b. May 11, 2018 - Regular Council Meeting
- c. June 11, 2018 - Regular Council Meeting
- d. July 19, 2018 - Special Council Meeting
- e. July 19, 2018 - Budget Workshop

4. **Consideration and Approval** of the Council Meetings dates for the 2019 Calendar year. Enclosed is a copy of the proposed dates.
5. **Consideration and Approval** requested by Council Member Leonard of a Memorandum of Understanding (MOU) with Our Kids of Miami -Dade / Monroe, Inc to establish a protocol for foster and adoptive parent recruitment within the Town. Enclosed is a copy of the proposed Agreement.
6. **Consideration and Approval** of a proposal from MediaTech in the amount of \$2,925 for the design and production of the Town's 2017-18 Annual Report. Enclosed is a copy of the proposal.
7. **Consideration and Approval** for a proposal from LagomHR in the amount of \$4,250 to create a new employee policy manual for the Town. Enclosed is a copy of the proposal.
8. **Consideration and approval** of an expenditure not to exceed \$25,000 from the Law Enforcement Trust Fund for the purchase of a 8-12 passenger van to be used for the Bay Harbor Islands Police Explorer Program.
9. **Consideration and Approval** of an Inter local Agreement with the Village of Bal Harbour for the access and use of the Bal Harbour Basketball Courts located at 701 96 Street. Enclosed is a copy of the proposed agreement.
10. **Approval** to carry-forward appropriations from the 2017-2018 budget year into 2018-2019. Enclosed is a Memorandum from Director of Finance, Melissa Cruz

STAFF RECOMMENDATION: Approval

POLL VOTE

ORDINANCES ON SECOND READING:

ORDINANCES ON FIRST READING:

11. **Consideration and Approval** of an ordinance on **first** reading to prohibit medical marijuana dispensing facilities within the Town. Enclosed is a copy of the proposed ordinance.

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 23, ARTICLE I OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES BY ADDING SECTION 23-5.3 TO PROHIBIT MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE BOUNDARIES OF THE TOWN OF BAY HARBOR ISLANDS AS AUTHORIZED BY SECTION 381.986(11)(B), FLORIDA STATUTES; PROVIDING LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION, PROVIDING FOR MORATORIUM CONTINGENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

STAFF RECOMMENDATION: Council Discretion

POLL VOTE

DEFERRED ITEMS:

TOWN MANAGER ITEMS: *(Town business items requiring Council approval)*

12. **Discussion and selection** of the Town's first mission statement.

STAFF RECOMMENDATION: Council Discretion

13. **Discussion and Approval** of a proposal from HR Compensation Consultants, LLC. in the amount of \$20,950 for classification and compensation consulting services. Enclosed is a copy of the proposal.

STAFF RECOMMENDATION: Approval

POLL VOTE

14. **Consideration and Approval** of a request from EzFILL-FL, LLC to extend the hours of operation for an on-demand gas delivery service. The Business Owner is requesting to operate between the hours of 8:00 a.m. to 2:00 a.m. Enclosed is a copy of the letter from EzFILL, LLC and other supporting documents.

STAFF RECOMMENDATION: Council Discretion

15. **Consideration and Approval** of contract award to Heavy Civil Inc. in the amount of \$548,413.50 for project BC 150 Broad Causeway Corridor Enhancements Project. Enclosed is a copy of the bid results and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

16. **Consideration and Approval** of contract award to Metro Express, Inc. in the amount of \$76,000.00 to perform work associated with Contract # BHI 197 Zone 3 Valley Gutter Repairs on the perimeter roadways of the West Island north of 96th Street. Enclosed is a copy of the bid results and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

17. **Consideration and Approval** of contract award to Cone & Graham Heavy Construction in the amount of \$94,704.20 to perform work associated with Contract # BC 152 Tendon Repairs U Channel over Indian Creek Bridge. Enclosed is a copy of the bid results and supporting documents.

STAFF RECOMMENDATION: Approval

POLL VOTE

18. **Consideration and approval** of a proposal from Hazen and Sawyer in the amount of \$19,600.00 for engineering services for the preparation of the Town wastewater collection/transmission system model update due by April 1, 2019. Failure to meet this deadline would place the Town in a moratorium for non-compliance. Enclosed is a copy of the proposal.

STAFF RECOMMENDATION: Approval

DISCUSSION ITEMS:

ADJOURNMENT: Set for 11:00 p.m. *(Any items not addressed by 11:00 PM, will be continued to the following day at 7:00 PM)*

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Town Council with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 1.

ITEM: Certificate of Achievement for Excellence in Financial Reporting - Melissa Cruz,
Finance Director

DESCRIPTION:

RECOMMENDED ACTION:

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Melissa Cruz, Finance Director

ATTACHMENTS

1. 2017 CAFR Financial Reporting Award
2. 2017 GFOA Certificate



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

11/07/2018

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
E-mail: mlevine@gfoa.org

(Chicago, Illinois)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **Town of Bay Harbor Islands** by Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s) or department designated by the government as primarily responsible for preparing the award-winning CAFR.

The CAFR has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

Government Finance Officers Association is a major professional association servicing the needs of nearly 19,000 appointed and elected local, state, and provincial-level government officials and other finance practitioners. It provides top quality publications, training programs, services, and products designed to enhance the skills and performance of those responsible for government finance policy and management. The association is headquartered in Chicago, Illinois, with offices in Washington, D.C.



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

November 7, 2018

Melissa Cruz
Finance Director
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154-0667

Dear Ms. Cruz:

We are pleased to notify you that your 2017 fiscal year end comprehensive annual financial report (CAFR) qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment. Congratulations for having satisfied the high standards of the program. We hope that your example will encourage others in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

A "Summary of Grading" form and a confidential list of comments and suggestions for possible improvements are enclosed. We want to strongly encourage the recommended improvements be made in the next report, and that the report be submitted to the program within six months of your next fiscal year end. Certificate of Achievement Program policy requires that written responses to the comments and suggestions for improvement accompany the next fiscal year's submission. The written responses should provide details about how each item is addressed within this report. These responses will be provided to those Special Review Committee members participating in the review. If a comment is unclear or there appears to be a discrepancy, please contact the Technical Services Center at (312) 977-9700 and ask to speak with a Certificate of Achievement Program in-house reviewer.

When a Certificate of Achievement for Excellence in Financial Reporting is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. An AFRA is enclosed for the preparer as designated on the application.

Continuing participants will find a brass medallion enclosed with these results. First-time recipients will receive a plaque in about 10 weeks. We hope that appropriate publicity will be given to this notable achievement. A sample news release has been enclosed.

A current holder of a Certificate of Achievement may include a reproduction of the Certificate in its immediately subsequent CAFR. A camera-ready copy of your Certificate is enclosed for that purpose. If you reproduce your Certificate in your next report, please refer to the enclosed instructions. A Certificate of Achievement is valid for a period of one year.

A Certificate of Achievement Program application is posted on GFOA's website. This application must be completed and accompany your next submission. See sections III and IV of the application for instructions. **The entity's GFOA membership number appears on the attached comments and must be listed on the application.** Your continued interest in and support of the Certificate of Achievement Program is most appreciated. If we may be of any further assistance, please contact the Technical Services Center at (312) 977-9700.

Sincerely,

A handwritten signature in black ink, reading "Michele Mark Levine". The signature is written in a cursive, flowing style.

Michele Mark Levine
Director, Technical Services Center



**The Government Finance Officers Association
of the United States and Canada**

presents this

AWARD OF FINANCIAL REPORTING ACHIEVEMENT

to

Melissa Cruz

Finance Director

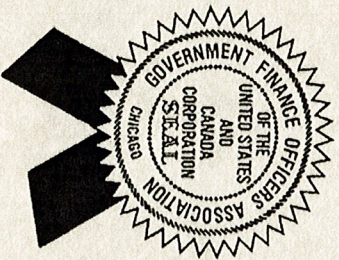
Town of Bay Harbor Islands, Florida

The award of Financial Reporting Achievement is presented by the Government Finance Officers Association to the individual(s) designated as instrumental in their government unit achieving a Certificate of Achievement for Excellence in Financial Reporting. A Certificate of Achievement is presented to those government units whose annual financial reports are judged to adhere to program standards and represents the highest award in government financial reporting.

Executive Director

Christophe P. Morrell

Date November 7, 2018



AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 3.

ITEM:

Consideration and Approval of the following Meeting Minutes:

- a. May 1, 2018 - Joint Workshop
- b. May 11, 2018 - Regular Council Meeting
- c. June 11, 2018 - Regular Council Meeting
- d. July 19, 2018 - Special Council Meeting
- e. July 19, 2018 - Budget Workshop

DESCRIPTION:

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk

ATTACHMENTS

- 1. 5-1-18 Joint Workshop - DRAFT
- 2. 5-14-18 reg DRAFT
- 3. 6-11-18 reg DRAFT
- 4. 7-19-18 Spc DRAFT
- 5. 7-19-18 Budget Wrkp DRAFT

**MINUTES OF A JOINT WORKSHOP
TOWN COUNCIL & PLANNING & ZONING BOARD
TOWN OF BAY HARBOR ISLANDS**

A Joint Workshop Meeting of the Town Council and the Planning & Zoning Board was held on Tuesday May 1, 2018 at 6:30 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder

Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

Chair Steven Hurwitz	Vice Chair Jerome Gavcovich
Board Member Alan Bebachik	Board Member Jed Frankel
Board Member Wesley Kean	Board Member Robert Saland

Item 1. Discussion and Direction requested by the Town Council and the Planning & Zoning Board regarding possible code amendments in the RD Single Family District.

Chair Hurwitz provided a brief report on the recent discussion by the Planning & Zoning Board relating to the size of the homes and side setbacks and asked for the Town Council direction on what they want the Board to discuss.

Council Member Salver would like for the Board to discuss the size of the homes on the West Island and asked them to discuss any other recommendations they feel may need code modifications.

Council Member Tricoche disagreed with inclusion of the 50% credit for impervious pavers and asked the Board to discuss the lot coverage, setbacks, and landscaping.

Council Member Reid asked for the Board to also include the East Island on their discussions. She was in favor of smart development and asked them to continue to discuss the lot and building coverage.

Council Member Leonard was open to any discussion for code modifications but would like to be sensitive to the neighboring property owners. He was open to the Board recommendations that would need code modifications.

Council Member Yaffe was also concerned with a recent construction of single family homes on the East Island that were built to massive. He would like for the Board to discuss the front yard landscaping and to take into account the neighboring property owners.

Vice Mayor Fuller was also concerned with the neighboring property owners' rights, specifically when building a home with a second floor.

Board Member Bebachik felt that the Town Council was trying to over compensate and was opposed to over regulating the size of homes.

Board Member Saland agreed with Board Member Bebachik on the opposition to over regulate the size of the homes. He felt that the property values in Bay Harbor Islands have increased tremendously and felt

that we need to use those tax dollars to beautify the West Island. He suggested for the power line to put underground.

Board Member Kean felt that a good zoning code should have flexibility and suggested to include language that was flexible to encourage good architectural without over regulating. He also suggested when the Town Council considers a code amendment to also look at amendments to the East Island and sea level rise.

Council Member Salver stated he was also open to reexamining any possible code amendments to the East Island

Vice Chair Gavcovich suggested discussion on seawalls; sea level rise; limiting the size of the home by using lot and building coverage; setbacks to the second floor story and rear setbacks.

Chair Hurwitz felt that all site plans should be looked at individually and stated that the Board can discuss the lot and building coverage and can create a formula by reviewing other neighboring cities formula.

Board Member Bebchik urged the Town Council to consider the Board recommendations for a code amendment on open space and building articulation.

PUBLIC COMMENT

Kathleen Kennedy, 9180 E. Bay Harbor Drive, came forward urged the Council to also review the East Island and was also concerned with the Island landscaping.

There was a brief discussion on recent developments landscaping; possible code amendment to include the type of landscaping at planting and the Town enforcement on what is planted to match the landscaping plan.

John Vetter, 10350 W. Bay Harbor Drive, came forward and believe on architectural freedom and suggested that the Board look at the driveways. He reported that the Grand Beach Hotel had cars stacking on the street.

Linda Zilber, 1231 95 Street, came forward and suggested that a landscaping plan be submitted to the Board prior to approval.

Paul Basile, 9240 W. Bay Harbor Drive, came forward and felt that the architecture was subjective and urged the Board to look into the floor plans.

CLOSED PUBLIC COMMENT

Consensus was for the Planning & Zoning Board to discuss and make recommendations on the following:

- Formula for lot and building coverage
- East and West Island
- Landscaping and maintenance.
- Incentives for sustainable landscaping

There being no further business to discuss meeting was adjourned at 8:13 p.m.

MAYOR

ATTEST

TOWN CLERK

DRAFT

MINUTES OF A REGULAR MEETING TOWN OF BAY HARBOR ISLANDS

A Regular Council Meeting of the Town Council was held on Monday May 14, 2018 at 7:00 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder	
Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

SPECIAL PRESENTATION:

Item 1. Recognition to the winners of the After School Program Art Contest

Mayor Bruder presented the winners of Art Competition.

Item 2. Legislative Report - Senator Daphne Campbell

Senator Daphne Campbell provided a legislative update report on the last session and state that the state legislator passed and approved next fiscal year budget. She also presented a resolution to the Town Council recognizing the Town 70th Anniversary.

Item 3. Legislative Report - State Representative Joseph Geller

State Representative Joseph Geller came forward and reported on the last legislative session. He stated that he voted for the proposed budget and also explained on the recently proposed bills on education; environment, criminal justice, local elections, business tax receipt and home rule.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

Council Member Tricoche requested a future agenda item on Causeway Island sign and recognition or installation system for former members of the Town Council and/or Town Committee.

Council Member Reid requested a future agenda item on re-notifying neighbors of any request for revisions to an approve project going before the Planning & Zoning Board.

Council Member Leonard would like to discuss the possibility to extend the hours of operation for the library at the Community Center.

Council Member Yaffe requested a discussion on staggered terms for Members of the Planning & Zoning Board.

Vice Mayor Fuller requested a discussion on pedestrian walkway on the Causeway and also would like to research the economic impact.

TOWN MANAGER'S REPORT:

Item 4. Report on Investments Performance – Charles Sachs, BNY Mellon

Mr. Sachs came forward and reported on the Towns quarterly report on the Town investment portfolio.

Item 5. Report - Bay Harbor Terrace Parking

Town Manager Wasson reported on the recent parking issue on Bay Harbor Terrace between 100 and 101 streets. Temporary parking decals were issue to the surrounding residents so they could park on Bay Harbor Terrace and the results of the temporary solution have been successful.

PUBLIC COMMENT

Frances Neuhut, 1060 Kane Concourse, came forward and felt it was unfair to the other residents that have not been offered the same parking option.

CLOSED PUBLIC COMMENT

Item 5.1 Report on the Ruth K. Broad Bay Harbor K- 8 Center Construction

Contractor of Link Construction, Fernando Lango, came forward and requested that the Town Council grant them permission to start construction at 7:00 a.m. He felt the early start of construction was to not impact the drop off for the students at the school.

Request for permission to start construction at 7:00 a.m. was denied by the Town Council.

PUBLIC COMMENT

Frances neuhut, 1060 Kane Concourse, asked for the council to follow the joint use agreement.

Kathleen Kennedy, 9180 W. Bay Harbor Drive, came forward and asked why this wasn't brought to the parks and recreation.

CLOSED PUBLIC COMMENT

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

Council Member Leonard announced that he was appointed as President for the Miami Dade County League of Cities.

Council Member Yaffe attended the Miami Dade County League of Cities Installation Gala and congratulated Council Member Leonard as the new President.

Vice Mayor Fuller also congratulated Council Member Leonard as the new President for the Miami Dade County League of cities, and also reported attended an event on Law Day.

Council Member Tricoche reported she attended the Miami Dade County League of Cities Installation Gala and the Parent Teacher Association meeting on school safety.

Council Member Reid reported she attended the Parent Teacher Association safety meeting.

Council Member Salver congratulated Council Member Leonard on his installation to the Miami Dade County League of Cities as president.

Mayor Bruder reported she attended the Miami Dade County League of Cities Installation Gala and congratulated Council Member Leonard as the incoming president.

PUBLIC COMMENT: There is a three (3) minute time limit for each speaker during public comment and a two (2) minute time limit for each speaker during all other agenda items. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than three (3) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. A request form is available from staff; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.

Linda Zilber, 1231 95 St, came forward and congratulated Council Member Leonard on his installation as President to the Miami Dade County League of Cities.

Business Owner of Bon Cholocatier, Mr. Andreu, came forward and welcomed all the residents to his a new business in Town. He also asked for staff to provide more feedback to bring more business to Town.

Frances Neuhut, 1060 Kane Concourse, came forward and stated that today was Israel Independence Day and asked for the Town to acknowledge the BDS movement.

Victor Maya, 1155 103 Street, came forward and stated there were a lot of hateful comments that were directed at him and felt that it was a shameful behavior on how people talked on Nextdoor App.

COMMITTEE REPORTS:

Item 6. Consideration and Approval of a request for appointments and re-appointment to the Planning & Zoning Board for the term 2018 - 2020. Enclosed is a list of Board Member that seek re-appointment and five (5) new request from residents seeking appointment.

ACTION: The Town Council appointed the following to the Planning & Zoning Board. Alan Bebchik, Jed Frankel, Jerome Gavcovich, Steven Hurwitz, Oscar Sklar, Roger Santana and Kean Wesley.

Item 7. Consideration and Approval of a request for appointment to the Parks & Recreation Committee. The Committee currently has one vacant seat . Enclosed are copies of resumes and letter of interest from residents.

ACTION: Consensus was to appoint Linda Zilber to the Park and Recreation Committee.

CONSENT AGENDA: (Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)

Item 8. Consideration and Approval of a resolution requested by Council Member Leonard expressing support and encouragement to the City of Weston and other municipalities regarding their pending litigation seeking a declaration that the provisions set forth in Section 790.33, Florida Statutes, punishing elected officials for violating the preemption relating to the regulation of firearms and ammunition, are invalid. Enclosed is a copy of the proposed resolution.

Item 9. Approval of the Federally Funded Sub award and Grant Agreement with the Federal Emergency Management Agency reimbursing the Town \$215,44.27 for expenses incurred for cleanup and recovery efforts after Hurricane Irma.

Item 10. Consideration and Approval of an agreement with the State of Florida, State Attorney Office to reimburse the state for the cost of state attorney prosecution of certain criminal violations.

ACTION: Council Member Leonard made a motion to approve the consent agenda. Vice Mayor Fuller seconded the motion and it passed unanimously.

ORDINANCES ON SECOND READING:

Item 11. Consideration and approval of an ordinance on second reading to implement the Planning and Zoning Board's initial recommended Code amendments for single-family home development (front yard open space / building façade criteria).

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA; AMENDING THE TOWN'S CODE OF ORDINANCES AS RELATED TO BUILDING ARTICULATION AND OPEN SPACE REQUIREMENTS IN THE RD SINGLE-FAMILY DISTRICT; AMENDING CHAPTER 23-11 OF THE ZONING AND PLANNING CODE ENTITLED LAND DEVELOPMENT REGULATIONS; PROVIDING REQUIREMENTS AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

Frances Neuhut, 9920 W. Broadview Drive, came forward and felt that the amount of trees proposed was not enough.

CLOSED PUBLIC COMMENT

ACTION: Council Member Salver made a motion to approve the proposed ordinance on second reading. Council Member Yaffe seconded the motion and it passed by unanimous poll vote.

DEFERRED ITEMS:

Item 12. Consideration and Approval of a request for a six (6) month extension to file a Building Permit for site development plan for One Kane Concourse, LLC located at 9551 East Bay Harbor Drive.

There was a brief discussion on the applicant request for extension for building permit; the amount of times the developer has requested extension for this location; existing site plan approval was for a new project design; possible restaurant use; hours of operation for proposed restaurant and parking.

PUBLIC COMMENT

Frances Neuhut, 1060 Kane Concourse, came forward and asked why the owners were getting an extension. The owners have not built one property on the Island. She felt it was unfair to the Business District.

CLOSED PUBLIC COMMENT

ACTION: Council Member Yaffe made a motion to approve a 6 month extension. Council Member Salver seconded the motion and it passed unanimously.

Item 13. Consideration and Approval of a request for a Business Tax Receipt for Immobile Assets Corp. to perform vehicle immobilization for property located at 1108 Kane Concourse.

Town Clerk Siegel explained the business applicant was proposing a vehicle immobilization service for property located at 1108 Kane Concourse. The proposed use is not listed under the permitted use and it would be the Town Council discretion to approve.

Permit Expediter, Akitty Solano, came forward and explained that the property owner was experiencing issues with parking and found this proposed business as a possible solution.

There was a brief discussion on the fees for towing versus vehicle immobilization; hours of operation; staff availability; signage and report of the booted vehicles.

Consensus was for the business owner to be present at the next meeting to set conditions and clarify the hours of operation; signage and after hours emergency contact.

TOWN MANAGER ITEMS: (Town business items requiring Council approval)

Item 14. Consideration and Approval of contract award BHI-189 Street Sweeping Services to Star Cleaning, USA in the amount of \$104,644.80 for street sweeping service three times per week and for emergency street sweeping services as deemed necessary by the Town.

ACTION: Vice Mayor Fuller made a motion to approve the contract award BHI 189 for street sweeping services. Mayor Bruder seconded the motion and it passed 6-1 poll vote, with Council Member Leonard opposed.

Item 15. Consideration and Approval of an expenditure in the amount of \$89,367 in favor of Miller Pipeline, LLC to CCTV and line five (5) storm water outfalls with Cured in Place Pipe (CIPP).

ACTION: Council Member Reid made a motion to approve the expenditure. Mayor Bruder seconded the motion and it passed by unanimous poll vote.

Item 16. Consideration and Approval of an Engineering Proposal from Keith and Schnars to provide the specifications of a new stand by generator for Town Hall, in the amount of \$48,400.00.

ACTION: Council Member Yaffe made a motion to approve the proposal from Keith and Schnars. Mayor Bruder seconded the motion and it passed by unanimous poll vote.

DISCUSSION ITEMS:

Item 17. Discussion requested by Mayor Bruder and Council Member Yaffe regarding a location for a temporary basketball court. Town Manager to report on the agreement with Bal Harbour to use their basketball court for the Town's Parks and Recreation aftercare program.

Town Manager Wasson stated that he discussed the matter with the Village of Bal Harbour and will soon have an agreement for the temporary use of Bal Harbour basketball courts.

Item 18. Discussion requested by Council Member Reid to adopt an ordinance that would prohibit campaign contributions by any Town vendors and developers. Enclosed is a copy of an ordinance adopted by the City of Miami Beach.

Council Member Reid asked if the Town Council was interested on an ordinance to prohibit campaign contributions from vendors and/or developers.

There was no consensus was continue to discuss the item.

Item 19. Discussion requested by Council Member Reid relating to utility billing and collections.

Council Member Reid asked for the Council consideration to possibly amend the Town Code and clarify utility billing and collections.

Consensus was for staff to come back with an ordinance to clarify the Code on utility billing.

PUBLIC COMMENT

Victor Maya, 1155 103 Street, came forward and suggested for the Charter and Ordinance Review Committee to be re-instated.

Item 20. Discussion requested by Council Member Reid regarding a memorial for former Council Member Doris Marano.

Council Member Reid asked for the Council consideration to honor Former Council Member Doris Marano with a name plaque at a local park or causeway.

There was a brief discussion on other honorable mentions that could be included; possible locations; discussion item for the Parks and Recreation Committee.

ACTION: Council Member Reid made a motion to install a plaque to honor Former Council Member Doris Marano at the 92 Street Park not to exceed \$100. Vice Mayor Fuller seconded the motion and it passed 6-1, with Council Member Leonard opposed.

Item 21. Discussion requested by Council Member Yaffe to establish a policy regarding Council Members representing the Town at meetings or functions before other organizations.

Council Member Yaffe suggested the Town implement a policy on how Council Members represent the Town at other meeting and/ or functions. He felt that it was important for any Council Member representing the Town to vote as the Town representative and not based on personal issues.

Consensus was for staff to bring back a resolution setting forth policy on how the Town Council represents the Town at other outside organization and/ or functions.

PUBLIC COMMENT

Linda Zilber, 1235 95 Street, came forward and felt embarrassed on the recent vote from Council Member Reid had when appointing the next president for Miami Dade County League of Cities.

Victor Maya, 1155 103 St, came forward and stated that there was a blog that was attacking Council Member Reid.

CLOSED PUBLIC COMMENT

There being no further business to discuss meeting was adjourned at 11:15 p.m.

MAYOR

ATTEST

TOWN CLERK

MINUTES OF A REGULAR MEETING TOWN OF BAY HARBOR ISLANDS

A Regular Council Meeting of the Town Council was held on Monday June 11, 2018 at 7:00 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder
Council Member Jordan Leonard
Council Member Isaac Salver

Vice Mayor Joshua Fuller
Council Member Kelly Reid
Council Member Robert Yaffe

SPECIAL PRESENTATION:

Mayor Bruder and Vice Mayor Fuller presented a recognition plaque to Stephanie Roux on her retirement as US Mail Carrier.

- Student of the Year Awards

Ruth K. Broad Bay Harbor K-8 Center - Christopher Anderson

Miami Beach Senior High School -Ian Krupkin

Mayor Bruder presented a Certificate of Recognition to Ian Krupkin, he was presented with the Student of the Year Award for Miami Beach Senior High School.

- Introduction of Circuit Court Judge Candidate - Vivianne del Rio

Ms. Vivianne Del Rios introduced herself to the Community and asked the community for their vote on the upcoming County Elections as their next Circuit Court Judge.

- Special Recognition to Former Mayor Linda Zilber

Mayor Bruder recognized Former Mayor Linda Zilber and presented her with a Certificate of Appreciation for her time volunteering for Miami Dade County CITT.

REQUESTS FOR WITHDRAWALS, DEFERMENTS AND FUTURE AGENDA ITEMS:

Assistant Town Manager Jimenez requested for Item # 10 to be withdrawn.

TOWN MANAGER'S REPORT:

- Parking Update- Terrace

Assistant Town Manager Jimenez reported that he study the possibility for a one way street for Bay Harbor Terrace and he recommended for the street to remain as a two way street.

- Library Hours

Assistant Town Manager Jimenez explained that he discussed the idea to extend the hour of operations for the library with Ray Baker and they will research the data before making any modifications to the extended hours.

- Landscape Improvement Plan - Brightview Landscaping

Assistant Manager Jimenez explained that the Town was currently undergoing landscaping improvements on Kane Concourse, roots were being cleanout, the irrigation system was modified and a new drip system will be installed.

COUNCIL REPORTS: Each Council Member will be afforded two (2) minutes to make their reports.

Council Member Reid reported attending a Cyber Bullying Workshop.

Council Member Salver reported attending a Florida League of Cities Board meeting where he received a Home Rule Hero Award and was appointed to the Advocacy Committee.

Vice Mayor Fuller reported attending a Miami Dade County League of Cities Ethics Training session.

Council Member Yaffe reported he attended a 2 hour Ethics Course; Miami Dade County League of Cities monthly meeting and Planning & Zoning Board meeting.

Council Member Leonard reported he attended Florida League of Cities Meeting where he received the Home Rule Hero award; monthly Miami Dade County League of Cities meeting and the PBA Gala.

Mayor Bruder reported that Town Manager Wasson wife Karen Wasson passed away and asked for the Town Council consideration to pay a family luncheon to be held after the funeral proceedings.

Consensus was for the Town to pay for the Wasson Family luncheon in memory of Town Manager Ronald Wasson wife Karen Wasson.

PUBLIC COMMENT: There is a three (3) minute time limit for each speaker during public comment and a two (2) minute time limit for each speaker during all other agenda items. Your cooperation is appreciated in observing the three (3) minute rule. If you have a matter you would like to discuss which requires more than three (3) minutes, please arrange a meeting with the Town Manager or appropriate administrative official. A request form is available from staff; please fill it in and return it to the Town Clerk prior to the start of the meeting if you would like to speak during public comment. Please come forward to the podium, give your name and address, and the name and address of the organization you are representing if any.

COMMITTEE REPORTS:

Council Member Leonard pulled item #1 for discussion.

CONSENT AGENDA: (Consent agenda items are those which are routine, do not require discussion or explanation prior to Town Council action, or have already been discussed and/or explained and do not

require further discussion or explanation. Items can be removed from the consent agenda by the request of an individual Council member for independent consideration provided such request is made prior to the vote on the consent agenda.)

Item 2. Consideration and Approval of a resolution establishing policy for Town Council Members when representing the Town as a voting delegate at meetings and functions before outside organizations.

Item 3. Approval to carry-forward appropriations from the 2016-2017 budget year into 2017-2018.

ACTION: Vice Mayor Fuller made a motion to approve the consent agenda. Council Member Yaffe seconded the motion and it passed unanimously.

Item 1. Approval of a Resolution continuing and extending the temporary moratorium on approving registrations and applications for communication facilities, including small wireless facilities and utility poles for collocation of small wireless facilities as defined in Section 337.401(7), Florida Statutes for an additional period of one hundred and eighty (180) days.

ACTION: Council Member Leonard made a motion to approve the proposed resolution. Council Member Yaffe seconded the motion and it passed unanimously.

ORDINANCES ON FIRST READING:

Item 4. Consideration and Approval of an ordinance on first reading amending the Town Code to provide enhanced outdoor lighting requirements. Enclosed is a copy of the proposed ordinance and staff report provided by Town Planner Michael Miller.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 10 OF THE TOWN'S CODE OF ORDINANCES ENTITLED HOUSING BY MODIFYING SECTIONS 10-1 AND 10-2; AMENDING CHAPTER 23 ENTITLED ZONING AND PLANNING BY MODIFYING SECTION 23-19 TO PROVIDE ENHANCED OUTDOOR LIGHTING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

John Vetter, 10350 W. Bay Harbor Drive, came forward and suggested to include language for lighting in the lobby.

John Corral, 9660 W. Bay Harbor Drive, came forward and requested for the Town to also be in compliance with the lighting regulations.

Frances Neuhut, 1060 Kane Concourse, came forward and asked why there were exemption and requested for the Town to be in compliance with lighting and to also take into consideration marine life.

Vincent Martino, 1050 93 Street, came forward and suggested automated timers for the lights.

CLOSED PUBLIC COMMENT

ACTION: Council Member Yaffe made a motion to approve the proposed ordinance on first reading. Council Member Reid seconded the motion and it passed by unanimous poll vote.

Item 5. Approval of an ordinance on first reading requested by Council Member Yaffe amending Section 5-23.01 providing for staggered terms for the members of the Planning and Zoning Board.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 5 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED BUILDINGS AND CONSTRUCTION, BY AMENDING SECTION 5-23.01 TO PROVIDE FOR A STAGGERED PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

John Vetter, 10350 W. Bay Harbor Drive, came forward and was opposed to the staggered terms for members of the Planning & Zoning Board.

Frances Neuhut, 1060 Kane Concourse, came forward and suggested for more architects to be appointed to the Board.

CLOSED PUBLIC COMMENT

ACTION: Council Member Yaffe made a motion to approve the proposed ordinance subject to the following changes:

1. Remove Section C of the proposed ordinance.
2. As a one-time event in 2020, three of the seven appointed members shall serve on the Planning and Zoning Board for a one (1) year term. After the 2020 appointments, each Board Member shall be appointed to serve for a two (2) year term.

Vice Mayor Fuller seconded the motion and it passed by unanimous poll vote.

Item 6. Approval of an ordinance on first reading amending Chapter 20 of the town code relating to utility billing and collections.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA, AMENDING CHAPTER 20 OF THE TOWN'S ADOPTED CODE OF ORDINANCES ENTITLED UTILITIES, BY AMENDING SECTIONS 20-7, 20-11, AND 20-15.1 TO PROVIDE FOR UNIFORM BILLING, PAYMENT, COLLECTION, AND THE FILING OF LIENS IN CONNECTION WITH UTILITIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

PUBLIC COMMENT

John Vetter, 10350 W. Bay Harbor Drive, came forward and agreed with the Town Council to charge for late fees.

Frances Neuhut, 1060 Kane Concourse, came forward and was concerned as a property owner and would like to be notified when a tenant was not paying their utility bill.

CLOSED PUBLIC COMMENT

There was a brief discussion on the percentage for late fees; Town Manager discretion on the water shut off; payment arrangements and the new utility billing software.

ACTION: Council Member Yaffe made a motion to approve the proposed ordinance. Council Member Salver seconded the motion and it passed by 4-2 poll vote, with Council Member Reid and Vice Mayor Fuller opposed.

TOWN MANAGER ITEMS: (Town business items requiring Council approval)

Item 7. Request from the Florida League of Cities to designate one official to be the voting delegate for this year Annual Business Session.

ACTION: Council Member Leonard made a motion to designate Council Member Salver as the voting delegate for the Florida League of Cities. Vice Mayor Fuller seconded the motion and it passed unanimously.

Item 8. Approval of an expenditure to M&J Construction Company of Pinellas County in the amount of \$29,897.69, for reimbursement of additional bonding cost associated with the increased contract amount.

ACTION: Consensus was to approve the expenditure to M & J Construction Company, with Council Member Salver opposed.

Item 9. Approval of contracts award to Lakes Engineering Inc. and STV Inc. for continuing bridge engineering services.

ACTION: Council Member Salver made a motion to approve the proposed contract. Council Member Leonard seconded the motion and it passed unanimously.

~~**Item 10. Approval of contract award to Brute Proof LLC in the amount of \$29,750 to purchase a HyperV Terminal Server for the administrative computer network.**~~

DISCUSSION ITEMS:

Item 11. Discussion and possible action requested by Vice Mayor Fuller regarding having a closed meeting to discuss the Town's security systems and plans in connection with an active shooter.

Vice Mayor Fuller stated he would like for the Town to have a closed meeting with the school to discuss security measures and to coordinate how to better react on potential situations. He would like for the Town to prepare with the Town Police Department, Town Officials, other surrounding cities police department and the Miami Dade County School Board Officials.

Town Attorney Sherman clarified that the discussion would be for the time that the Town is in use of the school grounds only, and the meeting would have to be notice for shade meeting and a court reporter would need to be present.

PUBLIC COMMENT

Victor Maya, 1155 103 Street, came forward and suggested the Town officials, school board, and the local Chiefs of Police get together and have a meeting for the discussion.

Frances Neuhut, 1060 Kane Concourse, came forward and asked if the discussion was about a school active shooter or a Town active shooting situation. She questions if the Town would be liable if they provided a police officer.

CLOSED PUBLIC COMMENT

Item 12. Discussion requested by Council Member Reid on possible locations to host a Community Garage Sale.

Council Member Reid stated that she was approach by residents from the East Island that live on condominiums on the possibility for the Town to host community garage sale.

Mayor Bruder was opposed to the proposed event and concerned with residents abandoning their items behind once the event was over.

There was a brief discussion on possible locations, deposit for a space and clean up fee.

Consensus was to have a one-time Community Garage Sale for residents only.

Item 13. Discussion requested by Council Member Reid with regards to Town Council term limits and Election of a Mayor.

Council Member Reid asked for the Town Council to consider Council term limits and an election for Mayor.

John Vetter, 10350 W. Bay Harbor Drive, came forward and was in favor of term limits for Town Council and would also like an Election for Mayor.

Frances Neuhut, 1060 Kane Concourse, came forward and felt that it was not fair that Town Council did not have term limits.

CLOSED PUBLIC COMMENT

Item 14. Discussion requested by Council Member Reid regarding an amendment to the code to require noticing for project revisions.

Council Member Reid attended a Planning & Zoning Board meeting and explained that neighbors were not notified a project revisions. She felt that Code should be amended to require re-notification to the neighbors for project revisions.

There was a brief discussion on the type of mailing notifications; posting of signs on the proposed project and deadline for posting and mailings.

PUBLIC COMMENT

John Vetter, 10350 W. Bay Harbor Drive, came forward and asked for the agenda packets to be posted earlier and additional posting on property.

Victor Maya, 1155 103 Street, came forward and suggested posting of signs and additional mailings.

Frances Neuhut, 1060 Kane Concourse, came forward and suggested to post the meetings notice on the broadcasting channel and web portal.

CLOSED PUBLIC COMMENT

Consensus was for staff to bring back draft resolution for notifying neighbors of project revisions.

There being no further business to discuss meeting was adjourned 9:46 p.m.

MAYOR

ATTEST

TOWN CLERK

TOWN OF BAY HARBOR ISLANDS
MINUTES OF A SPECIAL COUNCIL MEETING

A Special Council Meeting of the Town Council was held on Thursday July 19, 2018 at 6:05 p.m. in the Council Chambers. Upon roll call the following members responded:

Mayor Stephanie Bruder	
Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

Item 1. Brief presentation by representatives of B H Investment LLC, the owners of the property located 1135 103 Street, with regard to the proposed Charter amendment.

Attorney, Neisen Kasdin, representing BH Investments, LLC and Project Principals, Ugo Colombo and Valerio Morabito. He came forward and presented the Town Council with a PowerPoint presentation with the proposed Charter amendment. He believed Shepard Broad vision of the eastern and northern tips of the East Island remain with tallest buildings. The Applicant proposed a Charter amendment to change Tracts A through F which would allow a development to be built up to 11 stories or 120 feet whichever was less. He clarified that if approved the change would impact 5 properties. The applicant would also provide a community public benefits, such as access to a waterfront property and open space at the Town Council discretion. He asked the Council to consider a Special Election for the Town to be held in conjunction with the November 6th, 2018 County Elections.

Project Principals, Valerio Morabito and Ugo Colombo, came forward and explained that the team has put together a great project which consist of a high quality building with smaller foot prints, wide setbacks, huge corridors, welcome text concept, modern and sustainable. The proposed site currently sits on 1.4 acres and the developer was proposing to construct 54 dwelling units. He asked for the Council to grant the referendum to be placed on the November ballot, so that the residents can cast their vote.

PUBLIC COMMENT

Residents Kathleen Kennedy, 9180 W. Bay Harbor Driven; John Corral, 9660 W. Bay Harbor Drive; Markus Frankel; 10261 E. Bay Harbor Drive; Ileene Wallace, 9300 W. Bay Harbor Drive; Scott Hannon, 9160 W. Bay Harbor Drive, came forward in support of the proposed referendum for a Charter amendment.

Residents Frances Neuhut, 1060 Kane Concourse; John Vetter, 10350 W. Bay Harbor Drive and Stephanie Safran 10000 W. Bay Harbor Drive, came forward and were opposed to the Charter amendment.

CLOSED PUBLIC COMMENT

Item 2. Consideration and approval of a resolution directing the Town Attorney to prepare a charter amendment for consideration at the Special Election to be held in conjunction with the General Election on Tuesday, November 6, 2018.

PUBLIC COMMENT

Residents Gabriel Boano, 9434 W. Broadview Drive; Ileene Wallace, 9300 W. Bay Harbor Drive; Eric Stein, 9901 E. Broadview Drive supported the referendum and charter amendment.

Residents David Ananof, 10350 W. Bay Harbor Drive; John Vetter, 10350 W. Bay Harbor Drive; Frances Neuhut, 1060 Kane Concourse and Rachel Shipman, 10180 W. Bay Harbor Drive were opposed to the proposed charter amendment.

CLOSED PUBLIC COMMENT

Council Member Tricoche stated she liked idea of lower density; wider setbacks and supported the referendum to be placed on the ballot for the Town voters to decide.

Council Member Reid stated that she worked on the original referendum and requested the developer to put together a rendering of the proposed project. She also suggested adding the questions for Council term limits and the Election of a Mayor on the ballot.

Council Member Salver stated that it was a difficult decision since he was part of the group in favor of the 75 feet height limit. He requested additional information on the properties that would be impacted and was not in favor of the Charter amendment.

Vice Mayor Fuller felt that this would be something for the voters to decide and supported the referendum to be placed on the ballot.

Council Member Yaffe shares the same concerns of other Town Council Members. He too was in favor of the original referendum to limit to 75 feet height, but also understood the concept of the larger tracts. He was in favor of placing the question on the ballot to allow the voters to decide.

Council Member Leonard stated that he was one of the many residents that helped passed the Charter amendments to limit the 75 feet height. He met with developers and asked for a visual of the project, he would like a project with less units that would have a less impact on the surrounding buildings. He will vote for the question to be placed on the ballot for the voters to decide.

Mayor Bruder stated she received many phone calls of concerned residents on the subject but suggested that if the question was to go on the ballot, she would want when it when there was a good voter turnout such as the November 6th County Elections.

ACTION: Council Member Tricoche made a motion to approve the proposed resolution. Vice Mayor Fuller seconded the motion and it passed 4-3 vote with Mayor Bruder; Council Member Reid and Council Member Salver opposed.

Item 3. Consideration and approval of a resolution calling for a special election and setting forth the question to be included on the upcoming November Ballot. The question that will be posed is whether Article V of the Charter of the Town of Bay Harbor Islands should be amended to provide for maximum building and structure heights of 11 stories or 120 feet, whichever is less, on the six Tracts A through F on the northern and southern tips of the East Island.

PUBLIC COMMENT

John Vetter, 10350 W. Bay Harbor Drive, came forward and was opposed to the referendum and suggested to add the question for the residents to decide if they would like Council term limits and an election of a Mayor.

Eric Broad, 10350 W. Bay Harbor Drive, came forward and suggested wider setbacks for new developments.

Frances Neuhut, 1060 Kane Concourse, came forward and was opposed to the affordable housing provision and stated that rooftop should not exceed 120 feet.

Ileene Wallace, 9300 W. Bay Harbor Drive, came forward and thanked resident Frances Neuhut for her involvement in the last referendum while she worked to obtain signatures. She clarified that the ballot question would have to be 75 words or less.

CLOSED PUBLIC COMMENT

ACTION: Council Member Leonard made a motion to approve the proposed resolution. Council Member Tricoche seconded the motion and it passed 4-3 vote, with Mayor Bruder, Council Member Reid and Council Member Salver opposed.

There being no further business to discuss meeting was adjourned at 8:10 p.m.

MAYOR

ATTEST

TOWN CLERK

TOWN OF BAY HARBOR ISLANDS MINUTES OF A BUDGET WORKSHOP

A Budget Workshop Meeting of the Town Council was held on Monday July 19, 2018 at 8:20 p.m. in the Council Chambers. Upon roll call the following members responded:

Vice Mayor Joshua Fuller	Council Member Jordan Leonard
Council Member Kelly Reid	Council Member Isaac Salver
Council Member Elizabeth Tricoche	Council Member Robert Yaffe

Item 1. Brief overview of the proposed budget by Town Manager Ronald J. Wasson.

Town Manager Wasson presented the Town Council the 2018-2019 proposed Budget. He stated that the property taxes are on the rise and the development on the west island continues to be strong and consistent. The East Island construction projects were in the process of finalizing and near completion. The Hotels have had a positive impact on the Town and Business District. This year we have budgeted an 18% increase towards for healthcare and expect no changes to the Town personnel.

Causeway have exceeded the expectations on the rates and budgeted \$750,000 for maintenance of the bridge and reported \$3,500,000 in Reserves Fund.

Community Center programing will continue to host the Annual Picnic; Movies at the Park; 5K / 10k Walk and Run; Spring Egg Hunt, Halloween Event; Snow Day Event; September 11th, Remembrance Ceremony ; Veterans Day Picnic; Summer Camp; Spring Camp; Winter Camp and After School Program.

Police Department will be adding new 2 vehicles to their fleet; new tasers; rifle plates; bullet proof vest; vehicle cages; handheld radios and video surveillance.

Public Works Department has budgeted for storm water repairs; roadway resurfacing to do perimeter road; a new maintenance van for the Town Electrician; the addition of 2 new trucks; resurfacing the 100 street parking lot; the parking garage pay station and a new financial software which will replace the accounting system to include the water department.

Council Member Leonard suggested implementing new software for the Annual Pass Holders.

Council Chambers , \$25,000 was budgeted for live streaming and closed captioning of meetings. The current broadcasting channel will be discontinued and will like to place a designated area in the Community Center for residents who would like to watch the meetings on demand.

Town Manager Wasson stated he added the police resource office to the wish list of budget items.

Council Member Tricoche suggested budgeting for a resource and Mental Health Counselor at the Ruth K. Broad K-8 Center.

Council Member Leonard suggested adding \$15,000 for a resource officer and a separate \$15,000 for Mental Health Counselor. He also would like to install a shade structure and swing set to the Tot Lot Park. Funds for the expenditure can be used from the Parks Impact Fees.

Town Manager Wasson stated that last year the Council discussed the possibility of incorporating a Transportation Fund for to allow the Town to charge a fee for the repaving of the streets, but that was not allowed by Florida Statute. He asked if the Council wished to go moved forward with a separate Fund, we would have to open a Special Taxing District to collect funds for paving.

Item 2. Discussion and review the proposed budget.

PUBLIC COMMENT

France Neuhut, 9920 W. Broadview Drive, came forward and suggested holding the Town Election in November to save money.

CLOSED PUBLIC COMMENT

Council Member Tricoche was happy to hear that the Town had \$6,000,000 in the Reserves Fund. She suggested a security barrier on the top floor of the parking garage and enhancing the soccer program by implementing 2 levels of teams.

Council Member Reid supported funding of a school resource officer; the GPS for Police Department and also requested that sand bags be available for hurricane preparedness.

Vice Mayor Fuller requested an ADA automatic door from the garage to the community center; transition therapy for employees should be cover on their health insurance and computer software upgrade should be the most recent version.

Item 3. Discussion regarding the tentative millage to be advertised via the Notice of Proposed Taxes to be mailed by Miami-Dade County.

ACTION: Council Member Leonard made a motion to approve the proposed millage rate of 3.8995. Council Member Tricoche seconded the motion and it passed unanimously.

Item 4. Discussion regarding additional workshops (if necessary) and the dates and times for the Budget Hearings and Special Council meetings to adopt the millage and budget. It is suggested that the first budget hearing be held at 7:00 PM on September 17th, immediately preceding the regular Council Meeting. The second hearing could be scheduled after 5:00 PM on any of the following dates: September 26, 27 or October 1, 3 or 4.

ACTION: Consensus was to schedule the first Budget Public Hearing for September 17th, 2018 and the second Budget Public Hearing for October 1st, 2018 at 7:00 p.m.

There being no further business to discuss meeting was adjourned at 9:28 p.m.

MAYOR

ATTEST

TOWN CLERK

DRAFT

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 4.

ITEM: Consideration and Approval of the Council Meetings dates for the 2019 Calendar year. Enclosed is a copy of the proposed dates.

DESCRIPTION:

The 2019 proposed meeting dates have been schedule for the second Monday of the month with the following exceptions:

- * Monday, October 7th, 2019 - Sukkot (October 13 - 19)
- * Tuesday, November 12th, 2019 - Veteran's Day (November 11th)

Enclosed is the proposed 2019 Regular Council Meeting Calendar.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk
 Marlene Siegel, Town Clerk

ATTACHMENTS

1. 2019 meeting dates-only



**REGULAR COUNCIL
MEETINGS DATES - 2019**
(second Monday of each month)

DEADLINE DATES

Council Meeting Dates
Monday, January 14
Monday, February 11
Monday, March 11
Monday, April 8
Monday, May 13
Monday, June 11
Monday, August 12
Monday, September 9
Monday, October 7th *
Tuesday, November 12*

All deadlines are at 5:00 p.m., unless otherwise noted. Items needing considerable staff review might need to be turned in earlier.

- * Town Elections - April 2, 2019
- * Rosh Hashanah - September 29 - October 1, 2019
- Sukkot - October 13- 19, 2019
- * Columbus Day - October 14th, 2019
- * Veterans Day - November 11th, 2019

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 5.

ITEM: Consideration and Approval requested by Council Member Leonard of a Memorandum of Understanding (MOU) with Our Kids of Miami -Dade / Monroe, Inc to establish a protocol for foster and adoptive parent recruitment within the Town. Enclosed is a copy of the proposed Agreement.

DESCRIPTION:

The proposed Memorandum of Understanding (MOU) with OurKids of Miami-Dade / Monroe, Inc to establish a protocol for Foster and Adoptive Parent Recruitment with the Town. The recruitment presentations will provide information on how to become a foster and/or adoptive parent.

Enclosed is a copy of the proposed MOU with Our Kids of Miami-Dade / Monroe, Inc.

RECOMMENDED ACTION:

Council Discretion

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk
 Jordan Leonard, Mayor

ATTACHMENTS

1. DRAFT -MOU Our Kids of Miami-Dade.Monroe Inc.



**MEMORANDUM OF UNDERSTANDING BETWEEN
OUR KIDS OF MIAMI-DADE/MONROE, INC. AND TOWN OF BAY HARBOR ISLANDS**

Our Kids of Miami-Dade and Monroe, Inc. (hereinafter “Our Kids”) and the Town of Bay Harbor Islands (hereinafter the “Town”), a political subdivision of the State of Florida, enter into this Memorandum of Understanding (“MOU”) to establish a protocol for Foster and Adoptive Parent Recruitment within the Town of Bay Harbor Islands. Our Kids and the Town of Bay Harbor Islands shall be referred to herein collectively as the Parties.

Our Kids agrees as follows:

1. The Our Kids’ Recruitment Specialists will conduct recruitment presentations on how to become a Foster or Adoptive Parent throughout the Town of Bay Harbor Islands, and provide and distribute informational brochures on Town of Bay Harbor Islands property as permitted by the Town;
2. Prior to making any recruitment presentations, the Our Kids Recruitment Specialists will work with the applicable Town of Bay Harbor Islands Department Heads to formalize, in detail, the expectations for the presentation and recruitment efforts;
3. When requested Our Kids Recruitment Specialists will meet with Town of Bay Harbor Islands Department Heads to provide updates on recruitment effort outcomes;
4. Our Kids is committed to providing the highest quality services to children and families;
5. Likewise, Our Kids is committed to actively involving Town employees, at all levels of the Town of Bay Harbor Islands, in recruitment efforts;
6. Our Kids is also committed to working collaboratively with the Town of Bay Harbor Islands to provide highly qualified Recruitment Specialists who are well versed in the need for Foster and Adoptive Parents; thus providing that information throughout the Town of Bay Harbor Islands community at large;
7. Our Kids is committed to frequent and open communication with the Town of Bay Harbor Islands about recruitment efforts being made through the Town of Bay Harbor Islands community at large;
8. Our Kids agrees to work collaboratively with the Town of Bay Harbor Islands to achieve positive Foster and Adoptive Parent recruitment outcomes;
9. Our Kids agrees to share data and information regarding children in foster care and those children in need of adoptive families as permitted by law and in compliance with all applicable Florida Statutes, rules, regulations, and confidentiality restrictions.
10. Our Kids agrees to use the Town of Bay Harbor Islands trademarks, service marks, and logos only as previously authorized, in writing, by the Town of Bay Harbor Islands.

The Town of Bay Harbor Islands agrees to:

1. Permit Our Kids to recruit for Foster and Adoptive Parents within those Town of Bay Harbor Islands locations identified as potential recruitment locations;
2. Permit the Our Kids Recruitment Specialists to conduct presentations when and where deemed necessary on Town of Bay Harbor Islands property after Our Kids has discussed the presentations with and provided timely notice of recruitment activity to the applicable Town of Bay Harbor Islands Department Heads;
3. Permit Our Kids place foster care and adoptive recruitment materials (i.e., brochures, fliers, upcoming event information, etc.) on Town of Bay Harbor Islands property;
4. Identify to Our Kids available space, days, and times when recruitment activity is needed and/or permitted on Town of Bay Harbor Islands property;
5. Permit Our Kids to participate in and recruit foster and adoptive parents at/within Town of Bay Harbor Islands departments and community events occurring in and around Town of Bay Harbor Islands;
6. Timely inform Our Kids of Town of Bay Harbor Islands departments and community events occurring in and around Town of Bay Harbor Islands to allow Our Kids ample time to prepare its recruitment efforts for such events;
7. Actively involve Town employees, at all levels of the Town of Bay Harbor Islands, in Our Kids foster and adoptive parent recruitment efforts;
8. Work collaboratively with Our Kids Recruitment Specialists on meeting the needs of Town employees who wish to participate in recruitment activities and/or become foster parents;
9. Being committed to frequent and open communication with Our Kids regarding any concerns it may have related to any portion of the foster and adoptive parent the recruitment process;
10. Work collaboratively with Our Kids to achieve positive foster and adoptive parent recruitment outcomes.
11. To only use Our Kids trademarks, service marks, and logos only as previously authorized, in writing, by Our Kids.

The Parties further agree as follows:

1. The Parties acknowledge that each one of them is the owner of various service marks, trademarks, logos, and other intellectual property rights (collectively, the "Intellectual Property Rights"). As such, Our Kids and the Town of Bay Harbor Islands each agree to only use the Intellectual Property Rights of the other party in the manner authorized and permitted in writing by that party or as otherwise provided in this MOU.

2. The Parties reserve the right to modify this MOU as deemed necessary. To be effective, such modifications must be in writing and signed by both Parties.
3. This MOU is effective as of the Effective Date written below, and will automatically renew on an annual basis thereafter unless terminated by either party upon 30 days written notice to the other party.
4. This Memorandum of Understanding may be executed in one or more counterparts, each of which will be deemed to be an original copy of this MOU and all of which, when taken together, will be deemed to constitute one and the same MOU. The exchange of copies of this MOU and of signature pages by email transmission shall constitute effective execution and delivery of this MOU as to the Parties and may be used in lieu of the original MOU for all purposes. Signatures of the parties transmitted by email shall be deemed to be their original signatures for all purposes.

Effective date and Execution. This Memorandum of Understanding shall become effective upon the execution and delivery hereof by each of the parties hereto.

On behalf of Our Kids of Miami-Dade/Monroe, Inc.

On behalf of Town of Bay Harbor Islands

**Michael Williams, Interim President and CEO
Our Kids of Miami-Dade and Monroe, Inc.**

**Stephanie Bruder
Mayor of the Town of Bay Harbor Islands**

Date of Execution:

Date of Execution:

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 6.

ITEM: Consideration and Approval of a proposal from MediaTech in the amount of \$2,925 for the design and production of the Town's 2017-18 Annual Report. Enclosed is a copy of the proposal.

DESCRIPTION:

Section 3.01 (b)(7) of the Town Charter states that the Town Manager shall "submit to the Council and make available to the public an annual report on the finances and administrative activities of the Town following the end of each fiscal year". According to our records, the last annual report prepared and submitted was for FY 1993-94.

Although this item is within the Town Manager's spending authority, staff is seeking a budget appropriation for this amount since it isn't budgeted.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

Staff is seeking an appropriation in the amount of \$2,925.

BUDGET IMPACT:

Submitted By: Juan C Jimenez, Town Manager

ATTACHMENTS

1. Proposal from MediaTech

PROPOSED OUTLINE

PAGE

1	Cover
2	Contents/Town overview/Council photo
3	Message from Town Manager
4-5	Town Administration (2 pages)
6-7	Police Department (2 pages)
8-9	Public Works (2 pages)
10-11	Community Services/Community Center (2 pages)
12	Finance
13	Building, Code
14-15	2018-19 Year ahead
16	Back cover

PROPOSED SCHEDULE 2019

By JAN 15	• Review outline/schedule • Set deadlines for Departments to provide information • Begin Report design/layout
By JAN 21	• Plan for Town photography, list of photos, schedule, select photographer
By FEB 1	• Submit cover/page designs for review
By FEB 8	• Suggested deadline for department reports
By FEB 15	• New Photos of Town completed, first proof of report
By FEB 20	• 2nd proof of report
By FEB 27	• Final proof for print
By MAR 6	• 150 reports delivered to Town Hall

BUDGET

PRODUCTION

150 16-page full color on 100 lb. text silk finish

saddle-stitch binding, delivery	-	-	-	-	\$660
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PHOTOGRAPHY

Create list of needed photos to be taken in a minimum of three days of shooting (two in daytimes and one night). List will include specific department photos (inside and outdoor) and general photos of residential and commerical neighborhoods, bay fronts, bridges, parks, landscaping, hotels, restaurants, Town Hall, Community Center, school, etc.

\$275 @ three visits	-	-	-	\$825
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(Note these photos will also be used for other Town needs)

PROFESSIONAL FEE

Concept, writing, phone and in-person meeting, oversee and select photography, graphic design, proofs, corrections, oversight and print coordination, conversion to digital formats for electronic distribution of a 16-page full color Annual Report

(approximately 18 hours @ \$80)	-	-	-	\$1,440
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TOTAL	-	-	-	\$2,925
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AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 7.

ITEM: Consideration and Approval for a proposal from LagomHR in the amount of \$4,250 to create a new employee policy manual for the Town. Enclosed is a copy of the proposal.

DESCRIPTION:

The Town's current employee manual was created in 1994 and is in need of updating. LagomHR has recently updated the employee manual for the City of Doral and Golden Beach and is currently updating the manual for the City of Hialeah Gardens. Although the amount proposed is within the Town Manager's spending authority, staff is requesting a budget appropriation since this item isn't budgeted.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

This is not a budgeted expense. Staff is requesting approval an appropriation in the amount of \$4,250.

BUDGET IMPACT:

Submitted By: Juan C Jimenez, Town Manager

ATTACHMENTS

1. 2018-12-17 Proposal for Employee Handbook

LagomHR

1000 SW 57th Avenue, Suite 200
West Miami, FL 33144
305-494-2152
yolanda@lagomhr.net
www.lagomhr.net



PROPOSAL FOR PROFESSIONAL SERVICES

ADDRESS

JC Jimenez
Town of Bay Harbor Islands
9665 Bay Harbor Ter
Bay Harbor Islands, FL 33154
United States

PROPOSAL FOR 1018
PROFESSIONAL
SERVICES #
DATE 12/17/2018

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
01/15/2019	Services	Employee Handbook	1	4,250.00	4,250.00

Review, revision, and full revamp of Employee Policies & Procedures.
Incorporate best practices from other municipalities.
Update with current federal, state, and local mandates.
Provide a fresh and progressive guide for employees and supervisors that
is clear and concise.

TOTAL

\$4,250.00

Accepted By

Accepted Date

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 8.

ITEM:

Consideration and approval of an expenditure not to exceed \$25,000 from the Law Enforcement Trust Fund for the purchase of a 8-12 passenger van to be used for the Bay Harbor Islands Police Explorer Program.

DESCRIPTION:

Consideration and approval to spend no more than \$25,000.00 from the Law Enforcement Trust Fund on an 8-12 passenger van to be used for the Police Explorer Program which exists to aid in the preventing of juvenile crime and violence by providing mentorship, civic/service, athletic, recreational, enrichment and educational opportunities. The van would be used for transportation needs to and from events and competitions.

If approved, the department will seek to acquire a pre-owned van not to exceed the proposed amount.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Curtis Johnson, Lieutenant
 Sean Hemingway, Chief of Police

ATTACHMENTS

1. 2018 Chevrolet Express 3500 LT Van Extended Passenger n Available in the Pompano Beach FL Area



877-721-0013

Have a promotion code? ^①

2018 CHEVROLET EXPRESS 3500 LT VAN EXTENDED PASSENGER VAN

POMPANO BEACH, FL

Available: Thu Jan 10, 2019

KBB VALUE \$25,373^②

PRICE DIFFERENCE -\$1,973

NO HAGGLE PRICE

\$23,400^③



©EVOK IMAGES

How Hertz Rent2Buy Works

1 Choose Your Car

- Browse our complete selection of used cars online
- Search by make, model or body type
- Schedule your 3-day test rental

2 Test it for 3 Days

- Pick up your car
- Keep it up to 3 days at a special low rate
- Or take a 2-hour complimentary test drive

3 Make it Yours

- Buy the car and we'll waive the rental charges
- In most states, you can purchase it from home
- We'll be in touch to handle all the paper work

BOOK MY TEST DRIVE ([HTTPS://WWW.HERTZRENT2BUY.COM/RESERVATION/?EC=SUMMI](https://www.hertzent2buy.com/reservation/?EC=SUMMI))

APPLY FOR FINANCING ([HTTPS://WWW.ROUTEONE.NET/WAO/OCASTART.DO?APPTYPE=C](https://www.routeone.net/wao/ocastart.do?APPTYPE=C))



Mileage : 30,599 Miles
Stock # : 15305694
VIN : 1GAZGFP1J1171036



4.3L V-6 Cyl
Transmission: AUTO 8-SPEED
REAR-WHEEL DRIVE

Exterior Color : Summit White

HIGHLIGHTED FEATURES

Emergency communication system

Exterior parking camera rear

3rd row seats

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 9.

ITEM: Consideration and Approval of an Inter local Agreement with the Village of Bal Harbour for the access and use of the Bal Harbour Basketball Courts located at 701 96 Street. Enclosed is a copy of the proposed agreement.

DESCRIPTION:

The proposed Inter local agreement will allow the Town to have access and use of the Bal Harbour Basketball Court located at 701 96 Street. The Town may utilize the basketball courts on Mondays and Wednesdays between the hours of 2:30 p.m. and 5:30 p.m. beginning on January 7, 2019 through May 29, 2019.

The agreement will also grant access to Bal Harbour senior residents to all Town facilities at the same rate as Town seniors residents.

Enclosed is a copy of the proposed agreement.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk
Juan C Jimenez, Town Manager

ATTACHMENTS

1. Agreement BH- Interlocal_Agreement_with_Bay_Harbor_Islands
2. Council_Memorandum_- _BHI_Basketball_Interlocal

ACCESS AND USE AGREEMENT

THIS ACCESS AND USE AGREEMENT ("Agreement") is made and entered into by and between the Town of Bay Harbor Islands ("Town") and the Village of Bal Harbour ("Village") on this _____ day of _____, 2018.

WHEREAS, Village owns and maintains a basketball court at 701 96th Street Bal Harbour FL 33154 ("Village Basketball Court");

WHEREAS, Town provides an after-school basketball program on the Town's basketball courts for the students of Ruth K. Broad Bay Harbor K-8, which program includes students from the Village ("Town Basketball Program");

WHEREAS, the Town's basketball courts will be unusable for a period of time due to construction; and

WHEREAS, Village agrees to allow the Town to have access to and use of the Village Basketball Court for the Town Basketball Program, subject to the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Town and Village agree to enter into this Agreement, based upon the following terms and conditions:

1. **Recitals**. The foregoing recitals are true and correct and are incorporated herein.

2. **Town Use**. Town may use the Village Basketball Court for the Town Basketball Program on Mondays and Wednesdays between the hours of 2:30 p.m. and 5:30 p.m. beginning on January 7, 2019 through May 29, 2019 ("Town Use"). Town residents utilizing the Village Basketball Court shall be treated as guests of the Village Basketball Court and subject to any applicable rules and regulations of the Village. Village agrees not to schedule conflicting programming on the Village Basketball Court during the hours which the Town

3. **Village Use**. Village senior residents shall have access to all Town facilities at the same rate as Town senior residents during the term of this Agreement. For the purposes of this section, senior residents shall be defined as residents aged 65 or older.

4. **Program Cancellation**. Village reserves the right to cancel Town Basketball Program dates in the event of unforeseen circumstances. Village shall provide notice

to Town three (3) days prior to the Town Basketball Program date or as soon as practicably possible in the event the Village exercises its right to cancel programming, whichever date is sooner.

5. **Termination.** Either party may terminate this Agreement by serving 10 days notice to the party designated to receive notice under Section 12, Notice.

6. **Indemnification:** To the extent permitted by law, Town agrees to defend, indemnify and save harmless the Village from all claims and lawsuits, provided that such claims and lawsuits are attributable to bodily injury and such claims are caused by a negligent act or omission of the Town in connection with the Town Basketball Program ("Indemnification"). However, in no event shall Indemnification constitute a waiver of the Town's sovereign immunity or otherwise require the Town to be liable to Village or any third (3rd) party for any amount in excess of the limitations set forth in Fla. Stat. Sec. 768.28 and any other laws applicable to municipal sovereign immunity or municipal limitations applicable to tort actions.

7. **Control of Property. Repair and Maintenance.** At all times during the Town Use, the Village shall maintain its jurisdiction and all its property rights over the Village Basketball Court and be responsible for all repair and maintenance applicable thereto.

8. **Prevailing Party Attorneys' Fees.** In the event of a dispute between the parties that arises out of or relates to this Agreement, the prevailing party shall be entitled to recover against the non-prevailing party all reasonable legal fees and costs incurred by the prevailing party on all levels and proceedings including all trial courts and appellate courts. The prevailing party shall also be entitled to receive from the non-prevailing party all attorneys' fees and costs incurred in connection with a determination by the court(s) as to the reasonable attorneys' fees and costs to be awarded pursuant to this paragraph.

9. **Venue.** The parties understand and agreed that this Agreement was executed in Miami-Dade County, Florida and that all payments for services rendered shall be made in Miami-Dade County, Florida. The parties further agree that, irrespective as to whether venue may also lie in any other county or jurisdiction, the exclusive venue for any action arising out of or relating to the instant Agreement shall be Miami-Dade County, Florida. This Agreement shall be governed by the laws of the State of Florida. The parties understand and agree that the instant paragraph is a material inducement for the execution of this Agreement.

10. **Waiver Of Jury Trial.** **TO THE FULLEST EXTENT ALLOWED BY LAW, THE RESPECTIVE PARTIES HERETO DO HEREBY WAIVE TRIAL BY JURY IN ANY ACTION, PROCEEDING OR COUNTERCLAIM BROUGHT BY EITHER PARTY HERETO AGAINST**

THE OTHER PERTAINING TO ANY MATTER WHATSOEVER ARISING OUT OF OR IN ANY WAY CONNECTED WITH THIS AGREEMENT.

11. **Counterparts.** This Agreement may be executed in a number of counterparts and transmitted by facsimile or email as a .PDF attachment, each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

12. **Notice.** All notices shall be in writing and sent to the parties' via certified mail, return receipt requested, or an authorized delivery service (including Federal Express, United Parcel Service, USPS, or DHL) to their addresses set forth below:

If to Town: Town of Bay Harbor Islands
 9665 Bay Harbor Terrace
 Bay Harbor Islands, FL 33154
 ATTN: Town Manager

With a copy to:

Frank C. Simone, Esquire
FRANK SIMONE, P.A.
701 Brickell Avenue, Suite 1550
Miami, Florida 33131

If to the Village: Village of Bal Harbour
 655 96th Street
 Bal Harbour, FL 33154
 ATTN: Village Manager

13. **Merger. Entire Agreement. Amendments.** This Agreement constitutes the entire agreement between the parties, and there are no other covenants, agreements, promises, terms, provisions, conditions, undertakings, either oral or written, between them concerning this Agreement other than those herein set forth. No subsequent alteration, amendment, change, deletion or addition to this Agreement shall be binding upon the parties unless they are in writing and signed by both the Town and Village.

14. **Authority.** Each party represents that all requirements for the approval of this Agreement have been undertaken and performed including, but not limited to, the approval of the Agreement by each municipality's council, and that each manager has the authority to execute and bind their respective municipality to this Agreement.

WHEREFORE, the parties hereby executed this Agreement on this _____
day of

_____, 2018.

TOWN OF BAY HARBOR ISLANDS

VILLAGE OF BAL HARBOUR

By: _____
J.C. Jimenez,
Town Manager

By: _____
Jorge Gonzalez,
Village Manager

BAL HARBOUR

- V I L L A G E -

COUNCIL MEMORANDUM

TO: Honorable Mayor and Village Council

FROM: Jorge M. Gonzalez, Village Manager



DATE: November 20, 2018

SUBJECT: **A RESOLUTION OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA; APPROVING AN INTERLOCAL AGREEMENT WITH THE TOWN OF BAY HARBOR ISLANDS; PERMITTING THE TOWN TO UTILIZE THE BAL HARBOUR PARK BASKETBALL COURT TO PROVIDE CHILDREN'S BASKETBALL PROGRAMING DURING THE RENOVATION OF THE TOWN'S BASKETBALL FACILITY; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.**

ADMINISTRATIVE RECOMMENDATION

I am recommending approval of this Resolution.

BACKGROUND

The Town of Bay Harbor Islands Community Services Department delivers children's afterschool basketball programming at the Ruth K. Broad Bay Harbor K-8 Center. This program includes students who reside within the Town of Bay Harbor Islands as well as Bal Harbour Village. Due to a planned renovation at this facility, the basketball court will not be available for an extended period of time. In order to continue offering this program, the Town of Bay Harbor Islands has requested to use the Bal Harbour Village Park basketball court for their basketball program.

ANALYSIS

Bal Harbour Village provides children's basketball programming on Tuesdays and Thursdays from 5:00 pm until 7:00 pm. The Town of Bay Harbor Islands is requesting access and use of the basketball court on Mondays and Wednesdays between the hours of 2:30 p.m. and 5:30 p.m. beginning on January 7, 2019 through May 29, 2019. The requested days and times do not conflict with the current or planned programming provided by Bal Harbour Village. The Town has agreed that the senior residents of the Village will have access to all of the Town's facilities at the same rates as Town residents.

If the request is approved, all park users during the requested program period will be signed in by Village staff as guests of Bal Harbour Village ("Town of Bay Harbor Islands").

CONCLUSION

The request from the Town of Bay Harbor Islands to utilize the Village basketball court at Bal Harbour Park does not conflict with Village provided program delivery. Therefore I recommend the ratification of this Resolution approving the Interlocal Agreement with the Town of Bay Harbor for the use of the basketball court at Bal Harbour Park as detailed within the agreement.

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 10.

ITEM: Approval to carry-forward appropriations from the 2017-2018 budget year into 2018-2019. Enclosed is a Memorandum from Director of Finance, Melissa Cruz

DESCRIPTION:

Approval to carry-forward unexpended appropriations from the 2017-2018 budget year into 2018-2019.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Melissa Cruz, Finance Director
 Juan C Jimenez, Town Manager

ATTACHMENTS

1. Carryforwards 093018 rev

TOWN OF BAY HARBOR ISLANDS MEMORANDUM

DATE: JANUARY 10, 2019
TO: J.C. JIMENEZ, TOWN MANAGER
FROM: MELISSA CRUZ, FINANCE DIRECTOR
RE: CARRYFORWARD OF FUNDING INTO THE 2018/2019 BUDGET

It is recommended that the Council approve the following appropriation carryforwards representing projects funded in 2017/2018 but not completed or deferred until after September 30, 2018. The sum to be carried forward is the total previously approved amount less any amounts expended prior to September 30, 2018. Some of the projects may be substantially complete at this time but were still in process at September 30th. Since final payments will be made in the 2018/2019 fiscal year, the funding needs to be brought forward.

Description	Account Number	Amount
Remote monitoring system - SCADIA	402-535.0-400063.000	\$35,000
Causeway corridor shoulder installation project - Design	401-541.5-400063.000	32,295
Lining of Storm outfalls - Miller Pipeline	406-538.0-400063.000	90,000
Sewer lateral lines - LMK Pipeline	402-535.0-400063.000	242,605
Keith & Schnars consulting services for Town's emergency generator.	001-519.0-400031-000	29,150
New Police boat - Brunswick	001-521.0-400064-000	194,485
95 ST park construction	001-572.0-400065-000	127,200
Resurfacing roadways – Zone 2	001-541.0-400063.000	225,000
Additional landscaping and upgrades for Kane Concourse.	401-541.5-400034.000	32,800
Scanning documents in lieu of storage	001-512.5-400052.000	5,000
Total		\$1,013,535

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 11.

ITEM: Consideration and Approval of an ordinance on **first** reading to prohibit medical marijuana dispensing facilities within the Town. Enclosed is a copy of the proposed ordinance.

DESCRIPTION:

RECOMMENDED ACTION:

Council Discretion

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk

ATTACHMENTS

1. Proposed Ordinance - Medical Marijuana
2. 2018.11.05 Memorandum on Medical Marijuana Treatment Center Dispensing Facilities

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF BAY HARBOR ISLANDS, FLORIDA AMENDING CHAPTER 23, ARTICLE I OF THE TOWN OF BAY HARBOR ISLANDS CODE OF ORDINANCES BY ADDING SECTION 23-5.3 TO PROHIBIT MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE BOUNDARIES OF THE TOWN OF BAY HARBOR ISLANDS AS AUTHORIZED BY SECTION 381.986(11)(B), FLORIDA STATUTES; PROVIDING LEGISLATIVE FINDINGS; PROVIDING FOR CODIFICATION, PROVIDING FOR MORATORIUM CONTINGENCY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the Town of Bay Harbor Islands, Florida (the “Town”), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, on November 8, 2016, Florida voters approved an amendment to the Florida Constitution, titled “Use of Marijuana for Debilitating Medical Conditions” (“Amendment 2”); and

WHEREAS, Amendment 2 legalized the medical use of marijuana throughout the State of Florida for individuals with certain medical conditions as determined by a licensed Florida physician and authorized the registration and regulation of centers that acquire, produce and distribute marijuana for medical purposes; and

WHEREAS, Section 381.986, Florida Statutes, authorizes qualified physicians to prescribe marijuana for qualified patients diagnosed with certain conditions; and

WHEREAS, Section 381.986(11)(b), Florida Statutes, authorizes a county or municipality to “ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality,”; and

WHEREAS, Section 381.986(11), Florida Statutes further provides that “[a] county or municipality that does not ban dispensing facilities ... may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality,” and that “... a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465”; and

WHEREAS, Section 386.986, Florida Statutes, severely limits, through State preemption, the Town’s control over the zoning and permitting of medical marijuana treatment center dispensing facilities, thereby substantially restricting the Town’s ability to protect surrounding land uses for which medical marijuana treatment center dispensing facilities may not be compatible; and

WHEREAS, The Marijuana Policy Group has published a memorandum entitled “Municipal Dispensary Allocation: Florida,” which evaluated the market need for medical marijuana treatment center dispensing facilities and the harmful consequences and secondary effects of over-saturation of medical marijuana treatment center dispensing facilities within the market place; and

WHEREAS, The Marijuana Policy Group determined that Florida should have no more than one medical marijuana treatment center dispensing facility for every fifty thousand residents and the optimal ratio is one medical marijuana treatment center dispensing facility per 67,222 residents, and the Town has a population (approximately 6,006) well below such ratios; and

WHEREAS, given among other things, the potential negative secondary land use effects of medical marijuana treatment center dispensing facilities, The Marijuana Policy Group’s analysis of optimal population ratios (residents per medical marijuana treatment center dispensing facility), and the statutory restrictions on local government authorities to regulate number and location of medical marijuana treatment center dispensing facilities if not banned, there is a rational basis for the Town to exercise its authority under Section 381.986(11)(b), Florida Statutes, to ban medical marijuana treatment center dispensing facilities within the boundaries of the Town; and

WHEREAS, the Town finds that this Ordinance is in the interests of the public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bay Harbor Islands that:

Section 1. Recitals. The foregoing recitals are adopted and hereby incorporated as if fully set forth herein.

Section 2. Amendment of Town Code. Chapter 23, Article I of the Code is hereby amended to add the follow new provisions:

Section 23-5.3 Medical Marijuana Treatment Center Dispensing Facilities Prohibited

- (1) Prohibition. Medical Marijuana Treatment Center Dispensing Facilities are prohibited and shall not be located within the boundaries of the Town. The Town shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed Medical Marijuana Treatment Center Dispensing Facility.
- (2) Definition. For the purposes of this section, the term “Medical Marijuana Treatment Center Dispensing Facility” means any facility where marijuana, or any product derived therefrom, is dispensed at retail.
- (3) Interpretation/Intent. This section and the terms used herein shall be interpreted in accordance with Section 381.986, Florida Statutes and Chapter 64-4 of the Administrative Code. The intent of this section is to ban Medical Marijuana Treatment Center Dispensing Facilities from being located within the boundaries of the Town, as authorized by Section 381.986(11)(b)(1), Florida Statutes.

Section 3. Codification. Section 2 of this Ordinance shall be incorporated into the Town Code. Any section, paragraph number, letter and/or heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this Ordinance or the Town Code may be freely made.

Section 4. Moratorium Contingency. In the event that Section 381.986, Florida Statutes, is amended or interpreted by a court of competent jurisdiction in a way as to eliminate or prevent the Town's ability to ban or prohibit Medical Marijuana Treatment Center Dispensing Facilities within the Town limits, upon the effective date of such, an automatic one-year moratorium shall go into place on the acceptance, proceeding and approval of Marijuana Treatment Center Dispensing Facilities (including by way of acceptance, proceeding and approval of applications for development orders and permits) within the Town's limits in order to give the Town time to evaluate changes in the applicable law, the Town's ability to regulate such uses and activities and potentially enact local legislation regarding the same. Such one-year moratorium may be terminated early through resolution or ordinance of the Town Council.

Section 5. Conflicts. In the event that the provisions of this Ordinance are in conflict with any other ordinance, then the provisions of this Ordinance shall prevail.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and take effect upon its passing and adoption.

PASSED on First Reading this _____ day of _____, 2019.

PASSED AND ADOPTED on Second Reading this _____ day of _____, 2019.

TOWN OF BAY HARBOR ISLANDS

By: _____
Stephanie Bruder, Mayor

ATTEST:

Marlene Siegel,
Town Clerk

APPROVED AS TO FORM:

Frank C. Simone, Esq.,
Assistant Town Attorney

SHERMAN & SHERMAN P.A.

Attorneys at Law

701 BRICKELL AVENUE

SUITE 1550

MIAMI, FLORIDA 33131

TELEPHONE (305) 221-8000

TELEFAX (305) 357-2510

WEBSITE: ShermansLaw.com

To: Town Council

From: Craig B. Sherman, Esq, Town Attorney and
Frank C. Simone, Assistant Town Attorney



Date: November 5, 2018

Re: Medical Marijuana Treatment Center Dispensing Facilities.

On November 8, 2016, Florida voters approved an amendment to the Florida Constitution, entitled "Use of Marijuana for Debilitating Medical Conditions" ("Amendment 2").

Amendment 2 legalized the medical use of Marijuana throughout the State of Florida for individuals with certain medical conditions, as determined by a licensed Florida physician and authorized the registration and regulation of centers that acquire, produce, and distribute Marijuana for medical purposes.

Section 381.986, Florida Statutes (the "Statute") was enacted in response to Amendment 2, in order to regulate the medical use of medical marijuana within the state. A copy of the Statute is attached hereto.

The Statute allows a municipality to ban Medical Marijuana Treatment Center Dispensing Facilities from its municipal borders.

Section 381.986(11), Florida Statutes entitled "Preemption," expressly states that:

(11) Preemption.--Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in this subsection.

(a) A medical marijuana treatment center cultivating or processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school.

(b) 1. A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. A county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality.

2. A municipality may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, medical marijuana treatment center dispensing facilities located within the boundaries of that municipality. A county may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, all such dispensing facilities located within the unincorporated areas of that county. **Except as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465.** A municipality or county may not charge a medical marijuana treatment center a license or permit fee in an amount greater than the fee charged by such municipality or county to pharmacies. A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b), Florida Statutes 2016, is not subject to the location requirements of this subsection.

(c) A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.

(d) This subsection does not prohibit any local jurisdiction from ensuring medical marijuana treatment center facilities comply with the Florida Building Code, the Florida Fire Prevention Code, or any local amendments to the Florida Building Code or the Florida Fire Prevention Code.

(Emphasis Added).

Based upon the Statute, the Town may ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the Town.

If the Town does not ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the Town, the Town may not:

1. Limit the number of medical marijuana treatment center dispensing facilities in the Town; or
2. Restrict the location of the medical marijuana treatment center dispensing facilities within a certain location in the Business District, as the Town presently has a pharmacy located within the Business District (subject only to the 500 foot prohibition from Ruth K. Broad Bay Harbor K-8 Center (“School”), unless the Town were to approve a specific location for medical marijuana treatment center dispensing facility within 500 feet of the School, through a public hearing).



KeyCite Yellow Flag - Negative Treatment

Unconstitutional or Preempted Validity Called into Doubt by Florida Department of Health v. People United for Medical Marijuana, Fla.App. 1 Dist., July 03, 2018

West's Florida Statutes Annotated**Title XXIX. Public Health (Chapters 381-408)****Chapter 381. Public Health: General Provisions (Refs & Annos)**

West's F.S.A. § 381.986

381.986. Medical use of marijuana

Effective: July 1, 2018

Currentness

(1) Definitions.--As used in this section, the term:

- (a) “Caregiver” means a resident of this state who has agreed to assist with a qualified patient's medical use of marijuana, has a caregiver identification card, and meets the requirements of subsection (6).
- (b) “Chronic nonmalignant pain” means pain that is caused by a qualifying medical condition or that originates from a qualifying medical condition and persists beyond the usual course of that qualifying medical condition.
- (c) “Close relative” means a spouse, parent, sibling, grandparent, child, or grandchild, whether related by whole or half blood, by marriage, or by adoption.
- (d) “Edibles” means commercially produced food items made with marijuana oil, but no other form of marijuana, that are produced and dispensed by a medical marijuana treatment center.
- (e) “Low-THC cannabis” means a plant of the genus *Cannabis*, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed from a medical marijuana treatment center.
- (f) “Marijuana” means all parts of any plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient.
- (g) “Marijuana delivery device” means an object used, intended for use, or designed for use in preparing, storing, ingesting, inhaling, or otherwise introducing marijuana into the human body, and which is dispensed from a medical marijuana treatment center for medical use by a qualified patient.

(h) “Marijuana testing laboratory” means a facility that collects and analyzes marijuana samples from a medical marijuana treatment center and has been certified by the department pursuant to s. 381.988.

(i) “Medical director” means a person who holds an active, unrestricted license as an allopathic physician under chapter 458 or osteopathic physician under chapter 459 and is in compliance with the requirements of paragraph (3)(c).

(j) “Medical use” means the acquisition, possession, use, delivery, transfer, or administration of marijuana authorized by a physician certification. The term does not include:

1. Possession, use, or administration of marijuana that was not purchased or acquired from a medical marijuana treatment center.

2. Possession, use, or administration of marijuana in a form for smoking, in the form of commercially produced food items other than edibles, or of marijuana seeds or flower, except for flower in a sealed, tamper-proof receptacle for vaping.

3. Use or administration of any form or amount of marijuana in a manner that is inconsistent with the qualified physician's directions or physician certification.

4. Transfer of marijuana to a person other than the qualified patient for whom it was authorized or the qualified patient's caregiver on behalf of the qualified patient.

5. Use or administration of marijuana in the following locations:

a. On any form of public transportation, except for low-THC cannabis.

b. In any public place, except for low-THC cannabis.

c. In a qualified patient's place of employment, except when permitted by his or her employer.

d. In a state correctional institution, as defined in s. 944.02, or a correctional institution, as defined in s. 944.241.

e. On the grounds of a preschool, primary school, or secondary school, except as provided in s. 1006.062.

f. In a school bus, a vehicle, an aircraft, or a motorboat, except for low-THC cannabis.

(k) “Physician certification” means a qualified physician's authorization for a qualified patient to receive marijuana and a marijuana delivery device from a medical marijuana treatment center.

(l) “Qualified patient” means a resident of this state who has been added to the medical marijuana use registry by a qualified physician to receive marijuana or a marijuana delivery device for a medical use and who has a qualified patient identification card.

(m) “Qualified physician” means a person who holds an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and is in compliance with the physician education requirements of subsection (3).

(n) “Smoking” means burning or igniting a substance and inhaling the smoke.

(o) “Terminal condition” means a progressive disease or medical or surgical condition that causes significant functional impairment, is not considered by a treating physician to be reversible without the administration of life-sustaining procedures, and will result in death within 1 year after diagnosis if the condition runs its normal course.

(2) Qualifying medical conditions.—A patient must be diagnosed with at least one of the following conditions to qualify to receive marijuana or a marijuana delivery device:

(a) Cancer.

(b) Epilepsy.

(c) Glaucoma.

(d) Positive status for human immunodeficiency virus.

(e) Acquired immune deficiency syndrome.

(f) Post-traumatic stress disorder.

(g) Amyotrophic lateral sclerosis.

(h) Crohn's disease.

(i) Parkinson's disease.

(j) Multiple sclerosis.

(k) Medical conditions of the same kind or class as or comparable to those enumerated in paragraphs (a)-(j).

(l) A terminal condition diagnosed by a physician other than the qualified physician issuing the physician certification.

(m) Chronic nonmalignant pain.

(3) Qualified physicians and medical directors.--

(a) Before being approved as a qualified physician, as defined in paragraph (1)(m), and before each license renewal, a physician must successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association which encompass the requirements of this section and any rules adopted hereunder. The course and examination shall be administered at least annually and may be offered in a distance learning format, including an electronic, online format that is available upon request. The price of the course may not exceed \$500. A physician who has met the physician education requirements of former s. 381.986(4), Florida Statutes 2016, before June 23, 2017, shall be deemed to be in compliance with this paragraph from June 23, 2017, until 90 days after the course and examination required by this paragraph become available.

(b) A qualified physician may not be employed by, or have any direct or indirect economic interest in, a medical marijuana treatment center or marijuana testing laboratory.

(c) Before being employed as a medical director, as defined in paragraph (1)(i), and before each license renewal, a medical director must successfully complete a 2-hour course and subsequent examination offered by the Florida Medical Association or the Florida Osteopathic Medical Association which encompass the requirements of this section and any rules adopted hereunder. The course and examination shall be administered at least annually and may be offered in a distance learning format, including an electronic, online format that is available upon request. The price of the course may not exceed \$500.

(4) Physician certification.--

(a) A qualified physician may issue a physician certification only if the qualified physician:

1. Conducted a physical examination while physically present in the same room as the patient and a full assessment of the medical history of the patient.
2. Diagnosed the patient with at least one qualifying medical condition.
3. Determined that the medical use of marijuana would likely outweigh the potential health risks for the patient, and such determination must be documented in the patient's medical record. If a patient is younger than 18 years of age, a second physician must concur with this determination, and such concurrence must be documented in the patient's medical record.

4. Determined whether the patient is pregnant and documented such determination in the patient's medical record. A physician may not issue a physician certification, except for low-THC cannabis, to a patient who is pregnant.
5. Reviewed the patient's controlled drug prescription history in the prescription drug monitoring program database established pursuant to s. 893.055.
6. Reviews the medical marijuana use registry and confirmed that the patient does not have an active physician certification from another qualified physician.
7. Registers as the issuer of the physician certification for the named qualified patient on the medical marijuana use registry in an electronic manner determined by the department, and:
 - a. Enters into the registry the contents of the physician certification, including the patient's qualifying condition and the dosage not to exceed the daily dose amount determined by the department, the amount and forms of marijuana authorized for the patient, and any types of marijuana delivery devices needed by the patient for the medical use of marijuana.
 - b. Updates the registry within 7 days after any change is made to the original physician certification to reflect such change.
 - c. Deactivates the registration of the qualified patient and the patient's caregiver when the physician no longer recommends the medical use of marijuana for the patient.
8. Obtains the voluntary and informed written consent of the patient for medical use of marijuana each time the qualified physician issues a physician certification for the patient, which shall be maintained in the patient's medical record. The patient, or the patient's parent or legal guardian if the patient is a minor, must sign the informed consent acknowledging that the qualified physician has sufficiently explained its content. The qualified physician must use a standardized informed consent form adopted in rule by the Board of Medicine and the Board of Osteopathic Medicine, which must include, at a minimum, information related to:
 - a. The Federal Government's classification of marijuana as a Schedule I controlled substance.
 - b. The approval and oversight status of marijuana by the Food and Drug Administration.
 - c. The current state of research on the efficacy of marijuana to treat the qualifying conditions set forth in this section.
 - d. The potential for addiction.
 - e. The potential effect that marijuana may have on a patient's coordination, motor skills, and cognition, including a warning against operating heavy machinery, operating a motor vehicle, or engaging in activities that require a person to be alert or respond quickly.

f. The potential side effects of marijuana use.

g. The risks, benefits, and drug interactions of marijuana.

h. That the patient's de-identified health information contained in the physician certification and medical marijuana use registry may be used for research purposes.

(b) If a qualified physician issues a physician certification for a qualified patient diagnosed with a qualifying medical condition pursuant to paragraph (2)(k), the physician must submit the following to the applicable board within 14 days after issuing the physician certification:

1. Documentation supporting the qualified physician's opinion that the medical condition is of the same kind or class as the conditions in paragraphs (2)(a)-(j).

2. Documentation that establishes the efficacy of marijuana as treatment for the condition.

3. Documentation supporting the qualified physician's opinion that the benefits of medical use of marijuana would likely outweigh the potential health risks for the patient.

4. Any other documentation as required by board rule.

The department must submit such documentation to the Coalition for Medical Marijuana Research and Education established pursuant to s. 1004.4351.

(c) A qualified physician may not issue a physician certification for more than three 70-day supply limits of marijuana. The department shall quantify by rule a daily dose amount with equivalent dose amounts for each allowable form of marijuana dispensed by a medical marijuana treatment center. The department shall use the daily dose amount to calculate a 70-day supply.

1. A qualified physician may request an exception to the daily dose amount limit. The request shall be made electronically on a form adopted by the department in rule and must include, at a minimum:

a. The qualified patient's qualifying medical condition.

b. The dosage and route of administration that was insufficient to provide relief to the qualified patient.

c. A description of how the patient will benefit from an increased amount.

d. The minimum daily dose amount of marijuana that would be sufficient for the treatment of the qualified patient's qualifying medical condition.

2. A qualified physician must provide the qualified patient's records upon the request of the department.

3. The department shall approve or disapprove the request within 14 days after receipt of the complete documentation required by this paragraph. The request shall be deemed approved if the department fails to act within this time period.

(d) A qualified physician must evaluate an existing qualified patient at least once every 30 weeks before issuing a new physician certification. A physician must:

1. Determine if the patient still meets the requirements to be issued a physician certification under paragraph (a).

2. Identify and document in the qualified patient's medical records whether the qualified patient experienced either of the following related to the medical use of marijuana:

a. An adverse drug interaction with any prescription or nonprescription medication; or

b. A reduction in the use of, or dependence on, other types of controlled substances as defined in s. 893.02.

3. Submit a report with the findings required pursuant to subparagraph 2. to the department. The department shall submit such reports to the Coalition for Medical Marijuana Research and Education established pursuant to s. 1004.4351.

(e) An active order for low-THC cannabis or medical cannabis issued pursuant to former s. 381.986, Florida Statutes 2016, and registered with the compassionate use registry before June 23, 2017, is deemed a physician certification, and all patients possessing such orders are deemed qualified patients until the department begins issuing medical marijuana use registry identification cards.

(f) The department shall monitor physician registration in the medical marijuana use registry and the issuance of physician certifications for practices that could facilitate unlawful diversion or misuse of marijuana or a marijuana delivery device and shall take disciplinary action as appropriate.

(g) The Board of Medicine and the Board of Osteopathic Medicine shall jointly create a physician certification pattern review panel that shall review all physician certifications submitted to the medical marijuana use registry. The panel shall track and report the number of physician certifications and the qualifying medical conditions, dosage, supply amount, and form of marijuana certified. The panel shall report the data both by individual qualified physician and in the aggregate, by county, and statewide. The physician certification pattern review panel shall, beginning January 1, 2018, submit an annual report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(h) The department, the Board of Medicine, and the Board of Osteopathic Medicine may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(5) Medical marijuana use registry.--

(a) The department shall create and maintain a secure, electronic, and online medical marijuana use registry for physicians, patients, and caregivers as provided under this section. The medical marijuana use registry must be accessible to law enforcement agencies, qualified physicians, and medical marijuana treatment centers to verify the authorization of a qualified patient or a caregiver to possess marijuana or a marijuana delivery device and record the marijuana or marijuana delivery device dispensed. The medical marijuana use registry must also be accessible to practitioners licensed to prescribe prescription drugs to ensure proper care for patients before medications that may interact with the medical use of marijuana are prescribed. The medical marijuana use registry must prevent an active registration of a qualified patient by multiple physicians.

(b) The department shall determine whether an individual is a resident of this state for the purpose of registration of qualified patients and caregivers in the medical marijuana use registry. To prove residency:

1. An adult resident must provide the department with a copy of his or her valid Florida driver license issued under s. 322.18 or a copy of a valid Florida identification card issued under s. 322.051.

2. An adult seasonal resident who cannot meet the requirements of subparagraph 1. may provide the department with a copy of two of the following that show proof of residential address:

a. A deed, mortgage, monthly mortgage statement, mortgage payment booklet or residential rental or lease agreement.

b. One proof of residential address from the seasonal resident's parent, step-parent, legal guardian or other person with whom the seasonal resident resides and a statement from the person with whom the seasonal resident resides stating that the seasonal resident does reside with him or her.

c. A utility hookup or work order dated within 60 days before registration in the medical use registry.

d. A utility bill, not more than 2 months old.

e. Mail from a financial institution, including checking, savings, or investment account statements, not more than 2 months old.

f. Mail from a federal, state, county, or municipal government agency, not more than 2 months old.

g. Any other documentation that provides proof of residential address as determined by department rule.

3. A minor must provide the department with a certified copy of a birth certificate or a current record of registration from a Florida K-12 school and must have a parent or legal guardian who meets the requirements of subparagraph 1.

For the purposes of this paragraph, the term “seasonal resident” means any person who temporarily resides in this state for a period of at least 31 consecutive days in each calendar year, maintains a temporary residence in this state, returns to the state or jurisdiction of his or her residence at least one time during each calendar year, and is registered to vote or pays income tax in another state or jurisdiction.

(c) The department may suspend or revoke the registration of a qualified patient or caregiver if the qualified patient or caregiver:

1. Provides misleading, incorrect, false, or fraudulent information to the department;
2. Obtains a supply of marijuana in an amount greater than the amount authorized by the physician certification;
3. Falsifies, alters, or otherwise modifies an identification card;
4. Fails to timely notify the department of any changes to his or her qualified patient status; or
5. Violates the requirements of this section or any rule adopted under this section.

(d) The department shall immediately suspend the registration of a qualified patient charged with a violation of chapter 893 until final disposition of any alleged offense. Thereafter, the department may extend the suspension, revoke the registration, or reinstate the registration.

(e) The department shall immediately suspend the registration of any caregiver charged with a violation of chapter 893 until final disposition of any alleged offense. The department shall revoke a caregiver registration if the caregiver does not meet the requirements of subparagraph (6)(b)6.

(f) The department may revoke the registration of a qualified patient or caregiver who cultivates marijuana or who acquires, possesses, or delivers marijuana from any person or entity other than a medical marijuana treatment center.

(g) The department shall revoke the registration of a qualified patient, and the patient's associated caregiver, upon notification that the patient no longer meets the criteria of a qualified patient.

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(6) Caregivers.--

(a) The department must register an individual as a caregiver on the medical marijuana use registry and issue a caregiver identification card if an individual designated by a qualified patient meets all of the requirements of this subsection and department rule.

(b) A caregiver must:

1. Not be a qualified physician and not be employed by or have an economic interest in a medical marijuana treatment center or a marijuana testing laboratory.
2. Be 21 years of age or older and a resident of this state.
3. Agree in writing to assist with the qualified patient's medical use of marijuana.
4. Be registered in the medical marijuana use registry as a caregiver for no more than one qualified patient, except as provided in this paragraph.
5. Successfully complete a caregiver certification course developed and administered by the department or its designee, which must be renewed biennially. The price of the course may not exceed \$100.
6. Pass a background screening pursuant to subsection (9), unless the patient is a close relative of the caregiver.

(c) A qualified patient may designate no more than one caregiver to assist with the qualified patient's medical use of marijuana, unless:

1. The qualified patient is a minor and the designated caregivers are parents or legal guardians of the qualified patient;
2. The qualified patient is an adult who has an intellectual or developmental disability that prevents the patient from being able to protect or care for himself or herself without assistance or supervision and the designated caregivers are the parents or legal guardians of the qualified patient; or
3. The qualified patient is admitted to a hospice program.

(d) A caregiver may be registered in the medical marijuana use registry as a designated caregiver for no more than one qualified patient, unless:

1. The caregiver is a parent or legal guardian of more than one minor who is a qualified patient;

2. The caregiver is a parent or legal guardian of more than one adult who is a qualified patient and who has an intellectual or developmental disability that prevents the patient from being able to protect or care for himself or herself without assistance or supervision; or

3. All qualified patients the caregiver has agreed to assist are admitted to a hospice program and have requested the assistance of that caregiver with the medical use of marijuana; the caregiver is an employee of the hospice; and the caregiver provides personal care or other services directly to clients of the hospice in the scope of that employment.

(e) A caregiver may not receive compensation, other than actual expenses incurred, for any services provided to the qualified patient.

(f) If a qualified patient is younger than 18 years of age, only a caregiver may purchase or administer marijuana for medical use by the qualified patient. The qualified patient may not purchase marijuana.

(g) A caregiver must be in immediate possession of his or her medical marijuana use registry identification card at all times when in possession of marijuana or a marijuana delivery device and must present his or her medical marijuana use registry identification card upon the request of a law enforcement officer.

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(7) Identification cards.--

(a) The department shall issue medical marijuana use registry identification cards for qualified patients and caregivers who are residents of this state, which must be renewed annually. The identification cards must be resistant to counterfeiting and tampering and must include, at a minimum, the following:

1. The name, address, and date of birth of the qualified patient or caregiver.

2. A full-face, passport-type, color photograph of the qualified patient or caregiver taken within the 90 days immediately preceding registration or the Florida driver license or Florida identification card photograph of the qualified patient or caregiver obtained directly from the Department of Highway Safety and Motor Vehicles.

3. Identification as a qualified patient or a caregiver.

4. The unique numeric identifier used for the qualified patient in the medical marijuana use registry.

5. For a caregiver, the name and unique numeric identifier of the caregiver and the qualified patient or patients that the caregiver is assisting.

6. The expiration date of the identification card.

(b) The department must receive written consent from a qualified patient's parent or legal guardian before it may issue an identification card to a qualified patient who is a minor.

(c) The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing procedures for the issuance, renewal, suspension, replacement, surrender, and revocation of medical marijuana use registry identification cards pursuant to this section and shall begin issuing qualified patient identification cards by October 3, 2017.

(d) Applications for identification cards must be submitted on a form prescribed by the department. The department may charge a reasonable fee associated with the issuance, replacement, and renewal of identification cards. The department shall allocate \$10 of the identification card fee to the Division of Research at Florida Agricultural and Mechanical University for the purpose of educating minorities about marijuana for medical use and the impact of the unlawful use of marijuana on minority communities. The department shall contract with a third-party vendor to issue identification cards. The vendor selected by the department must have experience performing similar functions for other state agencies.

(e) A qualified patient or caregiver shall return his or her identification card to the department within 5 business days after revocation.

(8) Medical marijuana treatment centers.--

(a) The department shall license medical marijuana treatment centers to ensure reasonable statewide accessibility and availability as necessary for qualified patients registered in the medical marijuana use registry and who are issued a physician certification under this section.

1. As soon as practicable, but no later than July 3, 2017, the department shall license as a medical marijuana treatment center any entity that holds an active, unrestricted license to cultivate, process, transport, and dispense low-THC cannabis, medical cannabis, and cannabis delivery devices, under former s. 381.986, Florida Statutes 2016, before July 1, 2017, and which meets the requirements of this section. In addition to the authority granted under this section, these entities are authorized to dispense low-THC cannabis, medical cannabis, and cannabis delivery devices ordered pursuant to former s. 381.986, Florida Statutes 2016, which were entered into the compassionate use registry before July 1, 2017, and are authorized to begin dispensing marijuana under this section on July 3, 2017. The department may grant variances from the representations made in such an entity's original application for approval under former s. 381.986, Florida Statutes 2014, pursuant to paragraph (e).

2. The department shall license as medical marijuana treatment centers 10 applicants that meet the requirements of this section, under the following parameters:

a. As soon as practicable, but no later than August 1, 2017, the department shall license any applicant whose application was reviewed, evaluated, and scored by the department and which was denied a dispensing organization license by the department under former s. 381.986, Florida Statutes 2014; which had one or more administrative or judicial challenges pending as of January 1, 2017, or had a final ranking within one point of the highest final ranking in its region under

former s. 381.986, Florida Statutes 2014; which meets the requirements of this section; and which provides documentation to the department that it has the existing infrastructure and technical and technological ability to begin cultivating marijuana within 30 days after registration as a medical marijuana treatment center.

b. As soon as practicable, the department shall license one applicant that is a recognized class member of *Pigford v. Glickman*, 185 F.R.D. 82 (D.D.C. 1999), or *In Re Black Farmers Litig.*, 856 F. Supp. 2d 1 (D.D.C. 2011). An applicant licensed under this sub-subparagraph is exempt from the requirement of subparagraph (b)2.

c. As soon as practicable, but no later than October 3, 2017, the department shall license applicants that meet the requirements of this section in sufficient numbers to result in 10 total licenses issued under this subparagraph, while accounting for the number of licenses issued under sub-subparagraphs a. and b.

3. For up to two of the licenses issued under subparagraph 2., the department shall give preference to applicants that demonstrate in their applications that they own one or more facilities that are, or were, used for the canning, concentrating, or otherwise processing of citrus fruit or citrus molasses and will use or convert the facility or facilities for the processing of marijuana.

4. Within 6 months after the registration of 100,000 active qualified patients in the medical marijuana use registry, the department shall license four additional medical marijuana treatment centers that meet the requirements of this section. Thereafter, the department shall license four medical marijuana treatment centers within 6 months after the registration of each additional 100,000 active qualified patients in the medical marijuana use registry that meet the requirements of this section.

5. Dispensing facilities are subject to the following requirements:

a. A medical marijuana treatment center may not establish or operate more than a statewide maximum of 25 dispensing facilities, unless the medical marijuana use registry reaches a total of 100,000 active registered qualified patients. When the medical marijuana use registry reaches 100,000 active registered qualified patients, and then upon each further instance of the total active registered qualified patients increasing by 100,000, the statewide maximum number of dispensing facilities that each licensed medical marijuana treatment center may establish and operate increases by five.

b. A medical marijuana treatment center may not establish more than the maximum number of dispensing facilities allowed in each of the Northwest, Northeast, Central, Southwest, and Southeast Regions. The department shall determine a medical marijuana treatment center's maximum number of dispensing facilities allowed in each region by calculating the percentage of the total statewide population contained within that region and multiplying that percentage by the medical marijuana treatment center's statewide maximum number of dispensing facilities established under subparagraph a., rounded to the nearest whole number. The department shall ensure that such rounding does not cause a medical marijuana treatment center's total number of statewide dispensing facilities to exceed its statewide maximum. The department shall initially calculate the maximum number of dispensing facilities allowed in each region for each medical marijuana treatment center using county population estimates from the Florida Estimates of Population 2016, as published by the Office of Economic and Demographic Research, and shall perform recalculations following the official release of county population data resulting from each United States Decennial Census. For the purposes of this subparagraph:

(I) The Northwest Region consists of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington Counties.

(II) The Northeast Region consists of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Hamilton, Lafayette, Levy, Marion, Nassau, Putnam, St. Johns, Suwannee, and Union Counties.

(III) The Central Region consists of Brevard, Citrus, Hardee, Hernando, Indian River, Lake, Orange, Osceola, Pasco, Pinellas, Polk, Seminole, St. Lucie, Sumter, and Volusia Counties.

(IV) The Southwest Region consists of Charlotte, Collier, DeSoto, Glades, Hendry, Highlands, Hillsborough, Lee, Manatee, Okeechobee, and Sarasota Counties.

(V) The Southeast Region consists of Broward, Miami-Dade, Martin, Monroe, and Palm Beach Counties.

c. If a medical marijuana treatment center establishes a number of dispensing facilities within a region that is less than the number allowed for that region under sub-subparagraph b., the medical marijuana treatment center may sell one or more of its unused dispensing facility slots to other licensed medical marijuana treatment centers. For each dispensing facility slot that a medical marijuana treatment center sells, that medical marijuana treatment center's statewide maximum number of dispensing facilities, as determined under sub-subparagraph a., is reduced by one. The statewide maximum number of dispensing facilities for a medical marijuana treatment center that purchases an unused dispensing facility slot is increased by one per slot purchased. Additionally, the sale of a dispensing facility slot shall reduce the seller's regional maximum and increase the purchaser's regional maximum number of dispensing facilities, as determined in sub-subparagraph b., by one for that region. For any slot purchased under this sub-subparagraph, the regional restriction applied to that slot's location under sub-subparagraph b. before the purchase shall remain in effect following the purchase. A medical marijuana treatment center that sells or purchases a dispensing facility slot must notify the department within 3 days of sale.

d. This subparagraph shall expire on April 1, 2020.

If this subparagraph or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end, the provisions of this subparagraph are severable.

(b) An applicant for licensure as a medical marijuana treatment center shall apply to the department on a form prescribed by the department and adopted in rule. The department shall adopt rules pursuant to ss. 120.536(1) and 120.54 establishing a procedure for the issuance and biennial renewal of licenses, including initial application and biennial renewal fees sufficient to cover the costs of implementing and administering this section, and establishing supplemental licensure fees for payment beginning May 1, 2018, sufficient to cover the costs of administering ss. 381.989 and 1004.4351. The department shall identify applicants with strong diversity plans reflecting this state's commitment to diversity and implement training programs and other educational programs to enable minority persons and minority business enterprises, as defined in s. 288.703, and veteran business enterprises, as defined in s. 295.187, to compete for medical marijuana treatment center licensure and contracts. Subject to the requirements in subparagraphs (a)2.-4., the department shall issue a license to an applicant if the applicant meets the requirements of this section and pays the

initial application fee. The department shall renew the licensure of a medical marijuana treatment center biennially if the licensee meets the requirements of this section and pays the biennial renewal fee. An individual may not be an applicant, owner, officer, board member, or manager on more than one application for licensure as a medical marijuana treatment center. An individual or entity may not be awarded more than one license as a medical marijuana treatment center. An applicant for licensure as a medical marijuana treatment center must demonstrate:

1. That, for the 5 consecutive years before submitting the application, the applicant has been registered to do business in the state.
2. Possession of a valid certificate of registration issued by the Department of Agriculture and Consumer Services pursuant to s. 581.131.
3. The technical and technological ability to cultivate and produce marijuana, including, but not limited to, low-THC cannabis.
4. The ability to secure the premises, resources, and personnel necessary to operate as a medical marijuana treatment center.
5. The ability to maintain accountability of all raw materials, finished products, and any byproducts to prevent diversion or unlawful access to or possession of these substances.
6. An infrastructure reasonably located to dispense marijuana to registered qualified patients statewide or regionally as determined by the department.
7. The financial ability to maintain operations for the duration of the 2-year approval cycle, including the provision of certified financial statements to the department.
 - a. Upon approval, the applicant must post a \$5 million performance bond issued by an authorized surety insurance company rated in one of the three highest rating categories by a nationally recognized rating service. However, a medical marijuana treatment center serving at least 1,000 qualified patients is only required to maintain a \$2 million performance bond.
 - b. In lieu of the performance bond required under sub-subparagraph a., the applicant may provide an irrevocable letter of credit payable to the department or provide cash to the department. If provided with cash under this sub-subparagraph, the department shall deposit the cash in the Grants and Donations Trust Fund within the Department of Health, subject to the same conditions as the bond regarding requirements for the applicant to forfeit ownership of the funds. If the funds deposited under this sub-subparagraph generate interest, the amount of that interest shall be used by the department for the administration of this section.
8. That all owners, officers, board members, and managers have passed a background screening pursuant to subsection (9).

9. The employment of a medical director to supervise the activities of the medical marijuana treatment center.

10. A diversity plan that promotes and ensures the involvement of minority persons and minority business enterprises, as defined in s. 288.703, or veteran business enterprises, as defined in s. 295.187, in ownership, management, and employment. An applicant for licensure renewal must show the effectiveness of the diversity plan by including the following with his or her application for renewal:

a. Representation of minority persons and veterans in the medical marijuana treatment center's workforce;

b. Efforts to recruit minority persons and veterans for employment; and

c. A record of contracts for services with minority business enterprises and veteran business enterprises.

(c) A medical marijuana treatment center may not make a wholesale purchase of marijuana from, or a distribution of marijuana to, another medical marijuana treatment center, unless the medical marijuana treatment center seeking to make a wholesale purchase of marijuana submits proof of harvest failure to the department.

(d) The department shall establish, maintain, and control a computer software tracking system that traces marijuana from seed to sale and allows real-time, 24-hour access by the department to data from all medical marijuana treatment centers and marijuana testing laboratories. The tracking system must allow for integration of other seed-to-sale systems and, at a minimum, include notification of when marijuana seeds are planted, when marijuana plants are harvested and destroyed, and when marijuana is transported, sold, stolen, diverted, or lost. Each medical marijuana treatment center shall use the seed-to-sale tracking system established by the department or integrate its own seed-to-sale tracking system with the seed-to-sale tracking system established by the department. Each medical marijuana treatment center may use its own seed-to-sale system until the department establishes a seed-to-sale tracking system. The department may contract with a vendor to establish the seed-to-sale tracking system. The vendor selected by the department may not have a contractual relationship with the department to perform any services pursuant to this section other than the seed-to-sale tracking system. The vendor may not have a direct or indirect financial interest in a medical marijuana treatment center or a marijuana testing laboratory.

(e) A licensed medical marijuana treatment center shall cultivate, process, transport, and dispense marijuana for medical use. A licensed medical marijuana treatment center may not contract for services directly related to the cultivation, processing, and dispensing of marijuana or marijuana delivery devices, except that a medical marijuana treatment center licensed pursuant to subparagraph (a)1. may contract with a single entity for the cultivation, processing, transporting, and dispensing of marijuana and marijuana delivery devices. A licensed medical marijuana treatment center must, at all times, maintain compliance with the criteria demonstrated and representations made in the initial application and the criteria established in this subsection. Upon request, the department may grant a medical marijuana treatment center a variance from the representations made in the initial application. Consideration of such a request shall be based upon the individual facts and circumstances surrounding the request. A variance may not be granted unless the requesting medical marijuana treatment center can demonstrate to the department that it has a proposed alternative to the specific representation made in its application which fulfills the same or a similar purpose as the specific representation in a way that the department can reasonably determine will not be a lower standard than the specific representation in the application. A variance may not be granted from the requirements in subparagraph 2. and subparagraphs (b)1. and 2.

1. A licensed medical marijuana treatment center may transfer ownership to an individual or entity who meets the requirements of this section. A publicly traded corporation or publicly traded company that meets the requirements of this section is not precluded from ownership of a medical marijuana treatment center. To accommodate a change in ownership:

a. The licensed medical marijuana treatment center shall notify the department in writing at least 60 days before the anticipated date of the change of ownership.

b. The individual or entity applying for initial licensure due to a change of ownership must submit an application that must be received by the department at least 60 days before the date of change of ownership.

c. Upon receipt of an application for a license, the department shall examine the application and, within 30 days after receipt, notify the applicant in writing of any apparent errors or omissions and request any additional information required.

d. Requested information omitted from an application for licensure must be filed with the department within 21 days after the department's request for omitted information or the application shall be deemed incomplete and shall be withdrawn from further consideration and the fees shall be forfeited.

Within 30 days after the receipt of a complete application, the department shall approve or deny the application.

2. A medical marijuana treatment center, and any individual or entity who directly or indirectly owns, controls, or holds with power to vote 5 percent or more of the voting shares of a medical marijuana treatment center, may not acquire direct or indirect ownership or control of any voting shares or other form of ownership of any other medical marijuana treatment center.

3. A medical marijuana treatment center may not enter into any form of profit-sharing arrangement with the property owner or lessor of any of its facilities where cultivation, processing, storing, or dispensing of marijuana and marijuana delivery devices occurs.

4. All employees of a medical marijuana treatment center must be 21 years of age or older and have passed a background screening pursuant to subsection (9).

5. Each medical marijuana treatment center must adopt and enforce policies and procedures to ensure employees and volunteers receive training on the legal requirements to dispense marijuana to qualified patients.

6. When growing marijuana, a medical marijuana treatment center:

- a. May use pesticides determined by the department, after consultation with the Department of Agriculture and Consumer Services, to be safely applied to plants intended for human consumption, but may not use pesticides designated as restricted-use pesticides pursuant to s. 487.042.
 - b. Must grow marijuana within an enclosed structure and in a room separate from any other plant.
 - c. Must inspect seeds and growing plants for plant pests that endanger or threaten the horticultural and agricultural interests of the state in accordance with chapter 581 and any rules adopted thereunder.
 - d. Must perform fumigation or treatment of plants, or remove and destroy infested or infected plants, in accordance with chapter 581 and any rules adopted thereunder.
7. Each medical marijuana treatment center must produce and make available for purchase at least one low-THC cannabis product.
8. A medical marijuana treatment center that produces edibles must hold a permit to operate as a food establishment pursuant to chapter 500, the Florida Food Safety Act, and must comply with all the requirements for food establishments pursuant to chapter 500 and any rules adopted thereunder. Edibles may not contain more than 200 milligrams of tetrahydrocannabinol, and a single serving portion of an edible may not exceed 10 milligrams of tetrahydrocannabinol. Edibles may have a potency variance of no greater than 15 percent. Edibles may not be attractive to children; be manufactured in the shape of humans, cartoons, or animals; be manufactured in a form that bears any reasonable resemblance to products available for consumption as commercially available candy; or contain any color additives. To discourage consumption of edibles by children, the department shall determine by rule any shapes, forms, and ingredients allowed and prohibited for edibles. Medical marijuana treatment centers may not begin processing or dispensing edibles until after the effective date of the rule. The department shall also adopt sanitation rules providing the standards and requirements for the storage, display, or dispensing of edibles.
9. Within 12 months after licensure, a medical marijuana treatment center must demonstrate to the department that all of its processing facilities have passed a Food Safety Good Manufacturing Practices, such as Global Food Safety Initiative or equivalent, inspection by a nationally accredited certifying body. A medical marijuana treatment center must immediately stop processing at any facility which fails to pass this inspection until it demonstrates to the department that such facility has met this requirement.
10. When processing marijuana, a medical marijuana treatment center must:
- a. Process the marijuana within an enclosed structure and in a room separate from other plants or products.
 - b. Comply with department rules when processing marijuana with hydrocarbon solvents or other solvents or gases exhibiting potential toxicity to humans. The department shall determine by rule the requirements for medical marijuana treatment centers to use such solvents or gases exhibiting potential toxicity to humans.

c. Comply with federal and state laws and regulations and department rules for solid and liquid wastes. The department shall determine by rule procedures for the storage, handling, transportation, management, and disposal of solid and liquid waste generated during marijuana production and processing. The Department of Environmental Protection shall assist the department in developing such rules.

d. Test the processed marijuana using a medical marijuana testing laboratory before it is dispensed. Results must be verified and signed by two medical marijuana treatment center employees. Before dispensing, the medical marijuana treatment center must determine that the test results indicate that low-THC cannabis meets the definition of low-THC cannabis, the concentration of tetrahydrocannabinol meets the potency requirements of this section, the labeling of the concentration of tetrahydrocannabinol and cannabidiol is accurate, and all marijuana is safe for human consumption and free from contaminants that are unsafe for human consumption. The department shall determine by rule which contaminants must be tested for and the maximum levels of each contaminant which are safe for human consumption. The Department of Agriculture and Consumer Services shall assist the department in developing the testing requirements for contaminants that are unsafe for human consumption in edibles. The department shall also determine by rule the procedures for the treatment of marijuana that fails to meet the testing requirements of this section, s. 381.988, or department rule. The department may select a random sample from edibles available for purchase in a dispensing facility which shall be tested by the department to determine that the edible meets the potency requirements of this section, is safe for human consumption, and the labeling of the tetrahydrocannabinol and cannabidiol concentration is accurate. A medical marijuana treatment center may not require payment from the department for the sample. A medical marijuana treatment center must recall edibles, including all edibles made from the same batch of marijuana, which fail to meet the potency requirements of this section, which are unsafe for human consumption, or for which the labeling of the tetrahydrocannabinol and cannabidiol concentration is inaccurate. The medical marijuana treatment center must retain records of all testing and samples of each homogenous batch of marijuana for at least 9 months. The medical marijuana treatment center must contract with a marijuana testing laboratory to perform audits on the medical marijuana treatment center's standard operating procedures, testing records, and samples and provide the results to the department to confirm that the marijuana or low-THC cannabis meets the requirements of this section and that the marijuana or low-THC cannabis is safe for human consumption. A medical marijuana treatment center shall reserve two processed samples from each batch and retain such samples for at least 9 months for the purpose of such audits. A medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification, but in no event later than July 1, 2018.

e. Package the marijuana in compliance with the United States Poison Prevention Packaging Act of 1970, 15 U.S.C. ss. 1471 et seq.

f. Package the marijuana in a receptacle that has a firmly affixed and legible label stating the following information:

(I) The marijuana or low-THC cannabis meets the requirements of sub-subparagraph d.

(II) The name of the medical marijuana treatment center from which the marijuana originates.

(III) The batch number and harvest number from which the marijuana originates and the date dispensed.

(IV) The name of the physician who issued the physician certification.

(V) The name of the patient.

(VI) The product name, if applicable, and dosage form, including concentration of tetrahydrocannabinol and cannabidiol. The product name may not contain wording commonly associated with products marketed by or to children.

(VII) The recommended dose.

(VIII) A warning that it is illegal to transfer medical marijuana to another person.

(IX) A marijuana universal symbol developed by the department.

11. The medical marijuana treatment center shall include in each package a patient package insert with information on the specific product dispensed related to:

a. Clinical pharmacology.

b. Indications and use.

c. Dosage and administration.

d. Dosage forms and strengths.

e. Contraindications.

f. Warnings and precautions.

g. Adverse reactions.

12. Each edible shall be individually sealed in plain, opaque wrapping marked only with the marijuana universal symbol. Where practical, each edible shall be marked with the marijuana universal symbol. In addition to the packaging and labeling requirements in subparagraphs 10. and 11., edible receptacles must be plain, opaque, and white without depictions of the product or images other than the medical marijuana treatment center's department-approved logo and the marijuana universal symbol. The receptacle must also include a list all of the edible's ingredients, storage instructions, an expiration date, a legible and prominent warning to keep away from children and pets, and a warning that the edible has not been produced or inspected pursuant to federal food safety laws.

13. When dispensing marijuana or a marijuana delivery device, a medical marijuana treatment center:

a. May dispense any active, valid order for low-THC cannabis, medical cannabis and cannabis delivery devices issued pursuant to former s. 381.986, Florida Statutes 2016, which was entered into the medical marijuana use registry before July 1, 2017.

b. May not dispense more than a 70-day supply of marijuana to a qualified patient or caregiver.

c. Must have the medical marijuana treatment center's employee who dispenses the marijuana or a marijuana delivery device enter into the medical marijuana use registry his or her name or unique employee identifier.

d. Must verify that the qualified patient and the caregiver, if applicable, each have an active registration in the medical marijuana use registry and an active and valid medical marijuana use registry identification card, the amount and type of marijuana dispensed matches the physician certification in the medical marijuana use registry for that qualified patient, and the physician certification has not already been filled.

e. May not dispense marijuana to a qualified patient who is younger than 18 years of age. If the qualified patient is younger than 18 years of age, marijuana may only be dispensed to the qualified patient's caregiver.

f. May not dispense or sell any other type of cannabis, alcohol, or illicit drug-related product, including pipes, bongs, or wrapping papers, other than a marijuana delivery device required for the medical use of marijuana and which is specified in a physician certification.

g. Must, upon dispensing the marijuana or marijuana delivery device, record in the registry the date, time, quantity, and form of marijuana dispensed; the type of marijuana delivery device dispensed; and the name and medical marijuana use registry identification number of the qualified patient or caregiver to whom the marijuana delivery device was dispensed.

h. Must ensure that patient records are not visible to anyone other than the qualified patient, his or her caregiver, and authorized medical marijuana treatment center employees.

(f) To ensure the safety and security of premises where the cultivation, processing, storing, or dispensing of marijuana occurs, and to maintain adequate controls against the diversion, theft, and loss of marijuana or marijuana delivery devices, a medical marijuana treatment center shall:

1. a. Maintain a fully operational security alarm system that secures all entry points and perimeter windows and is equipped with motion detectors; pressure switches; and duress, panic, and hold-up alarms; and

b. Maintain a video surveillance system that records continuously 24 hours a day and meets the following criteria:

(I) Cameras are fixed in a place that allows for the clear identification of persons and activities in controlled areas of the premises. Controlled areas include grow rooms, processing rooms, storage rooms, disposal rooms or areas, and point-of-sale rooms.

(II) Cameras are fixed in entrances and exits to the premises, which shall record from both indoor and outdoor, or ingress and egress, vantage points.

(III) Recorded images must clearly and accurately display the time and date.

(IV) Retain video surveillance recordings for at least 45 days or longer upon the request of a law enforcement agency.

2. Ensure that the medical marijuana treatment center's outdoor premises have sufficient lighting from dusk until dawn.

3. Ensure that the indoor premises where dispensing occurs includes a waiting area with sufficient space and seating to accommodate qualified patients and caregivers and at least one private consultation area that is isolated from the waiting area and area where dispensing occurs. A medical marijuana treatment center may not display products or dispense marijuana or marijuana delivery devices in the waiting area.

4. Not dispense from its premises marijuana or a marijuana delivery device between the hours of 9 p.m. and 7 a.m., but may perform all other operations and deliver marijuana to qualified patients 24 hours a day.

5. Store marijuana in a secured, locked room or a vault.

6. Require at least two of its employees, or two employees of a security agency with whom it contracts, to be on the premises at all times where cultivation, processing, or storing of marijuana occurs.

7. Require each employee or contractor to wear a photo identification badge at all times while on the premises.

8. Require each visitor to wear a visitor pass at all times while on the premises.

9. Implement an alcohol and drug-free workplace policy.

10. Report to local law enforcement within 24 hours after the medical marijuana treatment center is notified or becomes aware of the theft, diversion, or loss of marijuana.

(g) To ensure the safe transport of marijuana and marijuana delivery devices to medical marijuana treatment centers, marijuana testing laboratories, or qualified patients, a medical marijuana treatment center must:

1. Maintain a marijuana transportation manifest in any vehicle transporting marijuana. The marijuana transportation manifest must be generated from a medical marijuana treatment center's seed-to-sale tracking system and include the:

- a. Departure date and approximate time of departure.
- b. Name, location address, and license number of the originating medical marijuana treatment center.
- c. Name and address of the recipient of the delivery.
- d. Quantity and form of any marijuana or marijuana delivery device being transported.
- e. Arrival date and estimated time of arrival.
- f. Delivery vehicle make and model and license plate number.
- g. Name and signature of the medical marijuana treatment center employees delivering the product.

(I) A copy of the marijuana transportation manifest must be provided to each individual, medical marijuana treatment center, or marijuana testing laboratory that receives a delivery. The individual, or a representative of the center or laboratory, must sign a copy of the marijuana transportation manifest acknowledging receipt.

(II) An individual transporting marijuana or a marijuana delivery device must present a copy of the relevant marijuana transportation manifest and his or her employee identification card to a law enforcement officer upon request.

(III) Medical marijuana treatment centers and marijuana testing laboratories must retain copies of all marijuana transportation manifests for at least 3 years.

- 2. Ensure only vehicles in good working order are used to transport marijuana.
- 3. Lock marijuana and marijuana delivery devices in a separate compartment or container within the vehicle.
- 4. Require employees to have possession of their employee identification card at all times when transporting marijuana or marijuana delivery devices.
- 5. Require at least two persons to be in a vehicle transporting marijuana or marijuana delivery devices, and require at least one person to remain in the vehicle while the marijuana or marijuana delivery device is being delivered.
- 6. Provide specific safety and security training to employees transporting or delivering marijuana and marijuana delivery devices.

(h) A medical marijuana treatment center may not engage in advertising that is visible to members of the public from any street, sidewalk, park, or other public place, except:

1. The dispensing location of a medical marijuana treatment center may have a sign that is affixed to the outside or hanging in the window of the premises which identifies the dispensary by the licensee's business name, a department-approved trade name, or a department-approved logo. A medical marijuana treatment center's trade name and logo may not contain wording or images commonly associated with marketing targeted toward children or which promote recreational use of marijuana.

2. A medical marijuana treatment center may engage in Internet advertising and marketing under the following conditions:

a. All advertisements must be approved by the department.

b. An advertisement may not have any content that specifically targets individuals under the age of 18, including cartoon characters or similar images.

c. An advertisement may not be an unsolicited pop-up advertisement.

d. Opt-in marketing must include an easy and permanent opt-out feature.

(i) Each medical marijuana treatment center that dispenses marijuana and marijuana delivery devices shall make available to the public on its website:

1. Each marijuana and low-THC product available for purchase, including the form, strain of marijuana from which it was extracted, cannabidiol content, tetrahydrocannabinol content, dose unit, total number of doses available, and the ratio of cannabidiol to tetrahydrocannabinol for each product.

2. The price for a 30-day, 50-day, and 70-day supply at a standard dose for each marijuana and low-THC product available for purchase.

3. The price for each marijuana delivery device available for purchase.

4. If applicable, any discount policies and eligibility criteria for such discounts.

(j) Medical marijuana treatment centers are the sole source from which a qualified patient may legally obtain marijuana.

(k) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(9) Background screening.--An individual required to undergo a background screening pursuant to this section must pass a level 2 background screening as provided under chapter 435, which, in addition to the disqualifying offenses provided in s. 435.04, shall exclude an individual who has an arrest awaiting final disposition for, has been found guilty of, regardless of adjudication, or has entered a plea of nolo contendere or guilty to an offense under chapter 837, chapter 895, or chapter 896 or similar law of another jurisdiction.

(a) Such individual must submit a full set of fingerprints to the department or to a vendor, entity, or agency authorized by s. 943.053(13). The department, vendor, entity, or agency shall forward the fingerprints to the Department of Law Enforcement for state processing, and the Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for national processing.

(b) Fees for state and federal fingerprint processing and retention shall be borne by the individual. The state cost for fingerprint processing shall be as provided in s. 943.053(3)(e) for records provided to persons or entities other than those specified as exceptions therein.

(c) Fingerprints submitted to the Department of Law Enforcement pursuant to this subsection shall be retained by the Department of Law Enforcement as provided in s. 943.05(2)(g) and (h) and, when the Department of Law Enforcement begins participation in the program, enrolled in the Federal Bureau of Investigation's national retained print arrest notification program. Any arrest record identified shall be reported to the department.

(10) Medical marijuana treatment center inspections; administrative actions.--

(a) The department shall conduct announced or unannounced inspections of medical marijuana treatment centers to determine compliance with this section or rules adopted pursuant to this section.

(b) The department shall inspect a medical marijuana treatment center upon receiving a complaint or notice that the medical marijuana treatment center has dispensed marijuana containing mold, bacteria, or other contaminant that may cause or has caused an adverse effect to human health or the environment.

(c) The department shall conduct at least a biennial inspection of each medical marijuana treatment center to evaluate the medical marijuana treatment center's records, personnel, equipment, processes, security measures, sanitation practices, and quality assurance practices.

(d) The Department of Agriculture and Consumer Services and the department shall enter into an interagency agreement to ensure cooperation and coordination in the performance of their obligations under this section and their respective regulatory and authorizing laws. The department, the Department of Highway Safety and Motor Vehicles, and the Department of Law Enforcement may enter into interagency agreements for the purposes specified in this subsection or subsection (7).

(e) The department shall publish a list of all approved medical marijuana treatment centers, medical directors, and qualified physicians on its website.

(f) The department may impose reasonable fines not to exceed \$10,000 on a medical marijuana treatment center for any of the following violations:

1. Violating this section or department rule.
2. Failing to maintain qualifications for approval.
3. Endangering the health, safety, or security of a qualified patient.
4. Improperly disclosing personal and confidential information of the qualified patient.
5. Attempting to procure medical marijuana treatment center approval by bribery, fraudulent misrepresentation, or extortion.
6. Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the business of a medical marijuana treatment center.
7. Making or filing a report or record that the medical marijuana treatment center knows to be false.
8. Willfully failing to maintain a record required by this section or department rule.
9. Willfully impeding or obstructing an employee or agent of the department in the furtherance of his or her official duties.
10. Engaging in fraud or deceit, negligence, incompetence, or misconduct in the business practices of a medical marijuana treatment center.
11. Making misleading, deceptive, or fraudulent representations in or related to the business practices of a medical marijuana treatment center.
12. Having a license or the authority to engage in any regulated profession, occupation, or business that is related to the business practices of a medical marijuana treatment center suspended, revoked, or otherwise acted against by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law.
13. Violating a lawful order of the department or an agency of the state, or failing to comply with a lawfully issued subpoena of the department or an agency of the state.

(g) The department may suspend, revoke, or refuse to renew a medical marijuana treatment center license if the medical marijuana treatment center commits any of the violations in paragraph (f).

(h) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection.

(11) Preemption.--Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in this subsection.

(a) A medical marijuana treatment center cultivating or processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school.

(b) 1. A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. A county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality.

2. A municipality may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, medical marijuana treatment center dispensing facilities located within the boundaries of that municipality. A county may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, all such dispensing facilities located within the unincorporated areas of that county. Except as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465. A municipality or county may not charge a medical marijuana treatment center a license or permit fee in an amount greater than the fee charged by such municipality or county to pharmacies. A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b), Florida Statutes 2016, is not subject to the location requirements of this subsection.

(c) A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.

(d) This subsection does not prohibit any local jurisdiction from ensuring medical marijuana treatment center facilities comply with the Florida Building Code, the Florida Fire Prevention Code, or any local amendments to the Florida Building Code or the Florida Fire Prevention Code.

(12) Penalties.--

(a) A qualified physician commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, if the qualified physician issues a physician certification for the medical use of marijuana for a patient without a reasonable belief that the patient is suffering from a qualifying medical condition.

(b) A person who fraudulently represents that he or she has a qualifying medical condition to a qualified physician for the purpose of being issued a physician certification commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(c) A qualified patient who uses marijuana, not including low-THC cannabis, or a caregiver who administers marijuana, not including low-THC cannabis, in plain view of or in a place open to the general public; in a school bus, a vehicle, an aircraft, or a boat; or on the grounds of a school except as provided in s. 1006.062, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(d) A qualified patient or caregiver who cultivates marijuana or who purchases or acquires marijuana from any person or entity other than a medical marijuana treatment center violates s. 893.13 and is subject to the penalties provided therein.

(e) 1. A qualified patient or caregiver in possession of marijuana or a marijuana delivery device who fails or refuses to present his or her marijuana use registry identification card upon the request of a law enforcement officer commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083, unless it can be determined through the medical marijuana use registry that the person is authorized to be in possession of that marijuana or marijuana delivery device.

2. A person charged with a violation of this paragraph may not be convicted if, before or at the time of his or her court or hearing appearance, the person produces in court or to the clerk of the court in which the charge is pending a medical marijuana use registry identification card issued to him or her which is valid at the time of his or her arrest. The clerk of the court is authorized to dismiss such case at any time before the defendant's appearance in court. The clerk of the court may assess a fee of \$5 for dismissing the case under this paragraph.

(f) A caregiver who violates any of the applicable provisions of this section or applicable department rules, for the first offense, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 and, for a second or subsequent offense, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(g) A qualified physician who issues a physician certification for marijuana or a marijuana delivery device and receives compensation from a medical marijuana treatment center related to the issuance of a physician certification for marijuana or a marijuana delivery device is subject to disciplinary action under the applicable practice act and s. 456.072(1)(n).

(h) A person transporting marijuana or marijuana delivery devices on behalf of a medical marijuana treatment center or marijuana testing laboratory who fails or refuses to present a transportation manifest upon the request of a law enforcement officer commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(i) Persons and entities conducting activities authorized and governed by this section and s. 381.988 are subject to ss. 456.053, 456.054, and 817.505, as applicable.

(j) A person or entity that cultivates, processes, distributes, sells, or dispenses marijuana, as defined in s. 29(b)(4), Art. X of the State Constitution, and is not licensed as a medical marijuana treatment center violates s. 893.13 and is subject to the penalties provided therein.

(k) A person who manufactures, distributes, sells, gives, or possesses with the intent to manufacture, distribute, sell, or give marijuana or a marijuana delivery device that he or she holds out to have originated from a licensed medical marijuana treatment center but that is counterfeit commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. For the purposes of this paragraph, the term “counterfeit” means marijuana; a marijuana delivery device; or a marijuana or marijuana delivery device container, seal, or label which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a licensed medical marijuana treatment center and which thereby falsely purports or is represented to be the product of, or to have been distributed by, that licensed medical marijuana treatment facility.

(l) Any person who possesses or manufactures a blank, forged, stolen, fictitious, fraudulent, counterfeit, or otherwise unlawfully issued medical marijuana use registry identification card commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(13) Unlicensed activity.--

(a) If the department has probable cause to believe that a person or entity that is not registered or licensed with the department has violated this section, s. 381.988, or any rule adopted pursuant to this section, the department may issue and deliver to such person or entity a notice to cease and desist from such violation. The department also may issue and deliver a notice to cease and desist to any person or entity who aids and abets such unlicensed activity. The issuance of a notice to cease and desist does not constitute agency action for which a hearing under s. 120.569 or s. 120.57 may be sought. For the purpose of enforcing a cease and desist order, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person or entity who violates any provisions of such order.

(b) In addition to the remedies under paragraph (a), the department may impose by citation an administrative penalty not to exceed \$5,000 per incident. The citation shall be issued to the subject and must contain the subject's name and any other information the department determines to be necessary to identify the subject, a brief factual statement, the sections of the law allegedly violated, and the penalty imposed. If the subject does not dispute the matter in the citation with the department within 30 days after the citation is served, the citation shall become a final order of the department. The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section. Each day that the unlicensed activity continues after issuance of a notice to cease and desist constitutes a separate violation. The department shall be entitled to recover the costs of investigation and prosecution in addition to the fine levied pursuant to the citation. Service of a citation may be made by personal service or by mail to the subject at the subject's last known address or place of practice. If the department is required to seek enforcement of the cease and desist or agency order, it shall be entitled to collect attorney fees and costs.

(c) In addition to or in lieu of any other administrative remedy, the department may seek the imposition of a civil penalty through the circuit court for any violation for which the department may issue a notice to cease and desist. The civil penalty shall be no less than \$5,000 and no more than \$10,000 for each offense. The court may also award to the prevailing party court costs and reasonable attorney fees and, in the event the department prevails, may also award reasonable costs of investigation and prosecution.

(d) In addition to the other remedies provided in this section, the department or any state attorney may bring an action for an injunction to restrain any unlicensed activity or to enjoin the future operation or maintenance of the unlicensed activity or the performance of any service in violation of this section.

(e) The department must notify local law enforcement of such unlicensed activity for a determination of any criminal violation of chapter 893.

(14) Exceptions to other laws.--

(a) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a qualified patient and the qualified patient's caregiver may purchase from a medical marijuana treatment center for the patient's medical use a marijuana delivery device and up to the amount of marijuana authorized in the physician certification, but may not possess more than a 70-day supply of marijuana at any given time and all marijuana purchased must remain in its original packaging.

(b) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, an approved medical marijuana treatment center and its owners, managers, and employees may manufacture, possess, sell, deliver, distribute, dispense, and lawfully dispose of marijuana or a marijuana delivery device as provided in this section, s. 381.988, and by department rule. For the purposes of this subsection, the terms “manufacture,” “possession,” “deliver,” “distribute,” and “dispense” have the same meanings as provided in s. 893.02.

(c) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a certified marijuana testing laboratory, including an employee of a certified marijuana testing laboratory acting within the scope of his or her employment, may acquire, possess, test, transport, and lawfully dispose of marijuana as provided in this section, in s. 381.988, and by department rule.

(d) A licensed medical marijuana treatment center and its owners, managers, and employees are not subject to licensure or regulation under chapter 465 or chapter 499 for manufacturing, possessing, selling, delivering, distributing, dispensing, or lawfully disposing of marijuana or a marijuana delivery device, as provided in this section, in s. 381.988, and by department rule.

(e) This subsection does not exempt a person from prosecution for a criminal offense related to impairment or intoxication resulting from the medical use of marijuana or relieve a person from any requirement under law to submit to a breath, blood, urine, or other test to detect the presence of a controlled substance.

(f) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section and pursuant to policies and procedures established pursuant to s. 1006.62(8), school personnel may possess marijuana that is obtained for medical use pursuant to this section by a student who is a qualified patient.

(g) Notwithstanding s. 893.13, s. 893.135, s. 893.147, or any other provision of law, but subject to the requirements of this section, a research institute established by a public postsecondary educational institution, such as the H. Lee Moffitt Cancer Center and Research Institute, Inc., established under s. 1004.43, or a state university that has achieved the

preeminent state research university designation under s. 1001.7065 may possess, test, transport, and lawfully dispose of marijuana for research purposes as provided by this section.

(15) Applicability.--This section does not limit the ability of an employer to establish, continue, or enforce a drug-free workplace program or policy. This section does not require an employer to accommodate the medical use of marijuana in any workplace or any employee working while under the influence of marijuana. This section does not create a cause of action against an employer for wrongful discharge or discrimination. Marijuana, as defined in this section, is not reimbursable under chapter 440.

(16) Fines and fees.--Fines and fees collected by the department under this section shall be deposited in the Grants and Donations Trust Fund within the Department of Health.

(17) Rules adopted pursuant to this section before July 1, 2019, are not subject to s. 120.541(3). Notwithstanding paragraph (8)(e), a medical marijuana treatment center may use a laboratory that has not been certified by the department under s. 381.988 until such time as at least one laboratory holds the required certification pursuant to s. 381.988, but in no event later than July 1, 2019. This subsection expires July 1, 2019.

Credits

Added by Laws 2014, c. 2014-157, § 2, eff. June 16, 2014. Amended by Laws 2016, c. 2016-123, § 1, eff. March 25, 2016; Laws 2016, c. 2016-145, § 24, eff. July 1, 2016; Laws 2017, c. 2017-232, §§ 1, 3, eff. June 23, 2017; Laws 2018, c. 2018-10, § 29, eff. July 1, 2018; Laws 2018, c. 2018-110, § 43, eff. May 10, 2018; Laws 2018, c. 2018-142, § 1, eff. March 30, 2018.

Editors' Notes

EXPIRATION

<Subsection (17) expires by its own terms on July 1, 2019.>

<Subsection (8)(a)5. expires by its own terms on April 1, 2020.>

<Laws 2017, c. 2017-232, § 1, provides:>

<“Legislative intent.--It is the intent of the Legislature to implement s. 29, Article X of the State Constitution by creating a unified regulatory structure. If s. 29, Article X of the State Constitution is amended or a constitutional amendment related to cannabis or marijuana is adopted, this act shall expire 6 months after the effective date of such amendment.”>

Notes of Decisions (1)

West's F. S. A. § 381.986, FL ST § 381.986

Current through the 2018 Second Regular Session of the 25th Legislature.

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 12.

ITEM: Discussion and selection of the Town's first mission statement.

DESCRIPTION:

At the Town Manager's first staff meeting on November 14, 2018, he asked all department heads to compose a mission statement for the Town. There were eight mission statements submitted at the next staff meeting on December 12th.

An online survey was sent out to all Town employees on December 12th. The employees were asked to vote for their top two choices. Through December 20th, there were 24 responses (approx 35% of those surveyed).

These are the top three mission statements as voted by Town employees:

- 1) "It is the mission of the Town of Bay Harbor Islands to provide the best possible quality of life to residents, visitors and businesses, through a high-performance team of dedicated professionals creating and maintaining superior customer services, recreational opportunities, municipal services and an aesthetically pleasing physical environment."
- 2) "The Town of Bay Harbor Islands is committed to providing high quality services that promote safety, cost effective government, while improving the quality of life for each of its citizens. We pledge to work in partnership with our residents to foster community pride, embrace diversity and preserve the natural beauty that is our Town."
- 3) "The Town of Bay Harbor Islands is committed to serving its community by providing the highest level of service, transparency and ethical governance that honors our past while pursuing our future."

We request that the Town Council review, discuss and select a mission statement.

RECOMMENDED ACTION:

Council Discretion

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Melissa Cruz, Finance Director
 Juan C Jimenez, Town Manager

ATTACHMENTS

None

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 13.

ITEM: Discussion and Approval of a proposal from HR Compensation Consultants, LLC. in the amount of \$20,950 for classification and compensation consulting services. Enclosed is a copy of the proposal.

DESCRIPTION:

The Town's human resources systems are currently out of date. Job descriptions and the pay grade system were last updated in 2005. The attached proposal from HR Compensation Consultants, LLC. (HRCC), not only includes updating these items but also includes an assessment of the Town's organizational structure. HRCC will provide recommendations/suggestions on ways to streamline the overall structure. The overall goal is to have an up to date HR System that will allow us to continue recruiting the best professional staff possible.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

This item is not budgeted. Staff is requesting an appropriation in the amount of \$20,950.

BUDGET IMPACT:

Submitted By: Juan C Jimenez, Town Manager

ATTACHMENTS

1. HRCC_BayHarbor_Islands_Proposal



HR COMPENSATION CONSULTANTS, LLC

Proposal for
Classification and Compensation Consulting Services

Town of Bay Harbor Islands
November 13, 2018

HR Compensation Consultants, LLC
Katie M. Busch, President/Owner
P. O. Box 741210, Boynton Beach, Florida 33474
www.hrcompconsultants.com
katiebusch@hrcompconsultants.com

November 13, 2018

J.C. Jimenez, Assistant Town Manager
Vicky Motola, Human Resources Manager
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154

Dear J.C. and Vicky,

HR Compensation Consultants, LLC (HRCC) is pleased to submit a proposal to the Town of Bay Harbor Islands for compensation consulting services. The organization is seeking a consultant to review and update job descriptions, align jobs in a new classification plan and conduct pay analysis with the result being a new pay plan for the organization.

The primary purpose of this project is to assess the organizational structure and alignment of functions, ensuring that jobs and work are described properly. Then, HRCC will develop a new pay plan and assess the market competitiveness of employee pay. Occasionally, some employee pay is not in the desired range, so HRCC will recommend a plan to adjust pay over time. In addition, we will make recommendations for changes to the organizational / functional structure and reporting relationships.

We hope you will find that HRCC's excellent qualifications and solid project management and communications experience will be a good fit for your organization. We pride ourselves on providing a high level of customer service and tailoring our pay plans to meet the needs of each client. Our references will attest to this.

Sincerely,



Katie Miller Busch
President/Owner

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Company Specifics

HR Compensation Consultants, LLC
P. O. Box 741210, Boynton Beach, Florida 33474
Principal: Katie M. Busch
Office: 561.501.7688 Cell: 561.573.1460
Fax: 561.491.5187
Email: katiebusch@hrcompconsultants.com
Website: www.hrcompconsultants.com
EIN: 26-2390806
Florida Minority Business Enterprise #24790802

Description of Background and Experience

HR Compensation Consultants is a multifaceted consulting firm providing individualized human resources services. HRCC was formed in 2003 to offer Human Resource and Compensation consulting to a variety of organizations including global companies, non-profits, government agencies and small entrepreneurial firms. HRCC officially became a limited liability corporation in April 2007. HRCC is also certified by the state of Florida as a Minority Business Enterprise.



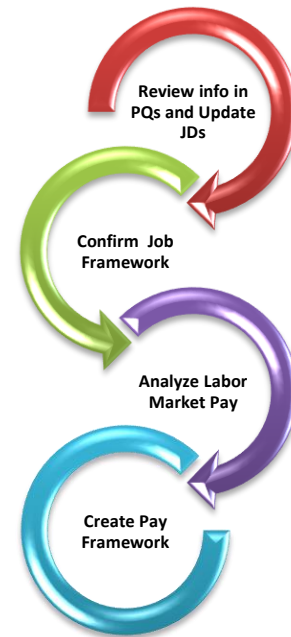
Project Overview

Our Understanding of Your Project

The Town of Bay Harbor Islands (Town) is seeking a consultant to analyze compensation data and develop new pay ranges for 92 employees, in 60 unique positions (non-sworn and sworn). HRCC has extensive experience in developing and implementing classification and compensation plans and we typically complete the following tasks:

Project Communications and Presentations

- HRCC will conference with the Project Liaison to ensure an understanding of the organization's objectives for this project
- HRCC can also meet with Department Heads to discuss the study and share the methodology, process, and tasks to be used
- During the project, HRCC will provide status updates every ten (10) days to the Project Liaison



Gather Updated Job Information

- HRCC would like to meet with Department Heads to better understand departmental operations, how jobs align internally and any recruitment or retention difficulties
- HRCC can use a Position Questionnaire (PQ) to gather job-task information on all employee positions and work with the HR Department to verify and update job descriptions and classifications
- HRCC recommends the use of its Role and Level Classification Methodology to determine how classifications should be placed in the organization's hierarchy and:
 - review the organization's jobs to ensure proper FLSA designation of classifications as "exempt" or "non-exempt"
 - recommend classification series and levels within the series (i.e. I/II, Senior/Lead, etc.)

Gather Market Data and Create a New Plan

- Work with the Town to identify a labor market of up to ten (10) public-sector organizations of similar size, in the area around the Town of Bay Harbor
- Work with the Town to identify key benchmark classes to be included in the salary survey
- HRCC will review base pay data from CompAnalyst, a salary data warehouse and any other sources the client owns
- Conduct a comprehensive survey that utilizes comparable agencies and markets that not only assess job titles, but also account for actual corresponding job duties and responsibilities
- Based upon the results of the compensation analysis and the review of internal relationships between classifications, HRCC will recommend a new Job and Pay Framework for the Town

New Plan Implementation & Maintenance

- HRCC will recommend an appropriate salary range for each existing or proposed job classification based on the Job Framework, the internal relationships and equity, and on the compensation analysis
- Based upon the recommended Pay Framework, HRCC will review existing salaries to determine proper placement within the proposed pay ranges and recommend appropriate “equity adjustments” as needed
- HRCC will provide an estimate of the fiscal impact of the recommended changes with two (2) implementation scenarios, including a phased approach
- HRCC will document our recommendations, including the methods, techniques and data used to develop the new Job and Pay Framework
- HRCC will recommend procedures, policies, and methods to maintain the new plan and provide training to the Project Liaison
- HRCC will provide on-going ad-hoc support to the Project Liaison in the implementation of the new plan, through September 30, 2019

The specifics on the recommended methodology for developing a new Job and Pay Framework are provided in the Approach to Services section.

Project Schedule

Our estimated timeline can start mid-February 2019 and have a final pay plan and implementation costs within twelve (12) weeks.

MAJOR OBJECTIVE	MAJOR TASKS	*TIMING
GATHER UPDATED JOB INFORMATION		
HRCC reviews existing job information.	- Gather the organizations organizational charts, employee information, job descriptions, and pay practices. - HRCC will conference with designated organization staff to discuss the study and agree on methodology, process, and tasks.	Weeks 1 - 2
HRCC determines how classifications should be placed in the organization's hierarchy and updates job descriptions.	- HRCC will meet with Department Heads to explain study and processes to be used, and gain a better understanding departmental operations, how jobs align internally and any recruitment or retention difficulties. - HRCC will review information in PQs. - HRCC will identify each job's Role and Level. - HRCC will develop/update job descriptions.	Weeks 3 – 7 On-site
GATHER MARKET DATA AND CREATE A NEW PAY PLAN		
HRCC conducts a comprehensive pay evaluation of key benchmark positions.	- HRCC surveys ten (10) surrounding public sector organizations for pay information. - Gather base pay data from CompAnalyst.	Weeks 3 - 6
HRCC recommends a new Job & Pay Framework.	HRCC develops a new pay plan based upon market data, the balance with internal classification relationships and the organization's desired market position.	Week 7 – 8 On-site
NEW PLAN IMPLEMENTATION & MAINTENANCE		
HRCC reviews existing salaries to recommend appropriate "equity adjustments" as needed.	- Based upon the recommended pay plan, HRCC determines proper placement within the proposed pay ranges. - HRCC provides an estimate of the fiscal impact of two (2) implementation scenarios, including phased approach.	Week 9 - 10
HRCC documents recommendations and provides training to designated Project Liaison.	HRCC's final deliverables include an Executive Summary covering the methods, techniques and data used to develop the new Job & Pay Framework.	Weeks 11 - 12
HRCC provides on-going support.	HRCC will provide on-going ad-hoc support to the organization in the implementation of the new plan.	3Q 2019

Approach to Services

Project Communications

HR Compensation Consultants, LLC (HRCC) strongly believes that success is best achieved by maximizing client communication and participation throughout the project. Our experience has demonstrated that successful projects incorporate the following characteristics:

- clear understanding between the client and consultant regarding project goals, objectives, scope, process, schedule, and products
- timely and responsive status updates to the Project's Liaison
- review and understanding of client's needs before and during the project

To that end, HRCC will conference with organization management at the beginning of the project to ensure an understanding of the objectives of the organization. HRCC wants to involve the Town's staff in the study to ensure their understanding of the project goals, objectives, process and deliverables. Typically, we do this by meeting with Department Heads. At the beginning of the project and at end of the study, HRCC provides employee communication materials. HRCC will also make a presentation of project findings to the Leadership Team.

Project Planning and Status Update Calls

If awarded the project, the first step would be to define dates on the Project Timing chart (on page 7), establishing dates that are mutually agreeable to the organization and HRCC for project calls, workflow, on-site time and progress reviews. We will then hold project status calls or provide status updates weekly to keep you apprised of our progress and to answer any questions that arise.

HRCC needs the following administrative support provided by the organization:

- current organizational charts
- copies of all existing job descriptions
- current incumbent compensation and job information for each position
- coordinate the distribution and collection of Position Questionnaires (PQs)
- review updated job descriptions
- information on recruitment and retention difficulties
- coordinate project status calls with the Project Liaison and telephonic and on-site meetings with department heads and executive leadership

Position Questionnaires (PQs)

An important first step in the development of a classification plan is to establish internal equity. This step is best accomplished by having Department Heads, supervisors, and employees provide information about the job content. If needed, HRCC will meet with Department Heads and mid-management staff to explain the study and the processes to be used.

Following the initial project setup, HRCC will provide a Position Questionnaire (PQ) to the Project Liaison for review. The PQ seeks to gather job related information in the following areas:

- Job Summary - briefly describes the job's primary purpose and its contribution to the location or organization
- General Responsibilities - lists the major accountabilities of the position and describes the key duties or tasks performed to achieve these, providing additional detail:
 - Rank the importance of the accountability
 - Indicate the percentage of time spent on or frequency (weekly, monthly, etc.)
 - Mark whether this accountability is achieved by working with subordinate employees
- Supervisory Responsibilities - lists the job titles supervised, the number of employees supervised, and the personnel actions authority
- Budgetary Responsibility- describes the level of responsibility authorized without consulting the supervisor
- Interactions with Others – lists which departments, services, or functions the person in this job interacts with on a regular basis and segments them into “internal” versus “external” groups
- Education, Experience, Knowledge, Skills & Abilities – describes the education, experience and/or skills, abilities, or knowledge needed to perform effectively in the position; also identifies specialized education, training, or knowledge and licenses, certificates or registrations needed for the position
- Physical, Environmental, and Other Demands - describes the type of physical and environmental conditions the employee is exposed to

Supervisors, managers and/or Department Head’s review and comment (not change) on employees completed PQs. This process typically takes three to four weeks to complete.

Using the PQs, interview and job audit notes for guidance, HRCC will work with the HR Department to determine how the draft job descriptions will be distributed to the employees and supervisors for review. HRCC will review subsequent changes made to the draft job descriptions to ensure consistency in internal alignment and incorporate input prior to final classification determination.

HRCC will also work with the organization to fine-tune the Position Questionnaire (PQ), Job Description Template and will provide a “How to Write Job Description Guide” documenting the process for developing and updating job descriptions.

New Job Framework

HRCC recommends that the organization use a simple Job Framework to support a new pay structure. This Job Framework provides a better understanding of reward and career development opportunities across the organization. The new classification model provides:

- an uncomplicated approach to defining and documenting the content of jobs
- a consistent way to determine the value of jobs within the Town relative to the outside job market

Illustrated below is a **possible** Job Framework that the organization could use. HRCC uses a both qualitative and quantitative tool to evaluate the role each job has, recognizing various levels of work (entry, intermediate, senior, etc.). Based on the organization's job titles, it is likely that the jobs can be slotted into the following Roles:

- **Associate** – service or production-related work that typically requires minimum skill. Previous experience is preferred but not required for entry into the Role
- **Technician** – service-related work that focuses on technical or specialized individual contributor work; requires knowledge gained through technical certification and previous experience for entry into the Role
- **Professional** – higher level, technical or specialized individual contributor work; requires knowledge gained through formal education
- **Leader** – technical or specialized work that focuses on people management (hiring, training, performance management, budgeting); highest levels include accountability for strategic direction of organization; usually requires knowledge gained through formal education

Role & Level Job Framework				
HRCC Grade	Leader	Professional	Technician	Associate
12	L7			
11	L6			
10	L5	P6		
9	L4	P5		
8	L3	P4		
7	L2	P3		
6	L1	P2	T5	
5		P1	T4	A5
4			T3	A4
3			T2	A3
2			T1	A2
1				A1

Market Survey

HRCC will provide the Town with a compensation philosophy statement to guide the determination of the comparable labor market, market positioning, implementation strategy, and pay plan maintenance. HRCC will use a market-pricing approach with current base for key benchmark jobs to design a pay grade and range structure for the organization that balances local market conditions and internal equity. When designed correctly, this structure enables the recognition of differing rates of pay for performance and guarantees a reasonable level of control over internal pay compression and salary expenditures.

HRCC will collect pay data from up to ten (10) public-sector organizations, around the Town of Bay Harbor Islands, of similar size and makeup, to include:

1. Aventura
2. Bal Harbor
3. Coral Gables
4. Sunny Isles
5. Surfside

HRCC reviews these factors impacting an organization's ability to recruit and retain employees:

- Location / proximity to your organization
- Size of service area in terms of population
- Similar services offered
- Any unique features of the organization
- Recruitment and retention experiences as provided by HR data and management interviews
- Proximity to major highways and easy access points

HRCC works with the client to identify the most appropriate organizations to survey. HRCC will draft an email for the Town to notify the target group that is being surveyed. HRCC contacts those organizations and encourages their participation. A separate report will be sent to each participant as a "thank you", sharing a summary of the salary survey data.

The market survey will obtain pay range information (minimum, midpoint, and maximum value) from public-sector organizations. HRCC can also include information from the private sector where applicable. For private sector base pay data, HRCC uses CompAnalyst. This data warehouse has market data for over 4,000 benchmark jobs across 20 industries in 240 US metropolitan areas and 30 employee size categories.

Using our Market Pricing Tool, HRCC will assign each organization job to a market competitive pay range. HRCC will provide a grade order list of jobs to review with the organization. Once the new pay structure is developed and all jobs have been assigned a new pay range, HRCC will analyze the organization's current employees' base pay and make recommendations for changes to address pay compression and employees who may be "topped out". HRCC will provide a fiscal impact report for two (2) implementation scenarios, including a phased-in approach.

Final Deliverables

HRCC will document the methodology used in developing our internal equity and pay recommendations to ensure that the organization's new Job and Pay Framework is successful in attracting and retaining a qualified and productive workforce. HRCC will review draft recommendations with the Human Resources Manager and the Town Manager before providing a final report and these deliverables:

- Market Analysis Report for sworn and non-sworn benchmarks
- Grade Order List with Proposed Pay Ranges
- A comparison of current job titles to the proposed job titles, including FLSA status
- Classification Guide and Role & Level Guides to aid in the slotting of new jobs
- Compensation Administration Guidelines
- Updated job descriptions
- "How to Write Job Descriptions Guide"
- Implementation Plans, including employee proposed job title assignments and cost analysis
- Recommendations for changes to organizational / functional structure and reporting relationships
- On-going ad-hoc support in the implementation of the new plan, through 3rd quarter 2019

Section D: Proposed Costs

Professional Fees

The professional fees for our services are based on a blended hourly rate which includes the work of a Project Manager, Consultant, Job Description Writer and administrative-support staff. Most of the project work described herein is anticipated to be completed via email and conference calls. Two (2) onsite visits are included.

New Job and Pay Framework: \$20,950

Projected Timeframe

HRCC takes pride in meeting its time commitments. The schedule to commence this project coincides with HRCC's completion of other studies. This will ensure that the proposed staff members will be available to concentrate on this study. HRCC anticipates that this project can start mid-February 2019 and should be completed in 12 weeks. Work can begin with signed Authorization to Proceed. HRCC would invoice the Town based on the schedule below:

Invoice	Estimated Date
25% Project Initiation	February 2019
45% Milestone	March 2019
30% Final Deliverables	May 2019

Optional Travel

If the Town requests additional onsite visits, HRCC would bill professional fees separately at a flat rate of \$1,650 per Consultant, per on-site day. Due to our proximity to the Town, no travel expenses will be incurred.

Optional Maintenance Agreement

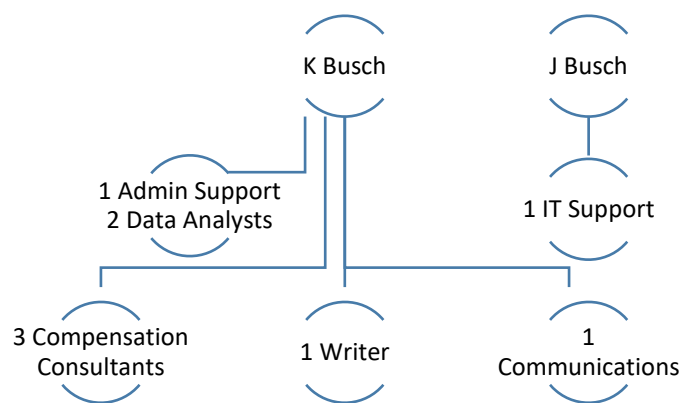
Should the Town request and authorize additional work, beyond the scope of this proposal, we would invoice the Town at either an agreed upon fee or our standard hourly fees. Additional work would include work outside the scope of services as agreed to including, but not limited to: Job audits, Phone/WebEx meetings, Reports, and/or work related to a special request. After the project concludes, HRCC would be pleased to provide the Town with on-going compensation-related support through a Maintenance Agreement through September 2020. The Town could budget annually for 12-24 hours of ad-hoc support at an hourly rate of \$165.

Firm's Qualifications

Each member of the HRCC team contributes many years of outstanding expertise and experience in their fields of specialty, from general HR management to information technology.

- Principal has over 20 years of progressive compensation experience
- Consultants have over 15 years HR and compensation experience working with private-sector, university, non-profit and public-sector clients

HRCC prides itself on managing a small number of projects at any given time. This allows our consultants to provide high quality customer contact, focused analyses and solutions tailored to meet the specific needs of each client.



The following four (4) team members will provide project lead work and be supported by our Data Analysts:

- Katie Busch, GRP®, SHRM-SCP – Project Manager, Lead Compensation Consultant
- Hilary Bunch, M.Ed., SHRM-CP – Lead Project Communications and Job Description Writer
- Jason Busch – Lead IT Support and Data Manager
- Diana Spielman – Lead Data Analyst

The Bios start on the next page.

A list of references for public sector clients in Florida starts on page 23.

KATIE M. BUSCH, GRP®, SHRM-SCP

PROJECT MANAGER AND LEAD COMPENSATION CONSULTANT

HIGHLIGHTS OF QUALIFICATIONS

Katie Busch is an accomplished HR professional and trusted leader with proven success in motivating individuals to excel while promoting team work. Katie has developed a Job Mapping and Market Pricing Tool, implemented new performance management processes and programs driving employee pay-for-performance, and administered annual merit and bonus payouts, while educating managers on differentiating pay based on performance.

- ✓ Strong consensus building and consultative skills; self-confident and credible change agent
- ✓ Excellent business partnering skills in developing solutions / alternatives to compensation, HR & business issues
- ✓ Robust project-management, analysis, and presentation skills
- ✓ Skilled communicator; excels at establishing positive relationships with clients and high-level personnel



PROFESSIONAL EXPERIENCE

HR Compensation Consultants, LLC, Boynton Beach, FL – Owner and President

Consulting company which assists organizations (private, not-for-profit and governments) with their HR generalist and compensation needs, including: recruiting, selection, supervisory training, benefit offerings analysis and the design of performance management, compensation and incentive plans.

- ✓ Compensation and Performance Management
 - Compensation, benefits, incentive, rewards and performance evaluation programs
 - FLSA determinations and ADA compliance
 - Annual merit, bonus and salary increase budget guidelines
 - Salary and benefits surveys
 - Sales plan design
 - Mergers and acquisitions work by assessing and integrating compensation programs
 - Job descriptions and class plan design
- ✓ Employee Communications and Training
 - Formal and informal employee and manager communications (emails, brochures, newsletters and website)
 - Tools and training on compensation, benefits, incentive and rewards philosophies and programs
 - Successful implementation of program changes
 - Employee engagement / opinion surveys / exit interviews
 - Objective Setting and Action Plans
 - HR Mission, Vision, Values and Blueprint design
- ✓ Employee Relations
 - Employee and Manager counseling sessions related to work unit reorganization, staffing levels, job restructuring, and compensation and performance management issues
 - Coach line managers and HR managers regarding pay decisions, policy and guideline interpretation, job evaluation, and creative solutions to staffing problems

Alliance Data Systems, Inc., Dallas, TX - Senior Compensation Consultant / Manager

Multi-national loyalty marketing company specializing in credit card processing and customer service centers.

- ✓ Developed company-wide compensation plans and compensation policies
- ✓ Designed and administered incentive, sales compensation and recognition programs
- ✓ Worked with HR generalists to reorganize work units, define jobs, determine internal grading for positions, analyze external market data, and make offers to new employees
- ✓ Trained HR generalists in compensation and reward practices

DMG-MAXIMUS, Inc., Dallas, TX and West Palm Beach, FL – Consultant and Manager

National consulting firm with an HR consulting practice, specializing in Classification & Compensation Plan design for cities, counties and state agencies.

- ✓ Led discussions to establish compensation philosophy and strategy for over 100 clients
- ✓ Consulted with key management on the design, development, implementation and effective administration of new compensation and performance management programs
- ✓ Managed pay and classification studies and consulting staff (4 in-office and 3 remotes)
- ✓ Developed programs, provided recommendations, conducted client presentations and trained client staff of the implementation and maintenance of compensation and performance management programs
- ✓ Conducted pay and classification analyses, provided recommendations, and trained client staff of use of compensation and performance management software

Long Associates – Wilton Manors, FL

National consulting firm with an HR consulting practice, specializing in Classification & Compensation Plan design for cities, counties and state agencies.

- ✓ Managed pay and classification studies
- ✓ Conducted salary and benefits surveys, evaluated jobs, wrote job descriptions, interviewed employees and department heads, and conducted employee and management meetings and presentations
- ✓ Developed plans, provided recommendations, conducted client presentations and trained client staff of the implementation and maintenance of compensation programs
- ✓ Consulted with management on the design, development, implementation and effective administration of new compensation programs

EDUCATION & CERTIFICATIONS

Katie earned her bachelor's degree in International Business from Florida Atlantic University. She earned the PHR certification in 1999, the SPHR in 2002, the Global Remuneration Professional (GRP) in 2014 and the SHRM-SCP in 2016.

PROFESSIONAL AFFILIATIONS

Katie has been a board member for the South Florida Compensation and Benefits Association (SFCB) since 2007 and served as their President in 2011 and 2012. She also maintains membership with the Society of Human Resources Management (SHRM) and WorldatWork.

Katie has served, since 2006, on the Board of the Habilitation Center, a day program that helps developmentally challenged adults. Katie has also been an adjunct professor at Florida Atlantic University for the last six years, teaching a class on job evaluation.

Recent speaking engagements include: The Florida Court Clerks & Comptrollers' 40th Anniversary Celebration, West Central Florida Healthcare HR Association Quarterly Meeting, and The Florida Government Finance Officers Association Annual Conference.

HILARY BUNCH, M.Ed., SHRM-CP

LEAD PROJECT COMMUNICATIONS PLANNER AND JOB DESCRIPTION WRITER

HIGHLIGHTS OF QUALIFICATIONS

Hilary Bunch is a highly effective writer, able to communicate complex ideas clearly and concisely. She is skilled at synthesizing and editing information to achieve overall objectives and adept at functioning well in a deadline-driven work environment.

- ✓ Skilled communicator; excels at establishing positive relationships with clients and high-level personnel
- ✓ Excellent editorial and content management experience
- ✓ Exceptional research, grammar and writing abilities
- ✓ Superior abilities in proofreading and editing



PROFESSIONAL EXPERIENCE

HR Compensation Consultants, LLC, Boynton Beach, FL – Consultant

Consulting company which assists organizations (private, not-for-profit and governments) with their HR generalist and compensation needs, including: recruiting, selection, supervisory training, benefit offerings analysis and the design of performance management, compensation and incentive plans.

- ✓ Create and edit job descriptions to support proper leveling
- ✓ Classify jobs using role and level methodology
- ✓ Develop communications plan and materials for client engagements
- ✓ Conduct employee and supervisory training classes and seminars, including:
 - Holding Employees Accountable
 - Establishing Compensation Philosophy and Strategy
 - Engaging Leadership for Critical Compensation Initiatives
- ✓ Conduct department head interviews and employee communication sessions
- ✓ Create Career Path Guides
- ✓ Review policies and editing employee handbooks

Tiger's Eye Communications, Orlando, FL – President

Consulting company that specializes in proofreading and editing documents including but not limited to: college admissions essays; business presentations and memos; PowerPoint presentations; brochures and complete business plans; website copy; and novels and short stories.

- ✓ Write and edit business correspondence, ad copy, informational brochures, and other promotional materials to improve clarity, readability, and organization
- ✓ Edit and improve PowerPoint presentations ensuring that content is clear and free of errors
- ✓ Edit both nonfiction and fiction books of a variety of lengths and in many different fields
- ✓ Provide comprehensive editing services for résumés, cover letters, and curricula vitae
- ✓ Proofread and edit completed essay drafts for college admission applications

College Keys, Inc., Palm City, FL – President

Founder of consulting company which provided comprehensive consulting for families seeking individualized attention while navigating the path to college admissions.

- ✓ Created customized worksheets to assist students in selecting the right college for them, get organized in preparation for the application process, and increase the likelihood of acceptance
- ✓ Worked with students to brainstorm ideas for college application essays and provided comprehensive editing services
- ✓ Conducted academic record review and reviewed college admission applications
- ✓ Advised students relative to career and academic planning

Indian River State College, Stuart, FL – Academic Advisor

A public charter high school on the Indian River Community College Chastain Campus that serves approximately 200 high school sophomores, juniors and seniors with diverse interests. CALC students participate in learning experiences relevant to their career interests and real-world projects that inspire motivation and achievement.

- ✓ Worked with the Administration and Guidance departments to create an appropriate curriculum for a new dual enrollment high school
- ✓ Assisted with special projects such as the Counselor's Conclave, Early Registration, State University System visits, and Great Explorations including the redesign of the school website
- ✓ Reviewed externally produced content and resources to evaluate usefulness to the CALC
- ✓ Participated in the planning and delivery of academic advising/counseling services and recruitment activities
- ✓ Played an instrumental role in the school's SACS accreditation process

EDUCATION & CERTIFICATIONS

Hilary received her bachelor's degree in history from Methodist University and her master's degree in curriculum and instruction from Averett University. Hilary is a SHRM–Certified Professional (SHRM-CP).

PROFESSIONAL AFFILIATIONS

Hilary is member of the Society of Human Resources Management (SHRM).

Recent speaking engagements include: The Florida Court Clerks & Comptrollers' 40th Anniversary Celebration and the West Central Florida Healthcare HR Association Quarterly Meeting.

JASON BUSCH

LEAD IT SUPPORT AND DATA MANAGER

HIGHLIGHTS OF QUALIFICATIONS

Jason Busch is an IT support management professional who offers technical and logistical assistance (internally and to clients), as well as handles data collection, conversions, and data warehousing. His responsibilities ensure that all systems are PCI compliant and secured using industry standard tools.

- ✓ Expert at developing solutions to improve efficiency, productivity, and profitability
- ✓ Excellent business partnering skills in developing solutions / alternatives to IT issues
- ✓ Provides a 24-7 support to HRCC's systems and applications ensuring client's data security



PROFESSIONAL EXPERIENCE

HR Compensation Consultants, LLC, Boynton Beach, FL – Lead IT Support and Data Manager

Consulting company which assists organizations (private, not-for-profit and governments) with their HR generalist and compensation needs, including: recruiting, selection, supervisory training, benefit offerings analysis and the design of performance management, compensation and incentive plans.

- ✓ Supports all project leaders with data management related to compensation and benefits reviews
- ✓ Creates and updates employee and management surveys and downloads responses into easy to read graphs and charts
- ✓ Facilitates the online completion of Position Questionnaires (PQs) by updating instructions for each client, monitoring completion rates, and downloading data into useable formats

Jaxx Consulting and Technology, LLC, Boynton Beach, FL – Owner and Lead Consultant

JCT consultants assist clients with restaurant and retail Point of Sale systems, security systems, PCI reviews and consulting to help find the areas needed to attain optimal compliance.

- ✓ Leads RFPs for POS and other software and system acquisitions
- ✓ Manages product implementation through pilot, until hand-off to Customer Support
- ✓ Assists with high level or ongoing customer support issues, including staffing and labor cost analysis
- ✓ Prepares and implements PCI DSS implementation plans

PARTech, Inc. - Boca Raton, FL – Project Manager

ParTech, Inc. is the world's leader in systems and service integration solutions for the quick service restaurant industry, having installed over 25,000 of its industry leading Point-of-Sale systems in over 95 countries worldwide. It is also one of the leading service providers to the restaurant systems market.

- ✓ Introduced new clients to ParTech during initial implementation; established client relationships and expectations; trained clients' resources from IT staff to store employees; served as functional expert providing deep product knowledge
- ✓ Created comprehensive Project Plans (MS Project or Excel) and Statements of Work; interpreted business requirements for small product enhancements or customization
- ✓ Managed product implementation through pilot, until hand-off to Customer Support
- ✓ Managed, motivated and coached five (5) technical staff members (local and remote) working on multiple projects, simultaneously

ISSI, Inc. - Boca Raton, FL – IT Support Technician

Start-up company for a restaurant computer system.

- ✓ Provided professional first-level technical support via phone and onsite
- ✓ Installed hardware and software; provided training to client staff
- ✓ Provided Sales Support (technical, demos, etc.)

EDUCATION & CERTIFICATIONS

Jason earned his bachelor's degree in international relations and business administration from Boston University and is MSCE certified.

PROFESSIONAL AFFILIATIONS

Jason is a member of the Society of Human Resources Management (SHRM). Jason has also has served on the Board of the YMCA of South Palm Beach County since 2012.

DIANA SPIELMAN LEAD DATA ANALYST

HIGHLIGHTS OF QUALIFICATIONS

Diana Spielman is an experienced analyst who prepares detailed documents and reports while managing complex internal and external data analyses. Prior to her role as a Data Analyst, Diana was an accomplished sales and marketing professional who specialized in planning, developing, implementing, and evaluating advertising, merchandising, and trade promotion programs.

- ✓ Skilled in recording, interpreting, and analyzing data in a fast-paced environment
- ✓ Excellent project and time management abilities
- ✓ Skilled communicator; excels at establishing positive relationships with clients



EMPLOYERS

HR Compensation Consultants, LLC, Boynton Beach, FL - Data Analyst

Consulting company which assists organizations (private, not-for-profit and governments) with their HR generalist and compensation needs, including: recruiting, selection, supervisory training, benefit offerings analysis and the design of performance management, compensation and incentive plans.

- ✓ Provide project support to Consultants in analyzing data, conducting salary and benefits surveys, developing pay plans and preparing written reports
- ✓ Create and edit a variety of documents, spreadsheets, and presentations, including reports, surveys, market data spreadsheets, and employee databases
- ✓ Analyze job descriptions to identify the best matches to labor market data
- ✓ Create market analysis reports and work with the Compensation Consultants to make a pay determination for jobs and people
- ✓ Interpret results using a variety of techniques including simple data aggregation and statistical analysis
- ✓ Creates process documentation to improve efficiencies of staff

Office Depot, Delray Beach, FL

American office supply retailing company that sells supplies, technology, furniture and office services through several channels including retail stores, ecommerce direct sales, and a business to business sales organization.

Director, Direct Sales Marketing

- ✓ Managed team of five (5) managers and analysts
- ✓ Drove effectiveness and performance of all direct sales marketing mediums including print catalogs, direct mail, e-commerce, sales team, and call center
- ✓ Selected products, prices, and promotions for all Direct Sales marketing mediums
- ✓ Coordinated the execution of marketing methods with the Creative Production team and other internal teams
- ✓ Analyzed marketing medium's performance metrics
- ✓ Forecasted sales and margin for product categories and marketing vehicles

Sr. Manager, Store Operations

- Served as Project Manager for the national store remodel program
- Facilitated coordination with key partners to ensure stores re-open on time, under budget, and operationally ready

Senior Associate Buyer

- Planned and executed programs to achieve sales, gross margins, and market share goals
- Selected product assortment, store placement, pricing, and promotions
- Responsible for vendor negotiations, inventory planning, and understanding competitor offerings

EDUCATION & CERTIFICATIONS

Diana earned her Bachelor of Science degree in Business Administration from the University of Florida.

VOLUNTEER ACTIVITIES

Diana volunteers weekly at a Feeding South Florida food bank which is the leading domestic hunger-relief organization in South Florida, rescuing 46 million pounds of food per year. Volunteers inspect and sort food to ensure that it is safe for consumption and then build boxes and pallets for product distribution to local soup kitchens, food pantries, homeless shelters, and day care centers.

Diana is dedicated to improving children's educational success, health, and well-being through strong family and community engagement and has served for two years on the board of the Parent-teacher Association (PTA).

TECHNICAL SKILLS

Proficient in the use of MS Office products including Excel, Outlook, Word, and PowerPoint

HRCC's Public Sector Clients in Florida

1	Meg Weiss, Director of Administrative Services City of Bonita Springs 239.949.6262	Classification & Compensation Plan in 2011 Job Description Development in 2014 Performance Management Process and Training in 2012 Employee Manual Update in 2013 Pay Plan Update in 2014
2	Kimberly Gibbons, Human Resources Director Village of Wellington 561.791.4063	Classification & Compensation Plan in 2009 and in 2012 Performance Appraisal Design in 2010 Job Description Review in 2009 and in 2011
3	Anne M. Gannon, Tax Collector Palm Beach County Tax Collector 561.355.3921	Classification & Compensation Plan in 2010 Pay Plan Updates in 2013, 2015 and 2017
4	Wendy Mundell, HR and PR Manager PBC Water Utilities Department 561.493.6005	Team Building Session for Management Staff in 2008
5	Nathalie Galvan, HR Manager Bonita Springs Utilities 239.390.4801	Classification & Compensation Plan in 2013 Job Description Development in 2013 Executive Compensation Survey in 2017
6	Pam Kershaw, HR Director City of Coconut Creek 954.956.1451	Classification & Compensation Plan in 2013 Job Description Development in 2014
7	El pagnier Hudson, Assistant Vice President of HR Florida International University 305.348.4991	Market Pricing in 2016 Classification Communications in 2016
8	Dio Sanchez, HR & Risk Management Director Michael Schaffer, HR Manager City of Wilton Manors 954.390.2126	Classification & Compensation Plan in 2014
9	Larry Hart, Lee County Tax Collector Tracy Reynolds, Human Resources Mgr. Lee County Tax Collector 239.533.6061	Classification & Compensation Plan in 2014 Job Description Review in 2014
10	Jennifer Laufenberg, Director, Human Resources & Budgeting Lee County Property Appraiser 239.533.6108	Classification & Compensation Plan in 2014 Job Description Review in 2014 Pay Plan Update in 2017
11	Lori Day and Laurie Meyer City of Oakland Park 954.630.4313	Classification & Compensation Plan in 2015 Pay Plan Update in 2018
12	Renee Quick, HR & Administrative Manager West Florida Regional Planning Council 850-332-7976 x250	Classification & Compensation Plan in 2014 Job Description Development Pay Plan Update in 2017
13	Kathryn Sims, City Clerk/Director of Administrative Services City of Cooper City 954.434.4300 x291	Classification & Compensation Plan in 2016 Job Description Review and Development in 2016 Pay Plan Maintenance in 2017, 2019

14	Karla Green, Assistant HR Director City of Coral Gables 305.460.5519	Classification & Compensation Plan in 2016 Benefits Survey in 2016
15	Lisa Tepper-Shearer City of Parkland 954.757.4134	Classification & Compensation Plan in 2015
16	Radu Dodea, Assistant Human Resources Director Monica Griffin, HR Strategic Operations Associate City of Hallandale Beach 954.457.1345	Classification & Compensation Plan in 2016 Job Description Development in 2016
17	Maria Swanson, Human Resources Director (retired) City of Tamarac 954.597.3500	Fire Management Pay Study in 2016
18	Undersheriff James Harpring Indian River County Sheriff's Office 772.978.6414	Classification & Compensation Plan in 2016 Ad-hoc Support in 2018
19	Leslie W. Sanford, Human Resources Manager/Grants Coordinator City of Marco Island 239.389.3970	Classification & Compensation Plan in 2016 Job Description Development in 2016
20	Corey Harris, Human Resources Coordinator City of Rockledge 321.221.7540	Classification & Compensation Plan in 2016 Job Description Development in 2016 Benefits Comparison in 2016
21	Melissa Tuck, Human Resources/Risk Manager City of Wildwood 352.330.1340	Compensation Plan – Sworn Police Personnel in 2015 Classification & Compensation Plan - all City Staff in 2015 Pay Plan Update - 2019
22	Sandy Luongo, General Services Manager/Emergency Manager Town of Southwest Ranches 954.343.7476	Classification & Compensation Plan in 2017
23	Rae Isley, HR Director/Fiscal Officer Lee County Supervisor of Elections 239-533-6303	Classification & Compensation Plan in 2017 Job Description Development in 2017
24	Ellen Clyatt, Interim Director of Human Resources City of Fort Myers 232.321.7061	Employee Manual in 2015 - 2016
25	Alyce Robertson, Executive Director Miami Downtown Development Authority 305.579.6675	Classification & Compensation Plan in 2017 Employee Manual in 2015 - 2016 Executive Survey Pay Plan Updates in 2013, 2015 and 2017
26	Renee Govig, Director of Human Resources Village of North Palm Beach 561-841-3358	Pay Plan Update in 2018
27	Loren Slaydon, Director of Human Resources City of Lake Worth 561-586-1632	Pay Plan Update in 2018
28	Merlene Reid, Human Resources Director Village of Tequesta 561.768.0415	Classification & Compensation Plan in 2018

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 14.

ITEM: Consideration and Approval of a request from EzFILL-FL, LLC to extend the hours of operation for an on-demand gas delivery service. The Business Owner is requesting to operate between the hours of 8:00 a.m. to 2:00 a.m. Enclosed is a copy of the letter from EzFILL, LLC and other supporting documents.

DESCRIPTION:

On April 19th, 2017, the Town Council granted an approval EzFILL, LLC to operate its business from 8:00 a.m. to 10:00 p.m., which is outside of the permissible hours of commercial business of 9:00 a.m. through 6:00 p.m.

Due to customer demand, business owner EzFILL, LLC is now requesting that the Town Council consider the change of hours of operation to 8:00 a.m. to 2:00 a.m.

Enclosed is a copy of the request and PowerPoint presentation.

RECOMMENDED ACTION:

Council Discretion

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Alba Chang, Deputy Town Clerk
 Marlene Siegel, Town Clerk

ATTACHMENTS

1. EZFILL Letter
2. EzFill Presentation



December 11, 2018

Alba L. Chang, CMC

Deputy Town Clerk

Town of Bay Harbor Islands

9665 Bay Harbor Terrace

Bay Harbor Islands, FL 33154

Dear Ms. Chang:

We formally request the Towns' permission to extend our current allowed hours of operation from 10 PM to 2 AM in order to provide the EzFill Gas Delivery service for the residents of Bay Harbor Islands.

Our current mobile permit allows our service from 8 AM to 10 PM. To date, we have many satisfied customers and we continue to operate without incident on the Islands or any of our other locations that continue to use our service. There are customers that we cannot reach before 10 PM. That is why, we are requesting permission to operate up to 2 AM.

We continue to operate with the same standard of care that we described to your Board at our initial meeting and would appreciate your consideration.

Wishing you an enjoyable holiday and Happy New Years.

Sincerely,



**We Fill
While You Chill !**

STOP WASTING TIME AND MONEY AT THE GAS STATION

EzFill takes the hassle out
of filling up your vehicles



THE PROBLEM

Going to the gas station is inconvenient.



Dirty



Dangerous



**Time
Consuming**



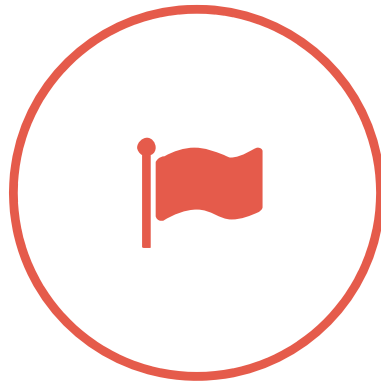
Expensive

THE SOLUTION

A convenient, safe and cost effective way to fill up your vehicle at home, work or play, day or night at a lower cost than the local gas station.



Clean



Safe



Convenient



Economical

COMPLIANCE

- **EXPERIENCED COMMERCIAL DRIVERS**
- **HAZMAT REGISTRATION**
- **DEPT OF TRANSPORTATION APPROVED TANKS**
- **U.S. WEIGHTS & MEASURES CERTIFIED METERS**
- **TRUCK INSPECTION REPORTS BY SHIFT**
- **DAILY OPERATIONAL CONTROL REPORTS**



HOW DOES IT WORK

EzFill is disrupting the traditional gas station model by offering a convenient and safe way to easily fill up your vehicle at a price per gallon that is lower than your local gas station .

Download the App

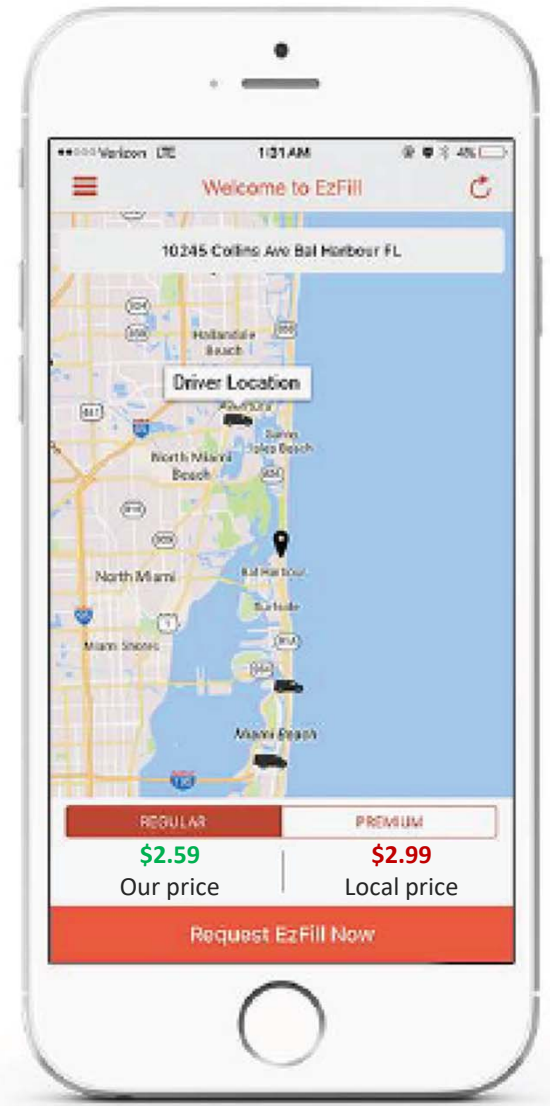
Find our App in the App Store or Google Play

Create an Account

Create an account through the app or via Facebook

Confirm Your Order

Based on the time you request, our technicians will be dispatched to your location



FEATURES

On-Demand

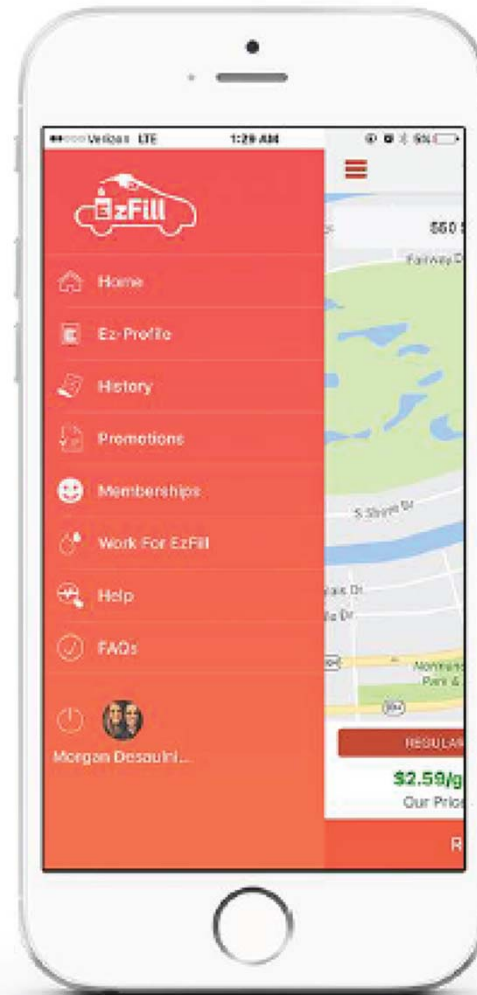
No matter where you are or when you need us, we will be there.

Driver ETA

Want to know how soon one of our trucks will arrive ? You can call or text your driver or contact customer service .

Promotions

Always be first to know what promotions are available! Free windshield wash? Free delivery? We have you covered!



Location-Based GPS

We make it convenient and simple to share your location, making the process simple and quick.

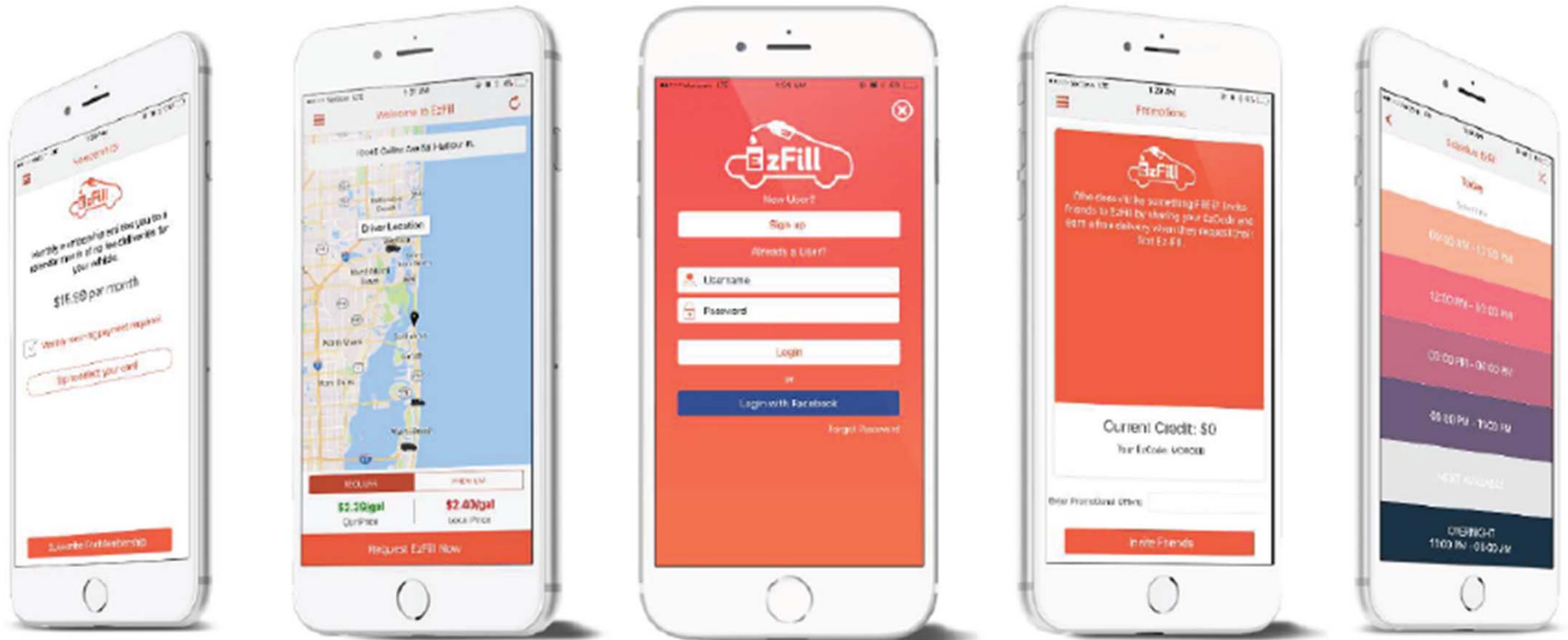
Gas Prices

Never worry about gas prices again! Click on your location and find out our price and compare to local prices.

Monthly Membership

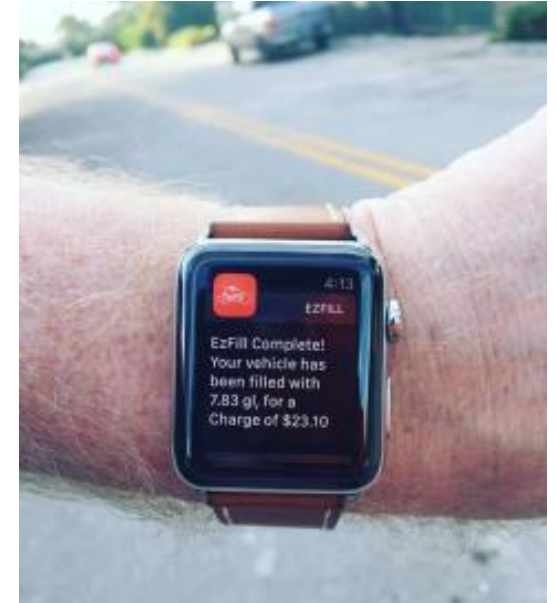
Purchase a monthly membership for unlimited gas deliveries..

THE APP



A seamless and quick process!

EzFill In Action



SUMMARY

CONVENIENCE

QUALITY

LOWER COST PER GALLON THAN LOCAL!

CONTACT US



ADDRESS

333 W 41st
Miami Beach,
FL 33140



E-MAIL

Mgmt@Ezfillapp.com



TELEPHONE

Jonathan:
646.469.5255
Yehuda:
786.553.7578



WEBSITE

www.ezfillapp.com

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 15.

ITEM: Consideration and Approval of contract award to Heavy Civil Inc. in the amount of \$548,413.50 for project BC 150 Broad Causeway Corridor Enhancements Project. Enclosed is a copy of the bid results and supporting documents.

DESCRIPTION:

This Contract will enhance the roadway on the Broad Causeway, by widening to creating 7'-0" wide buffered bicycle lanes/shoulders in both East and West Bound directions. The contract will also provide for pavement markings on the existing approaches to the West Relief Bridge (Bridge # 875102), and on the bridge itself, to allow a shared vehicle and bicycle lanes in both directions.

In addition, the pedestrian railing (closer to the water) on the Waterway Bridge (Bridge # 875103) will be replaced.

Funding for this project shall be through a state approved grant that is administered by the Florida Department of Transportation (FDOT). The amount of the grant is one Million Dollars (\$1,000,000.00). The project is therefore a Local Agency Program (LAP) certified project in order to access state funds. Correspondence from FDOT confirms the (LAP) status of the project and is attached.

On November 7, 2018, bids were publicly invited to perform work associated with Contract # BC 150. A mandatory meeting was held on November 16, 2018 at Town Hall, and four (4) contractors attended. The meeting was also attended by the Consultant Engineer Calvin Giordano and Associates (CGA).

All bids were due on December 13, 2018, at 3:00 P.M. Two Contract Addendum were issued in respect of the bid: Addendum #1 issued the pre-bid notes and Addendum # 2 clarified technical requirements for the project.

At the bid opening two bids were received as follows: Southern Road and Bridges, bid amount \$937,140.75 and Heavy Civil Inc. whose bid amount was \$548,413.50.

The Consultant Engineer has evaluated the bid responses and submitted a report that is attached. They have recommended that the Contract be awarded to Heavy Civil Inc. in the tendered amount of \$548,413.50.

At the November 2017 regular council meeting, council approved the Engineering Consultancy Firm Keith and Schnars to provide Construction Engineering Inspection services and bidding and post design services for this project in the total amount of \$185,387.50. This entire amount will be funded by the Town. In addition, the Town has already funded the costs of project design by CGA in the amount of \$167,970.00 (approved by Council at the regular August 2017 meeting).

If this item is approved, it is expected that a Notice to Proceed will be issued for a project

commencement date of March 1st 2019. The project is expected to be completed on or before the end August 2019.

The Town has received FDOT approval to proceed with Heavy Civil Inc. The Consultant Engineer Calvin, Giordanno and Associates, were commissioned to provide contract bidding assistance and bid evaluation.

The contract drawings for the project and other supporting documents are attached.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

The costs of project design, post design and Construction Engineering Inspections shall be borne by the Town and funded from the Capital Improvements allocation of \$750,000.00 in the Causeway Operations budget.

BUDGET IMPACT:

Submitted By: Randy Daniel, Town Engineer
Juan C Jimenez, Town Manager

ATTACHMENTS

1. Town of Bay Harbor Islands LAP Letter
2. 2018-11-07 Bid Set
3. BC 150 Bid Results, Sign In, Public Advertisement



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1000 NW 111 Avenue
Miami, FL 33172-5800

MIKE DEW
SECRETARY

January 12, 2018

JC Jimenez, Assistant Town Manager / Responsible Charge
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154

Subject: Bay Harbor Islands- Local Agency Program (LAP) Certification

Dear Mr. Jimenez,

Congratulations! Florida Department of Transportation (FDOT) District Six has approved the Local Agency Program (LAP) Full Certification for the Town of Bay Harbor Islands. Pursuant to Title 23 – United States Code, and Section 334.044(7), F.S., this letter confirms that the Town of Bay Harbor Islands is authorized to execute and manage LAP Project(s) with the oversight of FDOT District Six Local Programs Office.

Based upon staff interviews held on December 11, 2017, the Financial Risk Assessment conducted by the FDOT Comptroller's Office, and the Title VI assessments led by the Federal Highway Administration's Civil Rights Coordinator, FDOT's District Six Local Programs Administrator has determined that the Town of Bay Harbor Islands is LAP Certified to manage the following project phases: planning, design, construction, and construction administration under federal and state laws, regulations, policies and procedures.

This Certification is a commitment by the Town of Bay Harbor Islands to perform all associated activities of the Federal-Aid Highway Program as per the terms of the FDOT LAP Manual "Form 525-010-300" and the following conditions:

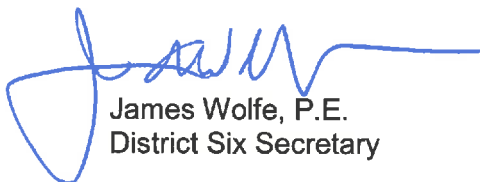
- The Agency may not perform in-house design
- The Agency may not perform force account construction
- The Agency may not perform in-house Construction Engineering and Inspection (CEI) on State Highway System/ National Highway System projects or Off-System projects unless approved by FDOT
- The Agency may not perform in-house contract compliance and must procure a Resident Compliance Specialist (RCS)
- The Agency will procure consultants prequalified in Work Type 2.0 to ensure compliance with the National Environmental Policy Act (NEPA) in all Professional Services Contracts
- The Agency will require newly hired or transitioning employees to complete the available LAP trainings as specified in the Local Agency Program Manual (525-010-300) Chapter 2 Table 2 LAP Minimum Training Requirements within the first 30 days of transition
- The Agency will adhere to LAP quarterly invoicing requirements

Local Agency Program
January 12, 2018
Page 2 of 2

Maintenance of this 3-year certification requires satisfactory performance, participation in mandatory LAP trainings and responsive coordination with FDOT District Six. This certification is effective through December 11, 2020.

FDOT District Six remains committed to the Local Agency Program and looks forward to working with the Town of Bay Harbor Islands to accomplish the community's transportation needs and priorities. Should you have any questions, or require additional information, please contact the Local Agency Program Coordinator, Xiomara Nunez at (305) 470-5404 or Xiomara.nunez@dot.state.fl.us. Congratulations, we look forward to our partnership.

Sincerely,

A handwritten signature in blue ink, appearing to read 'James Wolfe', with a stylized flourish extending to the right.

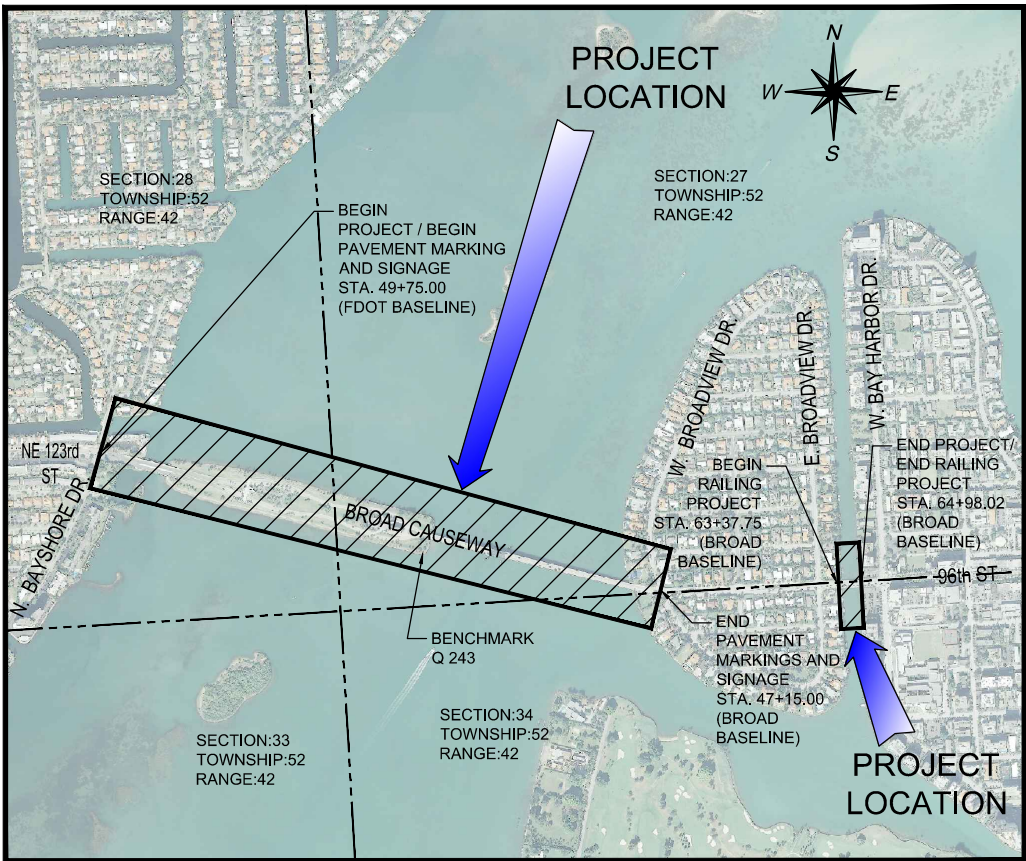
James Wolfe, P.E.
District Six Secretary

cc: Jordan Leonard, Mayor
Stephanie Bruder, Vice Mayor
Joshua D. Fuller, Council Member
Robert Yaffe, Council Member
Isaac Salver, Council Member
Elizabeth Tricoche, Council Member
Kelly Reid, Council Member
Harold Desdunes, P.E., FDOT
Lisa Wilkerson, FDOT
Mark Wilson P.E., FDOT
Lorraine Moyle, FDOT
Antonette Adams, FDOT

BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1



LOCATION MAP

Scale: 1" = 1500'

PROJECT LENGTH IS BASED ON THE SURVEY BASELINE.

LENGTH OF PROJECT		
	LINEAR FEET	MILES
ROADWAY	2,208.41 LF	0.418 MILES
BRIDGES	2,247.55 LF	0.426 MILES
NET LENGTH OF PROJECT	4,455.96 LF	0.844 MILES
EXCEPTIONS	-----	-----
GROSS LENGTH OF PROJECT	4,455.96 LF	0.844 MILES

PLANS PREPARED BY:



Calvin, Giordano & Associates, Inc.

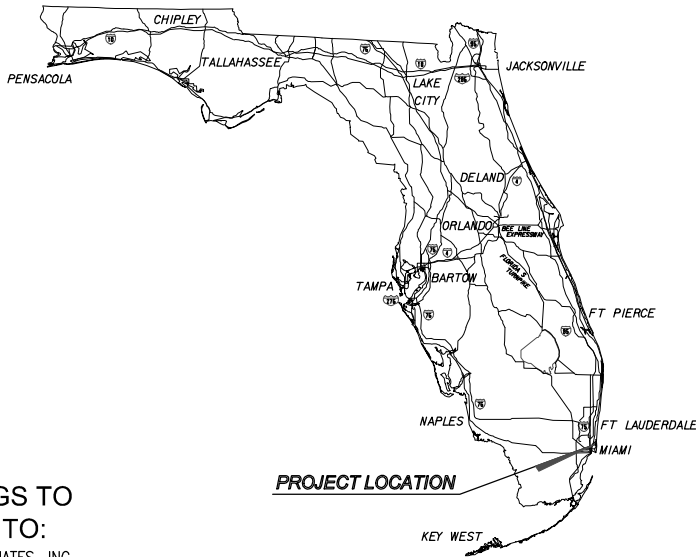
EXCEPTIONAL SOLUTIONS™

1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33316

Phone: 954.921.7781 • Fax: 954.921.8807

Certificate of Authorization 514

Sheet List Table	
Sheet Number	Sheet Title
G1	COVER SHEET
G2	LEGENDS AND ABBREVIATIONS
G3	GENERAL NOTES
G4	TYPICAL SECTIONS
G5	TYPICAL SECTIONS
G6	PROJECT LAYOUT
G7	TABULATIONS OF QUANTITIES
PD1	PAVING, GRADING AND DRAINAGE PLAN
PD2	PAVING, GRADING AND DRAINAGE PLAN
PD3	PAVING, GRADING AND DRAINAGE PLAN
PD4	PAVING, GRADING AND DRAINAGE PLAN
PD5	PAVING, GRADING AND DRAINAGE PLAN
PD6	PAVING, GRADING AND DRAINAGE PLAN
PD7	PAVING, GRADING AND DRAINAGE PLAN
PD8	PAVING, GRADING AND DRAINAGE PLAN
PD9	PAVING, GRADING AND DRAINAGE PLAN
PMS1	PAVEMENT MARKING AND SIGNAGE PLAN
PMS2	PAVEMENT MARKING AND SIGNAGE PLAN
PMS3	PAVEMENT MARKING AND SIGNAGE PLAN
PMS4	PAVEMENT MARKING AND SIGNAGE PLAN
PMS5	PAVEMENT MARKING AND SIGNAGE PLAN
PMS6	PAVEMENT MARKING AND SIGNAGE PLAN
PMS7	PAVEMENT MARKING AND SIGNAGE PLAN
PMS8	PAVEMENT MARKING AND SIGNAGE PLAN
PMS9	PAVEMENT MARKING AND SIGNAGE SIGN
PMS10	PAVEMENT MARKING AND SIGNAGE GENERAL NOTES AND DETAILS
TCP1	MOT GENERAL NOTES
TCP2	MOT TYPICAL SECTION
TCP3	MOT TYPICAL SECTION
S-1	HANDRAIL LAYOUT PLAN AND DETAILS
S-2	SPECIFICATIONS
E1	ELECTRICAL NOTES
E2	ELECTRICAL PLAN
E3	ELECTRICAL DETAILS



SHOP DRAWINGS TO BE SUBMITTED TO:

CALVIN, GIORDANO & ASSOCIATES, INC.
1800 ELLER DRIVE
SUITE 600
FORT LAUDERDALE, FL 33316
PHONE: 954-921-7781 FAX: 954-921-8807

LEGAL DESCRIPTION:

THIS PROJECT LIES WITHIN THE TOWN OF BAY HARBOR ISLANDS, MIAMI-DADE COUNTY, FLORIDA.

NOTES:

- RESPONSIBILITY FOR THE USE OF THESE PLANS FOR ANY PURPOSE PRIOR TO SECURING PERMITS FROM ALL AGENCIES HAVING JURISDICTION OVER THIS PROJECT WILL FALL SOLELY UPON THE USER.
- THE PUBLIC ROADWAY(S) INDICATED IN THESE PLANS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 2009, FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (STANDARD SPECIFICATIONS) 2018-2019, FDOT MANUAL OF UNIFORM MINIMUM STANDARD FOR DESIGN, CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS FLORIDA 2016 GREEN BOOK, AND FDOT STANDARD PLANS FOR ROADS AND BRIDGE CONSTRUCTION (STANDARD INDEXES) 2018-2019.

BENCHMARK:

THE ELEVATIONS SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) AND REFERENCED TO NATIONAL GEODETIC SURVEY (NGS) VERTICAL CONTROL POINT DESIGNATION Q 243, ELEVATION = 7.03' (NAVD88), LOCATED ON S.R. 922 (NE 123RD STREET), 1.25 MILES FROM THE INTERSECTION OF U.S. HIGHWAY 1 (BISCAYNE BLVD.) NEAR THE WEST END OF THE SOUTH CONCRETE ABUTMENT WALKWAY OF THE BRIDGE, 23.6 FT. SOUTH OF THE HIGHWAY CENTERLINE AND 1.6 FT. EAST OF THE WEST END OF THE BRIDGE.

REPRODUCTION NOTE:

THE SCALE OF THESE PLANS MAY HAVE CHANGED DUE TO REPRODUCTION.

PERMITTING AGENCIES		DATE SUBMITTED	CGA INITIALS	DATE APPROVED	PERMIT NUMBER
TOWN OF BAY HARBOR ISLANDS PUBLIC WORKS DEPARTMENT (BY CONTRACTOR)		-	-	-	-
		-	-	-	-
		-	-	-	-

NO	DATE	REVISION	BY	NO	DATE	REVISION	BY

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

CURRENT REV No.: --- ---	NICHOLAS B. MAHON, P.E. STATE OF FLORIDA PROFESSIONAL ENGINEER LICENSE No. 78361 DATE: 11/7/18	SHEET: G1
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File Name: P:\Projects\2017\179637 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9637-G-NTES-DTL.S.dwg - (Plotted by: Katharine Kupsky on Thursday, October 25, 2018 2:37:36 PM)

UTILITY GENERAL NOTES:

1. EXISTING UTILITIES ARE TO REMAIN IN PLACE UNLESS OTHERWISE NOTED.
2. THE CONTRACTOR SHALL CALL THE SUNSHINE ONE CALL OF FLORIDA AT (800) 432-4770 TWO (2) BUSINESS DAYS IN ADVANCE BEFORE BEGINNING WORK. ALL UTILITY OWNERS MAY NOT BE A MEMBER, REQUIRING DIRECT CONTACT.
3. CONTRACTOR SHALL VERIFY LOCATION OF EXISTING UTILITIES. COST IS INCIDENTAL TO COST OF THE CONTRACT. THE LOCATION(S) OF THE UTILITIES SHOWN IN THE PLANS ARE BASED ON LIMITED INVESTIGATION TECHNIQUES AND SHOULD BE CONSIDERED APPROXIMATE ONLY. THE VERIFIED LOCATIONS/ELEVATIONS APPLY ONLY AT THE POINTS SHOWN. INTERPOLATIONS BETWEEN THESE POINTS HAVE NOT BEEN VERIFIED.
4. CONTRACTOR SHALL COORDINATE WITH UTILITIES PRIOR TO CONSTRUCTION AND SHALL BE RESPONSIBLE TO COORDINATE SUPPORT FOR EXISTING UTILITY POLES (IF REQUIRED) DURING CONSTRUCTION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ANY EXISTING UTILITIES FOR WHICH THE CONTRACTOR FAILS TO REQUEST LOCATIONS FROM THE UTILITIES OWNERS. THE CONTRACTOR SHALL BE RESPONSIBLE AS WELL FOR DAMAGE TO ANY EXISTING UTILITIES WHICH ARE PROPERLY LOCATED. THE CONTRACTOR SHALL REPAIR ANY DAMAGED UTILITY AT NO ADDITIONAL COST TO THE OWNER.
6. IF UPON EXCAVATION, AN EXISTING UTILITY IS FOUND TO BE IN CONFLICT WITH THE PROPOSED CONSTRUCTION OR TO BE OF A SIZE OR MATERIAL DIFFERENT FROM THAT SHOWN ON THE PLANS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER, WHO WILL IN TURN NOTIFY THE TOWN OF BAY HARBOR ISLANDS.
7. UTILITY/AGENCY OWNERS:

COMPANY	CONTACT	TELEPHONE #
SUNSHINE 811		(800)432-4770
ATLANTIC BROADBAND	EDWIN ZAMBRANA	(305)861-8069
TOWN OF BAY HARBOR ISLANDS	RANDY DANIEL	(305)866-6241
WATER AND SEWER DEPT.		
COMCAST CABLE	LEONARD MAXWELL-NEWBOLD	(954)447-8405
CITY OF NORTH MIAMI	CHUKS OKEREKE	(305)893-6511
TECO PEOPLES GAS-SOUTH FLORIDA	YVONNE GOLDMAN	(954)453-0824
FLORIDA POWER & LIGHT-DADE	EDGAR AGUILAR	(305)378-2634
FPL-TRANSMISSIONS	SEYED HAJASSADOLLAH	(305)228-5290
FPL-SUBAQUEOUS	JOEL BRAY	(954)581-3088
ATT DISTRIBUTION	DINO FARRUGGIO	(561)997-0240
HOTWIRE COMMUNICATIONS	WALTER SANCHO-DAVILA	(954)417-3606
MIAMI-DADE WATER SEWER	SERGIO GARCIA	(786)268-5320
MIAMI-DADE COUNTY PUBLIC WORKS AND TRAFFIC	OCTAVIO VIDAL	(305)412-0891

SPPP NOTES:

1. THIS PROJECT WILL DISTURB LESS THAN ONE (1) ACRE. THE CONTRACTOR WILL NOT BE REQUIRED TO HAVE A FORMAL STORMWATER POLLUTION PREVENTION PLAN OR OBTAIN A GENERIC PERMIT FOR STORMWATER DISCHARGE FROM LARGE AND SMALL CONSTRUCTION ACTIVITIES (CGP) FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP). HOWEVER, THE CONTRACTOR WILL BE REQUIRED TO FOLLOW BEST MANAGEMENT PRACTICES (BMP'S) FOR TEMPORARY EROSION AND SEDIMENTATION CONTROLS AS DICTATED BY THE LOCAL AGENCY HAVING JURISDICTION (AHJ).
2. DISTURBANCES INCLUDING ASPHALT CUTTING, DIGGING, CLEARING, GRADING AND EXCAVATING WILL REQUIRE BMP'S WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO, SILT FENCES, DAMS, TRAPS, BARRIERS, MULCH, HAY BALES AND APPURTENANCES THAT WILL ENSURE SEDIMENTATION POLLUTION WILL BE EITHER BE ELIMINATED OR MAINTAINED WITHIN ACCEPTABLE LIMITS AS ESTABLISHED BY THE AHJ.
3. THE CONTRACTOR WILL BE SUBJECT TO AHJ FINES IF BMP'S ARE NOT IMPLEMENTED AND MAINTAINED.
4. FURTHER INFORMATION ABOUT BMP'S VISIT:
www.dep.state.fl.us/water/stormwater/npdes/.

GENERAL NOTES:

1. UNLESS OTHERWISE NOTED IN THE TECHNICAL SPECIFICATIONS: INSTALLATION, ACCEPTANCE, AND PAYMENT FOR ALL ITEMS REQUIRED IN THESE PLANS SHALL BE IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING: THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) 2009, FDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (STANDARD SPECIFICATIONS) 2018-2019, FDOT MANUAL ON UNIFORM MINIMUM STANDARD FOR DESIGN, CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS FLORIDA 2016 GREEN BOOK, FDOT DESIGN STANDARDS FOR ROAD AND BRIDGE CONSTRUCTION (STANDARD INDEXES) 2018-2019.
2. EXISTING DRAINAGE STRUCTURES WITHIN CONSTRUCTION LIMITS SHALL REMAIN UNLESS OTHERWISE NOTED. ANY DAMAGED STRUCTURES DUE TO CONTRACTOR'S CONSTRUCTION OPERATIONS WILL BE REPAIRED AS PART OF THIS PROJECT AT NO ADDITIONAL COST.
3. SPECIAL ATTENTION IS DIRECTED TO THE FACT THAT PORTIONS OF SOME DRAINAGE STRUCTURES EXTEND INTO THE STABILIZED PORTION OF THE ROAD BED AND EXTREME CAUTION WILL BE NECESSARY IN STABILIZATION OPERATIONS AT THESE LOCATIONS.
4. ANY PUBLIC LAND CORNER WITHIN THE LIMITS OF CONSTRUCTION IS TO BE PROTECTED. IF A CORNER MONUMENT IS IN DANGER OF BEING DESTROYED AND HAS NOT BEEN PROPERLY REFERENCED, THE MONUMENT SHALL BE REMOVED AND RELOCATED BY A SURVEYOR AND MAPPER LICENSED IN THE STATE OF FLORIDA. THE ENGINEER, IN CONJUNCTION WITH THE COUNTY ENGINEER, SHALL BE NOTIFIED AND FURNISHED WITH THE SIGNED AND SEALED CERTIFICATION OF THE MONUMENT LOCATION.
5. EXISTING LIGHTING SYSTEM WITHIN THE PROJECT LIMITS SHALL REMAIN, UNLESS OTHERWISE NOTED IN THE PLANS.
6. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.
7. ALL AREAS DESIGNATED FOR PAVEMENT REMOVAL SHALL BE SAW-CUT AT THE LIMITS OF REMOVAL ADJACENT TO EXISTING PAVEMENT TO REMAIN.
8. ALL UTILITY MANHOLES, VALVE COVERS, HAND HOLES, TRAFFIC CONTROL BOXES, ETC. ARE TO BE ADJUSTED BY THE CONTRACTOR TO MATCH FINAL FINISHED GRADE. COST OF SAID ADJUSTMENTS INCLUDED AS INDICATED IN THE SPECIFICATIONS.
9. UPON RECEIPT OF NOTICE OF AWARD, THE CONTRACTOR SHALL ARRANGE A PRE-CONSTRUCTION CONFERENCE TO INCLUDE THE TOWN OF BAY HARBOR ISLANDS ENGINEERING DEPARTMENT, UTILITY OWNERS (SEE UTILITY GENERAL NOTES) AND FDOT. NO CONSTRUCTION SHALL COMMENCE UNTIL ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN SECURED AND THE CONTRACTOR HAS BEEN ISSUED A NOTICE TO PROCEED.
10. ALL WIDENING AREAS SHALL HAVE MINIMUM WIDTH OF 2' TO ENSURE PROPER COMPACTION.
11. ALL EXISTING PIPES SHALL BE DESILTED. THE CONTRACTOR SHALL KEEP ALL DRAINAGE PIPES AND STRUCTURES IN WORKING CONDITION THROUGHOUT CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR CLEANING OF ALL EXISTING DRAINAGE SYSTEM AFFECTED BY THE CONSTRUCTION WITHIN THE RIGHT-OF-WAY UPON COMPLETION OF THE PROJECT. THIS COST SHALL BE INCLUDED AS INDICATED IN THE SPECIFICATIONS..
12. ALL WORK FOR THIS PROJECT WILL BE COMPLETED WITHIN AND FROM THE EXISTING RIGHT OF WAY.

ENVIRONMENTAL GENERAL NOTES:

1. SEAGRASS BEDS AND OTHER BENTHIC COMMUNITIES EXIST IN THE PROJECT AREA FROM APPROXIMATE STA. 47+15 TO STA. 49+75 AND STA. 63+37.75 TO STA. 64+98.02.
2. THIS PROJECT CROSSES THE BISCAYNE BAY AQUATIC PRESERVE WHICH IS DESIGNATED AS OUTSTANDING FLORIDA WATERS.
3. THE FOLLOWING FEDERAL AND STATE LISTED ANIMAL SPECIES COULD INHABIT OR MIGRATE THROUGH THE CONSTRUCTION AREA: AMERICAN CROCODILE (THREATENED), WEST INDIAN MANATEE (THREATENED), SMALLTOOTH SAWFISH (ENDANGERED) SEA TURTLES (ENDANGERED/THREATENED) PIPING PLOVER (THREATENED), FLORIDA BONNETED BAT (ENDANGERED).
4. NO STAGING OR OTHER ACTIVITIES FOR THIS PROJECT WILL BE ALLOWED WITHIN OR IMMEDIATELY ADJACENT TO NORTH BAYSHORE PARK LOCATED AT 12220 N. BAYSHORE DRIVE OR TOT LOT PARK AT 9600 W. BROADVIEW DRIVE.
5. NO STAGING OR ADDITIONAL ACTIVITIES FOR THIS PROJECT NOT DEPICTED ON THE CURRENT PLAN SUBMITTAL WILL BE ALLOWED WITHIN OR ADJACENT TO THE BROAD CAUSEWAY BRIDGE OR 1501 BROAD CAUSEWAY FROM STA. 26+40.00 THROUGH STA. 49+20.00.

BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

GENERAL NOTES

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

NICHOLAS B. MAHON, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 78361

DATE: 11/7/18

SCALE
AS SHOWN

PROJECT No

17-9637

SHEET:

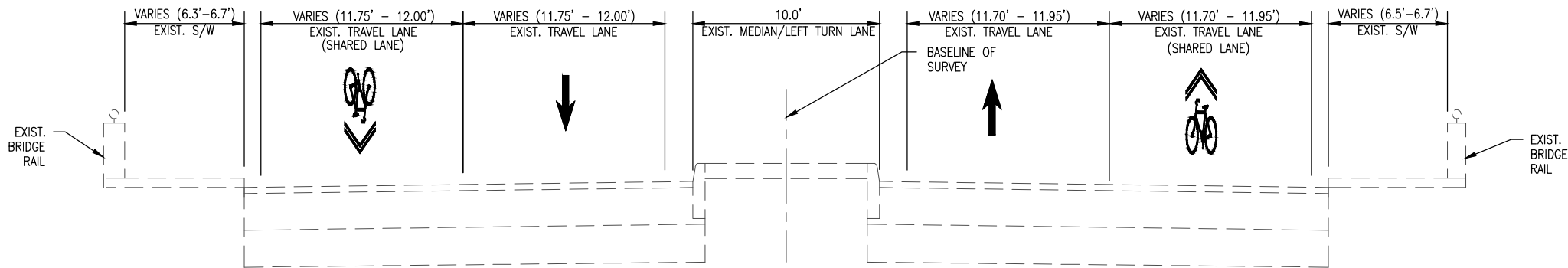
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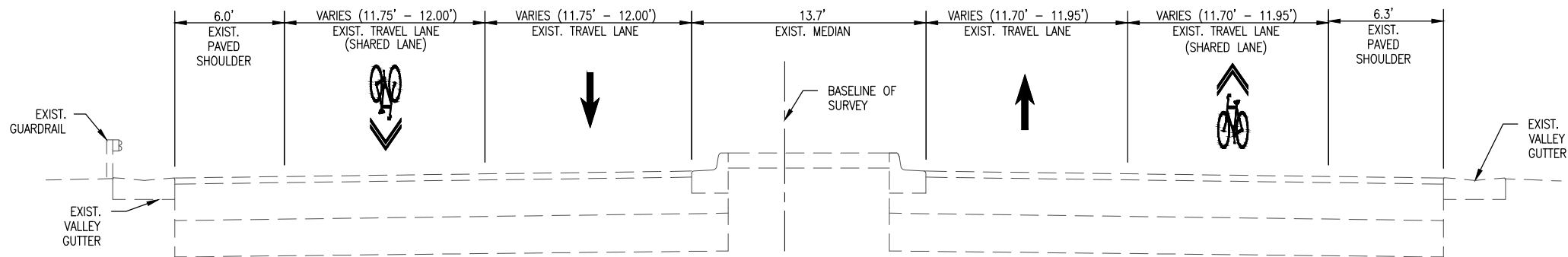
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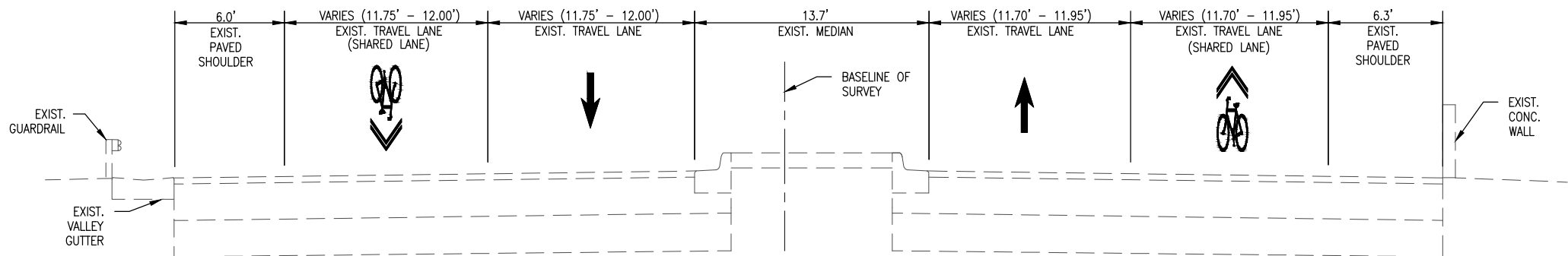
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TYPICAL SECTION
STA. 49+75.00 (FDOT) TO STA. 10+60.50(BROAD)



TYPICAL SECTION
STA. 10+60.50(BROAD) TO STA. 11+34.59(BROAD)



TYPICAL SECTION
STA. 11+34.59(BROAD) TO STA. 12+21.51(BROAD)

BROAD CAUSEWAY & WATERWAY BRIDGE
EXIST. POSTED SPEED: 30 MPH
DESIGN SPEED: 35 MPH
SHOULDER WIDENING/RECONSTRUCTION

- 2" SUPERPAVE ASPHALTIC CONCRETE (TRAFFIC LEVEL 'C')
TYPE SP-9.5 IN TWO LIFTS:
FIRST LIFT: 1" SUPERPAVE ASPHALTIC CONCRETE
(TRAFFIC LEVEL 'C') TYPE SP-9.5 (BOTTOM COURSE)
SECOND LIFT: 1" SUPERPAVE ASPHALTIC CONCRETE
(TRAFFIC LEVEL 'C') TYPE SP-9.5 (TOP COURSE)
- 8" LIMEROCK BASE COURSE CONSTRUCTED IN TWO
LIFTS COMPACTED TO A MINIMUM DENSITY OF 98%
OF THE MAXIMUM DRY DENSITY PER AASHTO T-180 (MIN. LBR 100)
- 12" STABILIZED SUBGRADE COMPACTED TO 100% MAX
DENSITY PER AASHTO T-99-C (MIN. LBR 40)

SOD AND IRRIGATION NOTE:

- CONTRACTOR SHALL RESTORE SOD MATERIAL
TO MATCH EXIST. TYPE AND ADJUST/MODIFY
EXIST. IRRIGATION AS NEEDED. THESE ITEMS
SHALL BE INCLUDED AS INDICATED IN THE
SPECIFICATIONS.

NOTE:

- SHARROW PAVEMENT MARKINGS TO BE INSTALLED ON
ALL ELEVATED BRIDGE SECTIONS AND APPROACHES.
NO WIDENING IS PROPOSED ON BRIDGES.

BID SET
ELEVATIONS SHOWN ARE NAVD 1988



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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

TYPICAL SECTIONS

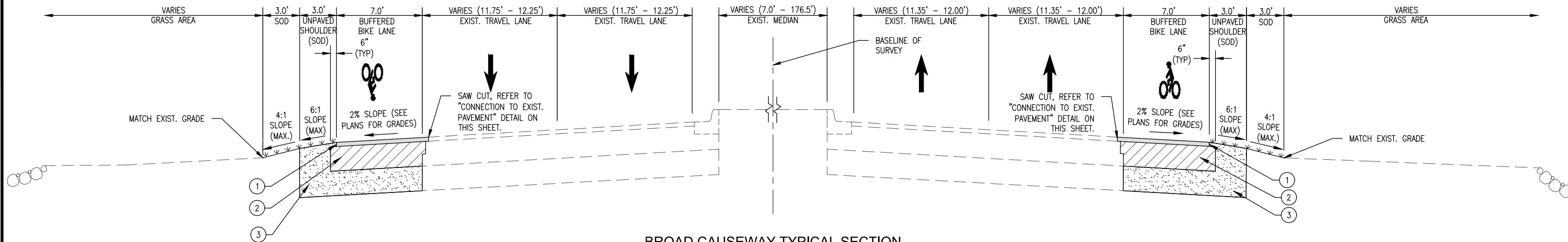
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STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 78361
DATE: 11/7/18

SCALE
NTS
PROJECT No
17-9537

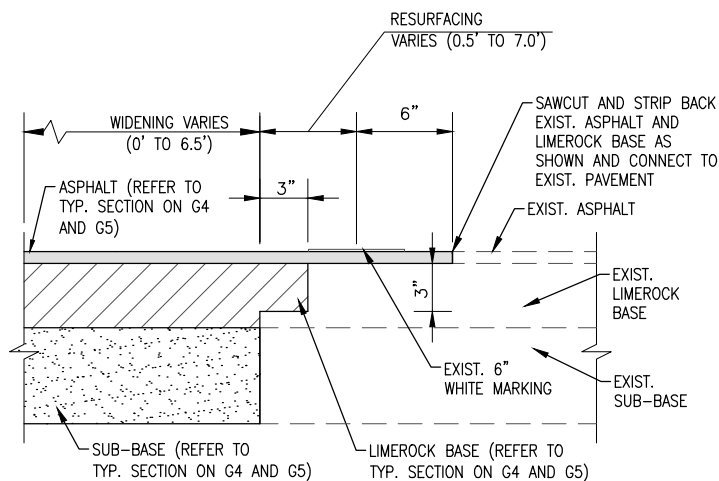
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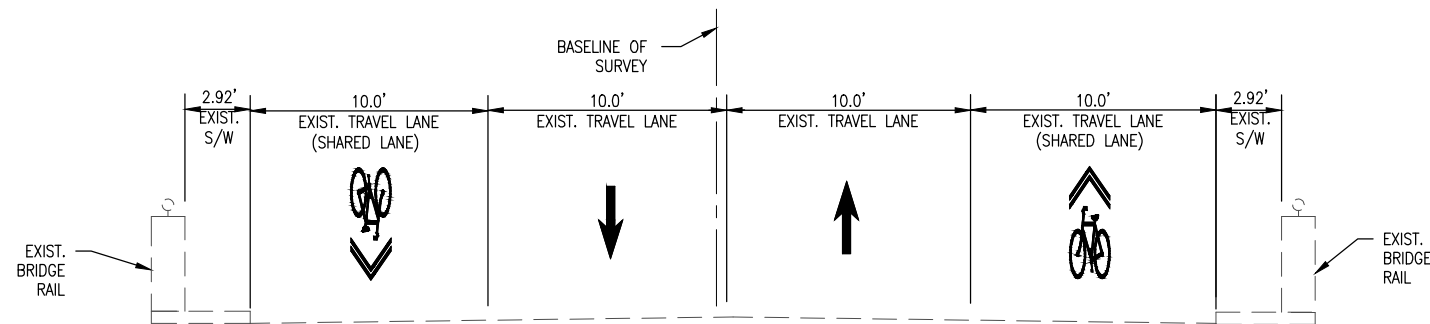
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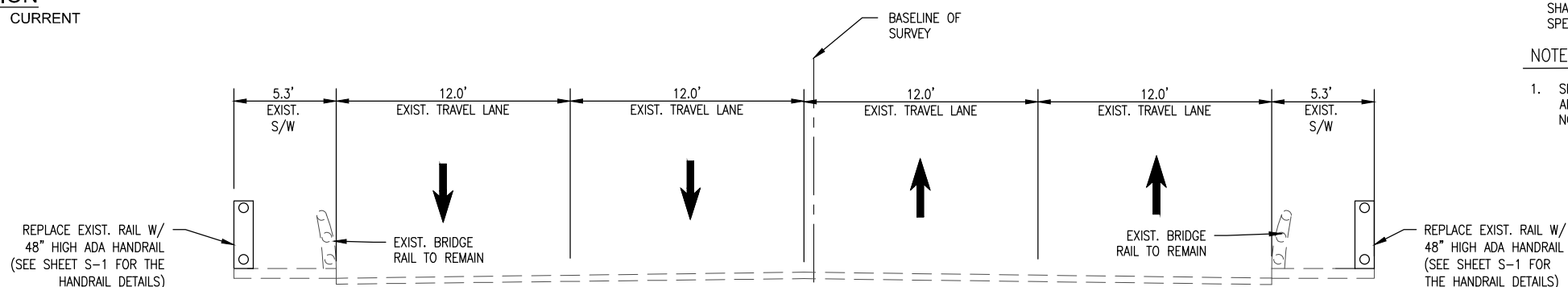
BROAD CAUSEWAY TYPICAL SECTION
STA 12+21.51 (BROAD) TO STA 30+77.64 (BROAD)



CONNECTION TO EXISTING PAVEMENT/
ROADWAY RECONSTRUCTION
SCALE: N.T.S. CURRENT



TYPICAL SECTION
STA. 30+77.64 (BROAD) TO STA. 47+15 (BROAD)



WATERWAY BRIDGE TYPICAL SECTION
STA 63+37.75 (BROAD) TO STA 64+98 (BROAD)

BROAD CAUSEWAY & WATERWAY BRIDGE
EXIST. POSTED SPEED: 30 MPH
DESIGN SPEED: 35 MPH

SHOULDER WIDENING/RECONSTRUCTION

- 2" SUPERPAVE ASPHALTIC CONCRETE (TRAFFIC LEVEL 'C')
TYPE SP-9.5 IN TWO LIFTS:
FIRST LIFT: 1" SUPERPAVE ASPHALTIC CONCRETE
(TRAFFIC LEVEL 'C') TYPE SP-9.5 (BOTTOM COURSE)
SECOND LIFT: 1" SUPERPAVE ASPHALTIC CONCRETE
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- CONTRACTOR SHALL RESTORE SOD MATERIAL
TO MATCH EXIST. TYPE AND ADJUST/MODIFY
EXIST. IRRIGATION AS NEEDED. THESE ITEMS
SHALL BE INCLUDED AS INDICATED IN THE
SPECIFICATIONS.

NOTE:

- SHARROW PAVEMENT MARKINGS TO BE INSTALLED ON
ALL ELEVATED BRIDGE SECTIONS AND APPROACHES.
NO WIDENING IS PROPOSED ON BRIDGES.

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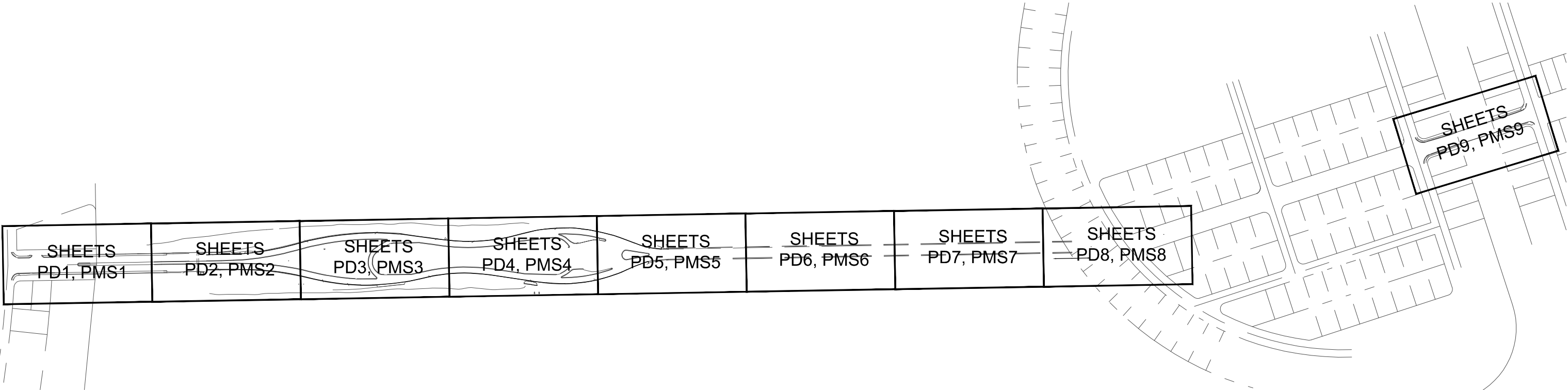
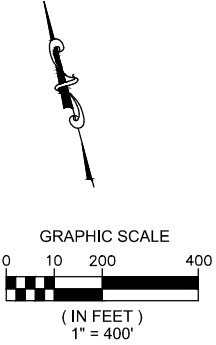
TYPICAL SECTIONS

NICHOLAS B. MAHON, P.E.
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LICENSE No. 78361
DATE: 11/7/18

SCALE
NTS
PROJECT No
17-9537

SHEET:
G5

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-G-PRJ-LYOT.dwg -- (Plotted by: Katharine Kupsky on Thursday, October 25, 2018 2:39:06 PM)



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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

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PROJECT LAYOUT

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SCALE
AS SHOWN
PROJECT No
17-9537

SHEET:
G6



File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-G-TAB-QNTS.dwg - (Plotted by: Katharine Kupsky on Tuesday, November 6, 2018 9:58:02 AM)

Pay Item Description*	Quantity	Unit
ROADWAY		
MAINTENANCE OF TRAFFIC	1	LS
CLEARING & GRUBBING	1	LS
MOBILIZATION/DEMOBILIZATION/SWPPP	1	LS
TESTING	1	LS
ASPHALT REMOVAL	899	SY
ADJUST RIMS AND MANHOLE	5	EA
REPLACE RIM	1	EA
REGULAR EXCAVATION	2,311	CY
SUBSOIL EXCAVATION ALLOWANCE	50	CY
2" SUPERPAVE ASPHALTIC CONCRETE	336	TN
8" LIMEROCK BASE	2,503	SY
12" STABILIZED SUBGRADE	2,503	SY
20" STABILIZED SUBGRADE	992	SY
RECONSTRUCTION (8" LIMEROCK/12" STABILIZED SUBGRADE)	287	SY
48" HIGH ADA HANDRAIL	320	LF
PATTERNED PAVEMENT (GREEN COLOR MARKING)	147	SY
PAVEMENT MARKINGS AND SIGNAGE		
SINGLE POST SIGN, F&I, UP TO 12 SF	20	AS
SINGLE POST SIGN, REMOVE	7	AS
SINGLE SIGN, REMOVE	6	AS
SINGLE SIGN, F&I	4	EA
THERMOPLASTIC, STD, WHITE, SHARED BIKE	15	EA
PREFORMED TAPE, WHITE, MESSAGE (BIKE)	9	EA
PREFORMED TAPE, WHITE, ARROW (BIKE)	9	EA
THERMOPLASTIC STD. OPEN GRADED ASPHALT SURFACES, WHITE SOLID 6"	7,295	LF
ROADSIDE FLASHING BEACON ASSEMBLY, F&I, SOLAR POWER	1	AS
ELECTRICAL		
RELOCATE EXISTING POLE	1	LS
LANDSCAPE		
MODIFY EXISTING IRRIGATION	1	LS
Turf / Sod- St. Augustine 'Floritam' (HARMONIZATION AREAS)	22,008	SF

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

TABULATIONS OF QUANTITIES

NICHOLAS B. MAHON, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 78361

DATE: 11/7/18

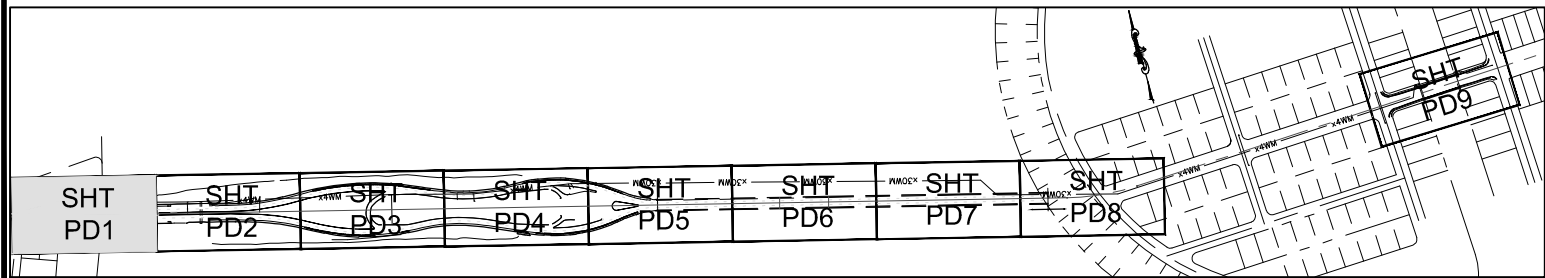
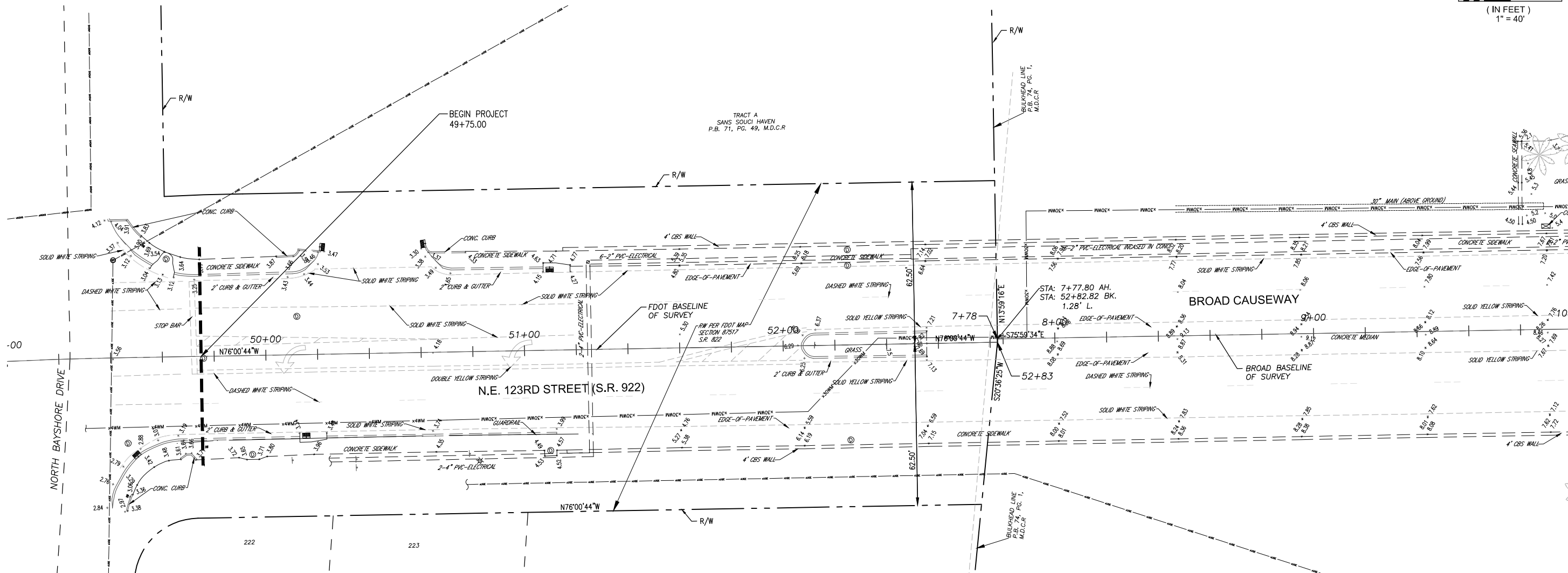
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17-9537

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KEY MAP
N.T.S.

NOTE:

NO PAVING, GRADING AND DRAINAGE
IMPROVEMENTS SHOWN ON THIS PLAN

BID SET
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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

**PAVING, GRADING AND DRAINAGE
PLAN**

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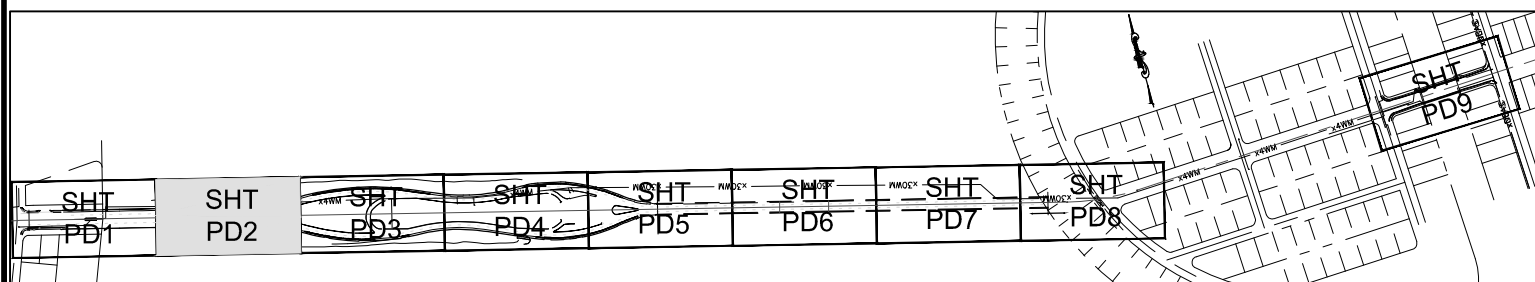
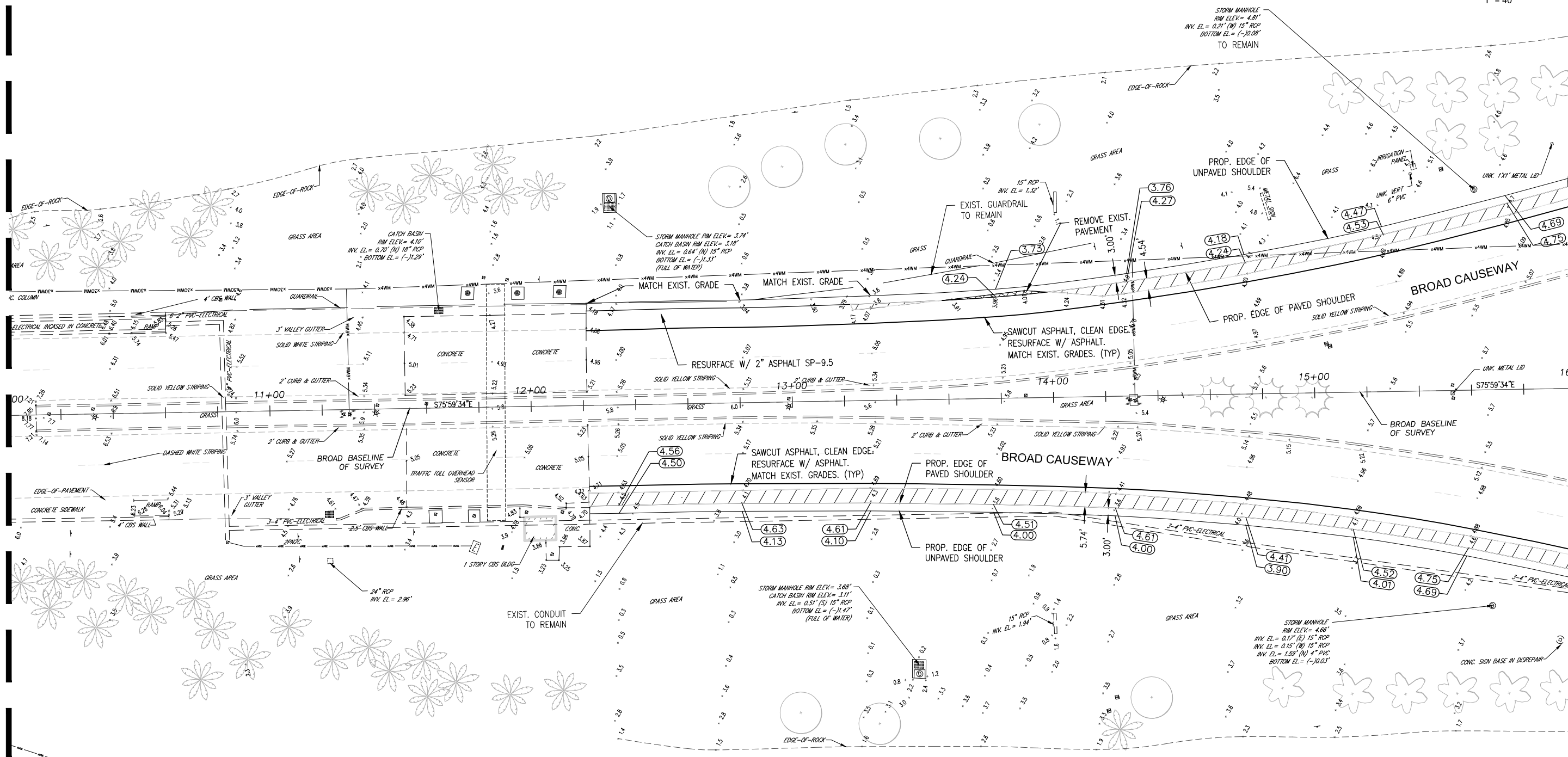
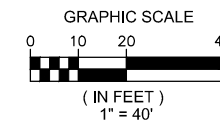
SCALE
AS SHOWN
PROJECT No
17-9537

SHEET:
PD1

MATCH LINE STA. 10+00 SEE SHEET PD2

MATCH LINE STA. 10+00 SEE SHEET PD1

MATCH LINE STA 16+00 SEE SHEET PD3



KEY MAP

N.T.S.

[illegible]

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT
BAY HARBOR ISLANDS, FLORIDA
FM# 439906-1

PAVING, GRADING AND DRAINAGE PLAN

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

NICHOLAS B. MAHON, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
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DATE: 11/7/18

SCALE	AS SHOWN
PROJECT No	17-9537

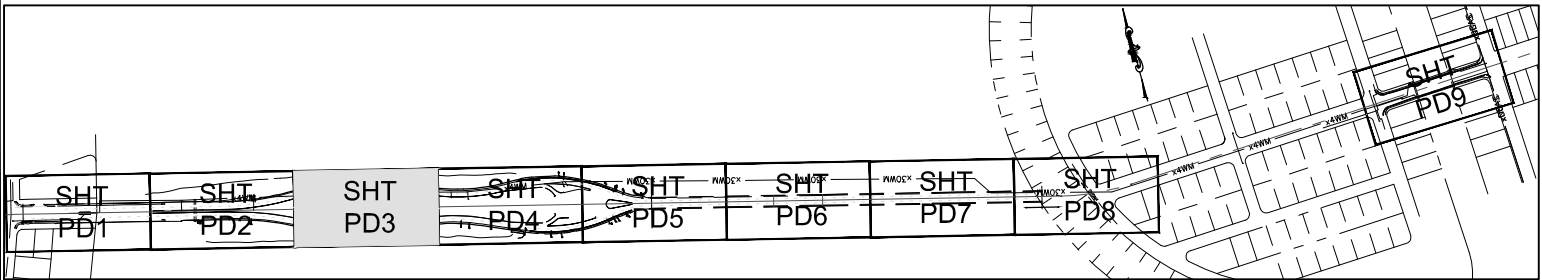
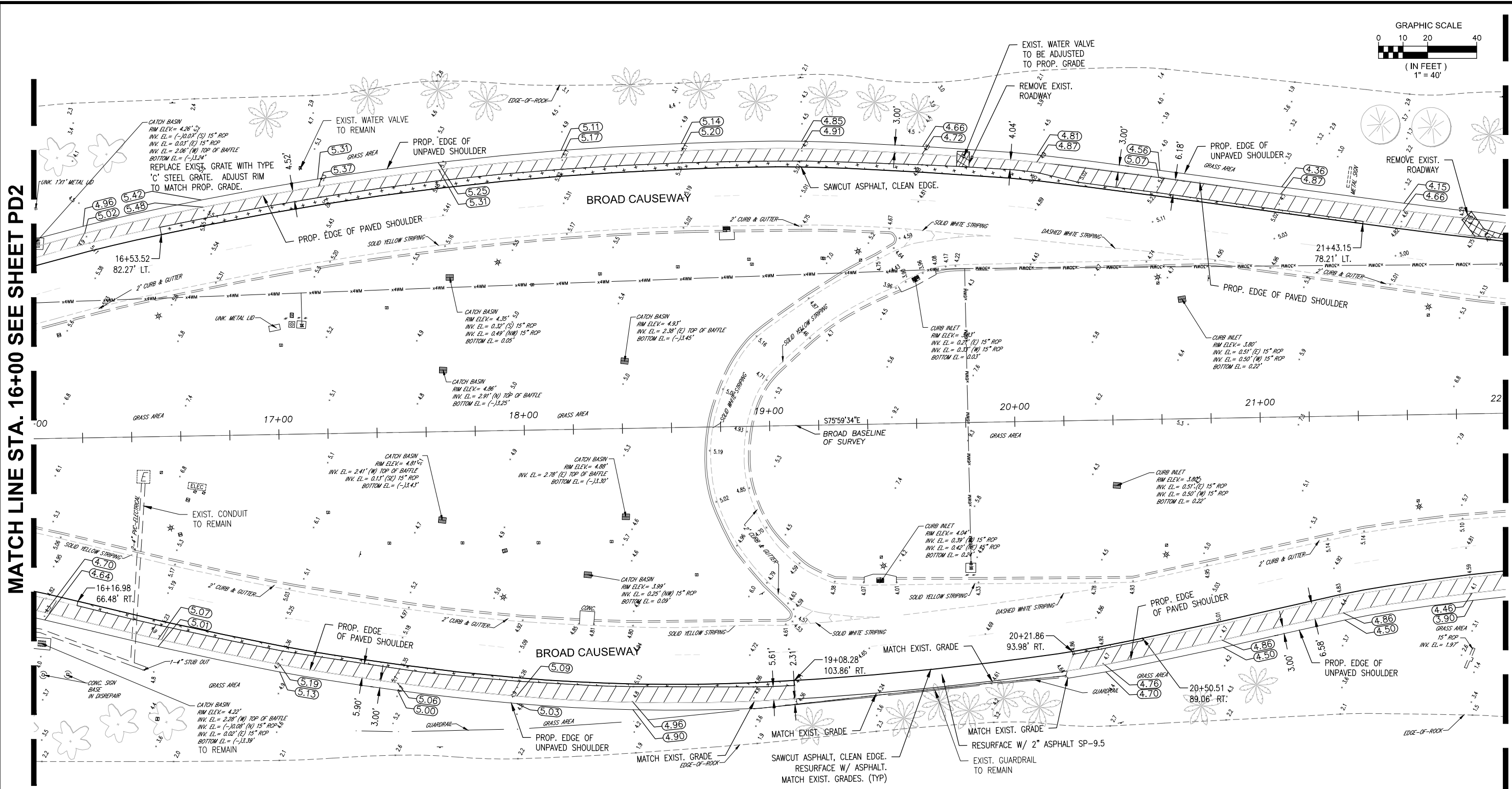
PD2



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MATCH LINE STA. 16+00 SEE SHEET PD2

MATCH LINE STA. 22+00 SEE SHEET PD4



- HATCHING LEGEND**
- PROPOSED SHOULDER WIDENING (ASPHALT, LIMEROCK AND BASE)
 - EXISTING ROADWAY (ASPHALT, LIMEROCK AND BASE) TO BE REMOVED
 - EXISTING ROADWAY (ASPHALT, LIMEROCK AND BASE) TO BE RECONSTRUCTED

NO	DATE	REVISION	BY	NO	DATE	REVISION	BY

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT
BAY HARBOR ISLANDS, FLORIDA
FM# 439906-1

PAVING, GRADING AND DRAINAGE PLAN

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ELEVATIONS SHOWN ARE NAVD 1988
NICHOLAS B. MAHON, P.E.
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LICENSE No. 78361
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SCALE
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PROJECT No
17-9537

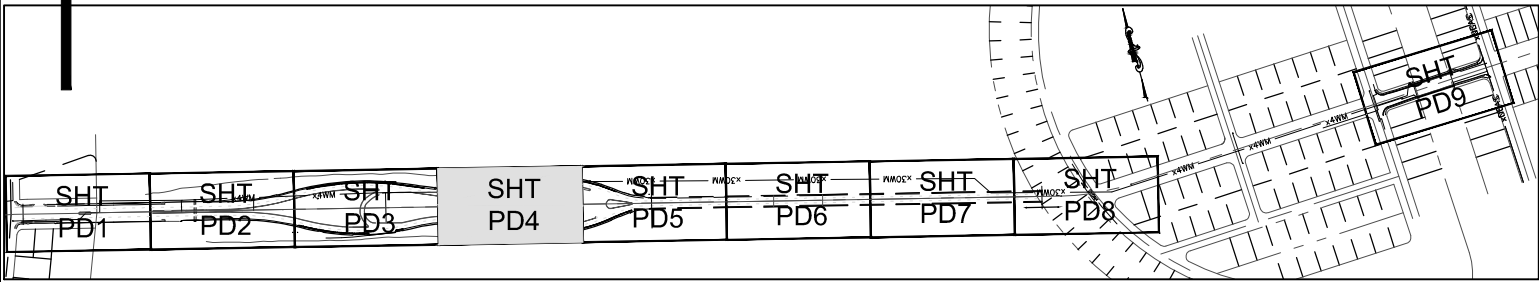
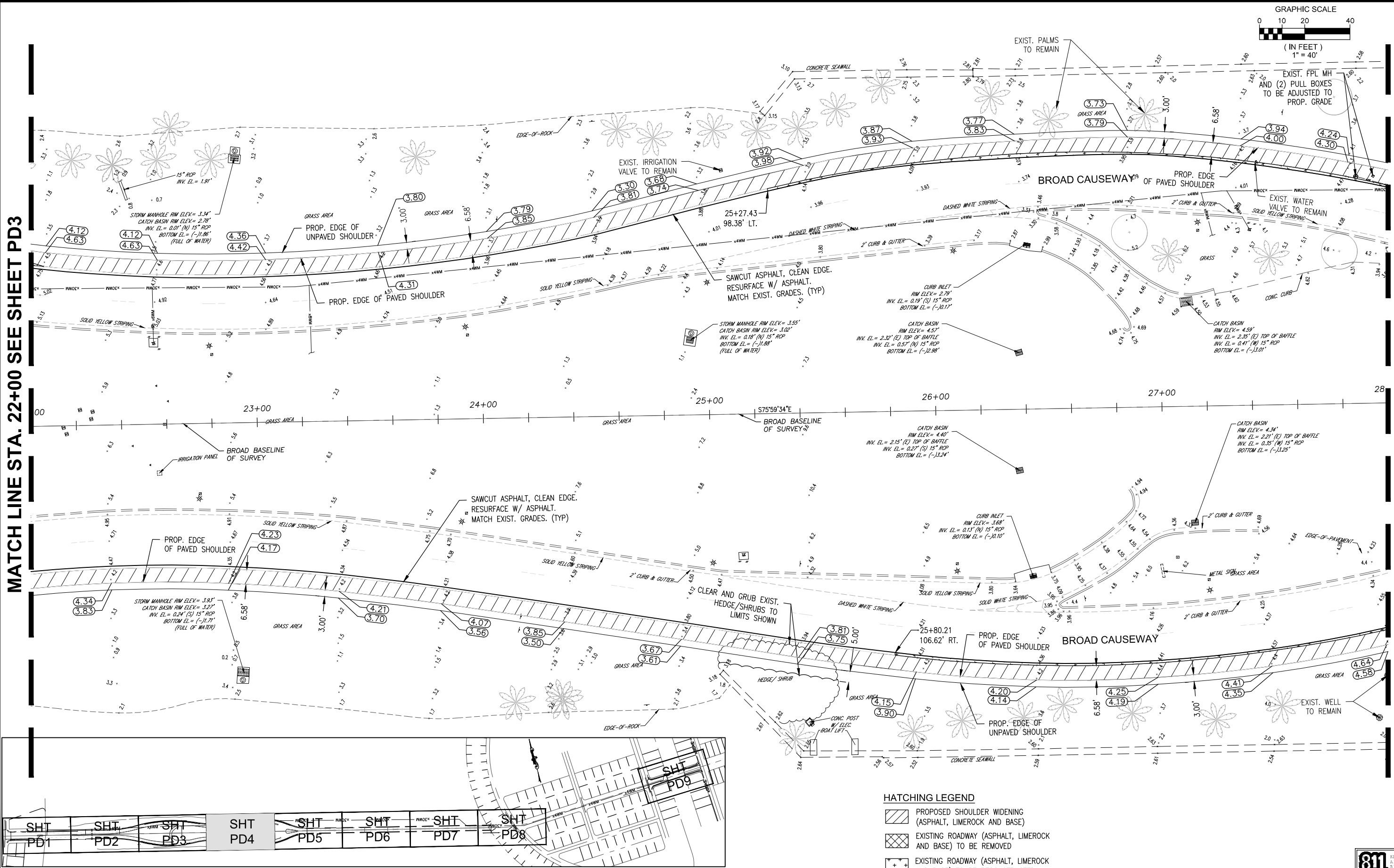


PD3

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-C-PGD-PLAN.dwg - (Plotted by: Katharine Kupsky on Thursday, October 25, 2018 2:42:29 PM)

MATCH LINE STA. 22+00 SEE SHEET PD3

MATCH LINE STA. 28+00 SEE SHEET PD5



KEY MAP
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BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

**PAVING, GRADING AND DRAINAGE
PLAN**

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

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LICENSE NO. 78361

DATE: 11/7/18

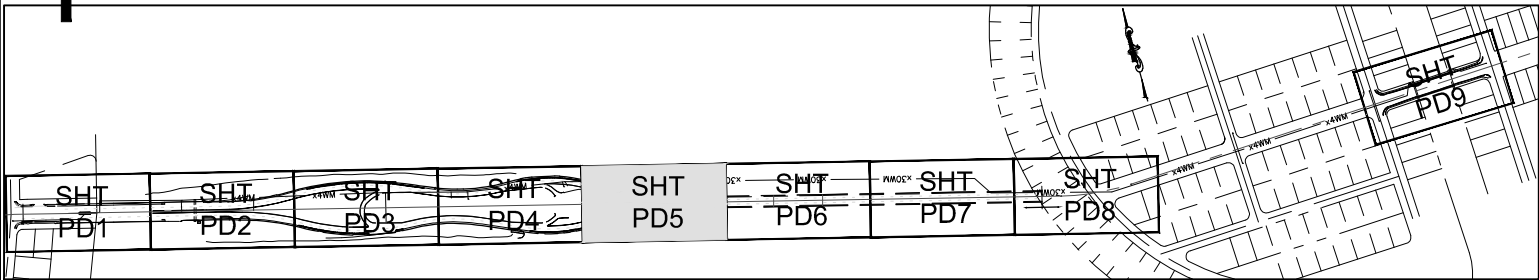
SCALE
AS SHOWN
PROJECT NO.
17-9537



SHEET:
PD4

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-C-PGD-PLAN.dwg - (Plotted by: Katharine Kupsky on Thursday, October 25, 2018 2:42:55 PM)

MATCH LINE STA. 28+00 SEE SHEET PD4



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BAY HARBOR ISLANDS, FLORIDA

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PLAN**

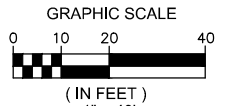
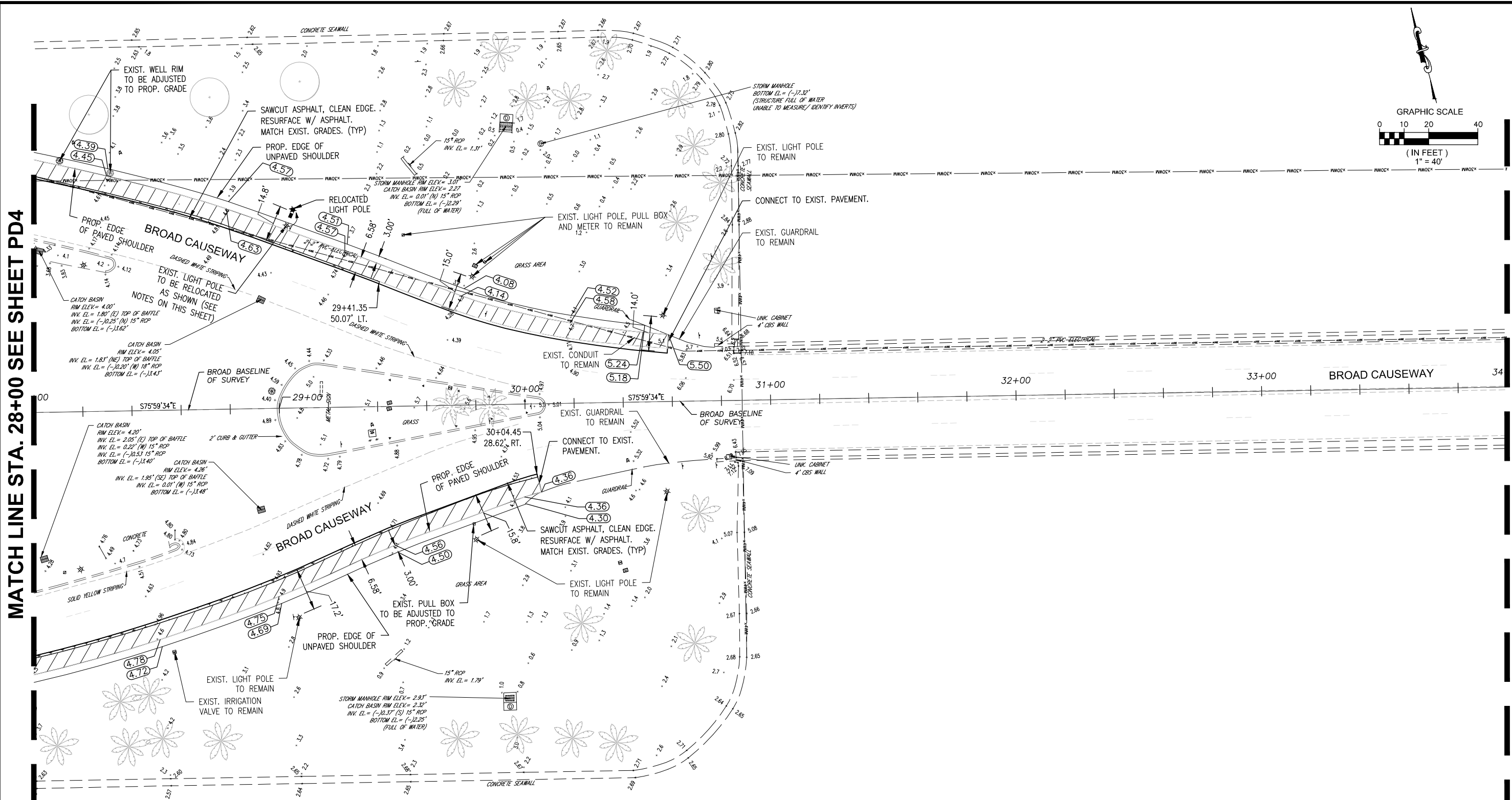
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PD5



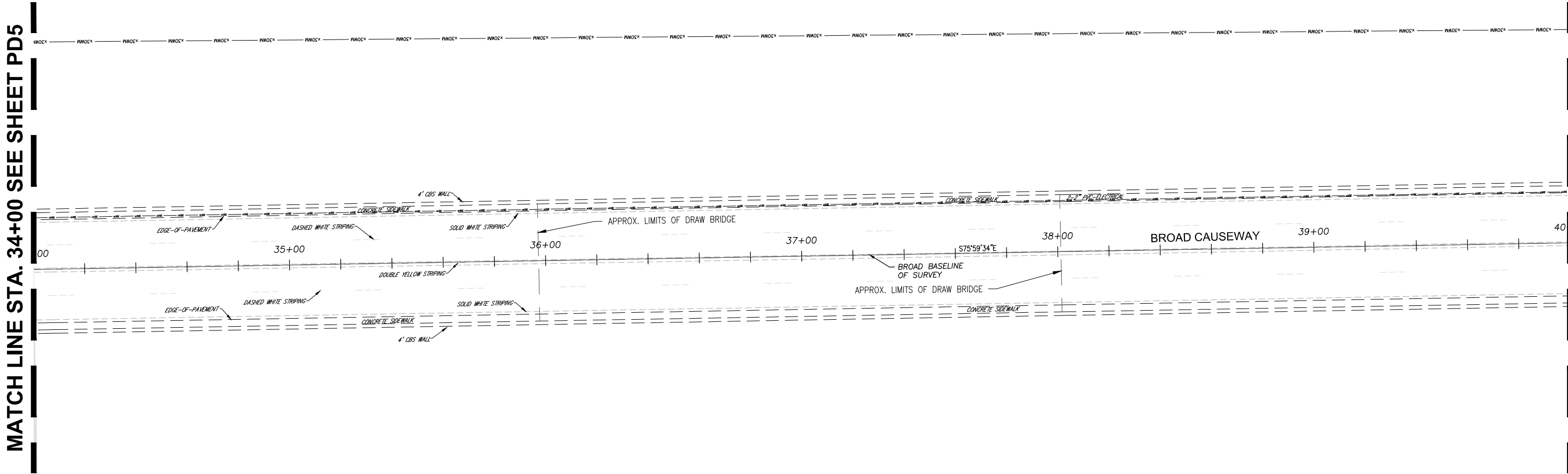
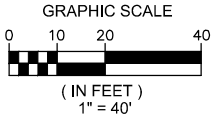
NOTES:

- DISCONNECT AND RE-SPLICE CIRCUIT INSIDE PULL BOX. INSTALL 1" PVC CONDUIT FROM EXIST. PULL BOX TO RELOCATED LIGHT POLE. CONTRACTOR SHALL SIZE CONDUCTOR TO MATCH EXISTING. INSTALL PULL BOX AND GROUND ROD BY BASE OF RELOCATED LIGHT POLE MINIMUM SIZE 11" x 18" x 12".
- REFER TO FDOT INDEX 715-002 FOR FOUNDATION REQUIREMENTS.

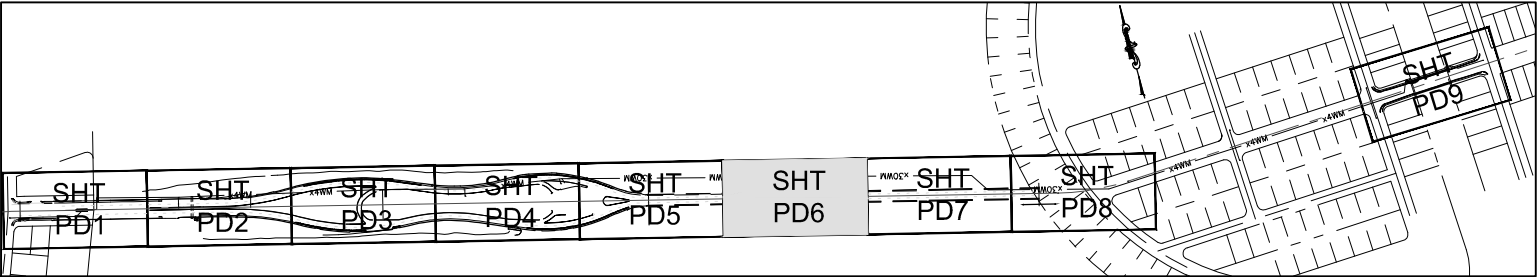


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MATCH LINE STA. 34+00 SEE SHEET PD5



MATCH LINE STA. 40+00 SEE SHEET PD7



KEY MAP
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NOTE:

NO PAVING, GRADING AND DRAINAGE
IMPROVEMENTS SHOWN ON THIS PLAN

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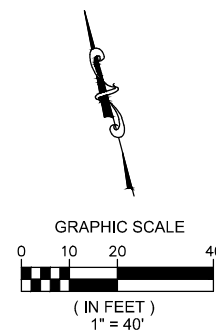
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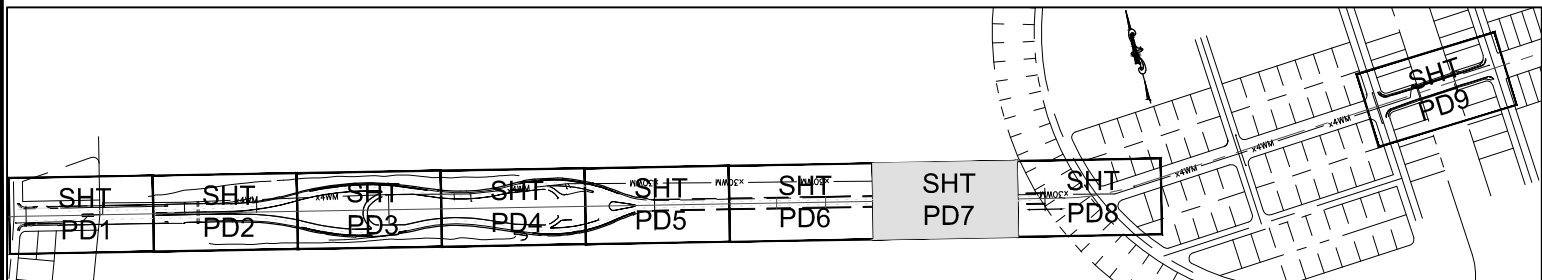
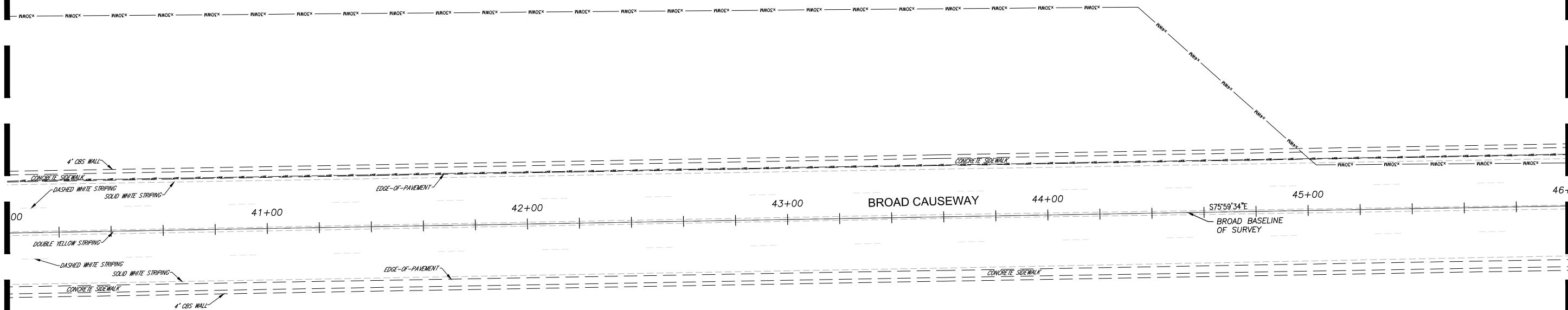
SCALE
AS SHOWN
PROJECT No
17-9537

SHEET:
PD6



MATCH LINE STA. 40+00 SEE SHEET PD6

MATCH LINE STA. 46+00 SEE SHEET PD8



KEY MAP

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NOTE:

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

PAVING, GRADING AND DRAINAGE PLAN

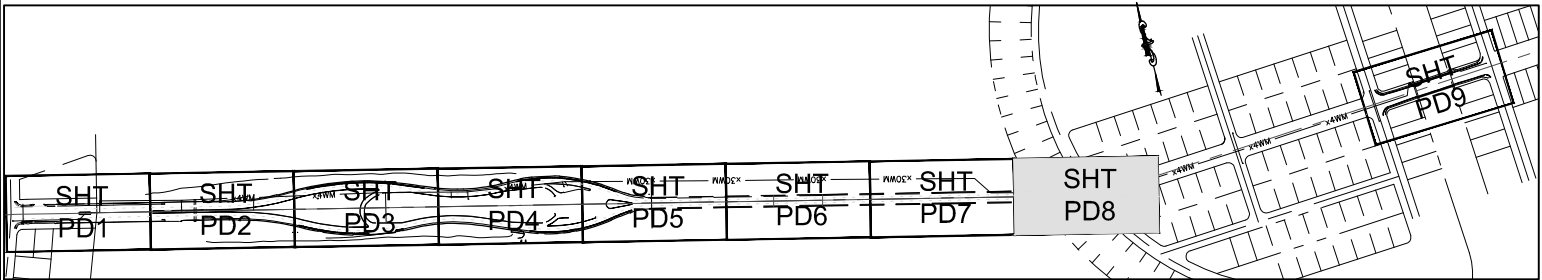
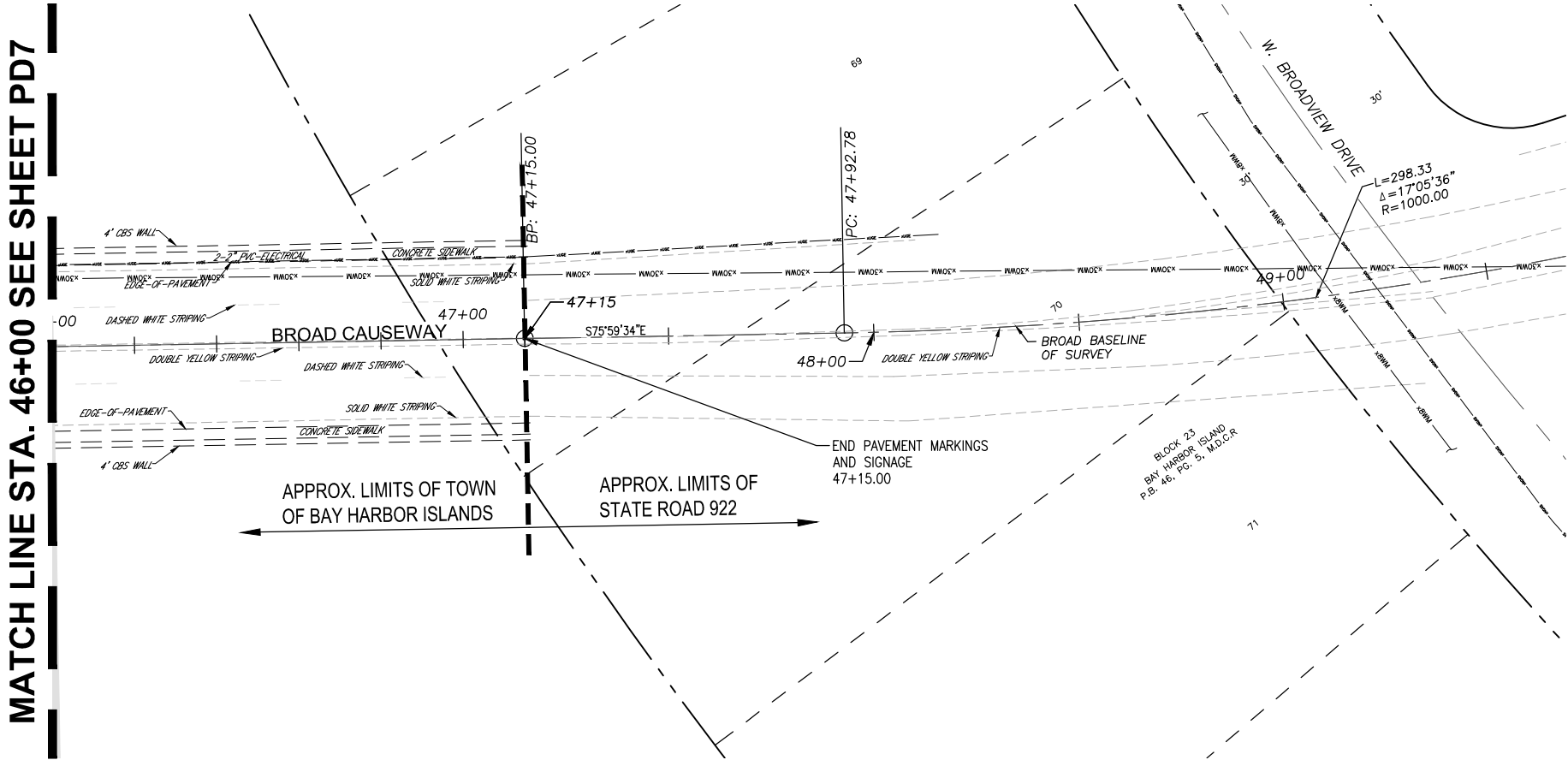
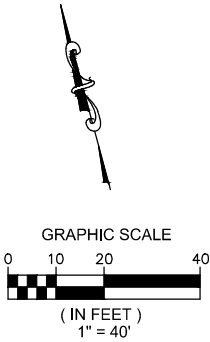
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SCALE	AS SHOWN
PROJECT No	17-9537

SHEET:
PD7

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-C-PGD-PLAN.dwg - (Plotted by: Katharine Kupsky on Thursday, October 25, 2018 2:44:01 PM)



KEY MAP
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NOTE:

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**PAVING, GRADING AND DRAINAGE
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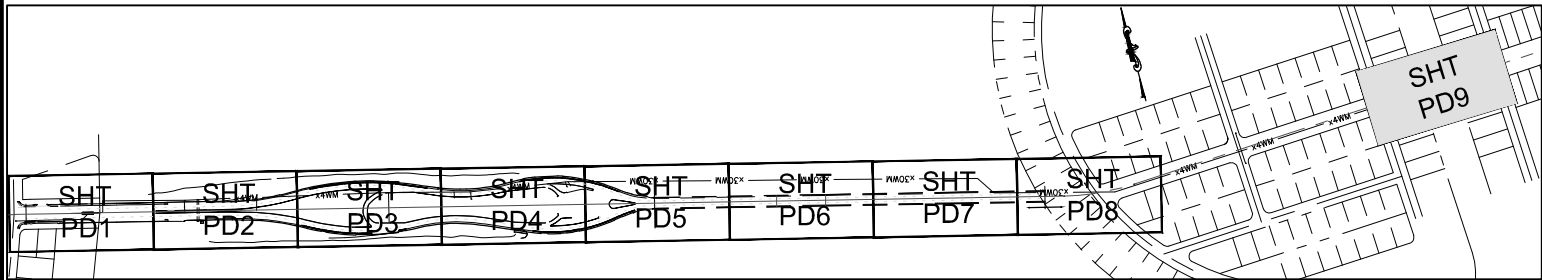
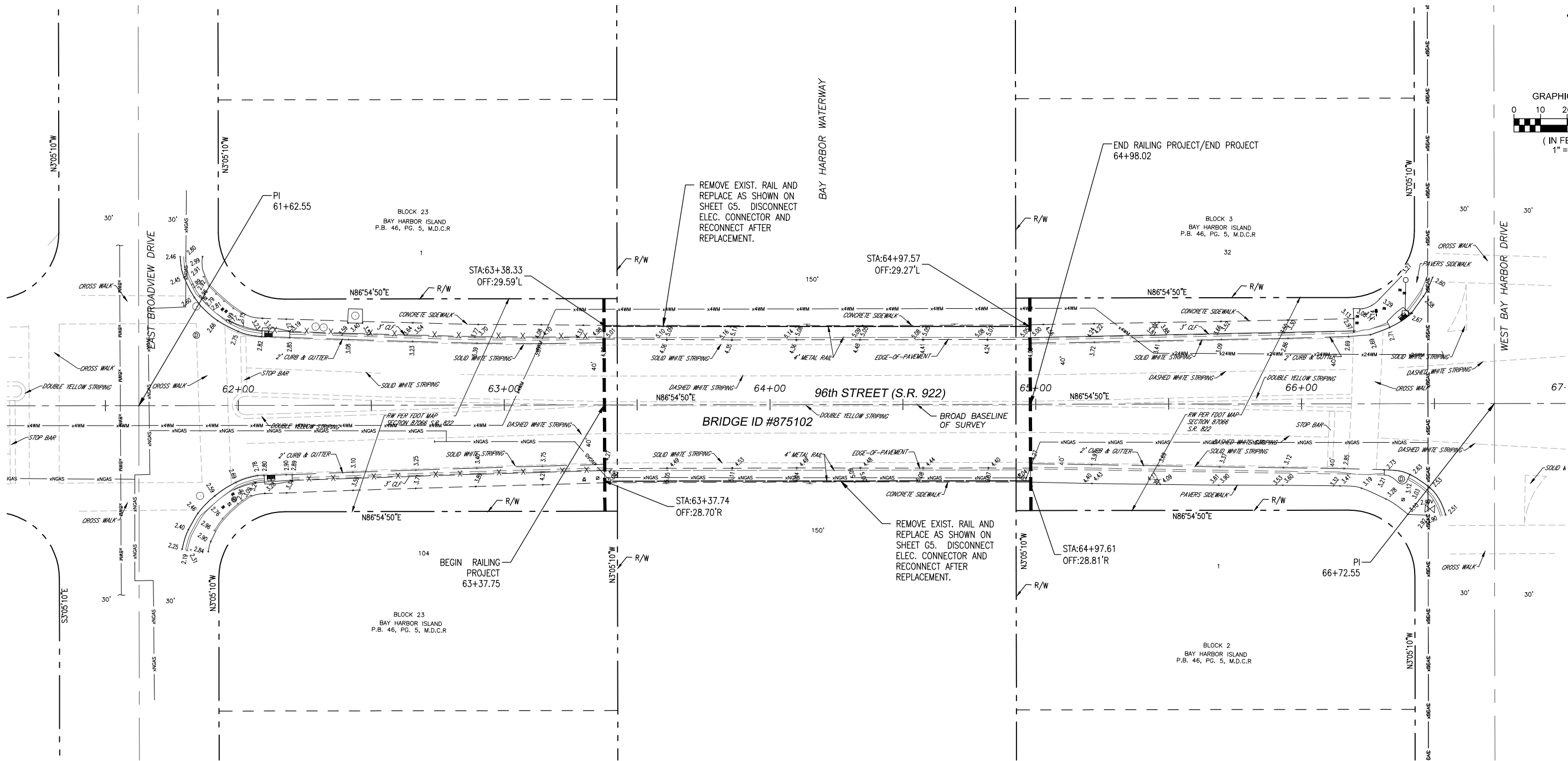
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PROJECT No
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SHEET:
PD8

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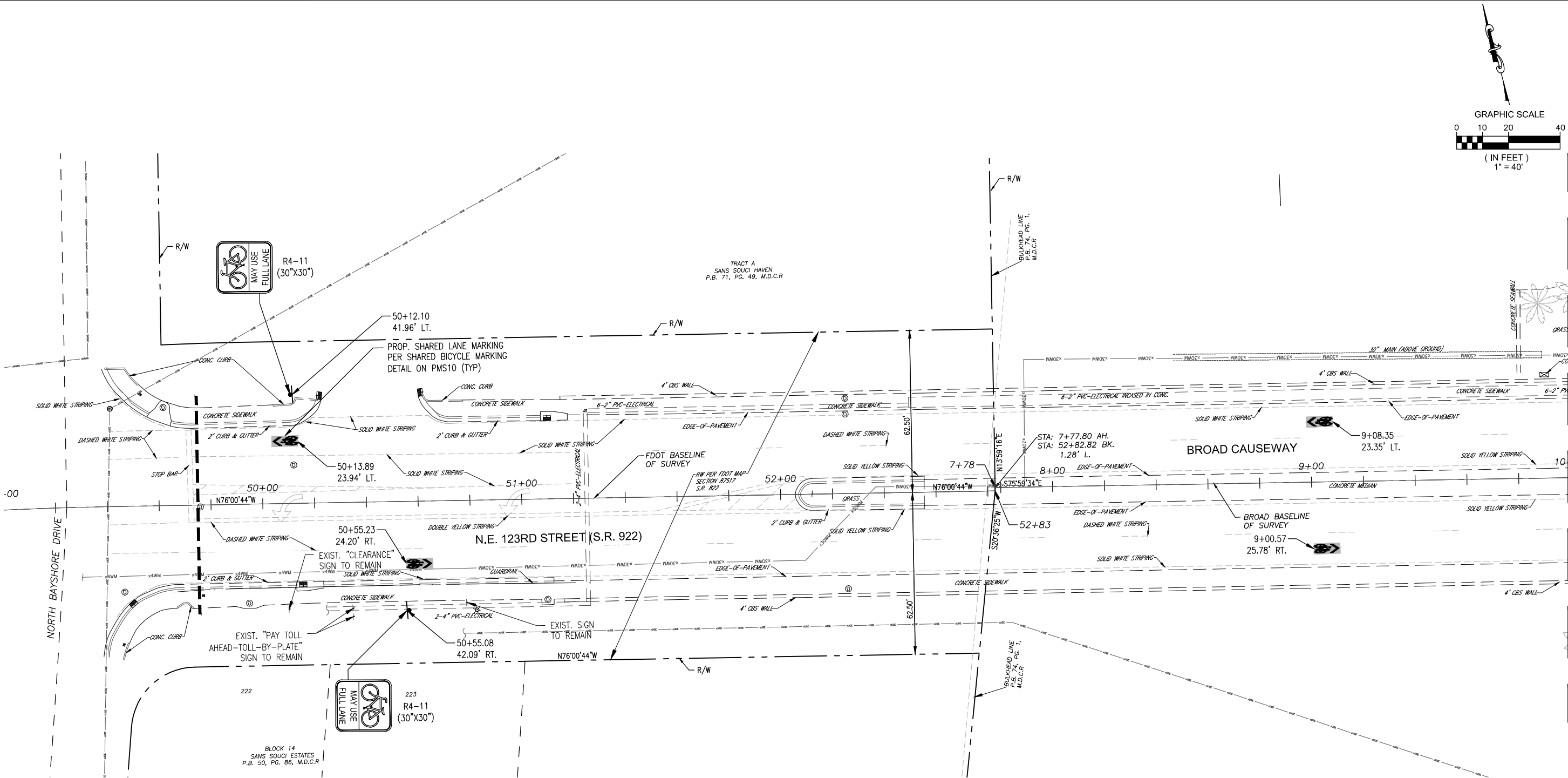
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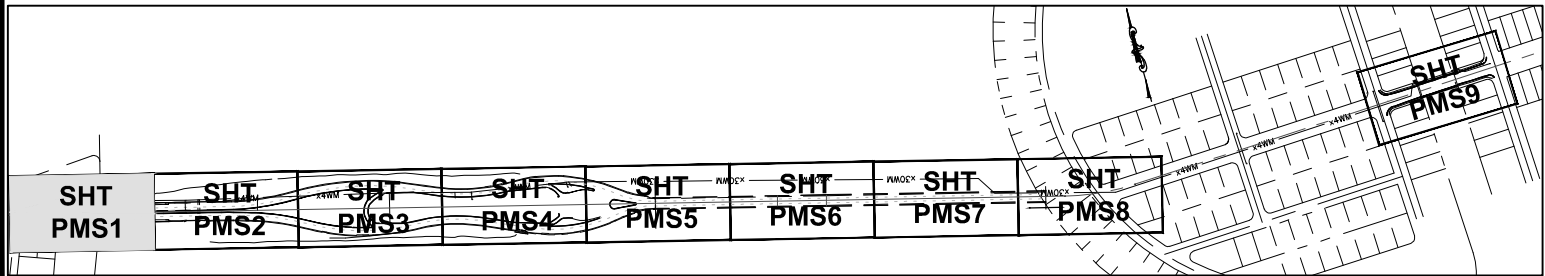
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MATCH LINE STA. 10+00 SEE SHEET PMS2



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PROJECT No
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SHEET:

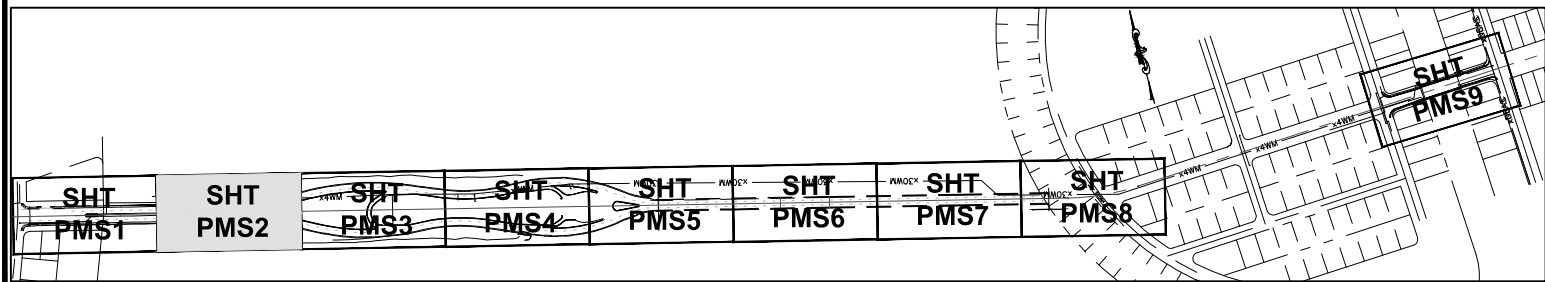
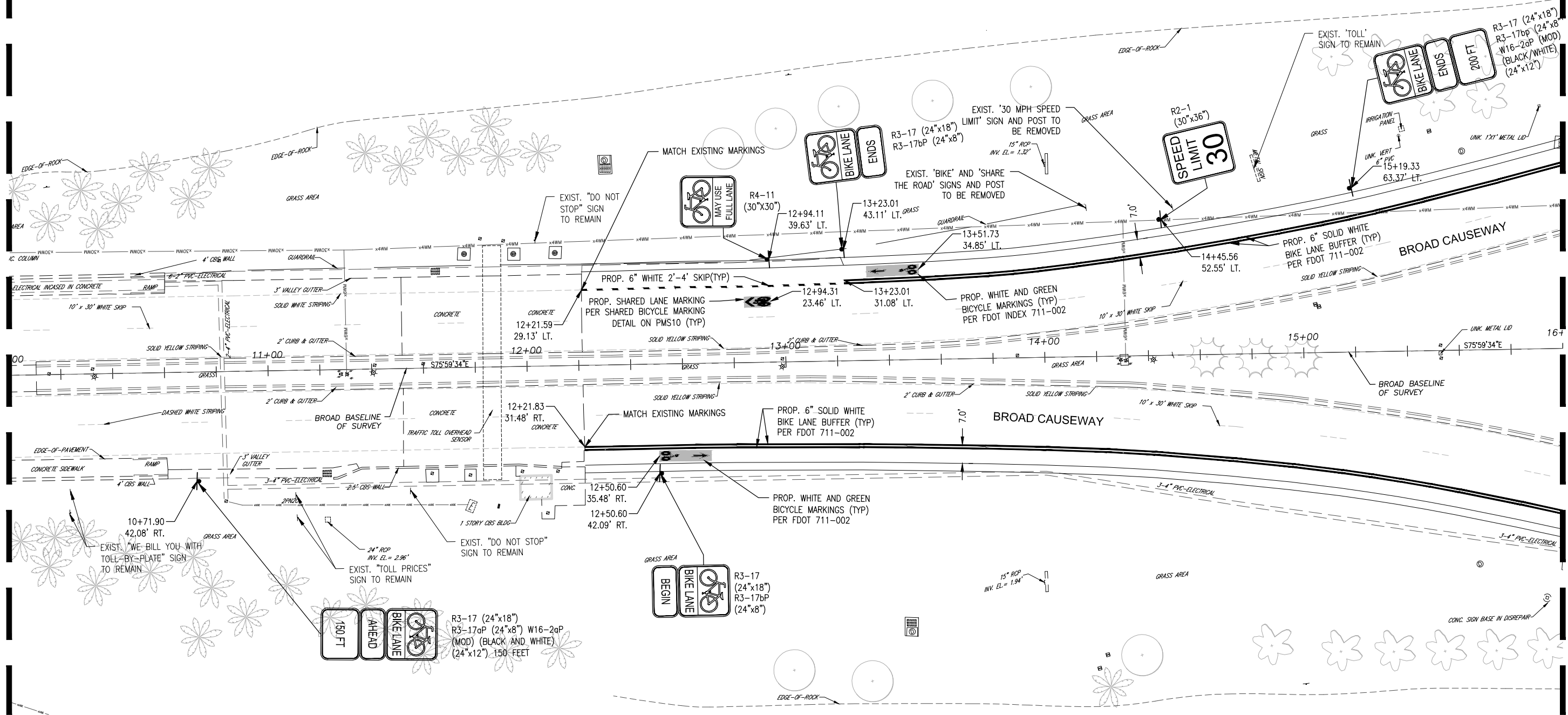
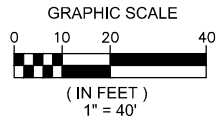
PMS1



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MATCH LINE STA. 10+00 SEE SHEET PMS1

MATCH LINE STA. 16+00 SEE SHEET PMS3



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PROJECT No
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PMS2

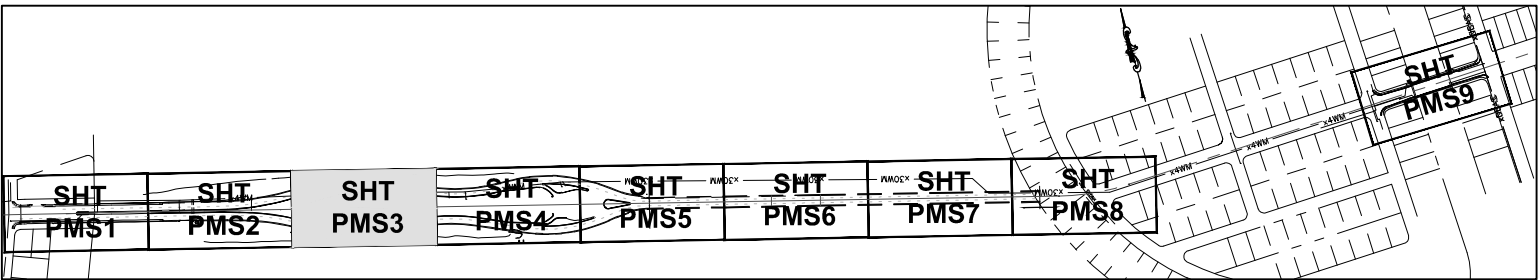


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MATCH LINE STA. 16+00 SEE SHEET PMS2

MATCH LINE STA. 22+00 SEE SHEET PMS4



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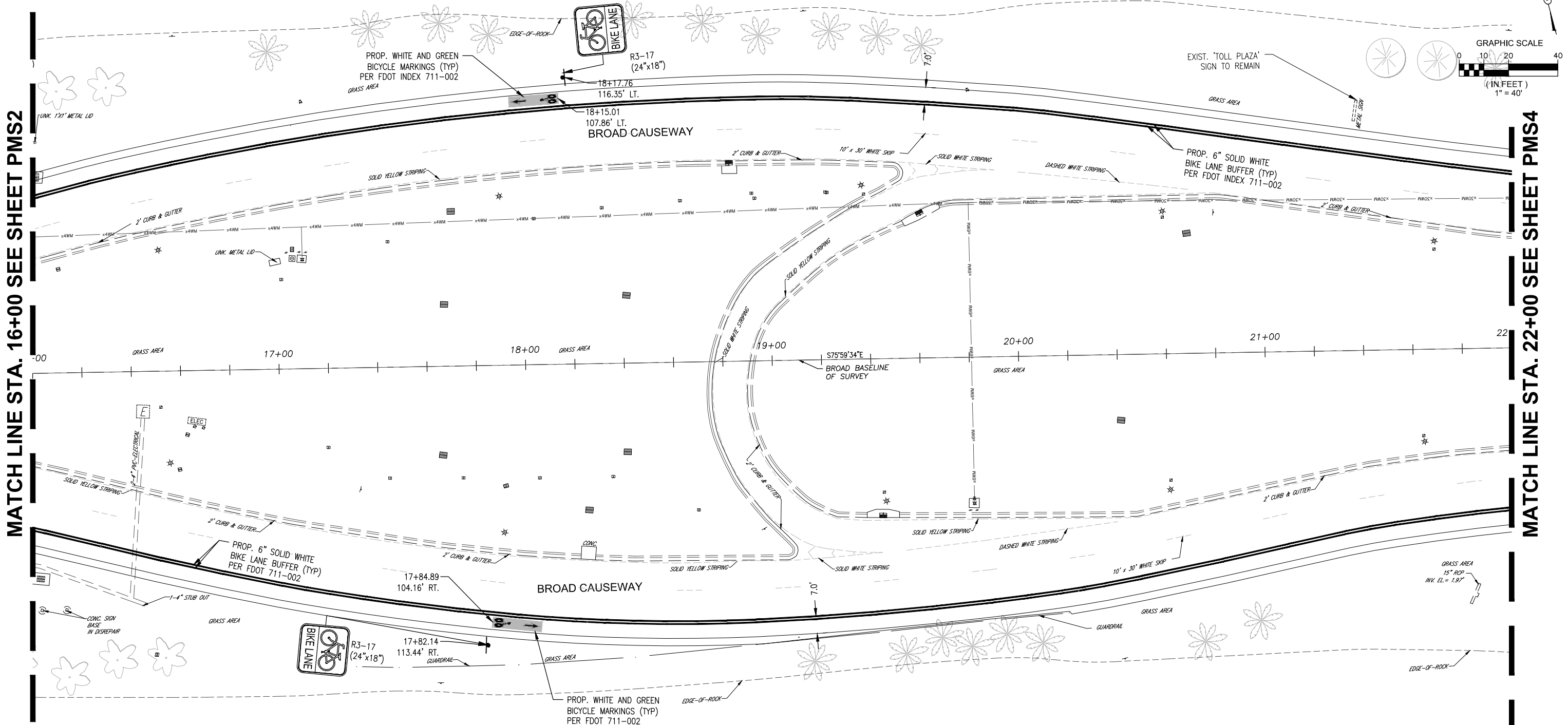
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SHEET:

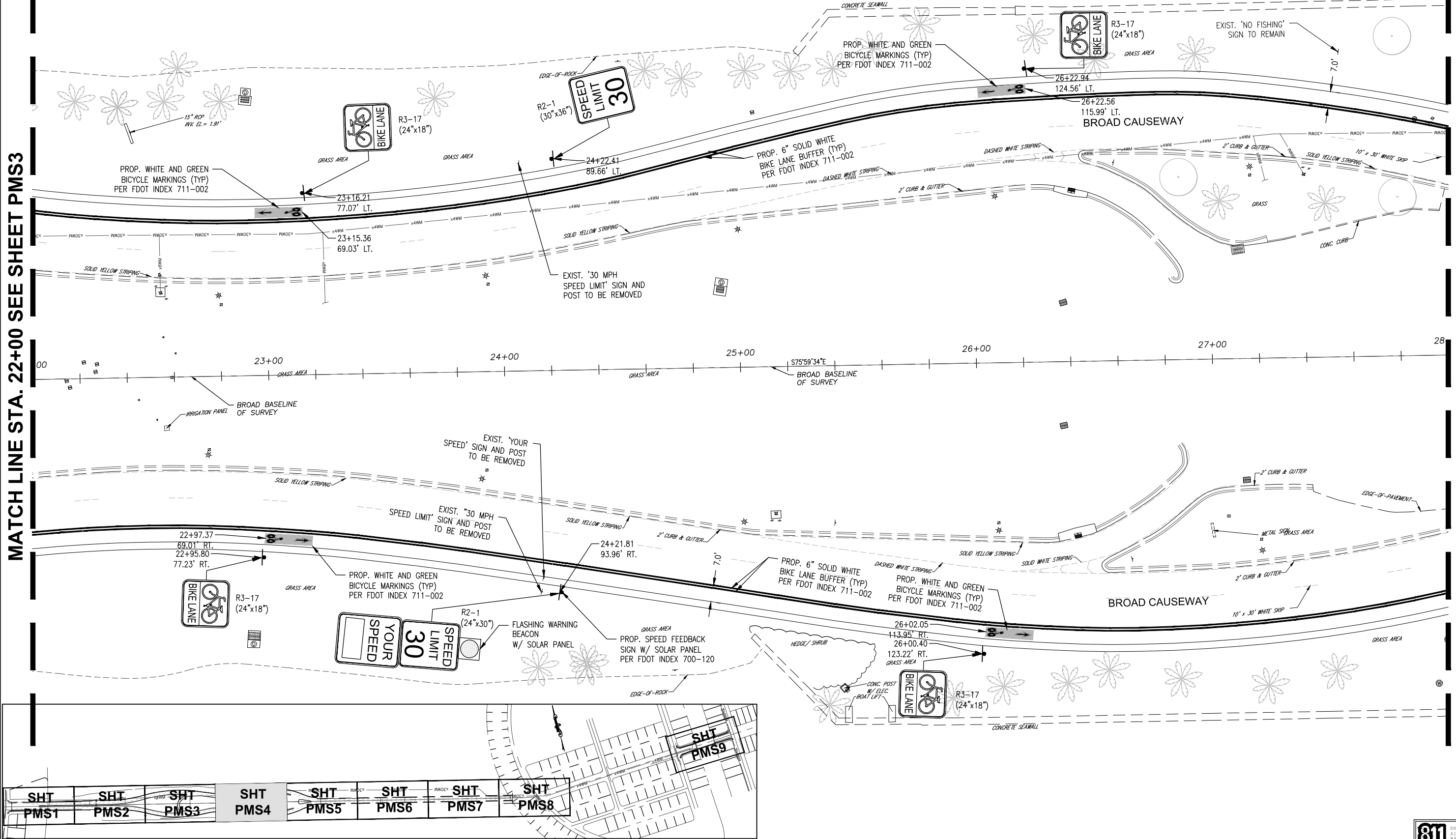
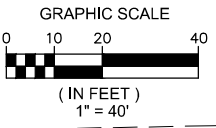
PMS3



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MATCH LINE STA. 22+00 SEE SHEET PMS3

MATCH LINE STA. 28+00 SEE SHEET PMS5



SHT PMS1	SHT PMS2	SHT PMS3	SHT PMS4	SHT PMS5	SHT PMS6	SHT PMS7	SHT PMS8
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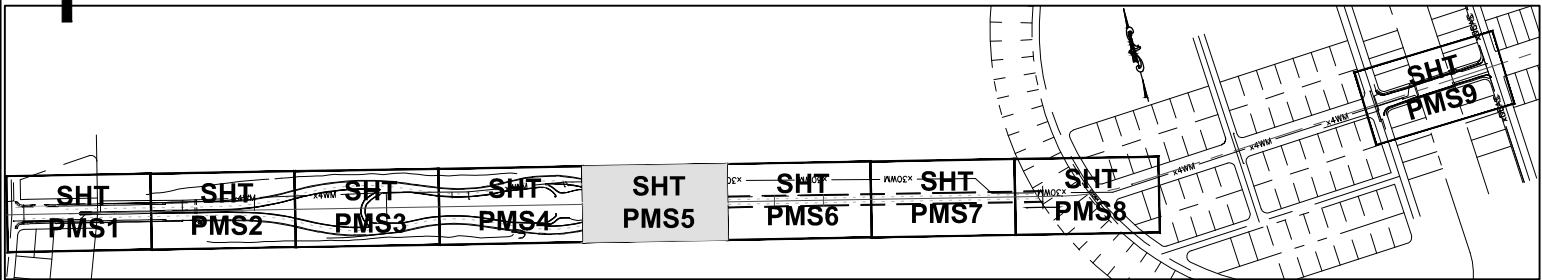
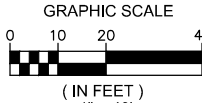
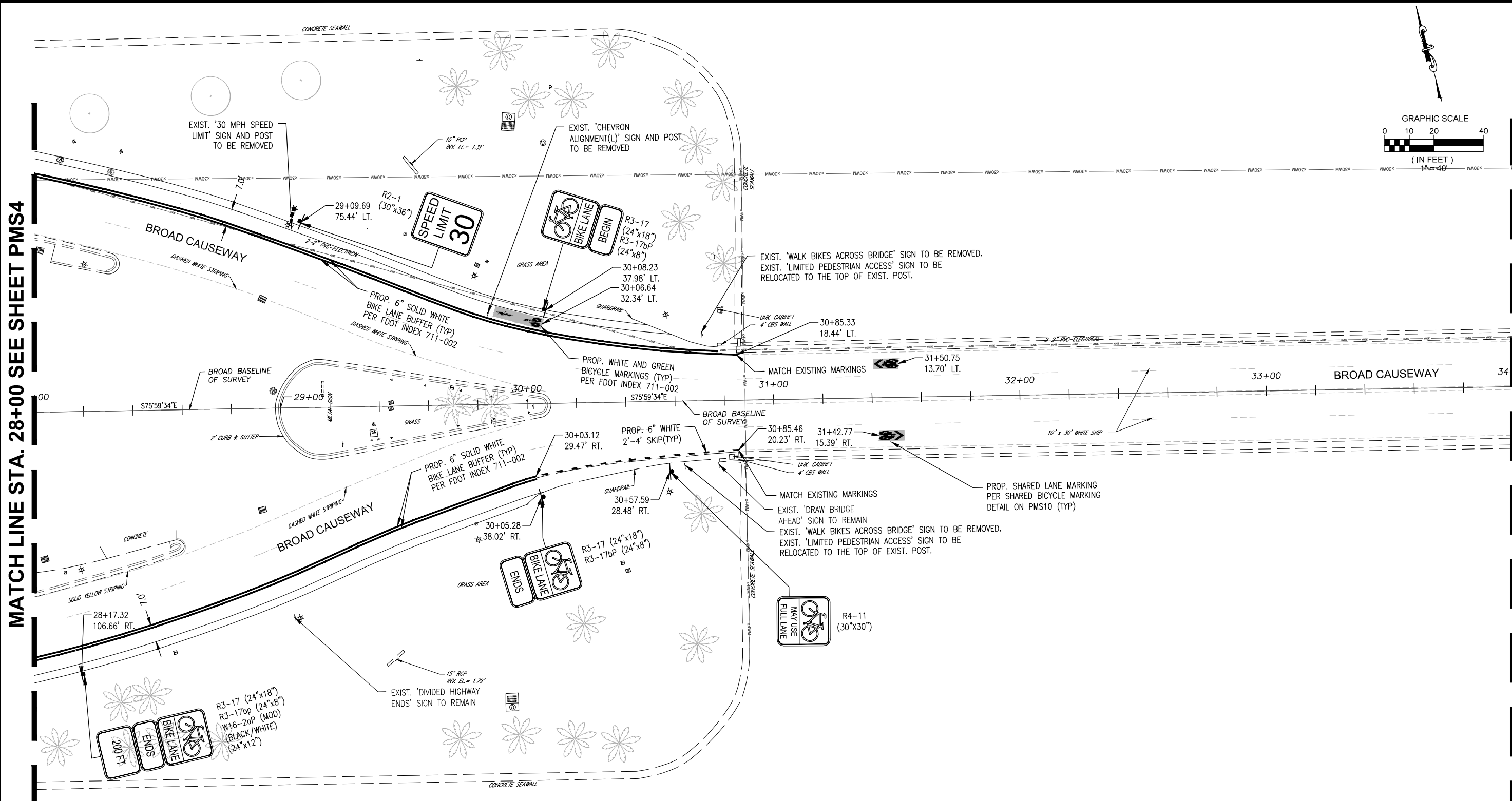


PMS4

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-C-PMS-PLAN.dwg - (Plotted by: Katherine Kupsky on Thursday, October 25, 2018 2:48:42 PM)

MATCH LINE STA. 28+00 SEE SHEET PMS4

MATCH LINE STA. 34+00 SEE SHEET PMS6



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PROJECT No
17-9537

SHEET:

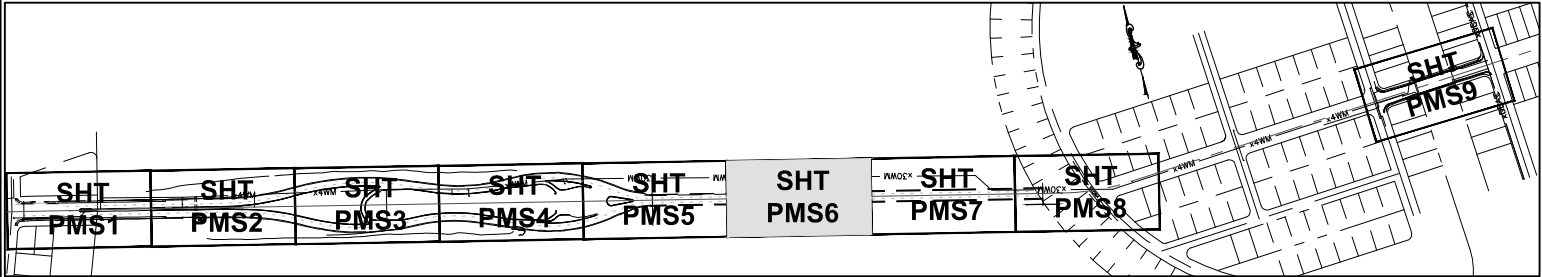
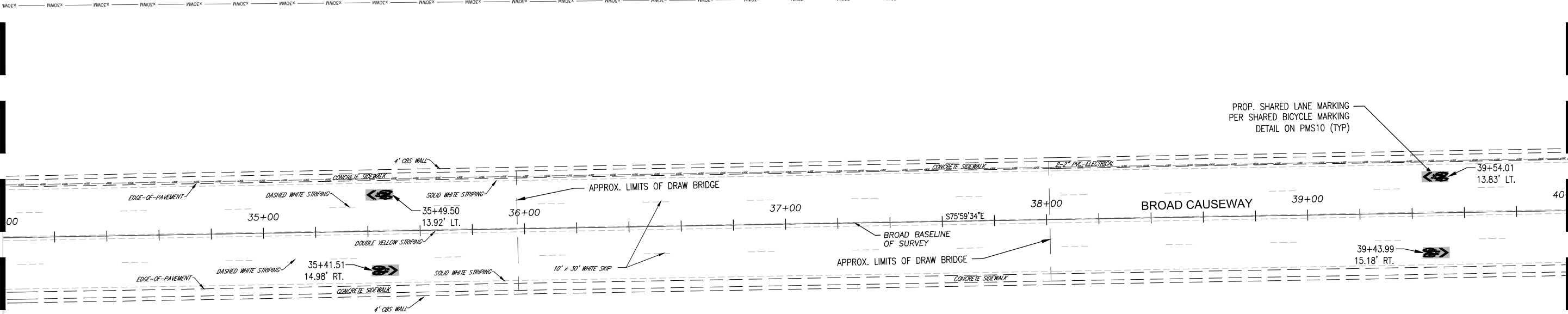
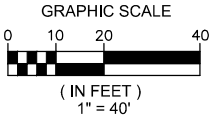
PMS5



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MATCH LINE STA. 34+00 SEE SHEET PMS5

MATCH LINE STA. 40+00 SEE SHEET PMS7



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**PAVEMENT MARKING AND SIGNAGE
PLAN**

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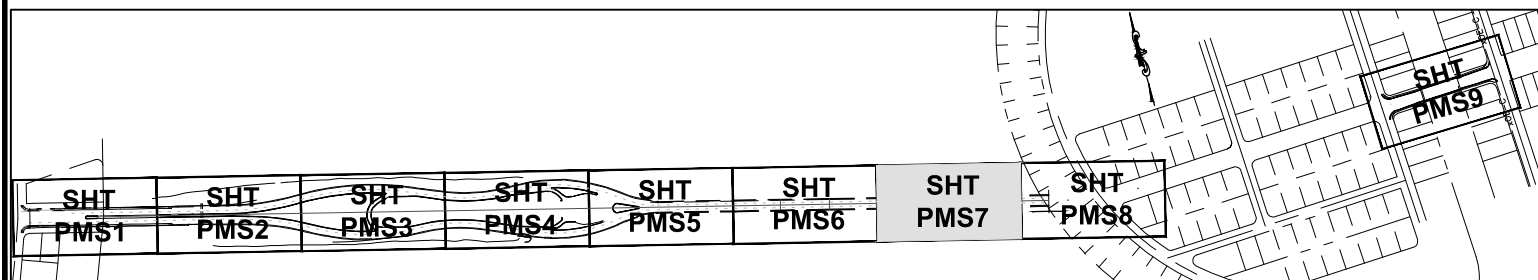
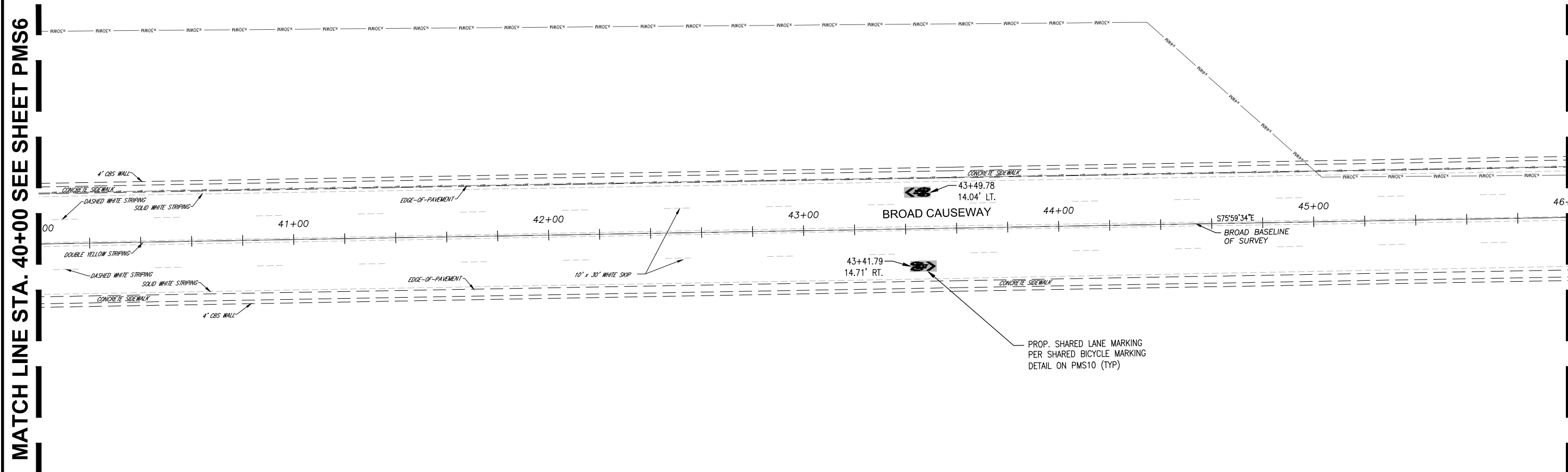
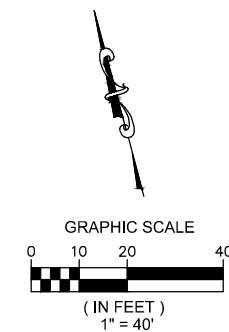
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SHEET:

PMS6





KEY MAP

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[illegible]

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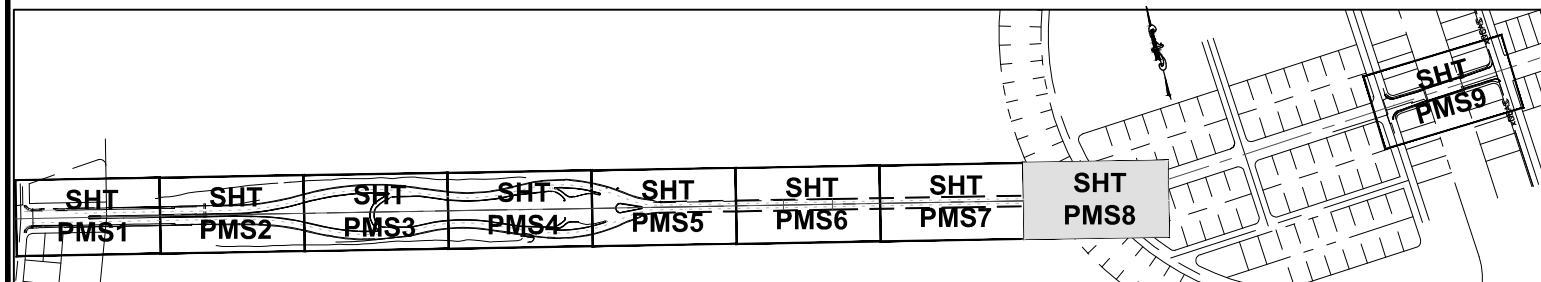
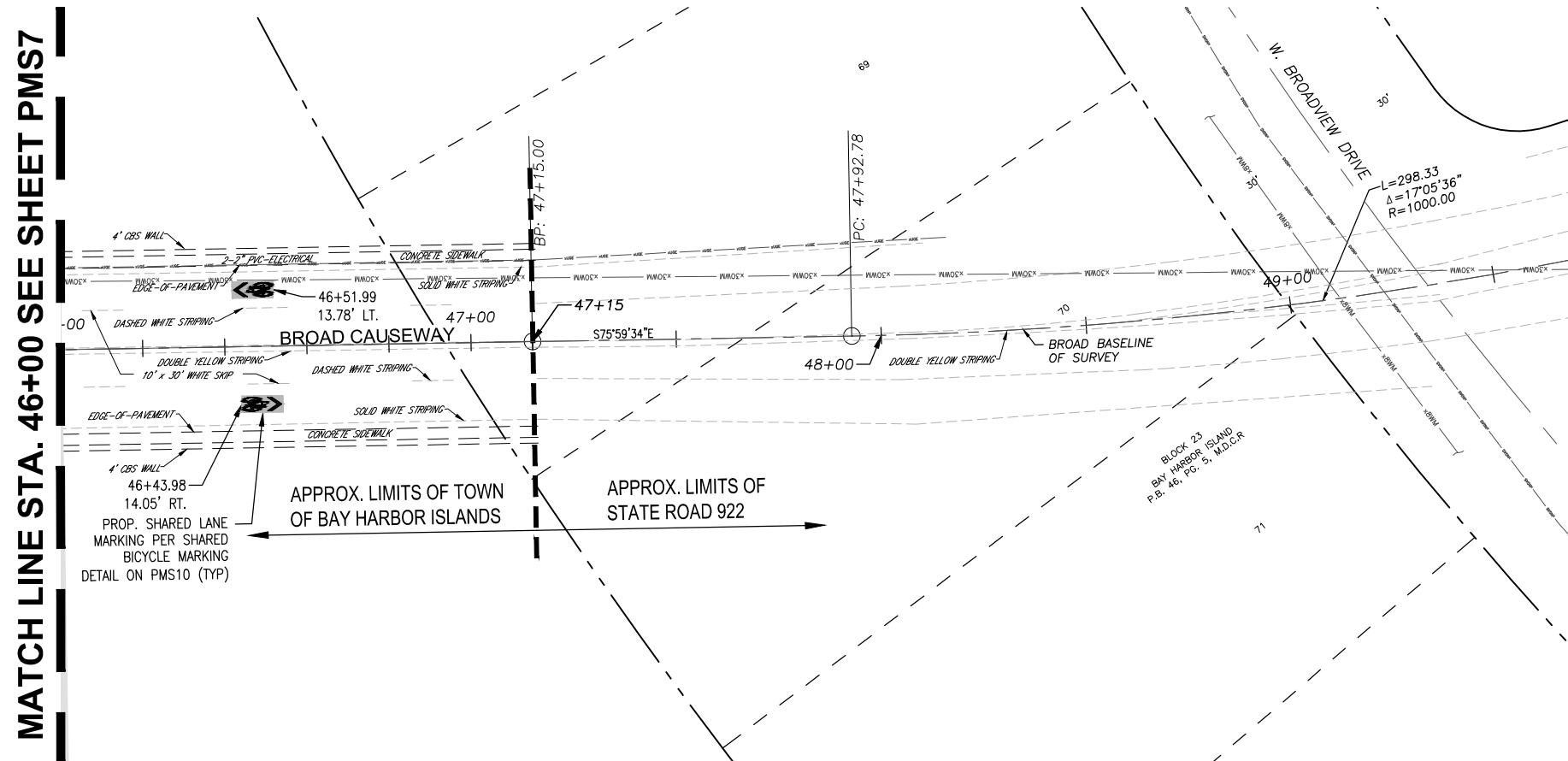
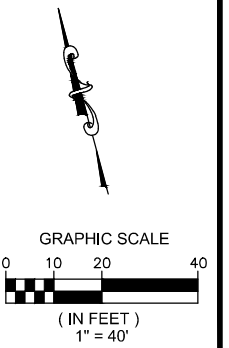
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PMS7





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PAVEMENT MARKING AND SIGNAGE PLAN

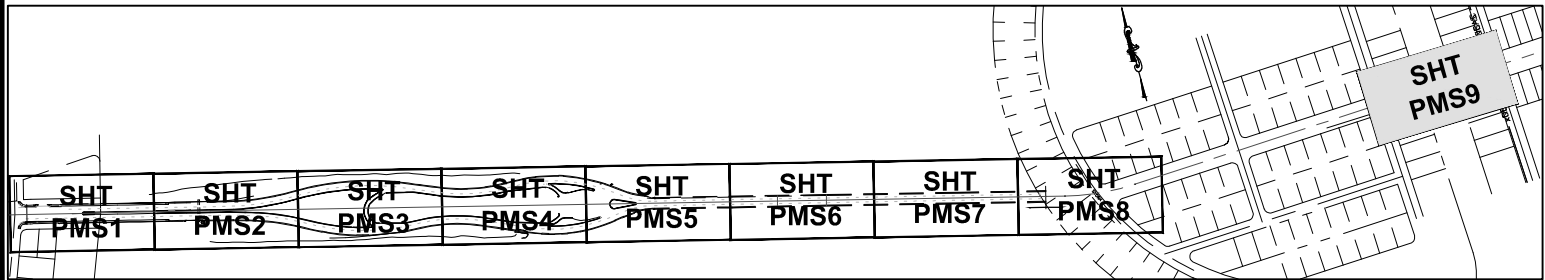
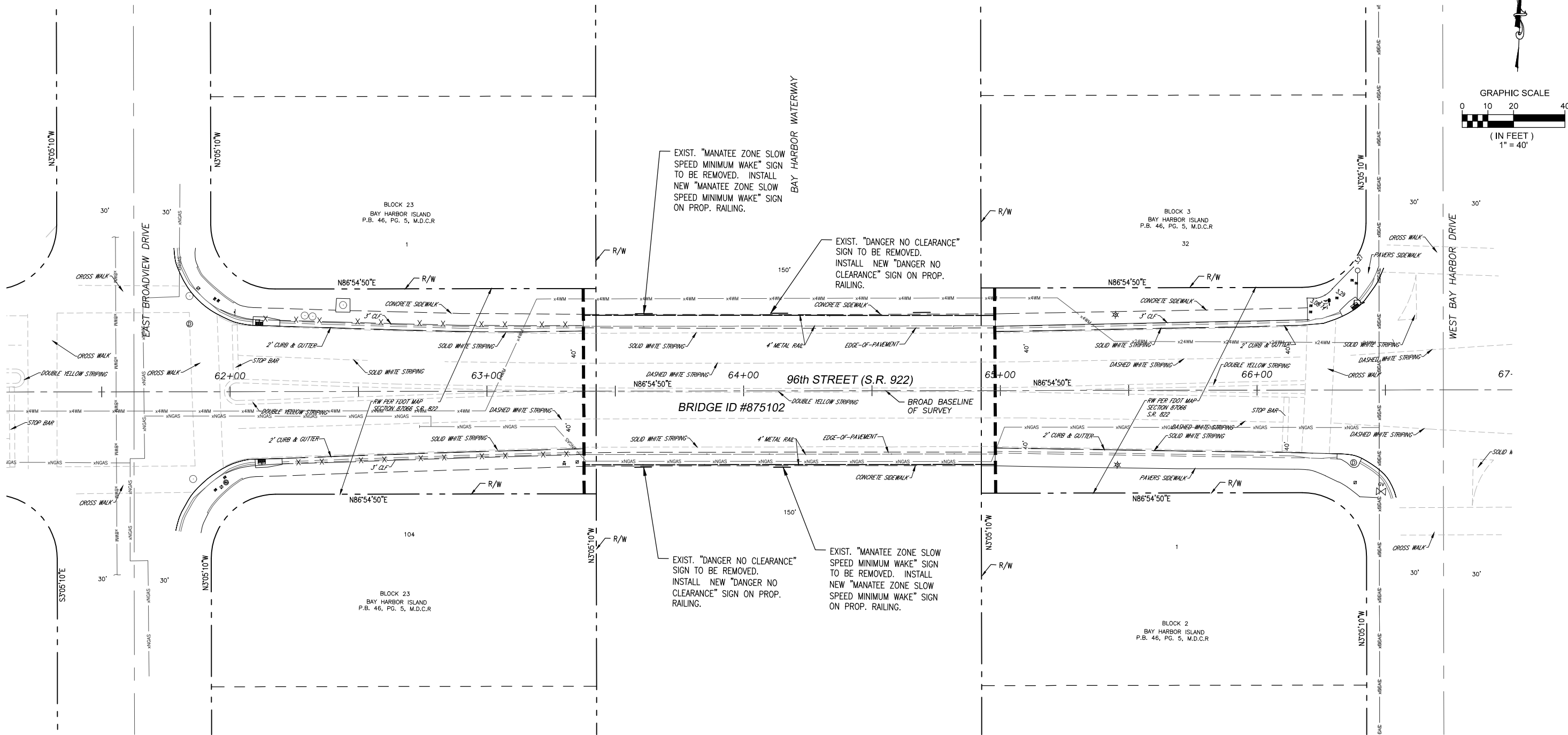
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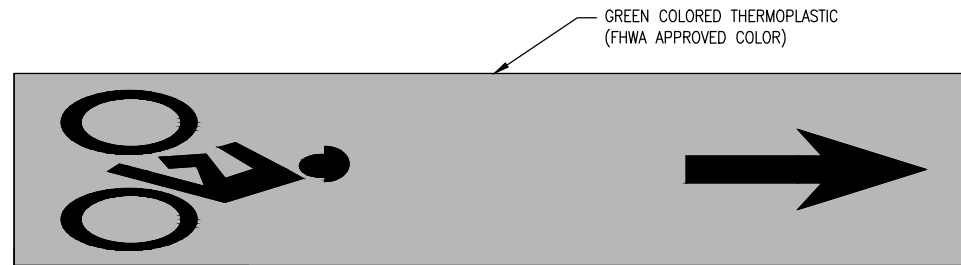
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PROJECT No
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SHEET:
PMS9





NOTE:
REFER TO FDOT INDEX 711-022 FOR MORE INFORMATION

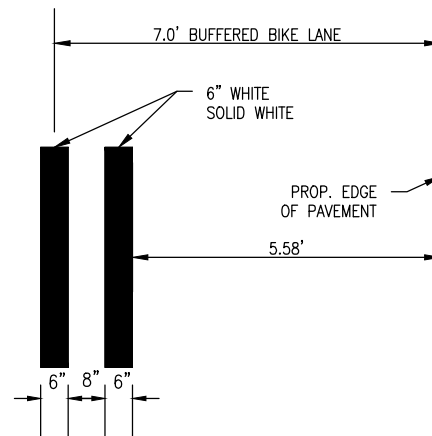
BICYCLE MARKING DETAIL

SCALE: 1/4" = 1'

- ### BICYCLE MARKINGS NOTES:
1. THE PREFORMED THERMOPLASTIC MARKINGS SHALL MEET STATE SPECIFICATIONS AND BE APPROVED FOR USE BY THE APPROPRIATE MAINTAINING AGENCY. GREEN AND WHITE PREFORMED THERMOPLASTIC PAVEMENT MARKINGS MUST BE ON THE FOOT APL SPECIFICATION 523 FOR GREEN AND 711 FOR WHITE PREFORMED THERMOPLASTIC MARKINGS.
 2. THE SURFACE OF THE PREFORMED THERMOPLASTIC MATERIAL SHALL CONTAIN FACTORY APPLIED NON-SKID MATERIAL WITH A MINIMUM HARDNESS OF 8 (MOHS SCALE). UPON APPLICATION THE MATERIAL SHALL PROVIDE A MINIMUM SKID RESISTANCE VALUE OF 60 BPN WHEN TESTED ACCORDING TO ASTM E 303.
 3. THE MATERIAL MUST BE SUPPLIED AT A MINIMUM THICKNESS OF 90 MILS (2.29 MM) OR 125 MILS (3.15 NUN).
 4. THE MATERIAL MUST CONTAIN A MINIMUM OF THIRTY PERCENT (30%) INTERMIXED GRADED GLASS BEADS BY WEIGHT. THE INTERMIXED BEADS SHALL BE CLEAR AND TRANSPARENT NO MORE THEN TWENTY PERCENT (20%) SHALL CONSIST OF IRREGULAR FUSED SPHEROIDS OR SLICE.
 5. THE MATERIALS SHALL BE APPLIED USING THE PROPANE TORCH METHOD RECOMMENDED BY THE MANUFACTURER. THE MATERIAL MUST BE APPLIED WITHOUT ANY PREHEATING OF THE PAVEMENT TO A SPECIFIC TEMPERATURE. FOR CONCRETE APPLICATION, A COMPATIBLE PRIMER SEALER MAY BE APPLIED BEFORE APPLICATION TO ASSURE PROPER ADHESION.
 6. ALL WHITE AND GREEN BICYCLE MARKINGS SHALL BE WHITE PREFORMED THERMOPLASTIC SYMBOLS, INCLUDING ARROWS, WITH A GREEN PREFORMED THERMOPLASTIC BACKGROUND.

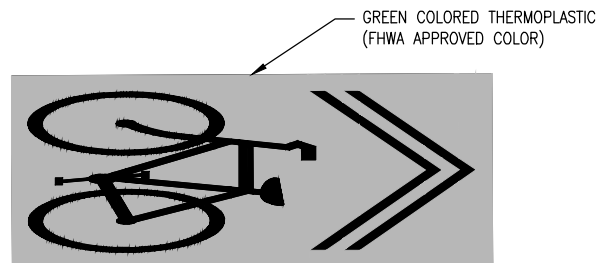
PAVEMENT MARKINGS AND SIGNAGE GENERAL NOTES:

1. ALL PAVEMENT MARKINGS AND SIGNING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", (MUTCD), FDOT DESIGN STANDARD AND STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
2. ALL SIGNS AND SUPPORTS SHOWN ON THE PLAN SHEETS FOR REMOVAL SHALL BE REMOVED COMPLETELY AND RETURNED TO MIAMI-DADE COUNTY TRAFFIC. ALL SIGNS SHOWN ON THE PLAN SHEETS TO BE RELOCATED SHALL BE MAINTAINED IN A TEMPORARY LOCATION WHERE THE SIGN WILL BE VISIBLE AND PROVIDE SUFFICIENT WARNING TO THE TRAVELING PUBLIC, BUT WILL NOT INTERFERE WITH CONSTRUCTION. ONCE CONSTRUCTION HAS BEEN COMPLETED, THE SIGN WILL BE PERMANENTLY INSTALLED IN ITS FINAL LOCATION PER THE PLANS.
3. SIDE ROAD STOP BAR LOCATIONS ARE TO BE DETERMINED BY THE PROJECT ENGINEER DURING CONSTRUCTION TO OBTAIN PROPER SITE DISTANCE.
4. CAUTION SHOULD BE TAKEN WHEN RELOCATING EXISTING SIGNS TO PREVENT UNNECESSARY DAMAGE TO SIGNS. IF THE SIGNS ARE DAMAGED BEYOND USE, AS DETERMINED BY THE PROJECT ENGINEER, SIGNS SHALL BE REPLACED BY THE CONTRACTOR AT HIS EXPENSE.
5. MATCH EXISTING PAVEMENT MARKINGS AT THE PROJECT LIMITS. REMOVAL OF PAVEMENT MARKINGS SHALL BE ACCOMPLISHED BY A COMBINATION OF SAND OR WATER BLASTING, WHICH WILL ELIMINATE THE PREVIOUS MARKING PATTERN REGARDLESS OF WEATHER AND LIGHT CONDITIONS. COST FOR REMOVAL OF MARKINGS IS INCIDENTAL TO AND INCLUDED IN THE COST OF THE NEW MARKINGS.
6. THE CONTRACTOR SHALL REFURBISH ANY PAVEMENT MARKINGS ADJACENT TO THE PROJECT LIMITS DAMAGED DURING CONSTRUCTION AT NO ADDITIONAL COST.
7. THE CONTRACTOR IS TO USE CAUTION WHEN WORKING IN OR AROUND AREAS OF EXISTING TRANSMISSION LINES, UNDERGROUND AND OVERHEAD UTILITIES.
8. THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANY AT LEAST 2 BUSINESS DAYS BEFORE ANY EXCAVATION INVOLVING ITS UTILITY SO THAT A COMPANY REPRESENTATIVE CAN BE PRESENT. THE LOCATIONS OF UTILITIES SHOWN IN THE PLANS IS APPROXIMATE ONLY. THE EXACT LOCATION SHALL BE DETERMINED BY THE CONTRACTOR DURING CONSTRUCTION.
9. ALL PAVEMENT MARKINGS SHALL INITIALLY BE PLACED WITH PAINT UPON COMPLETION OF PAVING. ALL PAINTED PAVEMENT MARKINGS SHALL BE REPLACED WITH THERMOPLASTIC MARKINGS AT LEAST 30 DAYS AFTER PAVING, BUT NO MORE THAN 120 DAYS AFTER PAVING.
10. BLUE RPMS ARE TO BE PLACED IN THE ROAD WHERE THERE IS AN EXISTING FIRE HYDRANT ADJACENT TO THE ROAD AT THAT LOCATION.
11. PERMANENT REFLECTIVE PAVEMENT MARKERS (RPMS) AS REQUIRED FOR MAINLINE EDGE, CENTER, AND LANE LINES SHALL BE PLACED AS PER SIGNING AND PAVEMENT MARKING PLANS PRIOR TO OPENING ROADWAYS TO TRAFFIC.
12. ALL SIGNS SHALL BE TYPE XI SHEETING ONLY.
13. ALL BICYCLE MARKINGS AND PAVEMENT MESSAGES SHALL BE WHITE ON GREEN.
14. ALL BICYCLE MARKINGS SHALL BE PREFORMED THERMOPLASTIC (WHITE/GREEN).



BIKE LANE MARKING DETAIL

SCALE: NTS



NOTE:
REFER TO FDOT INDEX 711-022 FOR MORE INFORMATION

SHARED BICYCLE MARKING DETAIL

SCALE: 1/4" = 1'

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

PAVEMENT MARKING AND SIGNAGE

GENERAL NOTES AND DETAILS

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

NICHOLAS B. MAHON, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 78361

DATE: 11/7/18

SCALE
AS SHOWN
PROJECT No
17-9537

EET:

PMS10



File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-MOT-MOT-GH.dwg - (Plotted by: Katharine Kupsky on Thursday, November 1, 2018 11:32:08 AM)

PEDESTRIAN NOTES

1. THE SAFE WALK ROUTE FOR ALL SCHOOL STUDENTS WITHIN THE VICINITY OF THE CONSTRUCTION ZONE SHALL BE MAINTAINED DURING THE TIMES STUDENTS ARRIVAL AND DISMISSAL TIME. IF THE CURRENT WALKING SURFACE CANNOT BE MAINTAINED, THEN A TEMPORARY WALKABLE SURFACE SHALL BE CREATED. THE SAFE WALK ROUTE SHALL BE SEPARATED FROM THE CONSTRUCTION ACTIVITY DURING THE ENTIRE LENGTH OF THE PROJECT ENCOMPASSING THE ENTIRE WALK ROUTE WITH PROPER PEDESTRIAN OPENINGS AT DESIGNATED CROSSINGS IN COMPLIANCE WITH FDOT STANDARDS INDEX No. 102-600 AS WELL AS MEETING ALL ADA REQUIREMENTS.
2. ALL CONSTRUCTION EQUIPMENT ACTIVITY AROUND ANY DESIGNATED CROSSWALK SHALL CEASE TO OPERATE DURING THE TIMES STUDENT ARRIVAL AND DISMISSAL TIMES. ALL CONSTRUCTION EQUIPMENT ACTIVITY ADJACENT TO A DESIGNATED WALK ROUTE SHALL CEASE OPERATING UNLESS SATISFACTORILY BARRICADED FROM THE WALK ROUTE.
3. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INSTALL ANY NECESSARY PAVEMENT, ROAD ROCK, PAVEMENT MARKING AND SIGNAGE AND/OR ANY PEDESTRIAN SIGNALIZATION AND/OR SIGNAL MODIFICATION TO ACCOMMODATE AN EXISTING OR ALTERNATE WALK ROUTE THOUGHT THE ENTIRE PROJECT LENGTH OF THE PROJECT.
4. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE STATE CERTIFIED SCHOOL CROSSING GUARDS OR OFF DUTY POLICE OFFICERS TO CROSS STUDENTS AT ALL LOCATIONS OTHER THAN THOSE PREVIOUSLY DESIGNATED. THE CONTRACTOR MAY USE FLAGMEN, BUT ONLY IF THEY ARE STATE CERTIFIED AS A SCHOOL CROSSING GUARD.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AN APPROVED MAINTENANCE OF TRAFFIC PLAN (MOT), INCLUDING THE ABOVE SCHOOL/PEDESTRIAN CONDITIONS, THROUGH MIAMI-DADE COUNTY TRAFFIC ENGINEERING DIVISION OR THE LOCAL MUNICIPALITY, DEPENDING ON THE ROADWAY JURISDICTION. THE CONDITIONS OUTLINED IN THE MOT ARE FULLY EFFECTIVE AS PART OF THE PROPOSED IMPROVEMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT ALL WORK ASSOCIATED WITH THIS PROJECT IS IN COMPLIANCE WITH ALL THE REQUIREMENTS OF THE APPROVED MOT.
6. THE CONTRACTOR SHALL ENSURE THAT THERE ARE NO SPEED LIMIT SIGNS INSTALLED WITHIN THE DESIGNATED REDUCED SCHOOL ZONE AT ANY LOCATIONS.

TRAFFIC CONTROL GENERAL NOTES

1. THE TRAFFIC CONTROL PLANS FOR THE PROJECT SHALL COMPLY WITH THE FDOT DESIGN STANDARD FOR ROAD CONSTRUCTION (STANDARD INDEXES) 2018-19 AND MUTCD 2009. IF THE CONTRACTOR DETERMINES A NEED TO MODIFY THE TRAFFIC SIGNAL OPERATIONS, THESE CHANGES MUST BE DOCUMENTED, REPORTED AND APPROVED PRIOR TO MODIFYING.
2. THE REGULATORY SPEED LIMIT FOR EACH PHASE OF TRAFFIC CONTROL SHALL BE 30 MPH.
3. ALL EXISTING SIGNALIZATION EQUIPMENT TO REMAIN, INCLUDING LOOP ASSEMBLIES, IS ASSUMED TO BE IN GOOD WORKING ORDER UNLESS MIAMI-DADE COUNTY IS NOTIFIED IN WRITING PRIOR TO THE START OF CONSTRUCTION. ANY SUBSEQUENT DAMAGE TO THE SIGNAL EQUIPMENT SHALL BE REPAIRED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
4. ALL DISTURBED AREAS, INCLUDING PAVEMENT MARKINGS, SHALL BE RESTORED, AT THE CONTRACTOR'S EXPENSE, TO ORIGINAL CONDITION OR BETTER.
5. THE REMOVAL OF CONCRETE CURB & GUTTER AND FLEXIBLE PAVEMENT IN AREAS BEYOND THE LIMITS OF CLEARING AND GRUBBING WHICH IS NECESSARY FOR THE PROPER CONSTRUCTION OF THE PROPOSED IMPROVEMENTS IS INCIDENTAL TO THE COST OF THE IMPROVEMENTS.
6. THE CONTRACTOR SHALL BE ADVISED THAT OTHER PROJECTS MAY BE UNDER CONSTRUCTION CONCURRENTLY WITH THIS PROJECT AND THAT COORDINATION EFFORTS MAY BE NECESSARY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE CONSTRUCTION SCHEDULE AND FOR THE AMOUNT OF COORDINATION REQUIRED. THE CONTRACTOR SHALL COORDINATE ANY AND ALL CONSTRUCTION ACTIVITIES AND TRAFFIC CONTROL PHASES WITH ANY CONTRACTOR WITHIN OR ADJACENT TO PROJECT LIMITS.
7. THE CONTRACTOR SHALL OBTAIN ALL CONSTRUCTION PERMITS REQUIRED FOR THE PROJECT THROUGH THE TOWN OF BAY HARBOR ISLANDS AND MIAMI-DADE COUNTY.
8. NOTHING IN THE GENERAL NOTES OR SPECIAL PROVISIONS SHALL RELIEVE THE CONTRACTOR FROM THEIR RESPONSIBILITIES TOWARD THE SAFETY AND CONVENIENCE OF THE GENERAL PUBLIC AND THE RESIDENCES ALONG THE PROPOSED CONSTRUCTION AREA.
9. THESE PLANS REFLECT CONDITIONS KNOWN DURING PLAN DEVELOPMENT. IN THE EVENT ACTUAL PHYSICAL CONDITIONS PREVENT THE APPLICATION OR THE PROGRESSION OF ANY WORK SPECIFIED IN THESE PLANS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF RECORD PRIOR TO ANY FURTHER WORK ACTIVITY.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE CONSTRUCTION SITE IN A SAFE, NEAT, AND PRESENTABLE CONDITION; CLEAR OF ALL TEMPORARY STRUCTURES AND SURPLUS MATERIALS, RUBBISH, BROKEN CONCRETE, MISCELLANEOUS CONDUIT, REINFORCING STEEL, SHARP OBJECTS, ETC. AND LEAVE THE SITE IN AN OBSTRUCTED CONDITION EACH DAY SO PEDESTRIANS, BICYCLISTS AND MOTORISTS ARE NOT ENDANGERED OR CONFUSED.
11. AT THE DISCRETION OF THE ENGINEER, IF LANE CLOSURES CAUSE EXTENDED CONGESTION OR DELAY, THE CONTRACTOR MAY BE DIRECTED TO REOPEN THE CLOSED LANE UNTIL SUCH TIME AS TRAFFIC FLOW HAS RETURNED TO AN ACCEPTABLE LEVEL.
12. THE TRAFFIC AND TRAVEL WAYS SHALL NOT BE ALTERED BY THE CONTRACTOR TO CREATE A WORK ZONE UNTIL ALL LABOR AND MATERIALS ARE AVAILABLE FOR CONSTRUCTION IN THAT AREA.
13. ARROWS IN THE TRAFFIC CONTROL PLAN DENOTE THE DIRECTION OF TRAFFIC ONLY AND DO NOT REFLECT PAVEMENT MARKINGS.
14. PERMANENT REFLECTIVE PAVEMENT MARKERS AS REQUIRED FOR MAINLINE EDGE, CENTER, AND LANE LINES SHALL BE PLACED AS PER THE PAVEMENT MARKING AND SIGNAGE PLANS WITHIN 72 HOURS OF COMPLETION OF PAVING ON ROADWAYS WHICH ARE OPEN TO TRAFFIC.
15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ANY DISTURBED WORK AREA TO THE SAME OR BETTER CONDITION THAN AT THE START OF THE CONSTRUCTION. THE RESTORATION MATERIALS WILL BE OF LIKE KIND TO THE MATERIALS EXISTING AT THE START OF THE CONSTRUCTION.
16. ALL EXISTING REGULATORY AND INFORMATIONAL SIGNS AND TRAFFIC SIGNALS SHALL BE MAINTAINED AND PROTECTED BY THE CONTRACTOR FOR AS LONG AS DEEMED NECESSARY BY THE COUNTY. IF ANY SIGNS OR SIGNALS ARE DAMAGED OR LOST DURING THE CONSTRUCTION PERIOD, SUCH SIGNS AND SIGNALS SHALL BE REPAIRED OR REPLACED BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE.
17. EXISTING COMMUNICATIONS OR COMMAND WIRE CONNECTIONS SHALL BE MAINTAINED AT ALL SIGNALIZED LOCATIONS DURING CONSTRUCTION. THIS SHALL INCLUDE INTERCONNECT, RAILROAD FLASHING BEACONS, RAILROAD PRE-EMPTION, FIRE PRE-EMPTION AND SCHOOL ZONE FLASHERS. CONTRACTORS SHALL PROVIDE TEMPORARY LINES AND CONNECTIONS IF NECESSARY, BRIDGE FLASHING BEACONS.
18. THE CONTRACTOR SHALL MAINTAIN ON-LINE COMMUNICATIONS OF EXISTING OR TEMPORARY SIGNALIZATION VIA INTERCONNECT COMMUNICATION CABLE OR TELCO PHONE LINES DURING CONSTRUCTION. CONTRACTOR SHALL PROVIDE TEMPORARY LINES AND CONNECTIONS AS NECESSARY. A TIME-BASED-COORDINATION (TBC) SYSTEM IS TO BE UTILIZED ONLY IF PROVISION OF THE TEMPORARY LINES IS NOT FEASIBLE. THE DEVELOPMENT AND IMPLEMENTATION OF THE TBC PROGRAM IS TO BE PERFORMED BY THE CONTRACTOR WITH OVERSIGHT BY A TRAFFIC ENGINEER REGISTERED IN THE STATE OF FLORIDA. COST OF MAINTAINING COMMUNICATION WITH THE CENTRAL SITE, INCLUDING TEMPORARY LINES AND CONNECTIONS, SHALL BE PAID FOR UNDER THE MAINTENANCE OF TRAFFIC PAY ITEM NUMBER. ALL REPORTED MALFUNCTIONS OF THE COMMUNICATIONS SYSTEM SHALL BE RESPONDED TO BY THE CONTRACTOR WITHIN TWO HOURS AND SHALL BE REPAIRED WITHIN 24 HOURS.
19. LANE CLOSURES ON SATURDAY AND SUNDAY BETWEEN 8:00 AM TO 5:00 PM WILL BE ALLOWED, BUT ONLY WITH ADVANCED APPROVAL BY THE TOWN OF BAY HARBOR ISLANDS AND THE COUNTY, AND NOT DURING SPECIAL EVENTS. LANE CLOSURES MONDAY THROUGH FRIDAY BETWEEN 9:00 A.M TO 4:00 PM WILL BE ALLOWED. THE REQUEST FOR A LANE CLOSURE MUST BE MADE AT LEAST THREE (3) WEEKS IN ADVANCE OF THE SPECIFIED DATE FOR THE CLOSURE. THE REQUEST SHALL BE MADE THROUGH THE DESIGN CRITERIA PROFESSIONAL IN ACCORDANCE WITH FDOT LANE CLOSURE REQUIREMENTS.

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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

MOT GENERAL NOTES

BID SET
ELEVATIONS SHOWN ARE NAVD 1988

NICHOLAS B. MAHON, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 78361

DATE: 11/7/18

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AS SHOWN

PROJECT No

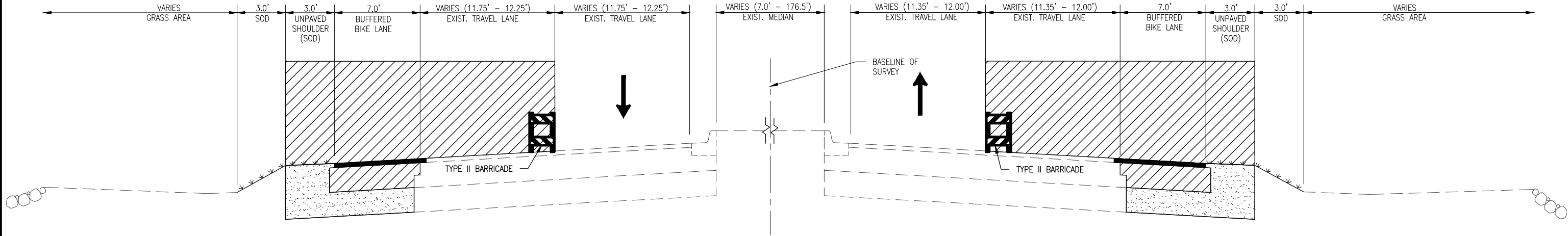
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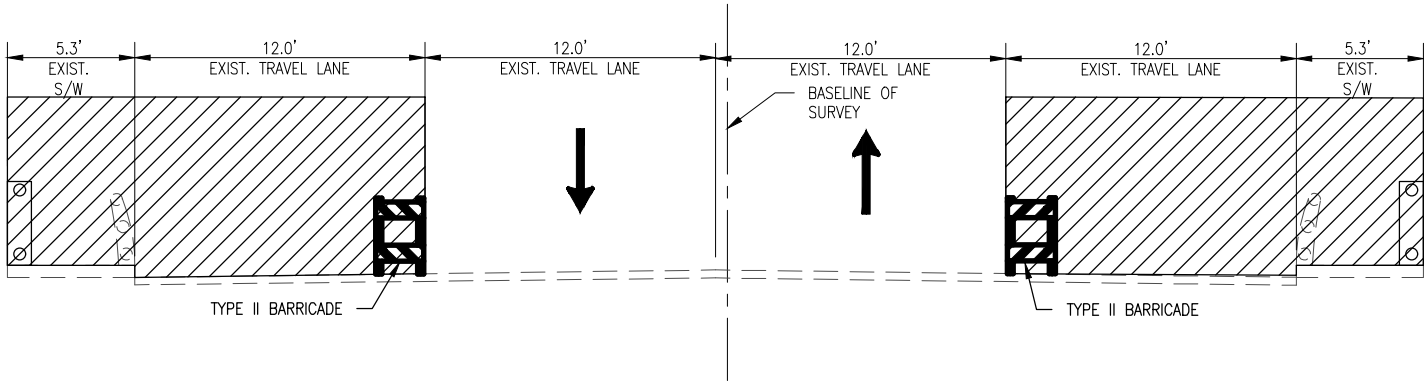
PHASE I
STA 12+21.51 (BROAD) TO STA 30+77.64 (BROAD)

PHASE I

INSTALL SIGNS AND TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH 'STANDARD PLANS FOR ROAD AND BRIDGE CONSTRUCTION 2018-2019' FDOT DESIGN STANDARD INDEX # 102-600, 102-612, 102-613 & 102-660.

1. CLOSE OUTSIDE LANES PER INDEX 102-613 AND MOVE TRAFFIC TO INSIDE LANES.
2. WIDEN THE SHOULDER AS SHOWN ON THE PLANS AND INSTALL PAVEMENT MARKINGS FOR BUFFERED BIKE LANE. SEE PAVEMENT MARKING AND SIGNAGE GENERAL NOTE 9 ON PMS10 FOR MORE INFORMATION.
3. RELOCATE LIGHT POLE AS SHOWN ON THE PLANS.
4. REOPEN OUTSIDE LANES, INSTALL TRAFFIC CONTROL DEVICES PER INDEX 612, AND INSTALL SIGNAGE AS SHOWN ON THE PLANS.

CONTRACTOR SHALL MAINTAIN SAFE PEDESTRIAN ROUTES AT ALL TIMES DURING CONSTRUCTION IN COMPLIANCE WITH THE AMERICAN DISABILITIES ACT INCLUDING, BUT NOT LIMITED TO, MAINTAIN ALL CROSSWALKS, DRIVEWAY OPENINGS AND CONTINUOUS SIDEWALKS ON EITHER SIDE OF THE ROADWAY WITHIN THE PROJECT LIMITS.



PHASE II
STA 63+37.75 (BROAD) TO STA 64+98 (BROAD)

PHASE II

INSTALL SIGNS AND TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH 'STANDARD PLANS FOR ROAD AND BRIDGE CONSTRUCTION 2018-2019' FDOT DESIGN STANDARD INDEX # 102-600, 102-613 & 102-660.

1. CLOSE OUTSIDE LANES PER INDEX 102-613 AND MOVE TRAFFIC TO INSIDE LANES.
2. REMOVE AND REPLACE RAIL AS SHOWN ON THE PLANS.

CONTRACTOR SHALL MAINTAIN SAFE PEDESTRIAN ROUTES AT ALL TIMES DURING CONSTRUCTION IN COMPLIANCE WITH THE AMERICAN DISABILITIES ACT INCLUDING, BUT NOT LIMITED TO, MAINTAIN ALL CROSSWALKS, DRIVEWAY OPENINGS AND CONTINUOUS SIDEWALKS ON EITHER SIDE OF THE ROADWAY WITHIN THE PROJECT LIMITS.

BID SET
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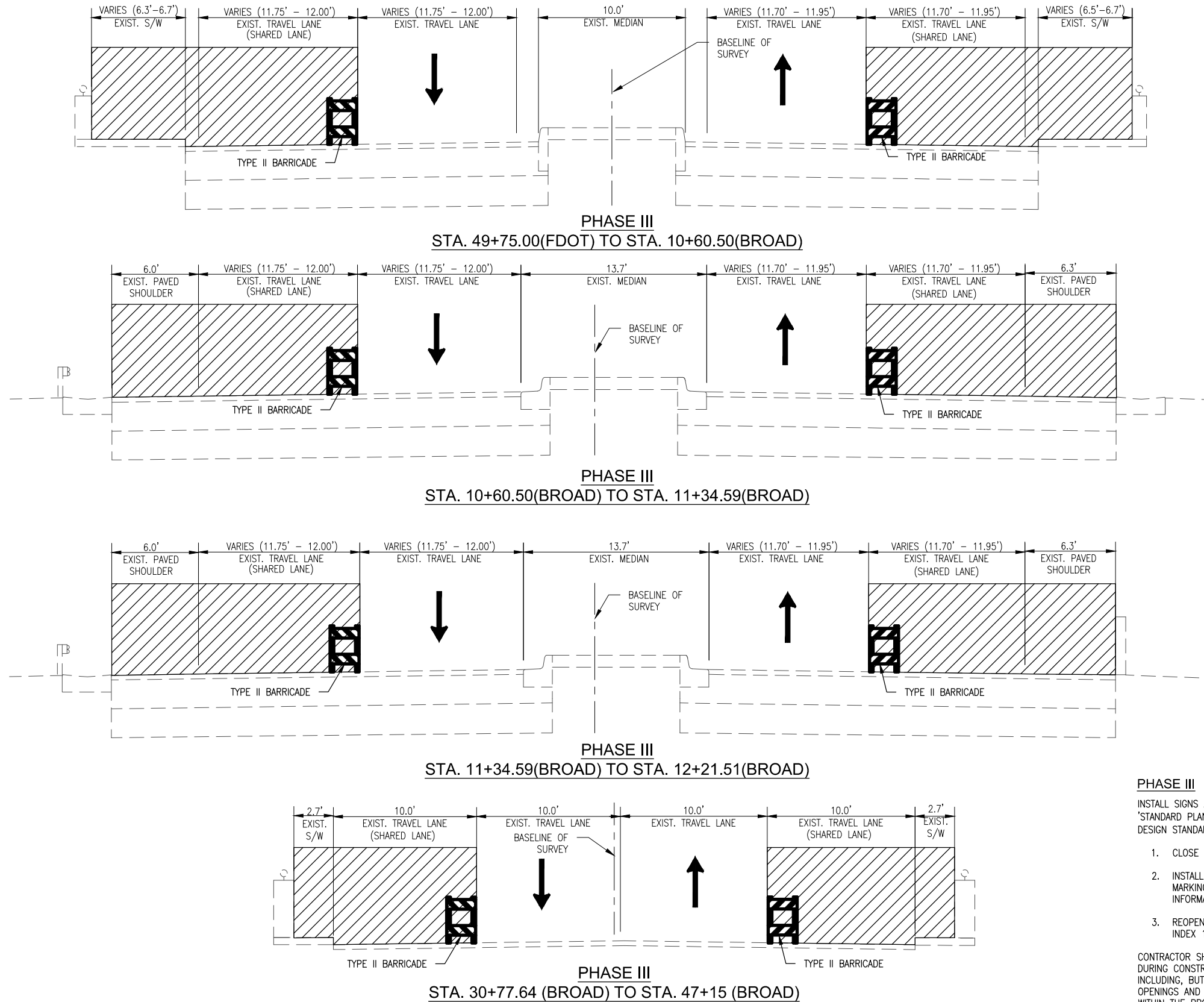
MOT TYPICAL SECTION

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PROJECT No
17-9537

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PHASE III

INSTALL SIGNS AND TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH 'STANDARD PLANS FOR ROAD AND BRIDGE CONSTRUCTION 2018-2019' FDOT DESIGN STANDARD INDEX # 102-600, 102-612, 102-613 & 102-660.

1. CLOSE OUTSIDE LANES AND MOVE TRAFFIC TO INSIDE LANES.
2. INSTALL PAVEMENT MARKINGS IN OUTSIDE LANE. SEE PAVEMENT MARKING AND SIGNAGE GENERAL NOTE 9 ON PMS10 FOR MORE INFORMATION.
3. REOPEN OUTSIDE LANES, INSTALL TRAFFIC CONTROL DEVICES PER INDEX 102-612, AND INSTALL SIGNAGE AS SHOWN ON THE PLANS.

CONTRACTOR SHALL MAINTAIN SAFE PEDESTRIAN ROUTES AT ALL TIMES DURING CONSTRUCTION IN COMPLIANCE WITH THE AMERICAN DISABILITIES ACT INCLUDING, BUT NOT LIMITED TO, MAINTAIN ALL CROSSWALKS, DRIVEWAY OPENINGS AND CONTINUOUS SIDEWALKS ON EITHER SIDE OF THE ROADWAY WITHIN THE PROJECT LIMITS.

BID SET
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DATE: 11/7/18

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TCP3



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BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

MOT TYPICAL SECTION

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GENERAL ELECTRICAL NOTES:

1.

ALL ELECTRICAL WORK TO BE DONE IN ACCORDANCE WITH THE FBC 2017 (6TH EDITION), N.E.C., NATIONAL FIRE PROTECTION ASSOCIATION, AND SHALL COMPLY WITH ALL LOCAL, STATE & FEDERAL RULES, REGULATIONS AND ORDINANCES.
2.

MINIMUM WIRE SIZE SHALL BE 12 AWG EXCLUDING CONTROL WIRING UNLESS OTHERWISE NOTED. ALL CONDUCTORS SHALL BE COPPER WITH THWN/THHN OR XHHW STRANDED INSULATION, UNLESS OTHERWISE NOTED.
3.

OUTLET BOXES SHALL BE PRESSED STEEL IN DRY LOCATIONS. CAST ALLOY WITH THREADED HUBS IN WET OR DAMP LOCATIONS AND SPECIAL ENCLOSURES FOR OTHER CLASSIFIED AREAS.
4.

DISCONNECT SWITCHES SHALL BE 600 VOLT H.P. RATED, HEAVY-DUTY, QUICK MAKE, QUICK-BREAK NEMA 3R ENCLOSURES UNLESS OTHERWISE NOTED. ENGRAVED LAMINATED PLASTIC IDENTIFICATION PLATES SHALL BE FURNISHED AND INSTALLED ON ALL DISCONNECT SWITCHES, CONTACTORS AND STARTERS.
5.

ELECTRICAL SYSTEM SHALL BE COMPLETE AND EFFECTIVELY GROUNDED AS REQUIRED BY THE CURRENT EDITION OF THE N.E.C.. A SEPARATE GROUNDING CONDUCTOR SHALL BE INSTALLED IN EVERY CONDUIT AND RACEWAY AND SECURELY BONDED IN AN APPROVED GROUNDING TERMINAL AT BOTH ENDS OF THE RUN. THE GROUNDING CONDUCTOR SHALL BE SIZED IN ACCORDANCE WITH ARTICLE 250-122 OF THE N.E.C..
6.

IT IS NOT THE INTENT OF THESE PLANS TO SHOW EVERY MINOR DETAIL OF CONSTRUCTION. THE CONTRACTOR IS EXPECTED TO FURNISH AND INSTALL ALL ITEMS FOR THE COMPLETE ELECTRICAL SYSTEM AND PROVIDE ALL HARDWARE NECESSARY FOR EQUIPMENT TO BE PLACED IN PROPER WORKING ORDER.
7.

ALL EXPOSED ELECTRICAL CONDUIT TO BE GALVANIZED RIGID STEEL CONDUIT OR SCHEDULE 80 PVC UNLESS OTHERWISE NOTED. ALL OTHER RACEWAYS TO COMPLY WITH GOVERNING CODES. WHERE RIGID STEEL IS USED, IT SHALL BE COMPLETELY COATED WITH AN ALKALI AND RUST RESISTANT BITUMASTIC PAINT, COPPER NO. 50, AND THREADS SHALL BE COATED WITH ZINC CHROMATE.
8.

ALL UNDERGROUND ELECTRICAL CONDUITS TO BE P.V.C. SCHEDULE 40 AND MINIMUM 1" SIZE.
9.

ALL MATERIALS SHALL BE NEW, U.L. LISTED AND APPROVED BY THE LOCAL AUTHORITY HAVING JURISDICTION (AHJ) / BUILDING DEPARTMENT.
10.

THE COMPLETED SYSTEM SHALL BE FULLY OPERATIVE AND ACCEPTED BY THE PROJECT ENGINEER OF RECORD.
11.

GUARANTEE ALL MATERIALS AND WORK FREE FROM DEFECTS FOR A PERIOD OF NOT LESS THAN ONE YEAR FROM THE DATE OF ACCEPTANCE.
12.

VERIFY THE LOCATION OF ALL EXISTING AND PROPOSED ELECTRICAL WORK AND REPORT ANY DISCREPANCIES TO THE PROJECT ENGINEER OF RECORD PRIOR TO STARTING WORK AND FINAL BID. CONTRACTOR SHALL WAIT FOR CONFLICTS RESOLUTIONS PRIOR TO FINAL BID.
13.

CONTRACTOR SHALL PAY FOR ALL PERMITS, FEES, INSPECTIONS, AND TESTINGS.
14.

ALL CIRCUIT BREAKERS, TWO AND THREE POLE, TO BE THERMAL MAGNETIC, COMMON TRIP. NO TIE HANDLES OR TANDEMS WILL BE ACCEPTED.
15.

ALL FUSES, UNLESS NOTED OTHERWISE, SHALL BE CURRENT LIMITING, TIME DELAY FUSES RATED FOR 200,000 A.I.C.. ALL FUSES FOR SAFETY SWITCHES SHALL BE DUAL ELEMENT, CARTRIDGE TYPE. FUSES SHALL BE THOSE MANUFACTURED BY EITHER BUSSMAN OR LITTLEFUSE. THE CONTRACTOR SHALL FURNISH TO THE OWNER ONE SPARE FUSE FOR EACH SIZE AND TYPE OF FUSE INSTALLED. FUSES 600 AMPS OR LESS SHALL BE CLASS RK1, TYPICAL UNLESS OTHERWISE NOTED. FUSES OVER 600 AMPS SHALL BE CLASS L.
16.

PULL BOX: POLYMER CONCRETE (BODY AND COVER) WITH BOLTED COVER BY QUAZITE, SYNTERTECH, BROOKS OR APPROVED EQUAL.
17.

ALL CONDUCTOR SPLICES SHALL UTILIZE THE SUBMERSIBLE-TYPE, U.L. LISTED CONNECTORS UNLESS OTHERWISE NOTED.
18.

CONDUCTORS SHALL BE COLOR CODED AS FOLLOWS:

<u>208V SYSTEM</u>	<u>120/240V SYSTEM</u>	<u>480V SYSTEM</u>	<u>PHASE SEQUENCE</u>
NEUTRAL - WHITE	NEUTRAL - WHITE	NEUTRAL - WHITE/STRIPE	ABC, TOP TO BOTTOM
PHASE A - BLACK	PHASE A - BLACK	PHASE A - BROWN	LEFT TO RIGHT, FRONT
PHASE B - RED	PHASE B - RED	PHASE B - PURPLE	TO BACK
PHASE C - BLUE		PHASE C - YELLOW	
GRD.CON - GREEN	GRD.CON - GREEN	GRD.CON - GREEN	
19.

CONTRACTOR SHALL MAINTAIN A COMPLETE SET OF CONTRACT DRAWINGS AT JOB SITE WITH COLORED MARKINGS INDICATING PROGRESS OF WORK. THIS SET OF CONTRACT DRAWINGS IS TO BE SEPARATE FROM, AND IN ADDITION TO, CONTRACTOR'S CONSTRUCTION SET. EVERY UNIT OF EQUIPMENT, DEVICE, CONDUIT AND WIRE IS TO BE MARKED WHEN INSTALLED. USE GREEN TO INDICATE INSTALLATION AS SHOWN ON DRAWINGS AND USE RED TO INDICATE FIELD CHANGES. UPON COMPLETION OF WORK, THIS SET OF CONTRACT DRAWINGS IS TO BE TURNED OVER TO, AND BECOME PROPERTY OF THE ELECTRICAL ENGINEER.
20.

IF ELECTRICAL CONTRACTOR HAS QUESTIONS, OR IN THEIR OPINION FINDS OMISSIONS OR ERRORS ON ELECTRICAL DOCUMENTS, IT IS THEIR RESPONSIBILITY TO BRING THIS TO THE ATTENTION OF THE ELECTRICAL ENGINEER IMMEDIATELY. IF ELECTRICAL CONTRACTOR PROCEEDS WITH ANY CHANGES TO THE CONTRACT DOCUMENTS, WITHOUT WRITTEN PRIOR APPROVAL FROM THE ELECTRICAL ENGINEER, CONTRACTOR WILL NOT BE COMPENSATED.

PANELS AND SWITCHES:

1.

DISCONNECT SWITCHES:
SQUARE D OR APPROVED EQUAL.
HEAVY-DUTY, QUICK-MAKE AND QUICK-BREAK, HORSE POWER RATED NEMA 4x S.S.
ENCLOSURES UNLESS NOTED OTHERWISE.
ALL FUSES TO BE TIME-DELAY CURRENT LIMITING TYPE FUSES.
MOTOR AND REFRIGERATION COMPRESSORS TO HAVE FUSE SIZE AFTER EQUIPMENT IS ON SITE AND IN ACCORDANCE WITH MANUFACTURER'S NAME-PLATE.
MINIMUM FAULT CURRENT RATING: 100,000 AMPS.
DISCONNECT SWITCHES SIZE: SEE ELECTRICAL RISER DIAGRAM.

DRAWINGS:

1.

DO NOT SCALE THE ELECTRICAL DRAWINGS. REFER TO SITE PLAN AND ELEVATIONS FOR EXACT LOCATION OF ALL EQUIPMENT, VERIFY WITH ENGINEER OF RECORD.
2.

DRAWINGS AND SPECIFICATIONS ARE INTENDED TO BE COMPLETE AND CONSIDERED SUPPLEMENTARY TO ONE AND THE OTHER. MATERIALS OR WORK INDICATED, CALLED FOR OR IMPLIED BY ONE AND NOT THE OTHER, SHALL BE FURNISHED AND INSTALLED AS THOUGH SPECIFICALLY CALLED FOR BY BOTH. SHOULD ANY DISCREPANCY APPEAR IN EITHER, CALL SUCH DISCREPANCY TO THE ATTENTION OF THE ENGINEER FOR CLARIFICATION AND CORRECTION BEFORE SUBMITTING BID.
3.

PROVIDE A MINIMUM OF THREE (3) SETS OF SHOP DRAWINGS INCLUDING BUT NOT LIMITED TO POWER DISTRIBUTION EQUIPMENT, PROTECTIVE DEVICES, WIRING DEVICES, LIGHT POLES, LIGHTING FIXTURES, FIRE ALARM EQUIPMENT, ETC.

SCOPE OF WORK - ELECTRICAL:

1.

REMOVAL OF EXISTING LIGHTS, CONDUITS, WIRING, ETC. RELATED TO EXISTING BRIDGE PEDESTRIAN LIGHTING UP TO JUNCTION BOXES CONTAINING CIRCUIT FOR BRIDGE LIGHT.
2.

INSTALL NEW LIGHTS, CONDUITS, WIRING, CONTROLS, ETC. FOR A FULLY OPERATIONAL BRIDGE LIGHTING AS INDICATED HERE IN.
3.

CONTRACTOR IS RESPONSIBLE TO PROVIDE ALL REQUIRED CONNECTION, INSTALLATION AND EQUIPMENT AS PER LIGHT FIXTURE MANUFACTURE RECOMMENDATIONS AND REQUIREMENTS.
4.

WHEN AVAILABLE FROM MANUFACTURES, ALL OUTSIDE/AMBIENT EXPOSED EQUIPMENT SHALL BE NEMA 4x S.S. UNLESS NOTED OTHERWISE.

BID SET
ELEVATIONS SHOWN ARE NAVD 1988



NO	DATE	REVISION	BY	NO	DATE	REVISION	BY		



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS™
1800 Eller Drive, Suite 600, Fort Lauderdale, Florida 33316
Phone: 954.921.7781 • Fax: 954.921.8807
Certificate of Authorization 514

BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

ELECTRICAL NOTES

JORGE CERVANTES, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 45832

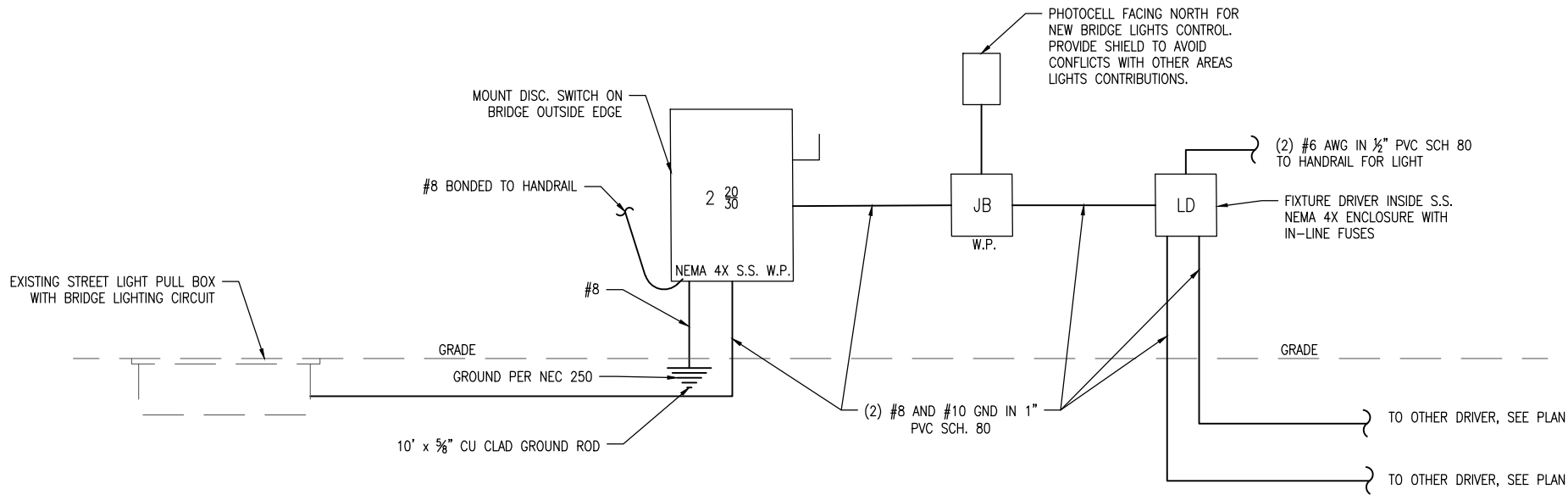
DATE: 11/7/18

SCALE
AS SHOWN
PROJECT No
17-9537

SHEET:

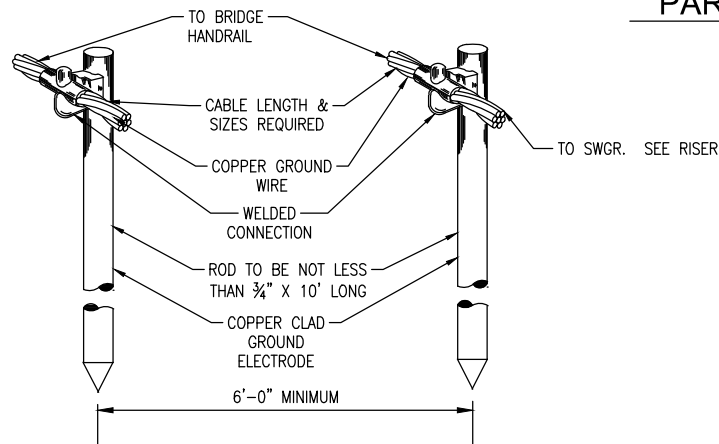
E1

File Name: P:\Projects\2017\179537 BH Broad Causeway Corridor Enhancement\cadd Files\Drawings\17-9537-E-DTLS.dwg - (Plotted by: Katherine Kupsky on Thursday, October 25, 2018 2:51:37 PM)



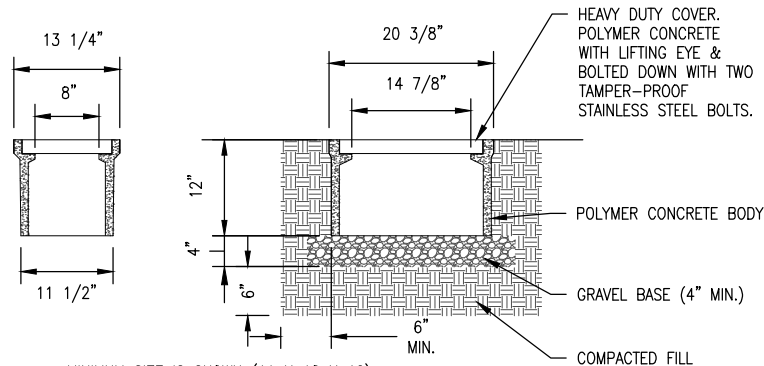
PARTIAL ELECTRICAL RISER DIAGRAM

Scale: NTS



CABLE TO GROUND ROD DETAIL

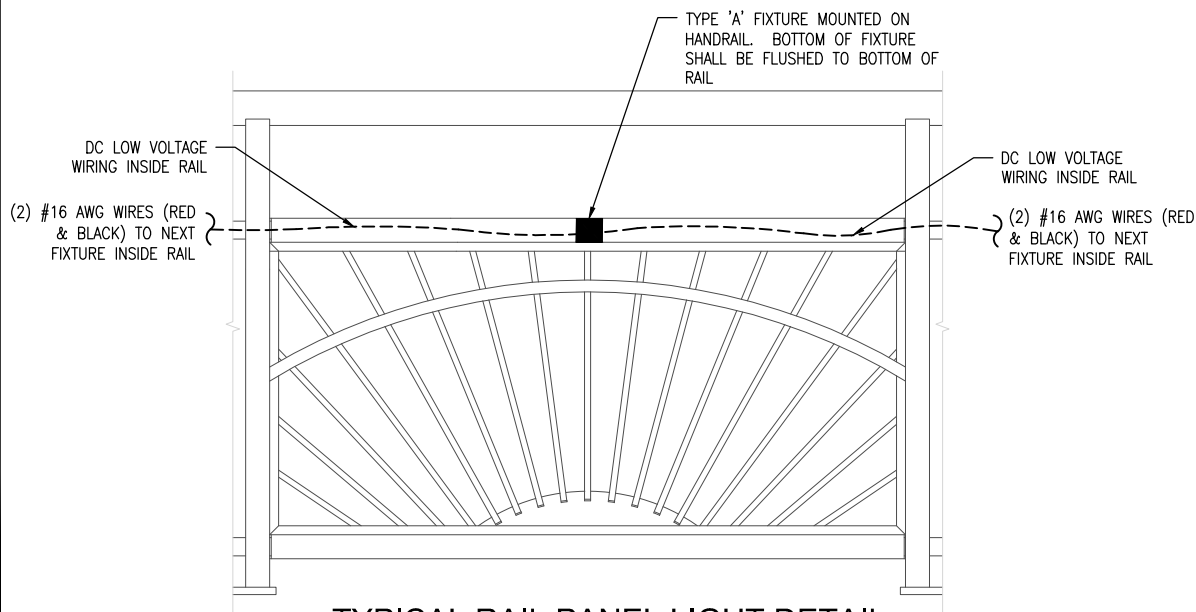
Scale: NTS



MINIMUM SIZE IS SHOWN (11 X 18 X 12)
USE LARGER SIZE WHERE REQUIRED
OR WHERE INDICATED ON PLANS.
AS MANUFACTURED BY QUAZITE, SYNERTECH, BROOKS, OR APPROVED EQUAL.

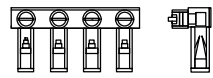
PULLBOX DETAIL

Scale: NTS

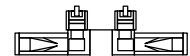


TYPICAL RAIL PANEL LIGHT DETAIL

Scale: NTS



SUBMERSIBLE MULTI-CABLE CONNECTORS



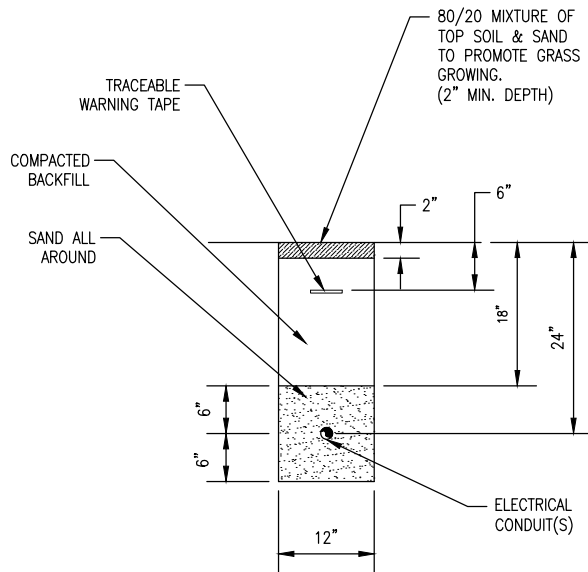
SUBMERSIBLE INLINE SPLICE CONNECTORS

ALL CONNECTORS SHALL BE RATED
"SUBMERSIBLE" AND SHALL COMPLY WITH:
- ANSI C119.1 AND C119.4
- WESTERN UNDERGROUND GUIDE 2.5

AS MANUFACTURED BY
- GREAVES (BLACK-BURY)
- NSI INDUSTRIES (POLARIS BLUE)
- THOMAS & BETTS (HOMAC)
OR APPROVED EQUAL

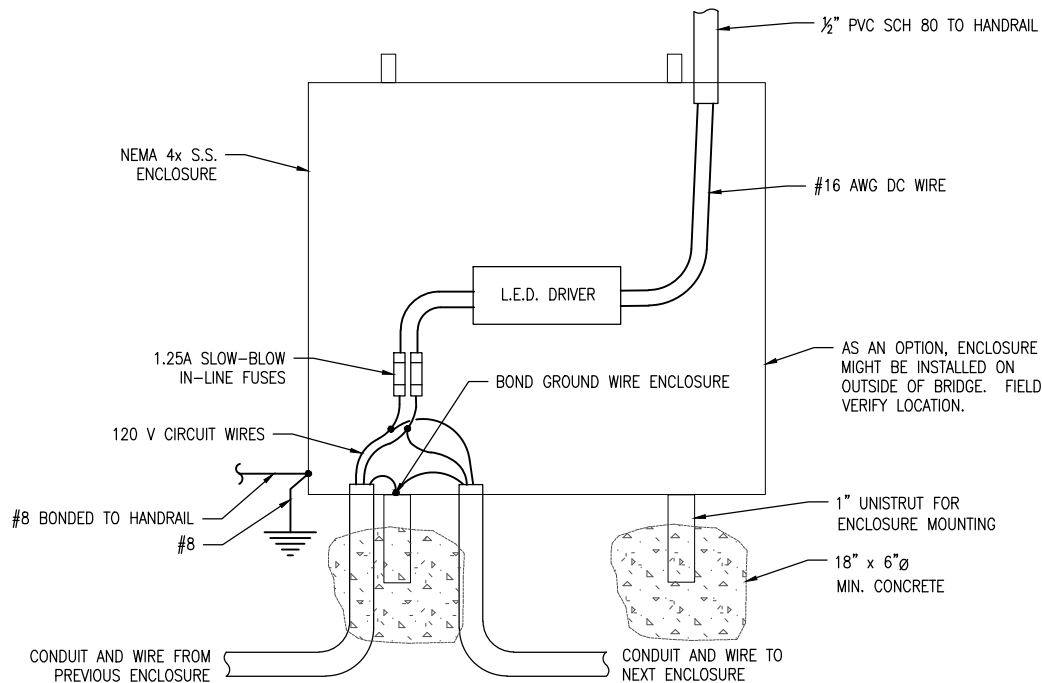
SUBMERSIBLE CONNECTORS

Scale: NTS



ELECTRIC TRENCH DETAIL

Scale: NTS



TYPICAL DRIVER ENCLOSURE DETAIL

Scale: NTS

BID SET
ELEVATIONS SHOWN ARE NAVD 1988



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Certificate of Authorization 514

BROAD CAUSEWAY CORRIDOR ENHANCEMENT

BAY HARBOR ISLANDS, FLORIDA

FM# 439906-1

ELECTRICAL DETAILS

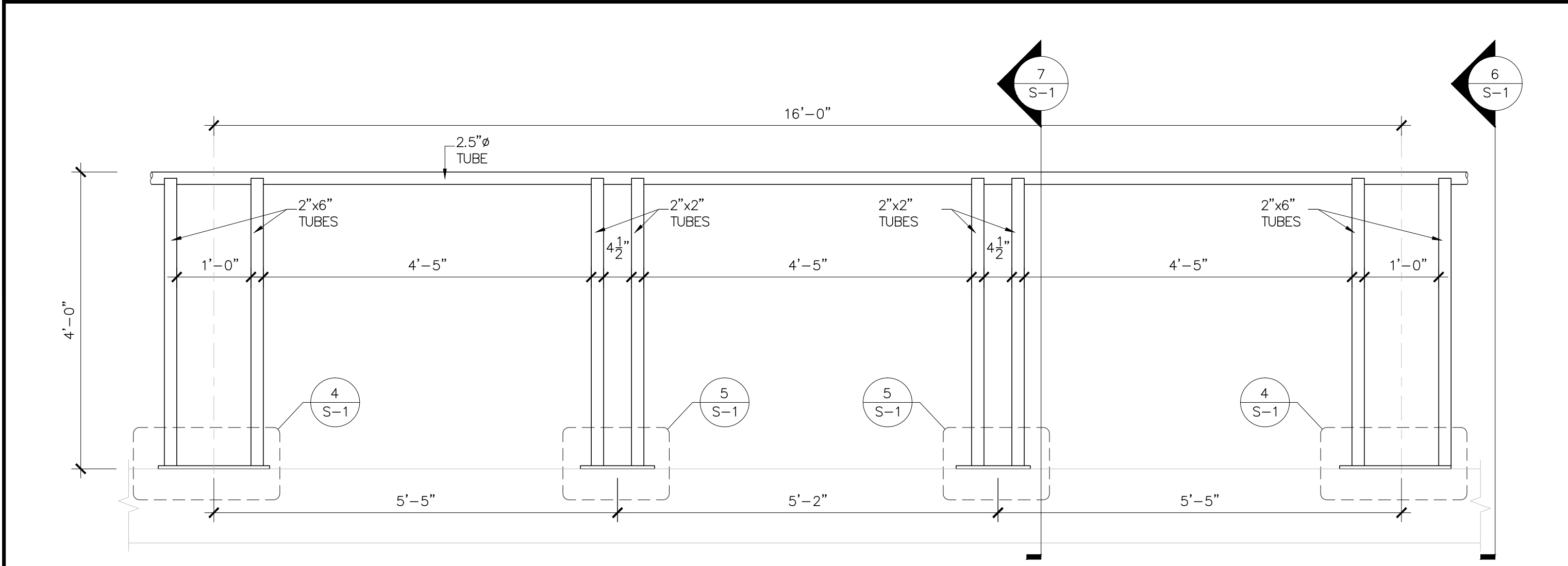
JORGE CERVANTES, P.E.
STATE OF FLORIDA PROFESSIONAL ENGINEER
LICENSE No. 45832

DATE: 11/7/18

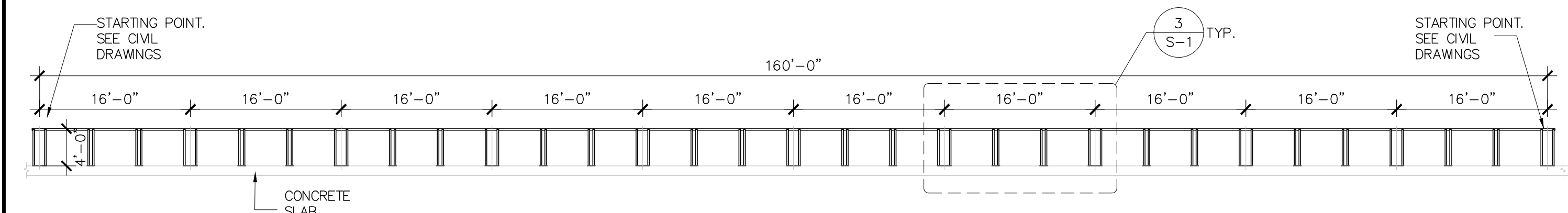
SCALE
AS SHOWN
PROJECT No
17-9537

SHEET:

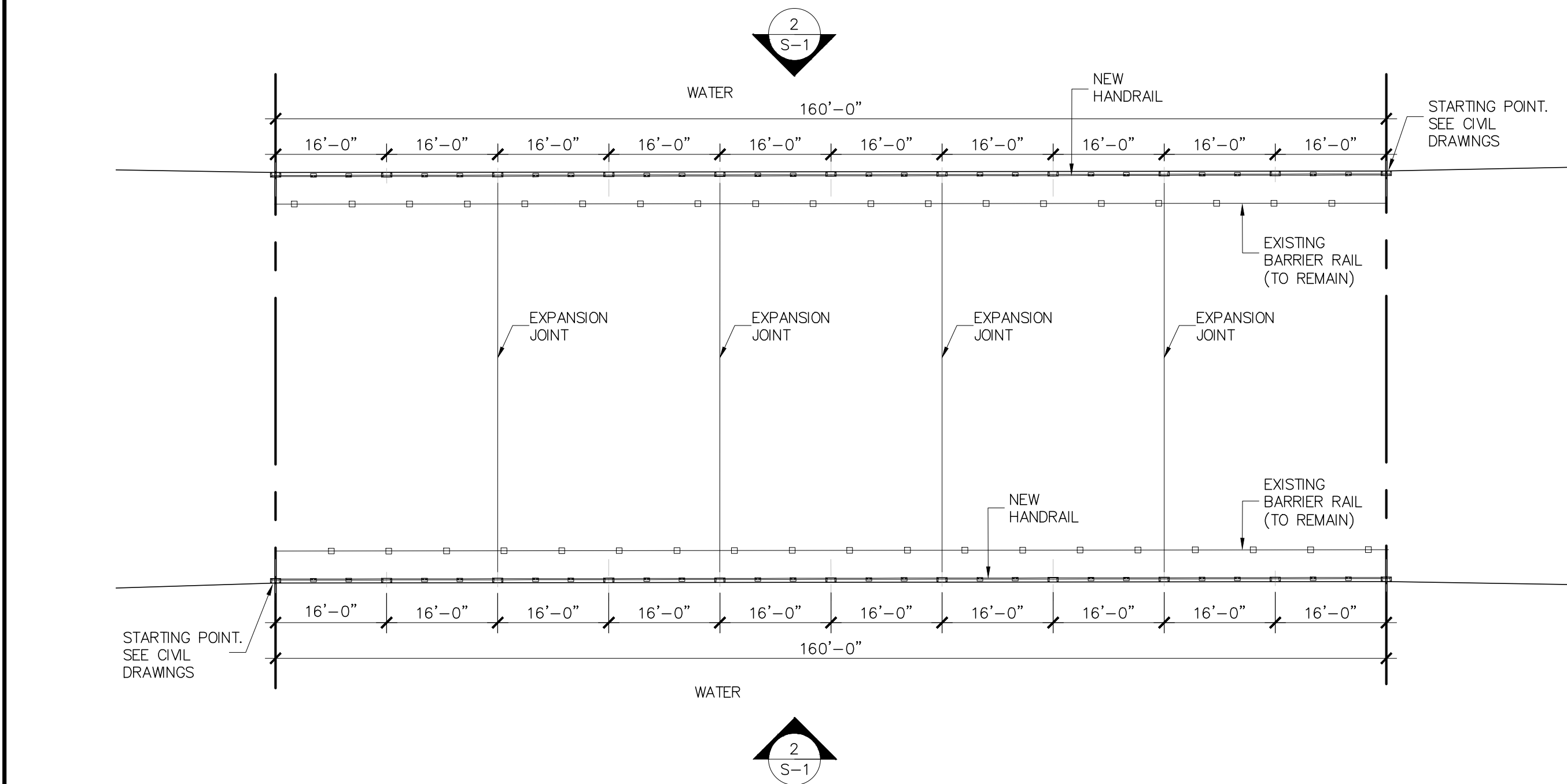
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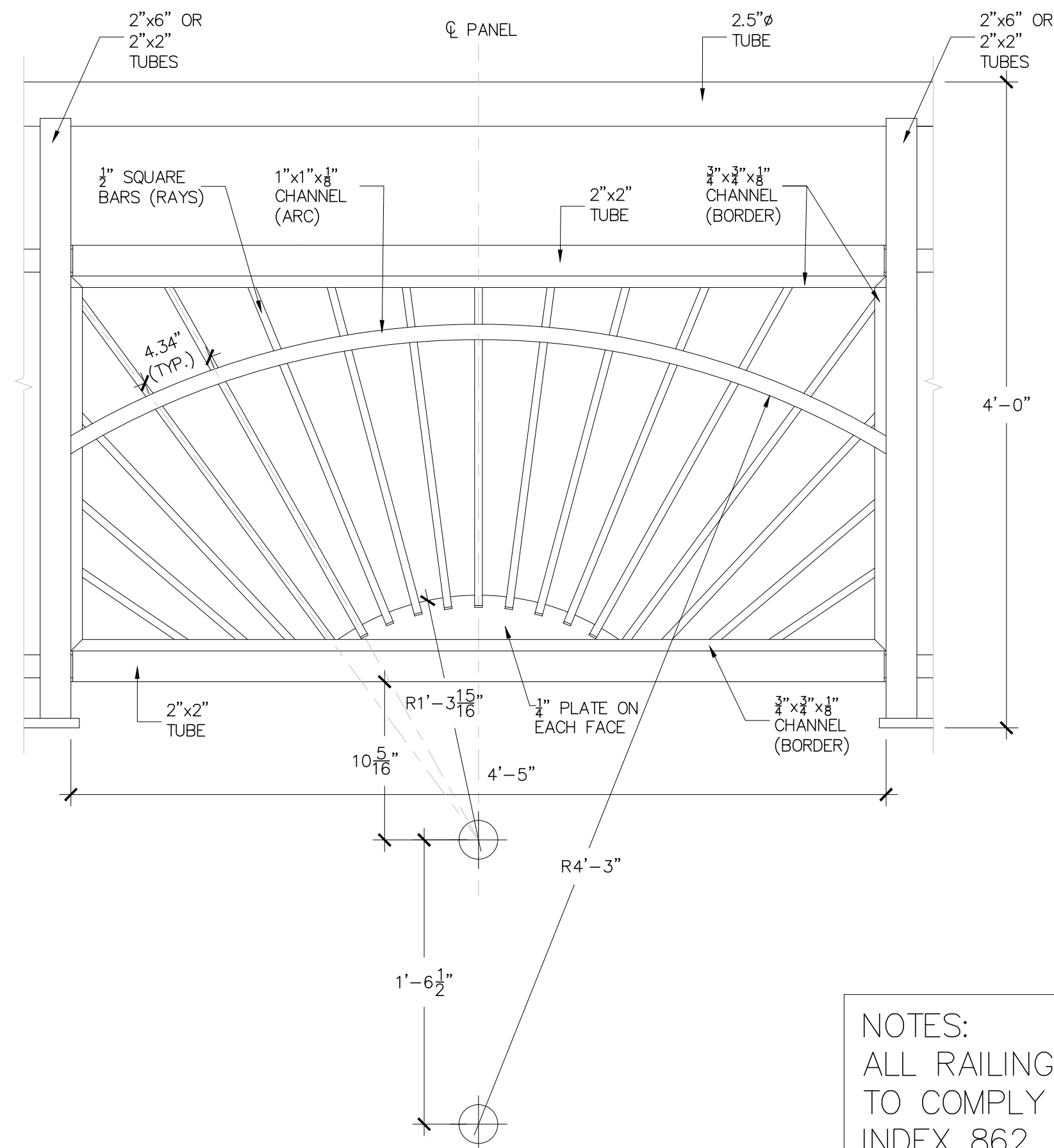
3
S-1 SECTION
SCALE: 3/4"-1'-0"



2
S-1 ELEVATION
SCALE: 3/32"-1'-0"

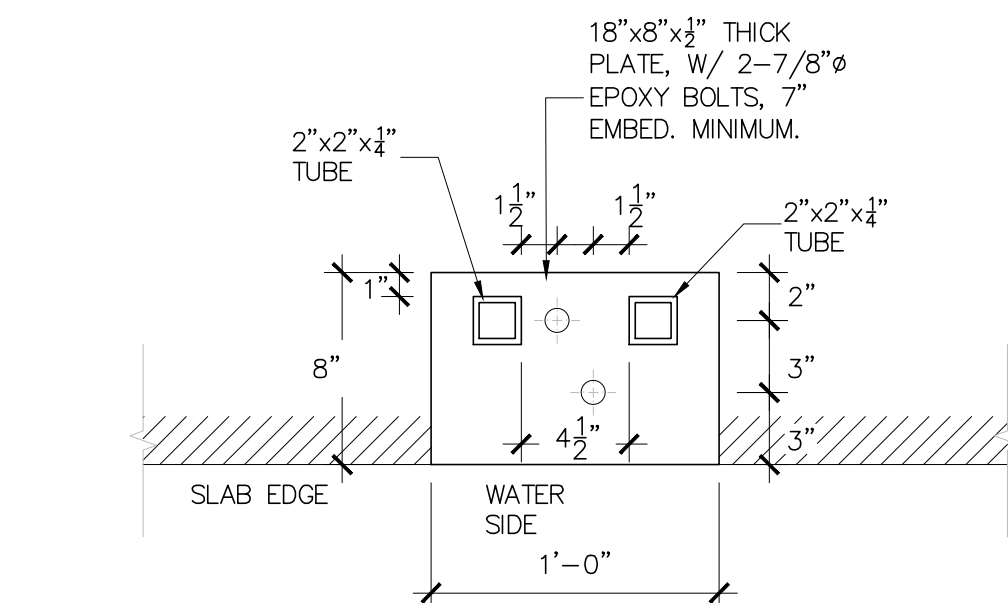


1
S-1 HANDRAIL LAYOUT PLAN
SCALE: 1/16"-1'-0"

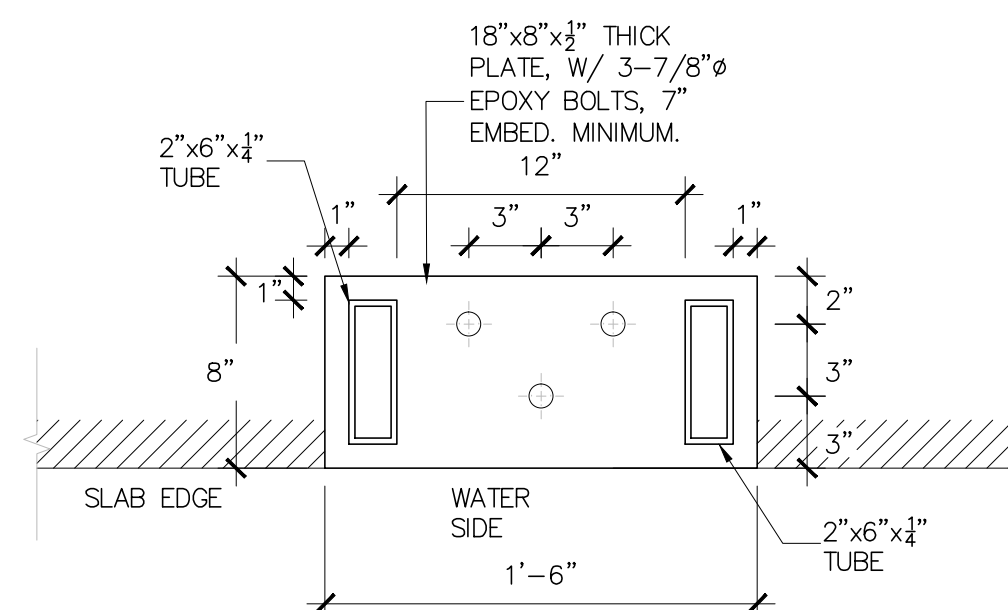


NOTES:
ALL RAILING MEMBERS
TO COMPLY WITH FDOT
INDEX 862

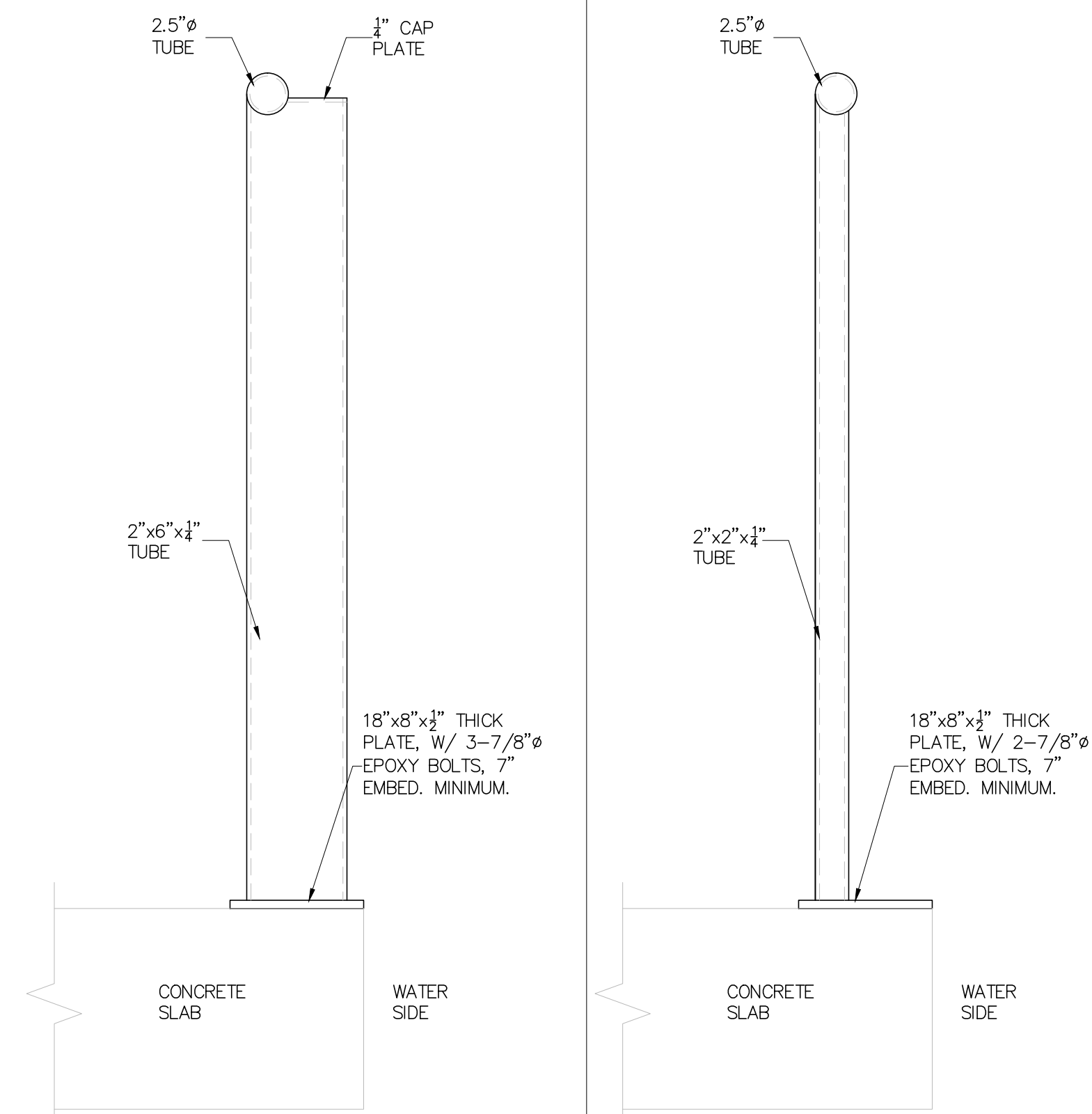
7
S-1 TYPICAL PANEL DETAIL
SCALE: 1-1/2"-1'-0"



5
S-1 DETAIL
SCALE: 1-1/2"-1'-0"

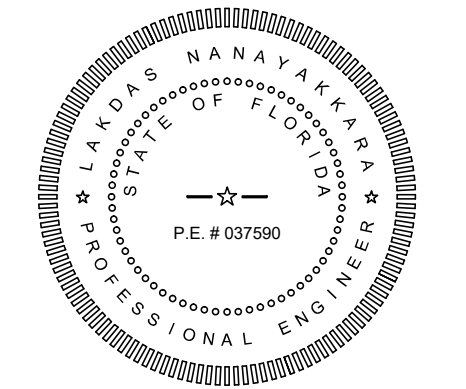


4
S-1 DETAIL
SCALE: 1-1/2"-1'-0"



6
S-1 SECTION
SCALE: 1-1/2"-1'-0"

7
S-1 SECTION
SCALE: 1-1/2"-1'-0"



ALL DRAWINGS AND WRITTEN MATERIAL HEREIN, AS INSTRUMENTS OF SERVICE, SHALL REMAIN THE PROPERTY OF LAKDAS/YOHALEM ENGINEERING, INC. (LYE) AND SHALL NOT BE REPRODUCED OR COPIED, IN WHOLE OR IN PART, WITHOUT THE EXPRESSED WRITTEN CONSENT OF "LYE" AND MAY NOT BE USED OR REFERENCED FOR ANY OTHER PROJECT. INFORMATION CONTAINED HEREIN REPRESENTS PROPRIETARY INFORMATION OF LAKDAS/YOHALEM ENGINEERING INC. AND / OR ITS CLIENT AND SHALL NOT BE DISCLOSED TO OTHERS.

LAKDAS/YOHALEM ENGINEERING, INC. SHALL BE AFFORDED THE OPPORTUNITY TO PROVIDE CONSTRUCTION OBSERVATION SERVICES DURING THE FRAME ERECTION OF THIS PROJECT. IN THE EVENT LAKDAS/YOHALEM ENGINEERING, INC. IS NOT RETAINED IN THIS CAPACITY, LAKDAS/YOHALEM ENGINEERING, INC. CAN ASSUME NO RESPONSIBILITY FOR THE CONSTRUCTION DEFECTS FOR THE RECOMMENDATIONS PROVIDED IN THESE DOCUMENTS.

Revisions:	
Number	Description
Drawing Title	
HANDRAIL LAYOUT PLAN AND DETAILS	
Project Name:	
BROAD CAUSEWAY CORRIDOR ENHANCEMENT	
BAY HARBOR ISLANDS, FLORIDA	
Job Number: 180902	
Scale: AS NOTED	
Date: 09-17-18	
Design: LN	
Drawn: LB	
Checked: LN	
Drawing Number:	
S-1	
Rev. Number:	1

GENERAL NOTES

1. DO NOT SCALE DRAWINGS TO OBTAIN DIMENSIONS. ANY DIMENSIONS NOT INDICATED ON DRAWINGS SHALL BE CONFIRMED WITH ENGINEER PRIOR TO CONSTRUCTION.
2. NO WORK SHALL BE PERFORMED OUTSIDE THE PROJECT LIMITS WITHOUT PRIOR WRITTEN APPROVAL FROM OWNER, CITY OF BAY HARBOR AND ENGINEER.
3. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES AS REQUIRED FOR COMPLETION OF WORK.
4. MATERIALS SHALL BE NEW, OF QUALITY SPECIFIED, DELIVERED IN A TIMELY FASHION AND AMPLE QUANTITY TO PREVENT DELAY OF WORK.
5. THERE ARE NO SUBSTITUTIONS ALLOWED UNLESS APPROVED BY THE ENGINEER. THE G. C. SHALL SUBMIT IN WRITING ALL REQUESTS FOR SUBSTITUTIONS.
6. THE G. C. SHALL SUBMIT IN WRITING TO THE ENGINEER PRIOR INSTALLATION, IF ANY UNFORESEEN CONDITIONS AFFECTING INSTALLATION ACCORDING TO SPECIFICATIONS.

CODES AND STANDARDS:

1. FABRICATIONAND CONSTRUCTION TO BE PERFORMED PER FDOT 2018-2019 INDEX 515-062.

A. TYPE 3 SUNSHINE INFILL PANEL
2. SECTIONS AND DETAILS:

ALL DETAILS, SECTIONS AND NOTES SHOWN ON THE DRAWINGS ARE INTENDED TO BE TYPICAL AND SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE UNLESS OTHERWISE SHOWN.

CONSTRUCTION NOTES

1. ALL STRUCTURAL MEMBERS TO BE ALUMINUM 6061-T6 OR 6061-T651.
2. ALL EPOXY ANCHORS TO BE STAINLESS STEEL TYPE 410 (ASTM A193, GRADE B6).
3. IF BASE PLATE FALLS ON TOP OF EXPANSION JOINT, BASE PLATE ANCHOR TO BE PLACED ON ONE SIDE OF THE JOINT.
4. PROVIDE SLIDING JOINT WITH A SLEEVE FOR THE TOP OF HANDRAIL AT EXPANSION JOINT.

CHEMICAL ADHESIVE FOR ANCHORING THREADED BOLTS NOTES

1. USE AN EPOXY OR POLYESTER RESIN ADHESIVE SUCH AS SIKA HI-MOD INJECTION EPOXY GEL, RAMJET/RED HEAD EPCON INJECTION SYSTEM, RAWL FOIL-FAST SYSTEM, OR APPROVED EQUIVALENT.
2. FOLLOW MANUFACTURER'S SPECIFICATIONS FOR USE AND INSTALLATION.
3. DIAMETER OF HOLE SHALL BE 1/16" LARGER THAN DIAMETER OF ANCHOR BOLT AND 1/8" LARGER THAN DIAMETER OF REINFORCING BAR.
4. INSTALL AND MAINTAIN A MIN. EMBEDMENT IN ACCORDANCE WITH MANUFACTURER SPECIFICATIONS, AND EXPANSION ANCHOR MANUFACTURER INSTITUTE, OR AS SPECIFIED ON DRAWINGS, WHICHEVER IS GREATER, BUT WITH AN EMBEDMENT OF NOT LESS THAN THE FOLLOWING:

BOLT DIAMETER	7/8"
MINIMUM EMBEDMENT	7"

*ALL BOLTS SHALL BE STAINLESS STEEL TYPE 410 (ASTM A193, GRADE B6) UNLESS NOTED OTHERWISE

ALUMINUM NOTES:

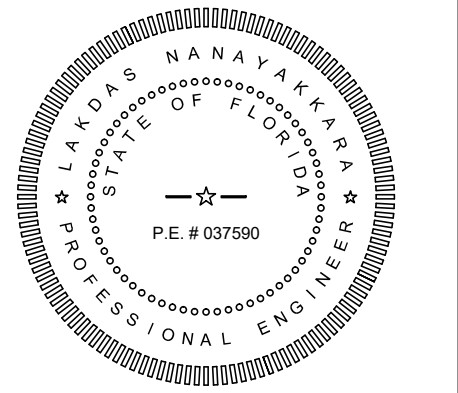
FOR STRUCTURAL ALUMINUM, USE ALLOY 6061-T6, DETAILED AND FABRICATED IN ACCORDANCE WITH THE LATEST SPECIFICATIONS FOR STRUCTURES OF ALUMINUM ALLOY 6061-T6, PUBLISHED BY AA-ASD 2009.

SHOP CONNECTIONS MAY BE BOLTED OR WELDED UNLESS THE CONNECTION METHOD IS INDICATED ON THE DRAWINGS.

MAKE SHOP CONNECTIONS, UNLESS WELDED, AND FIELD CONNECTIONS WITH 3/4-INCH DIAMETER, TYPE 316 STAINLESS STEEL BOLTS.

PAINT ALUMINUM IN CONTACT WITH CONCRETE WITH ASPHALTIC PAINT.
PROVIDE DISSIMILAR METAL PROTECTION AT ALL BOLT LOCATIONS AND OTHER LOCATIONS WHERE DISSIMILAR METALS MEET. THE PROTECTION SHALL BE ONE COAT, MINIMUM 4-MIL DRY THICKNESS, OF ZINC CHROMATE PRIMER ON THE ALUMINUM SURFACES. APPLY ONE COAT OF ALL-METAL PRIMER, MINIMUM 2-MIL DRY THICKNESS, FOLLOWED BY ONE COAT OF ALUMINUM PAINT, MINIMUM 3-MIL DRY THICKNESS, TO THE DISSIMILAR METAL.

LAKDAS/YOHALEM ENGINEERING, INC.
CONSULTING ENGINEERS
2211 NORTHEAST 54TH STREET
FORT LAUDERDALE, FLORIDA 33308
(954)771-0630 FAX: (954)771-0519
e-mail: lye@yengineering.com
FL. LIC.: CA-5458



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Revisions:

Number	Description

Drawing Title

SPECIFICATIONS

Project Name:

BROAD CAUSEWAY
CORRIDOR
ENHANCEMENT

BAY HARBOR ISLANDS,
FLORIDA

Job Number: 180902

Scale: AS NOTED

Date: 09-17-18

Design: LN

Drawn: LB

Checked: LN

Drawing Number:

S-2

Rev. Number:

TOWN OF BAYHARBOR ISLANDS

BID CLOSING

DECEMBER 13, 2018 @ 3:00 PM

BC 150 – BROAD CAUSEWAY CORRIDOR ENHANCEMENTS

1.		Bid Bond	Bid Amount \$
Company Name Contractor Name Address/ Phone #	Southern Road & Bridges	✓	\$1,937,140.75
	715 Wesley Avenue		
	TARPON SPRINGS, FL 34689		
	.		
2.			
Company Name Contractor Name Address/ Phone #	Heavy Civil Inc	✓	\$548,413.50
	18158 NE 19 th Avenue		
	North Miami Beach, FL 33622		
	361-373-2995		
3.			
Company Name Contractor Name Address/ Phone #			
4.			
Company Name Contractor Name Address/ Phone #			

Town of Bay Harbor Islands
BID CLOSING – SIGN IN SHEET

DECEMBER 13, 2018 @ 3:00PM

BC 150 – BROAD CAUSEWAY CORRIDOR ENHANCEMENTS

NAME/COMPANY	MAILING ADDRESS	PHONE NUMBER AND FAX NUMBER	EMAIL
Marlene Siegel Town Clerk Town of BHI	9665 Bay Harbor Terrace, BHI, FL	305-866-6241	Msiegel@bayharborislands-fl.gov
Alba Chang Deputy Town Clerk Town of BHI	9665 Bay Harbor Terrace, BHI, FL	305-866-6241	achang@bayharborislands-fl.gov
Heavy Civil Inc. Rudy Polsell:	18158 NE 19 th Ave N. Miami Beach	561-373-2995	Rudy@HeavyCivilInc.com

TOWN OF BAY HARBOR ISLANDS, FLORIDA
INVITATION TO BID
BROAD CAUSEWAY CORRIDOR ENHANCEMENTS PROJECT – BC 150

Issue Date: November 7, 2018

All interested parties are hereby notified that the Town of Bay Harbor Islands (the “Town”) is accepting sealed bids for the Project “**BROAD CAUSEWAY CORRIDOR ENHANCEMENTS PROJECT,” Project, No. BC - 150.**

Work under this Project includes furnishing materials, labor, tools, equipment, management, supervision and incidentals necessary to construct the improvements shown on the plans. Such improvements include, but are not limited to, widening of the roadway on Broad Causeway from N. Bayshore Drive to W. Broadview Drive to accommodate a buffered bike lane in both directions, associated pavement markings and signage for the buffered bike lane and shared lanes, and replacement of an existing pedestrian rail on the waterway bridge, located on the Broad Causeway from E. Broadview Drive to W. Bay Harbor Drive.

The Project is partially being funded with federal funds through the Local Agency Program. The Federal Highway Administration (FHWA) has given authority to the Florida Department of Transportation (FDOT) to approve Project development and construction administration in some instances. The Town as a Local Agency must follow state and federal policies and standards when utilizing federal funds for projects provided through FDOT.

Florida Department of Transportation pre-qualified contractors will be required and used to perform this Project. A contractor desiring to bid for the performance of any construction contract located on the National Highway System (NHS) or the State Highway System (SHS) in excess of \$250,000 must be certified by the Florida Department of Transportation as qualified in accordance with Section 337.14(1), Florida Statutes and Rule 14-22, Florida Administrative Code. Any bid for the performance of any construction contract in excess of \$250,000 submitted by a contractor not certified by the Florida Department of Transportation as qualified shall be declared “IRREGULAR” and will be REJECTED.

Bid documents may be examined and picked up at Town Hall, 9665 Bay Harbor Terrace, Bay Harbor, Florida 33154, and copies may be obtained free of charge.

Bid Security in the amount of five percent (5%) of the Total Bid Price must accompany the Bid in accordance with the Instructions to Bidders.

A mandatory **Pre-Bid Conference** will be held on November 16, 2018, at 11:00 A.M., at the Town Manager’s office located at 9665 Bay Harbor Terrace, Bay Harbor Islands, 33154 Florida. Site visits and inspections will immediately follow the Pre-Bid Conference.

All bids must be submitted in sealed envelopes to the Town Clerk on or before December 13, 2018, at 3:00 P.M., local time (the “Bid Submittal Deadline”). Immediately thereafter, Bids

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 16.

ITEM: Consideration and Approval of contract award to Metro Express, Inc. in the amount of \$76,000.00 to perform work associated with Contract # BHI 197 Zone 3 Valley Gutter Repairs on the perimeter roadways of the West Island north of 96th Street. Enclosed is a copy of the bid results and supporting documents.

DESCRIPTION:

Approval to award Contract # BHI 197 "Zone 3 Valley Gutters repairs to Metro Express Inc.", in the amount of \$76,000.00. The project scope is to repair Valley Gutters and F-curbs on the perimeter roadways on the West Island north of 96th Street.

For maintenance purposes the Town has been divided into seven (7) zones for valley gutter and road resurfacing repairs. The limits and locations of these zones are illustrated on the attached map. In the last fiscal year (2017-2018) valley gutters were completed in zone 2. Associated roadway resurfacing was carried over in the current fiscal year and work is planned to start on February 11 2019. Valley gutters and road resurfacing were completed in zone 1 in fiscal 2016-2017.

This contract work was publicly advertised on November 15th 2018, and a non-mandatory pre-bid meeting was held on December 4th 2018. Three (3) contractors attended the pre-bid meeting and a total of four bids were received. Addendum # 1 was issued for this bid and served to confirm the bid date and time, as there was a discrepancy in the bid documents.

Two bids were received in response to to the bid advertisement as follows: Metro Express Inc. - \$76,000.00 and C&I Construction and Design Inc - \$123,000.00.

The difference between the two bids is \$47,000.00. The budget for the work is \$72,000.00.

Three (3) References were provided by Metro Express Inc.: (1) City of Coral Gables, (2) City of Miami Gardens and, (3) Miami-Dade County.

All three references were contacted and at the time of this writing only one reference had responded. The City of Coral Gables indicated that Metro Express Inc. (Metro) was a reputable firm that performed very good quality work, on time and on budget. Metro has worked for the City of Coral Gables over the last 15 years. The reference inquiry results from the City of Coral Cables is attached.

Metro's bid response is attached. As required, Metro submitted a bid bond for 5% of their bid, with their response.

Metro's bid response is therefore deemed to be the lowest responsive bid that was received, and it is recommended that the Contract be awarded to Metro Express Inc.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

This project was budgeted at \$72,000.00 in fiscal 2018-2019. The contract amount is \$4,000.00 over the budgeted amount.

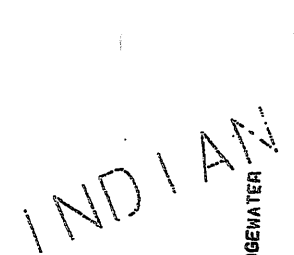
It is recommended that the additional amount of \$4,000.00 be taken from the amount of \$100,000.00 that was budgeted for CIPP to repairs to Road Culvert Crossings in fiscal 2018-2019.

BUDGET IMPACT:

Submitted By: Randy Daniel, Town Engineer
 Randy Daniel, Town Engineer
 Juan C Jimenez, Town Manager

ATTACHMENTS

1. Zone 3 Map
2. BC 147 Reference
3. BC 147 Bid Reults, Bid sign In, Project advertisement



ZONE 1
ZONE 2
ZONE 3
ZONE 4
ZONE 5
ZONE 6
ZONE 7

CONTRACTORS REFERENCE CHECK

Contractor: METRO EXPRESS, INC

Date: 12/13/18

Reference: City of Coral Gables

Phone: 305-733-0068

Person Contacted: Noel Polo

Title: Constru Manager

1. When did the Contractor perform the work? Ongoing
2. What work did the Contractor perform? In the last 15 years paving, concrete, sewers, point repair
3. What was the approximate dollar amount of the work? \$ 1.2 million current contract
4. How long did the project take? Ongoing
5. Did the Contractor complete the work according to schedule? Yes
If not, why not? _____
6. Did the Contractor work continuously until the work was finished? Yes
If not, why not? _____
7. Did the Contractor provide adequate on-site supervision? Yes

8. Did you or anyone else have any complaints during the work? No
If so, what were they? _____
How did the Contractor resolve the complaints? _____
9. Were you satisfied with the finished work? Yes
If not, why not? _____
10. Have you had any warranty issues? No
If yes, did the Contractor repair the problems quickly and properly? _____
If not, why not? _____
11. Did the Contractor pay his Subcontractors and/or suppliers on time? Yes
If not, why not? _____
12. Did any Subcontractor or supplier file a lien for non-payment by the Contractor? No
If yes, please explain. _____
13. Did the Contractor ever file a lien against your property for non-payment? No
If yes, please explain. _____

CONTRACTORS REFERENCE CHECK

PAGE 2

14. Did the Project have a number of change orders? No
For the most part, were these change orders generated by the Contractor? N/A
If yes, do you think the change order work should have been included in the original bid? What percentage of the Total Project Cost was due to Contractor generated change order N/A
15. How would you rate the Contractor(s) overall performance: Excellent - Good - Fair
or Poor? Why? _____
16. Would you use the Contractor again for this same type of project? Yes
Why? _____
17. Additional Comments? Very cooperative with the City of Coral Gables. Long standing
Relationship for 15 years

Performed by: Randy L Daniel, P.E.

Title: Town Engineer

Randy Daniel
(Signature)

Dated: 12/13/18

TOWN OF BAY HARBOR ISLANDS

BID CLOSING

DECEMBER 12, 2018 @ 3:00 PM

BHI-197 ZONE 3 VALLEY GUTTER REPAIRS

1.		Bid Bond	Bid Amount \$
Company Name Contractor Name Address/ Phone #	METRO EXPRESS, Inc	✓	\$76,000. ⁰⁰
	9442 NW 109 ST		
	Medley, FL 33178		
	305-885-1330		
2.			
Company Name Contractor Name Address/ Phone #	C & I Construction Design	✓	\$123,000. ⁰⁰
	14031 SW 143 CT, #6		
	Miami, FL 33186		
	305-255-6067		
3.			
Company Name Contractor Name Address/ Phone #			
4.			
Company Name Contractor Name Address/ Phone #			

Town of Bay Harbor Islands
BID CLOSING – SIGN IN SHEET

December 12, 2018 @ 3:00PM

BHI-197 Zone 3 Valley Gutter Repairs

NAME/COMPANY	MAILING ADDRESS	PHONE NUMBER AND FAX NUMBER	EMAIL
Alba Chang Deputy Town Clerk Town of BHI	9665 Bay Harbor Terrace, BHI, FL	305-866-6241	achang@bayharborislands-fl.gov
Aloixe Sosa Recording secretary Town of BHI	9665 Bay Harbor Terrace, BHI, FL	(305) 866-6241	asosa@bayharbor islands-fl.gov

TOWN OF BAY HARBOR ISLANDS, FLORIDA
ADVERTISEMENT FOR BIDS

Sealed Bids for Contract No. BHI 197 – "ZONE 3 VALLEY GUTTER REPAIRS" must be received by the Town Clerk, Town of Bay Harbor Islands at 9665 Bay Harbor Terrace, Bay Harbor Islands, Florida 33154, up to 3:00 P.M. on December 12, 2018 at which time bids will be publicly opened and read aloud.

The nature and scope of this project is:

Remove and replace approximately 1,600 LF of Drop Curbing and approximately 200 LF of Type F curbing at various locations throughout the Town. All repairs shall be generally in accordance with the FDOT Design Standard Index No. 300. Beyond the scope of the FDOT detail, however the contractor shall install three (3) # 4 rebar, placed @ 6-inch centers throughout the entire length of the replaced curbing and dowelled into existing Type F or Drop Curb, a minimum depth of 2" and secured with epoxy.

All curb removals shall entail saw cutting completely through the existing curb, while exercising extreme care to preserve the adjacent roadway asphalt. Demolished concrete shall be carted off the site.

Contract Documents may be printed from the Town's website at www.bayharborislands-fl.gov

All Bids shall be clearly marked "BHI 197- "ZONE 3 VALLEY GUTTER REPAIRS". Enquiries regarding this contract may be e-mailed to rdaniel@bayharborislands-fl.gov.

Bid Security in the amount of five percent (5%) of the Bid must accompany each bid in accordance with the Instructions to Bidders.

A Pre Bid Meeting will be held on December 4th 2018 at 11:00 AM at the Town of Bay Harbor Islands, 9665 Bay Harbor Terrace Bay Harbor Islands, FL 33154. Attendance at this meeting is not mandatory.

The Town of Bay Harbor Islands reserves the right to waive any irregularities and to reject any and all bids.

Town of Bay Harbor Islands, Florida
Marlene Siegel, Town Clerk

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 17.

ITEM: Consideration and Approval of contract award to Cone & Graham Heavy Construction in the amount of \$94,704.20 to perform work associated with Contract # BC 152 Tendon Repairs U Channel over Indian Creek Bridge. Enclosed is a copy of the bid results and supporting documents.

DESCRIPTION:

The damage to the pre-stressed U channel is believed to have been caused by impact with a vessel as it navigated under the Indian Creek Bridge. This damage was discussed at the October Regular Council Meeting and at that meeting the Town Council approved a design proposal from one of the Town's consultant bridge engineers, Lakes Engineering, Inc. (Lakes) to repair the damage. The approval was in the amount of \$15,000.00, in favor of Lakes. At the time, the intention was to be able to come back to the Council at the January 2019 meeting and seek approval for contract award to repair the damages.

The repair procedure designed by Lakes involves the use of an externally bonded Fibre Reinforced Polymer (FRP) composite system. The damaged concrete will first be repaired and the FRP will then be applied. All the work is expected to occur from the water (by working on a barge) and there shall be no impact to vehicular traffic over the Indian Creek Bridge.

The project was advertised on November 23rd 2018, and a mandatory pre-bid meeting was planned and convened on December 4th 2018 at 2:00 P.M. Three (3) addendum's were issued as follows: Addendum # 1- Change the mandatory pre-bid meeting from 11:00 A.M. to 2:00 P.M. Addendum # 2- Add bid items for concrete spall and crack repairs, and distribute pre-bid meeting notes and sign in sheet, and Addendum # 3 - Modify sheet 3 of the bid plans to add dimensions to the typical U channel profile, and specify the existing assumed concrete strength.

Two contractors attended the mandatory pre-bid meeting and therefore only these two contractors were eligible to bid the project. Accordingly, bids were received from both as follows: (1) Cone & Graham Heavy Construction- \$94,704.20 and (2) Structural - \$97,197.85.

The bids submitted are very competitive and the dollar amount \$2,493.65 separates the bid amounts.

The low bidder submitted the requisite bid bond, and acknowledged receipt of all (3) contract addendum.

References were submitted and the three most recent were called to inquire about their experiences with Cone & Graham. All three gave very good reports about their experiences and indicated that they would definitely use Cone and Graham again.

The Engineer's opinion of probable costs was \$54,000.00. The lowest responsive bid is higher than the Engineer's opinion of cost by \$40,704.20. It is my opinion that the Engineer's estimate was too low for the following reasons: (1) based on the closeness of the bids received the bid process was fair and competitive and reflected the industry

standards for performing the requisite work, and (2) the quality of the references' and their positive feedback suggests that the selected contractor is suitably experienced and qualified, and therefore ought to have submitted a fair price.

This work was not budgeted. It will be funded from the \$750,000.00 allocation in the Causeway Operations budget.

It is recommended that the contract to repair the damaged U Channel over the Indian Creek Bridge be awarded to Cone & Graham Heavy Construction, in the amount of \$94,704.20.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

This contract will be funded from the Lump Sum amount of \$750,000.00 that was allocated in the 2018-2019 fiscal year for repairs on Broad Causeway.

BUDGET IMPACT:

Submitted By: Randy Daniel, Town Engineer

ATTACHMENTS

1. BC 152 Technical Specs
2. 18-108 BAY HARBOR REHAB S&S
3. BC 152 Bid Results and Sign In Sheet
4. BC152 References

TECHNICAL SPECIFICATIONS



Contract No. BC 152

“Repair Snapped Pre-stressed Tendon

In

U-Channel over Indian Creek Bridge”

**SPECIFICATION FOR REPAIR OF SNAPPED
TENDONS IN A PRE-STRESSED U-CHANNEL
SECTION SUPPORTING A 16" DUCTILE IRON
SEWER FORCE MAIN ON THE KANE CONCOURSE
BRIDGE OVER INDIAN CREEK
BRIDGE NO. 875103**

Prepared For:

**Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, Fl. 33154**

Prepared By:

**Lakes Engineering, Inc.
4870 SW 72nd Avenue
Miami, FL. 33155
CA 30255
November 2018**

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Prepared By:

Lakes Engineering, Inc.

4870 SW 72nd Avenue

Miami, FL. 33155

CA 30255

November 2018

Esen Tokay
11/19/2018

Esen Tokay, P.E.

License No. 32197

Kane Concourse Bridge
No. 875103 Repairs

1 GENERAL

1.1 DESCRIPTION OF WORK

- .1 This specification is intended to define the minimum requirements of structural strengthening using externally bonded fiber reinforced polymer (FRP) composite systems.
- .2 The work includes the furnishing of all materials, labor, equipment and services for the supply, installation and finish of all structural strengthening using externally bonded FRP composite system.
- .3 The general contractor or subcontractor shall furnish all materials, tools, equipment, transportation, necessary storage, access, labor and supervision required for the proper installation of the externally bonded FRP composite system.
- .4 The specialty contractor shall provide all necessary design calculations and shop drawings as specified on the project structural drawings. All design documents must be signed and sealed by a professional engineer licensed in the state of Florida.

1.2 WORK INCLUDED

- .1 This Section of the Specification is not necessarily complete in itself. Read in conjunction with the Contract Document.

1.3 REFERENCE STANDARDS

General

The publications listed below form a part of this specification to the extent referenced. Where a date is given for referenced standards, the edition of that date shall be used. Where no date is given for reference standards, the latest edition available on the date of the Notice of Invitation to Bid shall be used.

International Code Council (ICC)

- .1 ICC AC125, Acceptance Criteria for Concrete and Reinforced and Unreinforced Masonry Strengthening Using Externally Bonded Fiber Reinforced Polymer (FRP) Composite Systems.
- .2 ICC AC178, Interim Criteria for Inspection and Verification of Concrete and Reinforced and Unreinforced Masonry Strengthening Using Externally Bonded Fiber Reinforced (FRP) Composite Systems.

American Standard for Testing and Materials (ASTM)

- .3 ASTM D7565, Standard Test Method for Determining Tensile Properties of Fiber Reinforced Polymer Matrix Composites Used for Strengthening of Civil Structures.
- .4 ASTM D3039, Standard Test Method for Tensile Properties of Polymer Matrix Composite Materials.

Kane Concourse Bridge
No. 875103 Repairs

- .5 ASTM D7522, Standard Test Method for Pull-Off Strength for FRP Bonded to Concrete Substrate.
- .6 ASTM D4541, Standard Test Method for Pull-off Strength of Coating Using Portable Adhesive-Testers.

American Concrete Institute (ACI)

- .7 ACI 440.2R-08, Guide for the Design and Construction of Externally Bonded FRP Systems for Strengthening Concrete Structures.

International Concrete Repair Institute (ICRI)

- .8 ICRI Technical Guideline No. 310.2R-2013 (formerly No. 03732), Guideline for Selecting and Specifying Concrete Surface Preparation for Sealers, Coatings, Polymer Overlays, and Concrete Repair.

1.4 MATERIAL QUALIFICATIONS

- .1 Materials for the FRP system shall be as follows:
 - A. V-Wrap Strengthening Systems by Structural Technologies (7455 New Ridge Rd, Suite T, Elkridge, MD 21076. Tel: 410-850-7000, Fax: 410-850-4111) Per ICC-ES 3261 or approved equal.
 - B. Approved alternate FRP manufacturer. Alternate FRP systems must provide all items listed in Section 1.5 of this specification; otherwise, they shall be considered non-compliant.

1.5 SUBMITTALS

Quality Control and Quality Assurance:

- .1 Submit product data indicating product standards, physical and chemical characteristics, technical specifications, limitations, installation instructions, maintenance instructions and general recommendations regarding each individual material.
- .2 The manufacturer shall clearly define the adhesive resin working time. Any batch that exceeds the batch life shall not be used.
- .3 The proposed FRP Systems shall be compliant with ICC Evaluation Service Report ICC-ES 3261, and shall be compliant with the 2012 International Building Code (IBC).
- .4 Submit a list of completed surface bonded FRP composite strengthening projects completed with the manufacturer's FRP composite system in the past 3 years. The list should include at a minimum 15 projects with proposed FRP system, the dates of work, type, description and amount of work performed.
- .5 Surface bonded FRP composite system shall be installed by certified applicator with written consent from manufacturer that the contractor has been trained. Certified applicator shall have a minimum of 5 years experience in performing FRP composite retrofits.

Kane Concourse Bridge
No. 875103 Repairs

- .6 The Engineer may suspend the work if the Contractor substitutes an unapproved fiber reinforced composite system or unapproved personnel during construction.

Design and working drawings:

- .7 Stamped and signed structural calculations and drawings by a professional Civil or Structural Engineer licensed in the State of Florida. Design shall be based on the clearly written performance criteria defined on the structural drawings.
- .8 Working drawings shall detail the type, locations, dimensions, numbers of layers, and orientation of all FRP materials and coatings to be installed.
- .9 A manufacturer approved testing laboratory that can perform ASTM D3039 tests as per Section 3.3 of this specification.

Product Information:

- .10 Provide an ICC Evaluation Service Report, compliant with the 2012 IBC, for the proposed products.
- .11 Provide test report for Class 1 Flame & Smoke per ASTM E84.
- .12 Properties of the composite materials as determined by independent laboratory testing in accordance with ASTM D3039 (tensile modulus, stress and strain).
- .13 Installation procedures, maintenance instructions, and general recommendations regarding each material to be used.
- .14 Manufacturer's Material Safety Data Sheets (MSDS) for all materials to be used.
- .15 Manufacturer's product data sheet indicating physical, mechanical and chemical characteristics of all materials used in the FRP system.
- .16 Written verification from the manufacturer that their applicator has received the required certifications and training.
- .17 Certification by the manufacturer that supplied products comply with local regulations controlling use of volatile organic compounds (VOC's).
- .18 Products that require the use of respirators do not comply with local regulations controlling use of VOC's and shall not be allowed.

1.6

PERFORMANCE

- .1 Design the composite system to achieve the structural performance shown on the structural drawings. Design calculations for the composite system shall be submitted for approval by the engineer of record, and shall be stamped by a registered Civil or Structural Engineer. The design of the FRP system shall be based on published design values consistent with long term durability exposure testing.

Kane Concourse Bridge
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- .2 FRP design values must be lower than the calculated mean values determined from the test results received from the ASTM D3039 field test specimens (See Section 3.3 of this specification).

1.7 PRODUCT DELIVERY, HANDLING AND STORAGE

- .1 Deliver adhesive resin materials in factory-sealed containers with the manufacturer's labels intact and legible with verification of date of manufacture and shelf life.
- .2 Store materials in a protected area at a temperature between 40°F and 90°F.
- .3 Products shall be stored according to the manufacturer's requirements and shall avoid contact with soil and moisture. Products shall be stored to avoid UV exposure.

1.8 COORDINATE WITH OTHER TRADES

- .1 Prior to construction, the trades shall be briefed on any new or unusual construction procedures to ensure that they are aware of special conditions (e.g. new penetrations, construction anomalies).

2 PRODUCTS

2.1 MANUFACTURERS & COMPOSITE STRENGTHENING SYSTEM

- .1 The manufacturer shall provide specific information on physical, mechanical and chemical properties of fiber, adhesive resin and FRP composite.

2.2 CERTIFIED APPLICATORS

- .1 Installations of the FRP System shall be performed by certified applicators only. Certified applicators shall have the minimum experience and written consent as recommended by the FRP manufacturer (See Sections 1.5.5 & 1.5.17 of this specification).
2. If requested, Installer must provide a five (5) year bonded warranty by an "A" VIII rated surety (as defined by *A.M. Best Co.*) and licensed and admitted to provide surety bonds in the State of [XX] for 10% of the contract amount.

2.3 OTHER MATERIALS

- .1 Contractor to provide compatible primer, filler and other materials recommended by the manufacturer as needed for the proper installation of the complete surface bonded FRP composite system.

3 APPLICATION

3.1 SURFACE PREPARATION

- .1 Surfaces shall be prepared for bonding by means of abrasive blasting or grinding to remove existing laitance and expose aggregate [minimum ICRI CSP-3 concrete surface profile]. All contact surfaces shall then be cleaned by hand or compressed air. One prime coat of the manufacturer's primer shall be applied and allowed to cure for a minimum of

Kane Concourse Bridge
No. 875103 Repairs

one hour. Prior to the application of the saturated composite fabric, fill any uneven surfaces with the manufacturer's thickened epoxy.

- .2 Round off sharp and chamfered corners (to be wrapped around) to a minimum radius of 0.5" by means of grinding or forming with the system's thickened epoxy.

3.2 **INSTALLATION**

- .1 Preparation work for project: Visit site to ensure that all patch work is complete and cured. Review project specifications in detail.
- .2 Verify ambient and concrete temperatures. No work shall proceed if the temperature of the concrete surface is less than 40°F or greater than 100°F or as specified on the epoxy component labels. The ambient temperature and temperature of the components shall be between 40°F and 100°F, unless provisions have been made to ensure components' temperature is maintained within this range or the range specified by the manufacturer.
- .3 Prepare the adhesive matrix by combining components at a weight (or volume) ratio specified by the manufacturer. The components of epoxy resin shall be mixed with a mechanical mixer until uniformly mixed, per manufacturer's recommended procedure.
- .4 Components that have exceeded their shelf life shall not be used.
- .5 Saturation of the fabric shall be performed and monitored according to the manufacturer's specified fiber-adhesive resin ratio. Fabric shall be completely saturated prior to application to contact surface in order to ensure complete impregnation. Saturation shall be supervised and checked by the certified installer. Both the epoxy resin and fabric shall be measured accurately, combined, and applied uniformly at the rates shown on the approved working drawings and per manufacturer's recommendations.
- .6 All cutting of fabrics, mixing of adhesive resin and combination thereof shall take place in a protected area away from critical structure functions and any electrical equipment.
- .7 Prepare surfaces as required, including corner preparation.
- .8 Remove dust and debris by hand or with compressed air as per specification.
- .9 Clean up and protect area adjacent to element where FRP composite is being applied.
- .10 Using a roller or trowel, apply one prime coat of epoxy resin to the substrate. Allow primer to become tacky to the touch.
- .11 Fill any uneven surfaces or recesses with thickened epoxy.
- .12 Apply saturated fabric to substrate surface by hand lay-up, using methods that produce a uniformly saturated fabric and ensure proper orientation of the fabric. A minimum lap length of at least 8" is required at all necessary overlaps in the primary fiber direction of the fabric.
- .13 Apply subsequent layers, continuously or spliced, until designed number of layers is achieved, per project drawings.

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- .14 Using a roller or hand pressure, release or roll out entrapped air, and ensure that each individual layer is firmly embedded and adhered to the preceding layer or substrate.
- .15 Detail all fabric edges, including termination points and edges, with thickened epoxy.
- .16 Finish: All edges and seams must be feathered. Use system as directed by the manufacturer. Finish as specified between 24 and 72 hours after final application of epoxy. If after 72 hours the adhesive is cured, the surface must be roughened by hand sanding or brush blasting, prior to finishing.
- .17 System may incorporate structural fasteners but limitations and detailing must be verified with composite system manufacturer.

3.3 **INSPECTION AND TESTING**

.1 Field Inspection

- .1 The contractor shall monitor the mixing of all adhesive components for proper ratio and adherence to manufacturer's recommendations. Record batch numbers for fabric and epoxy used each day, and note locations of installation. Measure square footage of fabric and volume of epoxy used each day. Complete report and submit to Owner, engineer-of-record and FRP composite system manufacturer.
- .2 A Certified Special Inspector shall periodically observe all aspects of preparation, mixing, and application. All FRP composite applied areas shall be inspected, in accordance with the manufacturer's specifications for voids, bubbles, and delaminations. All defective areas shall be repaired as specified in Section 3.4 "Required Remediation".
- .3 The contractor shall provide a report signed by a registered professional engineer certifying that the installation is acceptable, complete with the testing reports and photographs.

.2 In-situ Testing

ASTM D7522 and/or ASTM D4541 – Adhesion Tests (if required by engineer-of-record)

- .1 Direct tension adhesion testing of cored samples shall be conducted using the method described by ASTM D7522 and/or ASTM D4541. A minimum of three tests shall be performed for each day of production or for each 500 ft² (45m²) of FRP application, whichever is less. Pull-off tests shall be performed on a representative adjacent area to the area being strengthened whenever possible. Tests shall be performed on each type of substrate or for each surface preparation technique used.
- .2 The prepared surface of the bonded FRP system shall be allowed to cure a minimum of 72 hours before execution of the direct tension pull-off test. The locations of the pull-off tests shall be representative and on flat surfaces. If no adjacent areas exist, the tests shall be conducted on areas of the FRP system subjected to relatively low stress during service. The minimum acceptable value for any single tension test is 200 psi. Additional tests may be performed to qualify the work.

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- .3 Test locations shall be filled with thickened adhesive after the values have been recorded and verified by the special instructor and the test dollies have been removed.
- .3 Laboratory Testing
 - Sampling
 - .1 Record lot number of fabric and epoxy resin used, and location of installation. Measure square footage of fabric and volume of epoxy used each day. Label each sample from each day's production.
 - .2 A "sample batch" shall consist of two 12" by 12" samples of cured composite. A minimum of two "sample batches" shall be made daily. The two "sample batches" will be taken at appropriate times during the day as to ensure the maximum material deviance in the components of the FRP composite.
- .4 Preparation of Samples
 - .1 Prepare sample on a smooth, flat, level surface covered with polyethylene sheeting, or 16 mil plastic film, prime with epoxy resin. Then place one layer of saturated fabric and apply additional topping of epoxy. Cover with plastic film and squeegee out all bubbles.
 - .2 Samples shall be stored in a sample box and not moved for a minimum 48 hours after casting. The prepared, identified samples shall be given to a pre-approved and experienced testing laboratory. The laboratory shall then precondition samples for 48 hours at 140°F before testing.
- .5 ASTM D3039 – Tension Tests
 - .1 Testing specimens shall be cut from samples and tested for ultimate tensile strength, tensile modulus and percentage elongation as per ASTM D3039 in the longitudinal fiber direction.
 - .2 Test a minimum of 15% of all samples as per ICC AC178. If one coupon fails, specimens from the same 12" x 12" sample will be tested. If these specimens also fail, the other 12" x 12" sample from the same "sample batch" will be tested. In the extreme case that this sample also fails, the remaining "sample batch" for that day will be tested and appropriate remediation shall be taken to ensure integrity of the system at locations from the failed "sample batch". In addition, 25% of the remaining samples shall be tested by the same criteria as per ICC AC178.
 - .3 Testing results shall be made available within 3 weeks of sample submission.
- .6 Acceptance Criteria
 - .1 FRP design values must be lower than the calculated mean determined from the test results received from ASTM D3039 field test specimens. Acceptable minimum values for ultimate tensile strength, tensile modulus, and elongation shall not be below the submitted design values.

Kane Concourse Bridge
No. 875103 Repairs

- .2 Any values below the submitted design values are considered a failure and require remediation.

3.4 REQUIRED REMEDIATION

- .1 Small voids and bubbles [on the order of 3" diameter] shall be injected or back filled with epoxy.
- .2 Voids and delaminations on the order of 6" in diameter or an area of 5" x 5" shall be reported to the engineer of record and remediation shall be submitted by the contractor for approval.
- .3 In the event that laboratory testing determines a "sample batch" to possess insufficient material properties, remedial measures shall be taken. Any structural member where the installed FRP composite system has material properties determined to be below the minimum specified values, additional layers shall be installed until the composite thickness is increased by the same percentage as the deficiency of the material's tensile modulus. Or any other remediation directed by the engineer.

3.5 MAKE GOOD

- .1 Make good at no cost to the Owner, any damage to the new or existing structures, property or services caused by the installation and testing of the FRP composite.

3.6 CLEAN UP

- .1 Remove all surplus material, equipment and debris from the site on completion of the work. Leave the site clean.

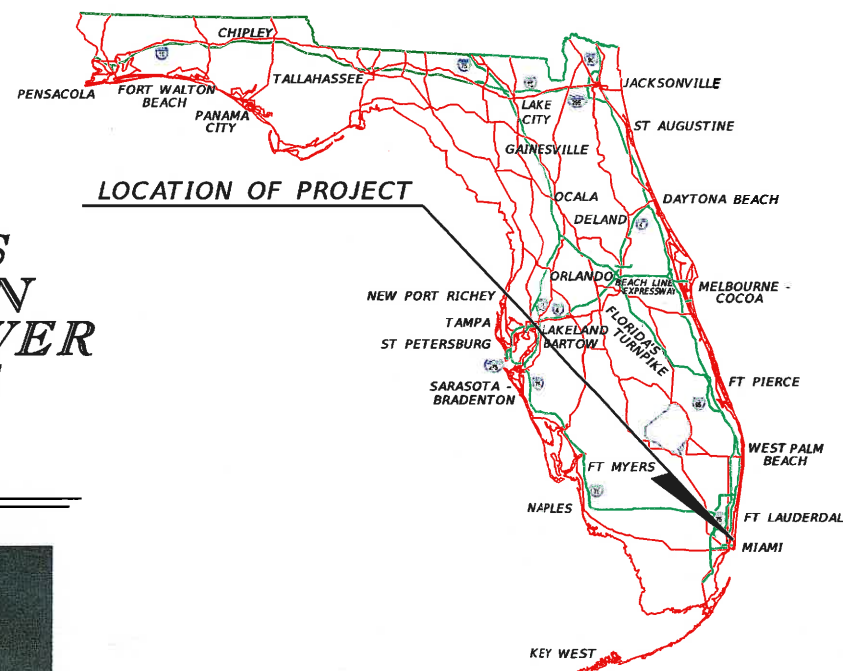
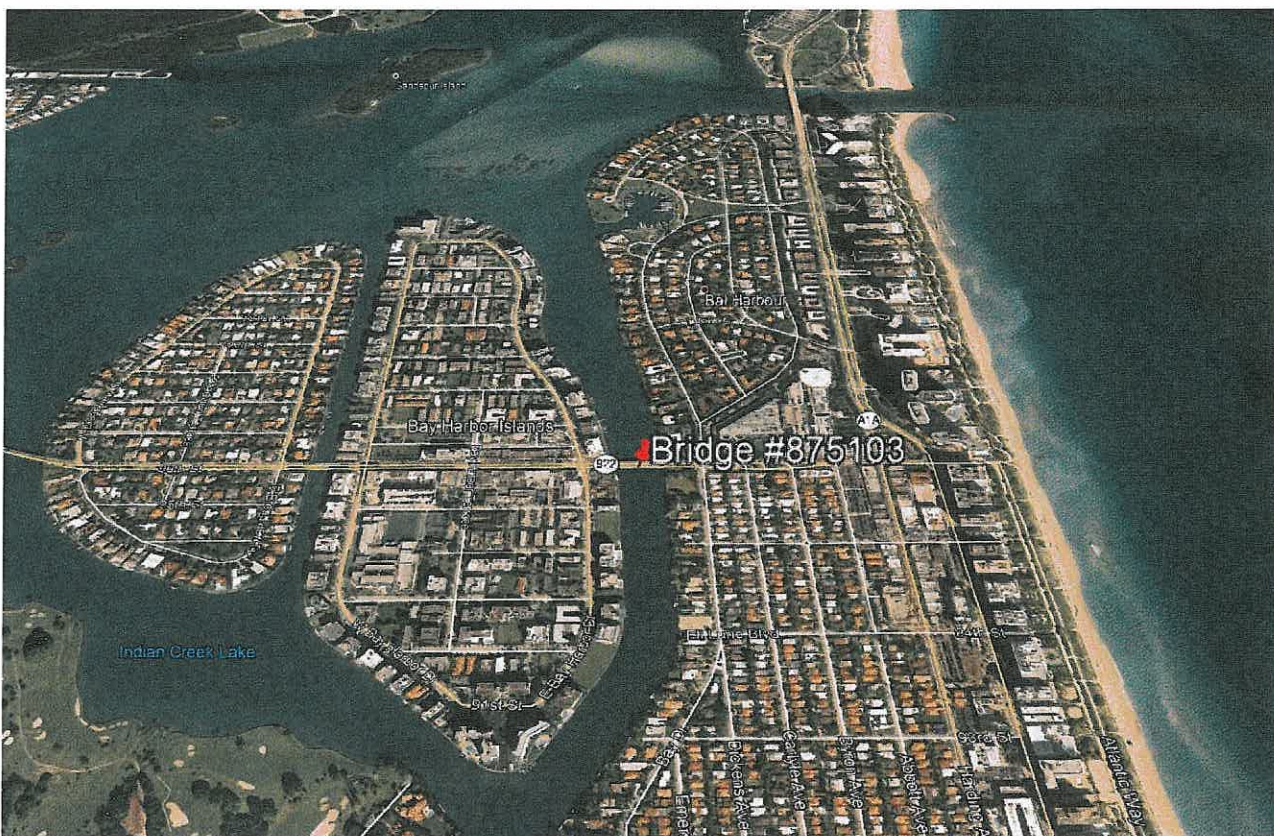
TOWN OF BAY HARBOR ISLANDS

INDEX OF STRUCTURE PLANS

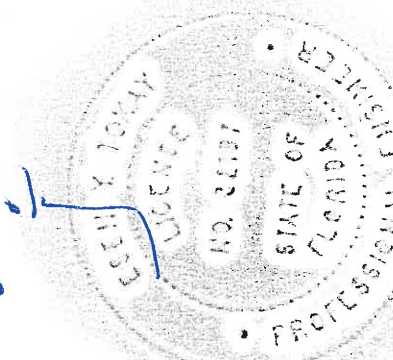
SHEET NO.	SHEET DESCRIPTION
1	KEY SHEET
2	PLAN AND ELEVATION
3	REPAIR NOTES (1 OF 2)
4	REPAIR NOTES (2 OF 2)
5	FRPR NOTES
6	SITE PICTURES

CONTRACT PLANS

REHABILITATION OF SNAPPED TENDONS IN A PRE-STRESSED U-CHANNEL SECTION SUPPORTING A 16 INCH DUCTILE IRON SEWER FORCE MAIN ON THE KANE CONCOURSE BRIDGE OVER INDIAN CREEK BRIDGE NO. 875103



Esen Tokay
11/21/2018



GOVERNING STANDARD PLANS:

FLORIDA DEPARTMENT OF TRANSPORTATION, FY2018-19 STANDARD PLANS FOR ROAD AND BRIDGE CONSTRUCTION AND APPLICABLE INTERIM REVISIONS (IRs)

STANDARD PLANS FOR ROAD CONSTRUCTION AND ASSOCIATED IRs ARE AVAILABLE AT THE FOLLOWING WEBSITE: [HTTPS://WWW.FDOT.GOV/DESIGN/STANDARDPLANS](https://www.fdot.gov/design/standardplans)

STANDARD PLANS FOR BRIDGE CONSTRUCTION ARE INCLUDED IN THE STRUCTURES PLANS COMPONENT.

GOVERNING STANDARD SPECIFICATIONS:

FLORIDA DEPARTMENT OF TRANSPORTATION, JANUARY 2019 STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION AT THE FOLLOWING WEBSITE: [HTTP://WWW.FDOT.GOV/PROGRAMMANAGEMENT/IMPLEMENTED/SPECBOOKS](http://www.fdot.gov/programmanagement/implemented/specbooks)

PLANS PREPARED BY:

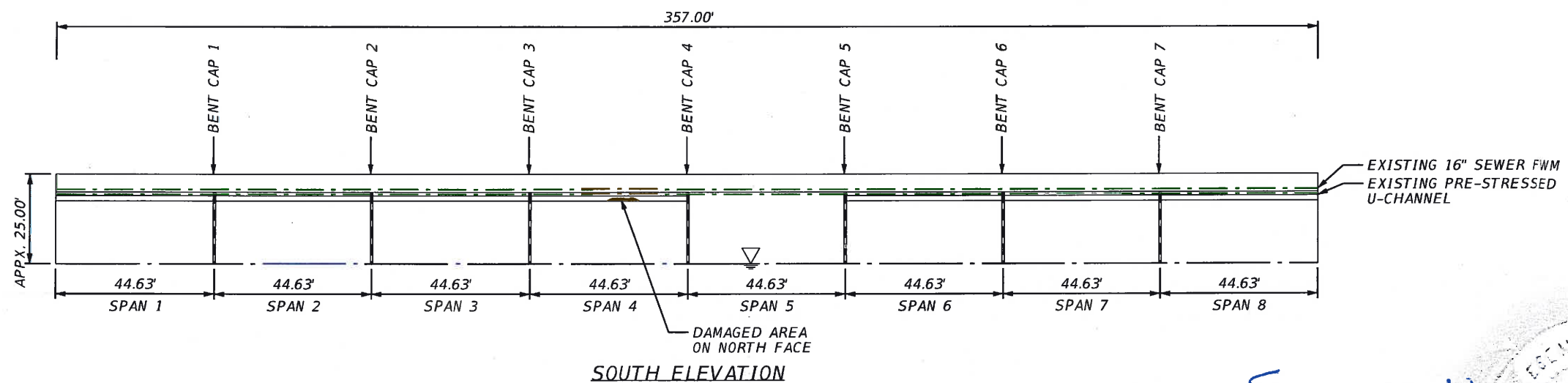
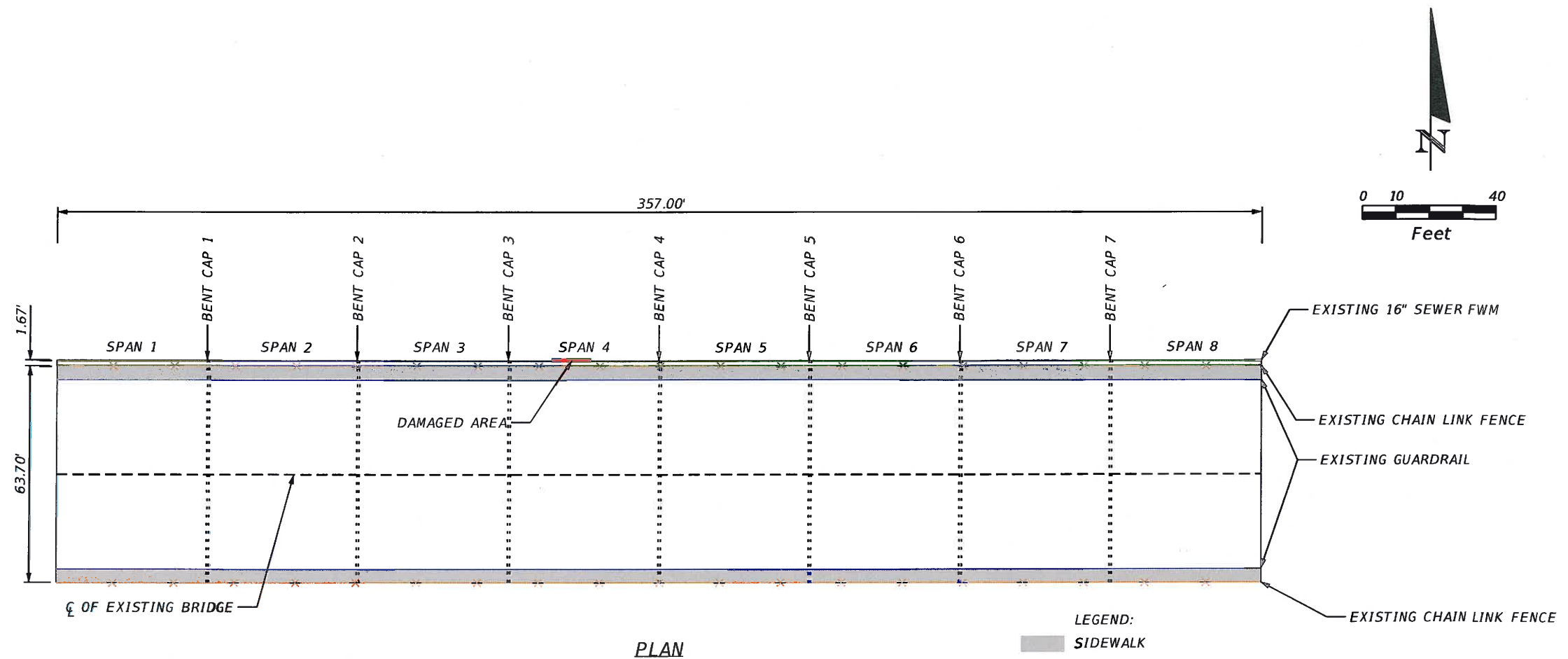
**LAKES
ENGINEERING, INC.**

4868 SW 72nd Avenue
Miami, FL 33155
Tel (305)667-4772
CA 27017
ESEN TOKAY, P.E.
LIC. NO. 30255

STRUCTURE PLANS
ENGINEER OF RECORD: ESEN TOKAY, P.E.

P.E. NO.: 32197

FISCAL YEAR	SHEET NO.
2018	1



Esen Tokay
 11/21/2018

ESSEN Y. TOKAY
 LICENSE
 NO. 32197
 STATE OF
 FLORIDA
 PROFESSIONAL ENGINEER

REVISIONS				ESEN TOKAY, P.E. P.E. LICENSE NUMBER 32197 LAKES ENGINEERING, INC. 4868 SW 72ND AVENUE MIAMI, FLORIDA 33155 CERTIFICATE OF AUTHORIZATION	TOWN OF BAY HARBOR ISLANDS		PLAN AND ELEVATION SHEET NO. 2
DATE	DESCRIPTION	DATE	DESCRIPTION		BRIDGE NO.	COUNTY	
					875103	MIAMI-DADE	

REPAIR NOTES:

1. REPAIR NOTES FOR CONCRETE SPALLS, DELAMINATIONS AND CRACKS:

- A. THE CONTRACTOR SHALL SOUND CONCRETE U-CHANNEL AND IDENTIFY DETERIORATED CONCRETE AND REPAIR LIMITS TO CONFIRM LIMITS.
- B. THE PAYMENT TO THE CONTRACTOR SHALL BE BASED ON THE ACTUAL QUANTITIES OF WORK PERFORMED AND THE UNIT PRICES BID.
- C. ALL SPALLS SHALL BE REPAIRED WITH A POLYMER-LATEX MODIFIED MORTAR/CONCRETE AS PER FDOT SPECIFICATIONS. THE REPAIR PRODUCTS SHALL BE ON THE FDOT'S APPROVED PRODUCT LIST (APL):
- 1) FOR VERTICAL AND OVERHEAD CONCRETE REPAIR (HAND TROWEL) USE PREDOMINATELY VERTICAL SURFACES-ULTRA HIGH PERFORMANCE PRODUCT TYPE OF A.P.L.
- 2) FOR FORM AND POUR OR FORM AND PUMP CONCRETE REPAIR USE EPOXY COMPOUNDS TYPE F2
- 3) FOR HORIZONTAL CONCRETE REPAIR (HAND TROWEL) USE PREDOMINATELY HORIZONTAL SURFACES RAPID HARDENING PRODUCT TYPE OF A.P.L.
- 4) FOR SURFACE COATING SEALER USE HIGH MOLECULAR WEIGHT METHACRYLATE
- D. INSTALL REPAIR MORTAR/CONCRETE TO RE-ESTABLISH THE DIMENSIONS OF THE ORIGINAL CONCRETE SURFACES UNLESS OTHERWISE NOTED ON THE PLANS AS PER FDOT SPECIFICATIONS.
- E. APPLICATION AND CURING OF REPAIR MORTAR/CONCRETE SHALL BE AS PER FDOT SPECIFICATIONS AND MANUFACTURER'S RECOMMENDATIONS.
- F. ALL CRACKS SHALL BE REPAIRED BY EPOXY INJECTION WITH LOW VISCOSITY EPOXY MATERIAL AS PER SECTION 411 OF THE FDOT SPECIFICATIONS. THE FOLLOWING PRODUCTS TYPE SHOULD BE USED:
- 1) SEAL CRACKS AND HOLES USE EPOXY COMPOUNDS TYPE F1
- 2) EPOXY CRACK INJECTION USE EPOXY COMPOUNDS TYPE E
- G. APPLICATION OF REPAIR EPOXY SHALL BE IN ACCORDANCE WITH FDOT SPECIFICATIONS AND MANUFACTURER'S RECOMMENDATIONS.
- H. CONCRETE REPAIR SURFACES SHALL BE PREPARED IN STRICT ACCORDANCE WITH THE PLANS AND THE INTERNATIONAL CONCRETE REPAIR INSTITUTE (ICRI) GUIDELINES FOR SURFACE PREPARATION OF CONCRETE.

I. CONTRACTOR SHALL SUBMIT, FOR THE ENGINEER'S REVIEW AND APPROVAL, ALL TECHNICAL DATA CORRESPONDING TO THE PROPOSED REPAIR MATERIALS (MORTAR, EPOXY, COATINGS, ETC.) TO BE USED ON ALL SPALL, DELAMINATION AND CRACK REPAIRS.

J. PAYMENT FOR ALL CRACK REPAIR, MATERIAL AND LABOR TO BE PAID FOR UNDER THE UNIT PRICE OF INJECT AND SEAL CRACK.

K. ALL REPAIR MATERIALS SHALL BE ON THE FDOT'S APPROVED PRODUCT LIST (A.P.L.)

2. CONTAINMENT:

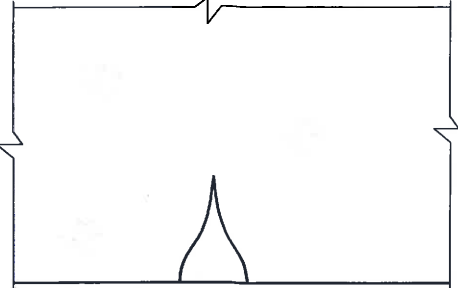
THE CONTRACTOR IS REQUIRED TO PROPERLY CONTROL ANY CONTAMINANTS GENERATED DURING PROJECT OPERATIONS, SUCH AS PRESSURE WASHING, BLASTING, PAINTING, CONTAINMENT MOVEMENTS, WASTE COLLECTION, AND STORAGE USING TARPS, DRAPES, PLASTIC SHEETING OR OTHER APPROVED METHODS. THE CONTRACTOR SHALL REMOVE THE DEBRIS AND VACUUM CLEAN THE CONTAINMENT DAILY. VACUUM CLEAN THE CONTAINMENT AND REMOVE DEBRIS PRIOR TO UN-ENCLOSING THE CONTAINMENT. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE STRUCTURAL ADEQUACY OF THE ENCLOSURE, MAINTAIN THE QUALITY OF AIR PROVIDED FOR WORKERS IN CONFINED LOCATIONS, AND MAINTAINING ADEQUATE VISIBILITY IN THE ENCLOSED AREA. IF CONTAINMENT WILL BE SUPPORTED BY THE BRIDGE, THE CONTRACTOR SHALL SUBMIT CALCULATIONS AND DETAILS DEMONSTRATING THE STRUCTURAL INTEGRITY OF THE BRIDGE IS MAINTAINED UNDER THE ADDITIONAL IMPOSED LOADS OF THE CONTAINMENT SYSTEM. THE COST OF THE CONTAINMENT SYSTEM INSTALLATION, RELOCATION AND REMOVAL SHALL BE INCLUDED THE UNIT PRICE FOR MOBILIZATION.

DURING THE REHABILITATION OF THE UNDERDECK AND SUBSTRUCTURE, DEBRIS SHALL BE CONTAINED ON THE BARGE POSITIONED BELOW THE WORK ZONE. IF NECESSARY, A SECOND BARGE WILL BE UTILIZED TO CONTAIN THE DEBRIS IF THE ACTIVE WORK ZONE EXCEEDS THE LIMITS OF THE BARGE.

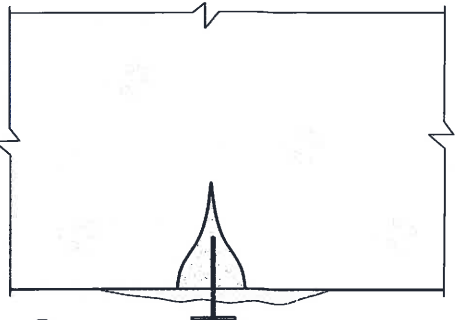
THE BARGE SHALL BE POSITIONED DIRECTLY BENEATH THE ACTIVE WORK AREA. TARPS AND NETTING WILL BE ATTACHED TO THE PERIMETER OF THE BARGE TO PREVENT DEBRIS SPILLS OFF OF THE SIDES OF THE BARGE. IN ADDITION TO USE OF THE BARGE, TURBIDITY BARRIERS WILL SURROUND THE WORK ZONE. BACKGROUND WATER CONDITIONS WILL BE DEFINED BY TURBIDITY MEASUREMENTS AT A CONTROL SITE LOCATED 500 METERS UPSTREAM FROM THE PROJECT SITE. IN ADDITION TO THE ABOVE METHODOLOGY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEVELOPING AND IMPLEMENTING A TURBIDITY MANAGEMENT PLAN, INCLUDING MONITORING TURBIDITY INSIDE AND OUTSIDE OF THE WORK ZONE. TURBIDITY MANAGEMENT DEVICES SHALL BE PLACED IN SUCH A MANNER AS TO NOT RESTRICT BOAT TRAFFIC OR IMPEDE MOVEMENT OF MARINE ANIMALS. TURBIDITY WILL BE MEASURED IN NTU AND WILL NOT BE PERMITTED TO EXCEED THE BACKGROUND TURBIDITY OF THE SURROUNDING WATERS. COST FOR TURBIDITY MONITORING SHALL BE INCLUDED.

3. PERFORMANCE OF WORK

THE REPAIR WORK IS INTENDED TO BE PERFORMED FROM THE WATER. IF THE CONTRACTOR'S BID IS BASED ON PERFORMING THE WORK FROM THE DECK OF THE BRIDGE, COST OF MAINTENANCE OF TRAFFIC AND OTHER INCIDENTAL COSTS ASSOCIATED WITH PERFORMING THE REPAIR WORK FROM THE BRIDGE DECK SHALL BE INCLUDED IN THE CONTRACTOR'S BID.



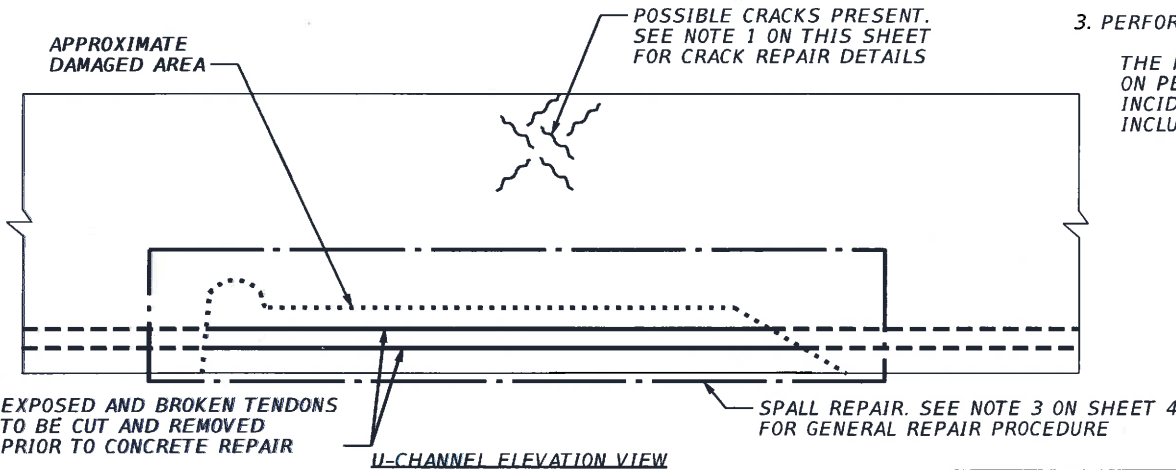
- ① CRACK SHALL BE V'd OUT TO 1/8" DEEP PRIOR TO DRILLING. CRACKS GREATER THAN 1/8" SHALL BE PATCHED. CLEAN CRACK WITH HIGH PRESSURE BLAST VACUUM CLEANER.



- ② DRILL HOLE FOR PORTS TO ASSURE A SNUG FIT. CLEAN AS PER STEP 1. INSERT PORT AND SEAL. SEAL SHALL OVER FLOW ABOUT 1/8".

- ③ INJECT EPOXY COMPOUND IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS

- ④ CLEAN CONCRETE SURFACE AREA OF EXCESS EPOXY COMPOUND SO THAT NO EPOXY EXTENDS BEYOND THE PLANE OF THE CONCRETE SURFACE



DAMAGED U-CHANNEL CONCRETE REPAIR DETAILS

POSSIBLE CRACKS PRESENT. SEE NOTE 1 ON THIS SHEET FOR CRACK REPAIR DETAILS

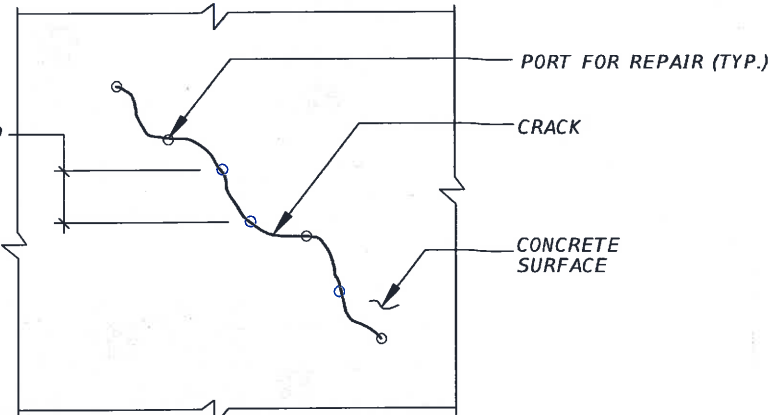
APPROXIMATE DAMAGED AREA

SPALL REPAIR. SEE NOTE 3 ON SHEET 4 FOR GENERAL REPAIR PROCEDURE

EXPOSED AND BROKEN TENDONS TO BE CUT AND REMOVED PRIOR TO CONCRETE REPAIR

U-CHANNEL PROFILE VIEW

SPACE PORTS AS CALLED FOR IN SPECIFICATION



EPOXY INJECTION BEGINS AT LOWER END OF VERTICAL CRACK. USE INCLINED PORTS FOR UPSIDE HORIZONTAL SURFACE WITH APPROVED GRAVITY BOND EPOXY SET. PROCEED UPWARD FOR VERTICAL CRACKS.

GENERAL CRACK REPAIR DETAILS
N.T.S.

REVISIONS				ESEN TOKAY, P.E. P.E. LICENSE NUMBER 32197 LAKES ENGINEERING, INC. 4868 SW 72ND AVENUE MIAMI, FLORIDA 33155 CERTIFICATE OF AUTHORIZATION	TOWN OF BAY HARBOR ISLANDS		REPAIR NOTES (1 OF 2)	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		BRIDGE NO.	COUNTY		
					875103	MIAMI-DADE		3

REPAIR NOTES CONT.

3. GENERAL REPAIR PROCEDURE FOR SPALLED OR DELAMINATED CONCRETE:

- A. REMOVE ALL DETERIORATED CONCRETE BEHIND PRE-STRESSED STEEL AND SQUARE CUT OR UNDER CUT THE PERIMETER OF THE AREA TO BE REPAIRED TO PROVIDE A MINIMUM OF ONE INCH CLEARANCE BETWEEN EXPOSED STEEL AND SURROUNDING CONCRETE OR TO WHATEVER ADDITIONAL DEPTH IS NECESSARY TO REACH SOUND CONCRETE. REMOVAL OF UNSOUND CONCRETE ADJACENT TO REINFORCING STEEL MAY BE DONE WITH A 15 LB. CHIPPING HAMMER AND 4 LB. SCALING HAMMER 3/4" OR GREATER. FEATHER EDGING OF PATCHES WILL NOT BE ACCEPTED. IF EXPOSED BAR IS CORRODED, REMOVE THE CONCRETE OVER AND SURROUNDING THE BAR UNTIL A MINIMUM OF THREE INCHES OF UNAFFECTED BAR IS EXPOSED ON EACH END.
- B. DURING THE REMOVAL OPERATION EXERCISE SUFFICIENT CARE TO MINIMIZE THE REMOVAL OF CONCRETE SUBSTRATE. FURNISH HAND TOOLS, CHIPPING HAMMERS AND OTHER SIMILAR EQUIPMENT TO REMOVE MATERIALS THAT CAN NOT BE REMOVED BY SANDBLASTING WITHOUT ABRADING THE SUBSTRATE.
- C. ALL SURFACES TO BE REPAIRED MUST BE CLEAN, SOUND AND FREE OF SURFACE MOISTURE, OIL, AND GREASE. REMOVE DUST, RESIDUE, LAITANCE, GREASE CURING COMPOUNDS, WAXES, IMPREGNATION, FOREIGN PARTICLES AND OTHER BOND INHIBITING MATERIALS FROM THE OIL AND GREASE. REMOVE DUST, RESIDUE, LAITANCE, GREASE CURING COMPOUNDS, WAXES, IMPREGNATION, FOREIGN PARTICLES, AND OTHER BOND INHIBITING MATERIALS FROM THE SURFACE BY SANDBLASTING. CHIP OFF AREAS THAT HAVE BEEN SATURATED WITH OIL GREASE TO SOUND NON CONTAMINATED CONCRETE. AREAS THAT MAY TRAP AIR ARE TO BE TRIMMED OR VENTED. IF AREAS BECOME CONTAMINATED AFTER INITIAL CLEANING, THEY MUST BE RE-CLEANED PRIOR TO APPLYING THE REPAIR MATERIAL.
- D. CONTRACTOR SHALL USE CAUTION NOT TO DAMAGE EXISTING REINFORCEMENT. IT SHALL BE SANDBLASTED TO A NEAR WHITE CONDITION. IF THE EXISTING REINFORCEMENT IS DAMAGED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER FOR ADDITIONAL INSTRUCTIONS ON THE APPLICABLE REPAIR. REMAINING BARS MUST DISPLAY ACCEPTABLE BONDING WITH EXISTING CONCRETE. IF BONDING IS LOST OR DAMAGED, ADDITIONAL STEEL SHALL BE EXPOSED UNTIL BONDED UNDAMAGED STEEL IS REACHED.
- E. IF THE EXISTING REINFORCEMENT HAS LOST MORE THAN 20% OF ITS CROSS SECTIONAL AREA A NEW BAR OF EQUAL SIZE SHALL BE TIED TO THE EXISTING REINFORCEMENT AND IT SHALL EXTEND A MINIMUM OF 12" BEYOND THE DETERIORATED REINFORCEMENT. IN NO CASE SHALL ANY REBAR BE PLACED WITH A COVER LESS THAN EXISTING COVER. NEW REINFORCEMENT MAY NEED TO BE DOWELED INTO SOUND CONCRETE. LAP SPLICES SHALL BE AS PER LAP SPLICE TABLE ON THIS SHEET.
- F. PREP-SURFACE TO PROVIDE AN AGGREGATE FRACTURED PLANE OF APPLICATION. MINIMUM SURFACE PROFILE SHALL BE 1/16" BY USE OF A SCRAMBLER OR OTHER APPROVED MEANS.
- G. ALL CONCRETE REPAIR SURFACES AND REINFORCING STEEL SURFACES SHALL BE COATED WITH A WATER BASED EPOXY / SENTENTIOUS BONDING AGENT AND REBAR CORROSION INHIBITOR IDENTIFIED IN THE DEPARTMENTS APL LISTING. PLACE COMPOUND IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. COST TO BE INCLUDED IN THE UNIT PRICE FOR RESTORE SPALLED AREAS.
- H. WET EXPOSED CONCRETE SURFACES WITH CLEAN WATER, SUBSTRATE SHALL BE SATURATED THEN DRIED.
- I. APPLY AN APPROVED EPOXY - MODIFIED BONDING AGENT TO EXPOSED SURFACES, AS PER FDOT SPECIFICATIONS AND MANUFACTURER'S RECOMMENDATIONS.
- J. FURNISH AN APPROVED LATEX MODIFIED MORTAR. INSTALL MORTAR TO MATCH EXISTING CONCRETE SURFACE AS PER FDOT SPECIFICATIONS.
- K. FULL DEPTH REPAIRS SHALL BE TREATED AND PAID FOR SPALL REPAIRS.
- L. PAYMENT FOR EPOXY, MORTAR, INCLUDING LABOR TO BE PAID FOR UNDER THE UNIT PRICE OF RESTORED SPALLED AREA.

- M. PLACEMENT OF FORMS AND POURING SHALL BE COMPLETED AS SOON AS IS PRACTICAL AFTER SAND BLASTING AND BEFORE ANY OTHER CONTAMINATING SITUATION OCCURS (72 HR. MAX.)
- N. FOR SPALLS IN WHICH FORM WORK IS NOT NEEDED, THE REPAIR MATERIAL CAN BE PLACED BY HAND AND TROWELED TO MATCH THE ORIGINAL SECTION. DEFECTS IN THE BASE CONCRETE SUCH AS BROKEN PIECES, VOIDS, HONEYCOMB, CORROSION, ETC., MUST BE REMOVED. ALL STEEL REINFORCEMENT SHALL BE CLEANED AND PREPARED THOROUGHLY BY SAND BLASTING PRIOR TO THE AREA BEING PATCHED.

- O. THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR ALL REPAIRS REQUIRING FORMWORK. SHOP DRAWINGS WILL BE SUBJECT FOR REVIEW AND APPROVAL BY THE ENGINEER. SHOP DRAWINGS FOR FORMS SHALL INCLUDE AND SHOW:

- A DETAILED WORK PLAN FOR THE PROPOSED WORK.
- DESCRIPTION OF FORMS TO BE USED (MATERIAL AND DIMENSIONS)
- THE METHOD FOR CLEANING OF CONCRETE AND REINFORCING STEEL.
- THE METHOD OF INSTALLING AND REMOVING FORMS.
- THE METHOD OF SEALING AND POURING.
- ALL CALCULATIONS SHALL BE SIGNED AND SEALED BY AN ENGINEER LICENSED IN THE STATE OF FLORIDA.
- ANY ADDITIONAL DETAILS THE ENGINEER MAY REQUEST UPON REVIEW OF THE CONTRACTOR'S REPORT.

4. LOSS OF AREA NOTE:

THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO PROCEEDING WITH THE WORK WHEN:

- REPAIR AREAS EXTEND MORE THAN TWELVE (12) INCHES BEYOND THE REPAIR AREA INITIALLY IDENTIFIED.

BAR SIZE	MIN. LAP SPLICE LENGTH
3	1'-0"
4	1'-3"
5	1'-6"
6	1'-10"
7	2'-3"
8	2'-9"
9	3'-6"

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DATE	DESCRIPTION	DATE	DESCRIPTION		BRIDGE NO.	COUNTY		
					875103	MIAMI-DADE		

FRPR NOTES

1. DESIGN SPECIFICATIONS:

- A. AASHTO GUIDE SPECIFICATIONS FOR DESIGN OF BONDED FRP SYSTEMS FOR REPAIR AND STRENGTHENING OF CONCRETE BRIDGE ELEMENTS (FIRST EDITION 2012).
- B. ACI 440.2-08, GUIDE FOR THE DESIGN AND CONSTRUCTION OF EXTERNALLY BONDED FRP SYSTEMS FOR STRENGTHENING CONCRETE STRUCTURES.
- C. FIBER REINFORCED POLYMER GUIDELINES (FRPG) FDOT STRUCTURAL MANUAL VOLUME 4, CHAPTER 4 JANUARY 2016.

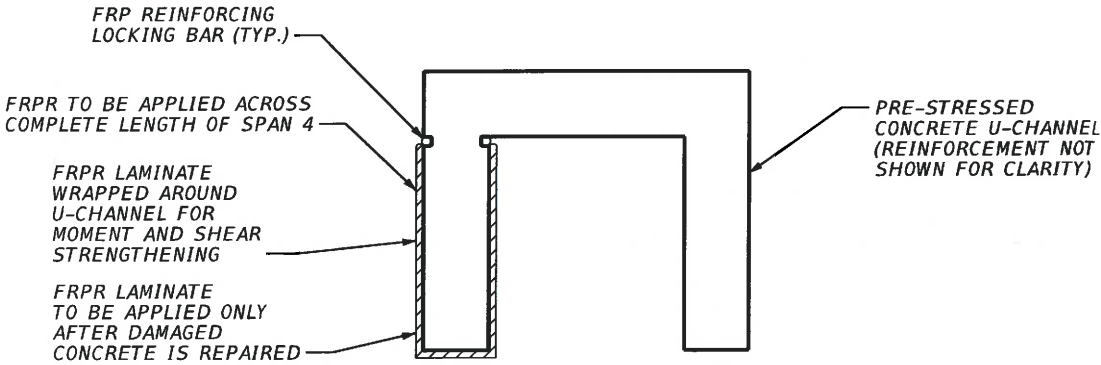
2. FRPR REPAIRS SHALL CONSIST OF:

- A. CONCRETE REPAIR IN ACCORDANCE WITH REPAIR NOTES SHEETS 1 AND 2.
- B. PREPARING THE SURFACE OF THE CONCRETE PRE-STRESSED U-CHANNEL SECTION TO RECEIVE THE FRPR.
- C. APPLYING THE FRPR REPAIR SYSTEM IN THE QUANTITY AND ORIENTATION INDICATED IN THE PLANS AND IN ACCORDANCE WITH THE FRPR MANUFACTURER'S RECOMMENDATIONS AND INSTALLATION PROCEDURES.

3. THE CONTRACTOR SHALL SUBMIT THE PROPOSED FRPR SYSTEM TO THE ENGINEER PRIOR TO PERFORMING THE WORK. PROPOSED FRPR SYSTEMS MUST UTILIZE CARBON FIBER AS THE PRIMARY FIBER REINFORCEMENT. PROPOSALS SHALL INCLUDE THE FOLLOWING AT A MINIMUM:

- A. DOCUMENTED EVIDENCE THAT THE MANUFACTURER OF THE PROPOSED SYSTEM MEETS THE REQUIREMENTS OF NCHRP REPORT 609.
- B. ALL INFORMATION REQUIRED BY NCHRP REPORT 609.
- C. THE CONTRACTOR SHALL PROVIDE U-CHANNEL STRENGTHENING WITH EXTERNALLY BONDED FRP AS SPECIFIED ON THIS SHEET WITH FRPR STRENGTHENING FOR SHEAR AND BENDING. THE DETAILS AND SYSTEM SHOWN IS CONCEPTUAL.
- D. CALCULATIONS SIGNED AND SEALED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF FLORIDA. THE CALCULATIONS SHALL SHOW THAT THE PROPOSED FRPR SYSTEM WILL PROVIDE THE STRENGTH AND DURABILITY REQUIRED AT THE PROJECT LOCATION. THE CALCULATIONS SHALL VERIFY THAT THE FRPR SYSTEM MEETS THE SPECIFIED SHEAR AND FLEXURAL DEMANDS AND VERIFY THAT THE FLEXURAL MAXIMUM STRAIN AND THE SHEAR MAXIMUM STRAIN ARE NOT EXCEEDED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS. SHOP DRAWINGS AND DESIGN CALCULATIONS SHALL BE PREPARED, SIGNED, SEALED AND SUBMITTED BY THE CONTRACTOR'S ENGINEER FOR APPROVAL PRIOR TO INSTALLATION. CONTRACTOR'S ENGINEER SHALL HAVE A MINIMUM OF 5 YEARS EXPERIENCE IN DESIGNING FRPR SYSTEMS.
- E. COST OF ALL FRP ENGINEERING, SHOP DRAWINGS, U-CHANNEL SURFACE PREPARATIONS, INCIDENTAL MATERIALS AND WORK NECESSARY TO INSTALL FRP SHALL BE INCLUDED IN THE PRICE FOR STRENGTHEN DEFICIENT U-CHANNEL WITH FRPR AT NO ADDITIONAL COST.
- F. FRPR FOR STRENGTHENING THE U-CHANNEL SHALL BE DESIGNED BY THE CONTRACTOR'S ENGINEER TO PROVIDE AN ADDITIONAL BEAM STRENGTH CAPACITY OF 8.0 Kips FOR SHEAR, 72.0 kips x Ft. FOR POSITIVE MOMENT (BOTTOM BENDING REINFORCEMENT) TO THE U-CHANNEL ACROSS THE COMPLETE LENGTH OF SPAN 4.
- G. APPLICATION OF THE FRPR SYSTEM MUST MEET ALL PERMITTING REQUIREMENTS.

FRPR DETAILS



FRPR STRENGTHENING FOR MOMENT AND SHEAR CONDITION

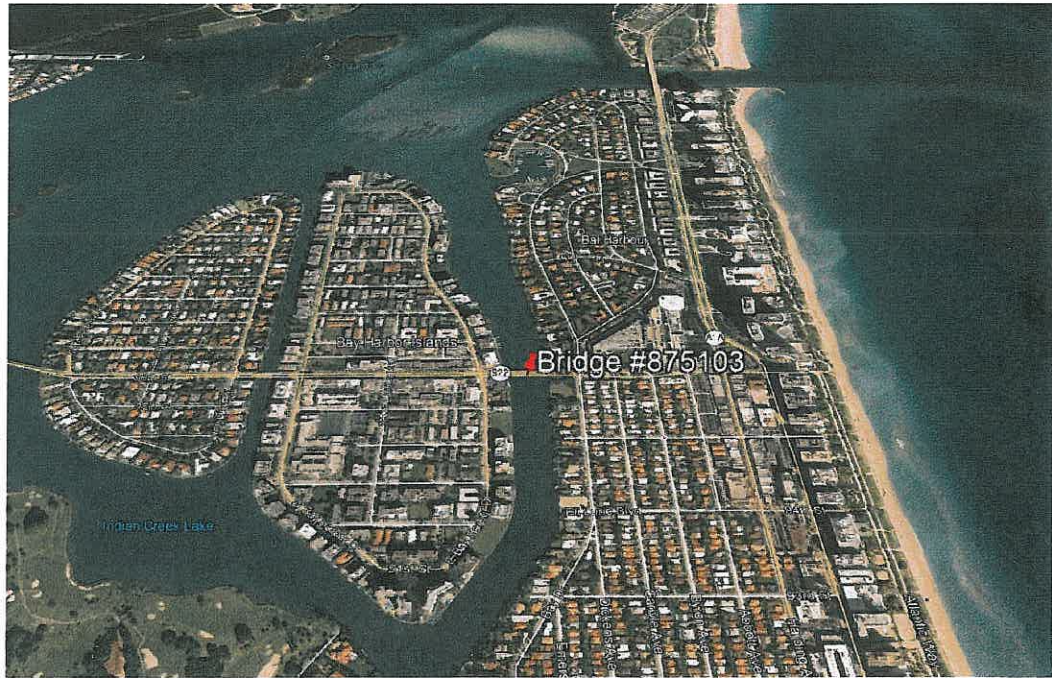
REVISIONS				TOWN OF BAY HARBOR ISLANDS	FRPR NOTES AND DETAILS	SHEET NO. 5
DATE	DESCRIPTION	DATE	DESCRIPTION			
				BRIDGE NO.	COUNTY	
				875103	MIAMI-DADE	

ESSEN TOKAY
P.E. LICENSE NUMBER 32197
LAKES ENGINEERING, INC.
4868 SW 72ND AVENUE
MIAMI, FLORIDA 33155
CERTIFICATE OF AUTHORIZATION

11/21/2018

11/21/2018 1:34:45 PM M:\Projects\18-108 Bay Harbor Bridge Rehab\RepairDetails.dgn

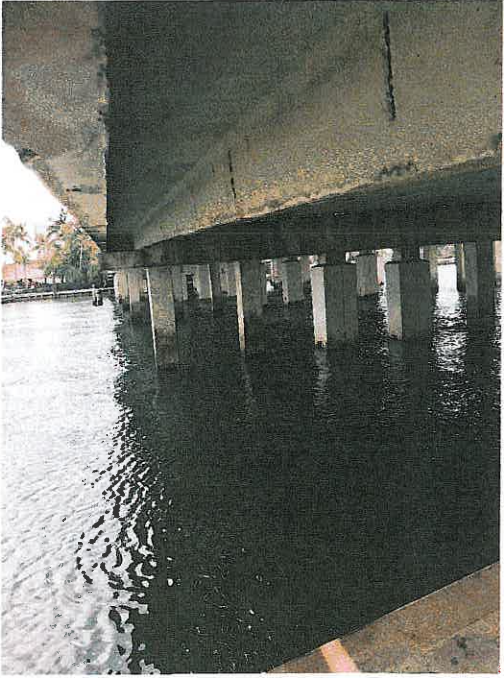
SITE PICTURES



LOCATION MAP



DAMAGED SUPPORT SPAN ON
NORTH SIDE OF BRIDGE



UNDERSIDE OF U-CHANNEL SUPPORT
LOOKING EAST



BRIDGE NUMBER 875103



SEWER LINE AND SUPPORT
NEAR WEST CONNECTION

Esen Tokay
11/21/2018
Professional Engineer
ESEN Y. TOKAY
LICENSE
NO. 32197
STATE OF
FLORIDA

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DATE	DESCRIPTION	DATE	DESCRIPTION		BRIDGE NO.	COUNTY		
					875103	MIAMI-DADE		

TOWN OF BAY HARBOR ISLANDS

BID CLOSING

DECEMBER 13, 2018 @ 3:15 PM

BC 152 – REPAIR SNAPPED PRE-STRESSED TENDON IN U CHANNEL

1.		Bid Bond	Bid Amount \$
Company Name Contractor Name Address/ Phone #	Structural	✓	\$97,197.85
	2001 Blount Road		
	Pompano Beach, FL 33069		

2.			
Company Name Contractor Name Address/ Phone #	CONE & GRAHAM Heavy Const.	✓	\$94,704.20
	PO Box 310167		
	TAMPA, FL 33680		
	813-623-2856		

3.			
Company Name Contractor Name Address/ Phone #			

4.			
Company Name Contractor Name Address/ Phone #			

Town of Bay Harbor Islands

BID CLOSING – SIGN IN SHEET

DECEMBER 13, 2018 @ 3:15PM

BC 152 – REPAIR SNAPPED PRE-STREESED TENDON

NAME/COMPANY	MAILING ADDRESS	PHONE NUMBER AND FAX NUMBER	EMAIL
Marlene Siegel Town Clerk Town of BHI	9665 Bay Harbor Terrace, BHI, FL	305-866-6241	Msiegel@bayharborislands-fl.gov
Alba Chang Deputy Town Clerk Town of BHI	9665 Bay Harbor Terrace, BHI, FL	305-866-6241	achang@bayharborislands-fl.gov
Structural Preservation Systems, LLC	2001 Blount Road, Pompano Beach, FL 33069	561-684-8792	jerube@structural.net
Cone & Graham Inc.	NW 2132 Settle Ave PLS FL 134956	561-727- 3939	2corrigia conegraham. Com.

TOWN OF BAY HARBOR ISLANDS
CONTRACTORS REFERENCE CHECK

Contractor: CONE & GRAHAM, INC (Subcontractor) Date: 12/14/18

Reference: RANGER CONSTRUCTION Phone: 305-345-9039

Person Contacted: ALEJANDRO URIBE Title: PROJECT MANAGER

1. When did the Contractor perform the work? 2017
2. What work did the Contractor perform? Design and raising of the existing roadway to create a two lane undivided facility.
3. What was the approximate dollar amount of the work? \$2M
4. How long did the project take? Less than a 1 year
5. Did the Contractor complete the work according to schedule? Yes
If not, why not?
6. Did the Contractor work continuously until the work was finished? Yes
If not, why not?
7. Did the Contractor provide adequate on-site supervision? Yes
8. Did you, or anyone else have any complaints during the work? No
If so, what were they?
How did the Contractor resolve the complaints? _____
9. Were you satisfied with the finished work. Yes, they are very professional, problem solving, very knowledgeable of their job.
If not, why not?
10. Have you had any warranty issues? No
If yes, did the Contractor repair the problems quickly and properly?
If not, why not?
11. Did the Contractor pay his Subcontractors and/or suppliers on time? N/A
If not, why not?
12. Did any Subcontractor or supplier file a lien for non-payment by the Contractor?
If yes, please explain. No
13. Did the Contractor ever file a lien against your property for non-payment?
If yes, please explain. No

CONTRACTORS REFERENCE CHECK
PAGE 2

14. Did the Project have a number of change orders? No

For the most part, were these change orders generated by the Contractor? N/A

If yes, do you think the change order work should have been included in the original bid? What percentage of the Total Project Cost was due to Contractor generated change order _____

15. How would you rate the Contractor(s) overall performance: Excellent - Good - Fair or Poor? Why? We have used this company many times, they are the best for this type of work

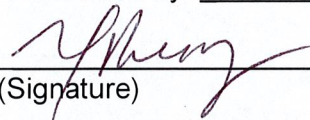
16. Would you use the Contractor again for this same type of project? Yes, highly Recommended.

Why?

17. Additional Comments? This company is very conscience about their safety and their Employee. I have continuing jobs with them constantly.

Performed by: Yuni Ruiz

Title: Admin Assistant


(Signature)

Dated: 12-14-18

TOWN OF BAY HARBOR ISLANDS
CONTRACTORS REFERENCE CHECK

Contractor: CONE & GRAHAM, INC (Subcontractor) Date: 12/14/18
Reference: Community Asphalt Corp Phone: 305-345-9039
Person Contacted: ANA DEPTRETS Title: Senior President

1. When did the Contractor perform the work? 2014- Ongoing
2. What work did the Contractor perform? Design and construction New express lanes in the median of I-75 along with 2.6 miles of work on the Turnpike.
3. What was the approximate dollar amount of the work? 250M
4. How long did the project take? Around 5 Years, should be finished on April 2019.
5. Did the Contractor complete the work according to schedule? Yes
If not, why not?
6. Did the Contractor work continuously until the work was finished? Yes
If not, why not?
7. Did the Contractor provide adequate on-site supervision? Yes
8. Did you, or anyone else have any complaints during the work? No
If so, what were they?
How did the Contractor resolve the complaints? _____
9. Were you satisfied with the finished work. Yes, they are very professional
If not, why not?
10. Have you had any warranty issues? No
If yes, did the Contractor repair the problems quickly and properly?
If not, why not?
11. Did the Contractor pay his Subcontractors and/or suppliers on time? N/A
If not, why not?
12. Did any Subcontractor or supplier file a lien for non-payment by the Contractor?
If yes, please explain. No
13. Did the Contractor ever file a lien against your property for non-payment?
If yes, please explain. No

CONTRACTORS REFERENCE CHECK
PAGE 2

14. Did the Project have a number of change orders? Yes a few, but honestly the company save us lots of money.

For the most part, were these change orders generated by the Contractor? No

If yes, do you think the change order work should have been included in the original bid? What percentage of the Total Project Cost was due to Contractor generated change order _____

15. How would you rate the Contractor(s) overall performance: Excellent - Good - Fair or Poor? Why? From 1-10 I will give then a 12.

16. Would you use the Contractor again for this same type of project? Yes, of course I Highly recommended to use this company.

Why?

17. Additional Comments?

Performed by: Yuni Ruiz

Title: Admin Assistant

(Signature)

Dated: 12-14-18

AGENDA ITEM REPORT

January 14, 2019

ITEM NUMBER: 18.

ITEM: Consideration and approval of a proposal from Hazen and Sawyer in the amount of \$19,600.00 for engineering services for the preparation of the Town wastewater collection/transmission system model update due by April 1, 2019. Failure to meet this deadline would place the Town in a moratorium for non-compliance. Enclosed is a copy of the proposal.

DESCRIPTION:

The Division of Environmental Resources Management (DERM) has issued a Consent Decree requiring all municipalities under their purview create and submit a Sanitary Sewer System Model for the purposes cited in the DERM attachment to this item. This attachment cites Chapter 24, Section 24-42.2 (7) of the Consent Decree for the purpose of requiring this model, the interval of updating required, the capabilities of such a model, and the threat of a moratorium for non-compliance (Section 24-24.3 (3)(ii). Also within this attachment is a description of the submittal requirements. The HAZEN attachment was submitted to the Town by Engineering Firm Hazen and Sawyer and proposes the lump sum of \$19,600.00 to complete this work through their defined Scope of Services and submit the model to DERM per their requirements by the due date of April 1, 2019. Hazen and Sawyer are one of several engineering firms with which the Town has a Continuing Services Agreement. They also possess expertise within this particular scope and are working with several other local municipalities to submit the same model to DERM.

RECOMMENDED ACTION:

Approval

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Douglas Armstrong, Assistant Public Works Director
Juan C Jimenez, Town Manager

ATTACHMENTS

1. DERM
2. HAZEN

Sanitary Sewer System Model

Due: April 1, 2019



Sanitary Sewer System Model

Regulation Requirements

- New Consent Decree
 - Case No CIV-93-1109-MORENO
 - Paragraph 16
- Chapter 24, Section 24-42.2 (7)

(7) **Collection and transmission system model.** All utility owned or operated sanitary sewer collection systems shall participate in a County-wide, regional computerized collection and transmission system model or models to: i) assist in the development and implementation of operation and maintenance procedures to optimize transmission capacity within the collection system; and ii) evaluate the impact of infiltration and inflow rehabilitation programs, proposed system modifications, upgrades and expansions to the transmission capacity and performance of the collection system. The model or models for each collection and transmission system shall be updated at intervals of no more than five (5) years. The model for each utility shall be capable of predicting, during conditions of expected peak flow, the flow in each force main and major gravity main, the hydraulic pressure at any point in any force main, the flow capacity at each pump station with and without the backup pump, the peak pumping rate at each station, and the likelihood and location of SSOs and surcharged conditions where the backup pump is out of service. The design and development and subsequent updates of the model or models required herein shall be approved by the Director or the Director's designee prior to implementation.

CMOM requirements for utilities. CM requirements set forth herein shall apply to all utilities.

- Section 24-42.3 (3)(ii)
 - Moratoriums for non-compliance

Sanitary Sewer System Model

Submittal Requirements

- **The submittal shall include:**
 - Description of the Model's Software.
 - Description of the Model's capability to participate in County-wide, regional computerized collection system model or models. (24-42.2(7))
 - Description of how the Model will assist in the development and implementation of O&M procedures to optimize transmission capacity. (24-42.2(7)(i))
 - Description of the Model's capability to evaluate impact of I/I rehab projects, proposed system modifications, upgrades and expansions to the transmission capacity and performance of the collection system. (24-42.2(7)(ii))
 - Description of the Model's capability to predict, at expected peak flow event, the flow in FM and major gravity mains, hydraulic pressure at any point in any FM, flow capacity for each PS, with or without back-up pump, peak pumping rate at each PS, likelihood of SSOs and surcharged conditions where the backup pump is out of service. (24-42.2(7))
 - Proof of calibration (pressure transducers at point of connection), including data collected for the system model calibration. (24-42.2(7))
 - Plan for the 5 year update. (24-42.2(7))
 - Professional Engineer Certification
 - Any other support documentation
 - Submit to DERM for Approval prior to implementation. (24-42.2(7))
 - DERM may request a full demonstration of the Model



Hazen and Sawyer
4000 Hollywood Boulevard, 750N • Hollywood, FL 33021

December 18, 2018

Randy L. Daniel, P.E.
Town Engineer/Director of Public Works
Town of Bay Harbor Islands
9665 Bay Harbor Terrace
Bay Harbor Islands, FL 33154

Re: Wastewater Collection/Transmission System Model Update

Dear Mr. Daniel:

Hazen and Sawyer (Hazen) is pleased to provide this engineering services proposal for the preparation of the Town of Bay Harbor Islands wastewater collection/transmission system model update due April 30, 2019. This is pursuant to the Miami-Dade County Code revision effective March 14, 2014. A detailed scope of work as well as the basis of the fee estimate are attached for your approval. The proposed lump sum fee to collect the necessary flow and pressure data, calibrate and update the model, and complete the required regulatory reporting is \$19,600.

We are prepared to initiate work upon receipt of authorization from the Town, and are grateful for the opportunity to assist the Town in this assignment. Should you have any questions or wish to discuss this project, please call us at your earliest convenience.

Very truly yours,
HAZEN AND SAWYER, P.C.

A handwritten signature in blue ink, appearing to read "Ethan Heijn".

Ethan Heijn
Senior Associate

c. Chris Kish

Town of Bay Harbor Islands Wastewater Collection/Transmission System Model Update

BACKGROUND

Section 24-42.2.(7) of the Miami-Dade County Code (MDCC) contains the requirement excerpted below:

“All utility owned or operated sanitary sewer collection systems shall participate in a County-wide, regional computerized collection and transmission system model or models to: i) assist in the development and implementation of operation and maintenance procedures to optimize transmission capacity within the collection system; and ii) evaluate the impact of infiltration and inflow rehabilitation programs, proposed system modifications, upgrades and expansions to the transmission capacity and performance of the collection system. The model or models for each collection and transmission system shall be updated at intervals of no more than five (5) years. The model for each utility shall be capable of predicting, during conditions of expected peak flow, the flow in each force main and major gravity main, the hydraulic pressure at any point in any force main, the flow capacity at each pump station with and without the backup pump, the peak pumping rate at each station, and the likelihood and location of SSOs and surcharged conditions where the backup pump is out of service. The design and development and subsequent updates of the model or models required herein shall be approved by the Director or the Director's designee prior to implementation.”

Hazen and Sawyer (CONSULTANT) contacted the Department of Regulatory and Economic Resources (RER), previously referred to as the Department of Environmental Resources Management (DERM), to confirm interpretation of the update requirement as follows:

- “Update” means that the model should accurately represent existing pipes/pumps and be calibrated using recent flow and pressure data for dry and wet weather. Miami-Dade Water and Sewer Department (MDWASD) connection pressures should be requested from the County for use in the calibration; if such pressures are unavailable, reasonable assumptions should be made concerning such pressures based on historical data and engineering judgment.
- No particular submittal to DERM has been defined, and therefore no specific scenarios require modelling (for example, a 2-year storm and/or 2030 conditions); however, the model should be built out and calibrated to existing conditions such that various scenarios (as described in the MDCC language) could be modelled should it be determined that such modelling was needed. The DERM submittal should consist of a simple certification to the effect that the model has been updated, along with a brief description of the work performed as part of that effort.

SCOPE OF SERVICES

A detailed scope of services for the above-described project will include the following tasks.

- Task 1. Collect field data
- Task 2. Confirm model structure and operational data

- Task 3. Perform model calibration
- Task 4. Prepare and submit report

CONSULTANT will perform services as described for each task. Assumptions concerning TOWN's support of these efforts are summarized following the task descriptions.

Task 1 – Collect field data

Collect flow and pressure data over a minimum two-week period.

- Attend an initial coordination meeting to outline data collection activities, roles/responsibilities, and access requirements.
- Flow data. Collect date-and-time-stamped pump start and stop information. Use wet well fill volumes to calculate flow. Develop influent hydrographs for the Master Pump Station.
- Pressure data. Install a pressure transducer to collect pressure data during the same period as the flow data. The City of Miami Beach will be requested to provide operational pressure data, at the connection point to the TOWN's force main system, for the same time period. Coordinate with TOWN to install a 1/4 NPT threaded outlet and valve for attachment of a pressure data logger, if an existing connection point is not available.

Task 2 – Confirm model structure and operational data

- Attend up to two meetings for initial coordination, system data transfer, and follow-up confirmation.
- Coordinate with TOWN to verify wet well fill volume based on wet well cross-sectional area and pump on/off settings. Compare these data to current pump controls within the model and modify model settings as warranted to represent real world operating conditions.
- Update pressure data, at the point of connection between the TOWN and Miami Beach, using pressure data provided by Miami Beach.
- Coordinate with TOWN to identify pump curve data and/or piping modifications that require updating in the model. Contact vendors to collect accurate information using contractor information, construction timeframe, and pump serial numbers provided by TOWN.
- Update pump curve data within the model following collection/confirmation of current pump curve data for all stations.

Task 3 – Perform model calibration

- Calibrate model to actual hydraulic conditions using the flow and pressure data collected under Task 1. Calibration will be performed by running simulations and plotting a comparison of the field and model results. Model parameters will be adjusted to align the model representation with the actual field data for dry and wet weather conditions. Limited calibration of the gravity

system will be done based on field observations and operator reports. Calibration will be performed under extend period simulations to better match actual field conditions. Attempts to calibrate the model under steady state simulations will not be performed.

- Model calibration will be conducted using time periods for which the most complete field pressure and flow data are available. Calibration will focus on hourly flows, selected TOWN pump station discharge pressures, and selected TOWN pump station wet well levels. Proper calibration requires valid flow data for the Master Pump Station along with other data inputs. The level of calibration achieved will reflect the nature and quality of available data.
- Attend up to two meetings to review progress and discuss results.

Task 4 – Prepare and submit report

- Prepare a report for submittal to RER-DERM to document work completed to update the model. The report will address methods and locations used for data collection, describe the methodology employed to update and calibrate the model, and review the model's readiness for use in evaluating various hydraulic modeling scenarios as may be required in the future.
- Attend up to two meetings, as needed, to discuss TOWN's review comments as well as how possible RER-DERM commentary will be addressed.

FEE

The proposed lump sum fee is as detailed in Exhibit B.

SCHEDULE

It is anticipated that Task 1 will be initiated immediately to allow procurement of pressure data loggers and initiation of data collection activities as soon as possible. Remaining tasks will be scheduled to allow the TOWN to meet the regulatory compliance submittal deadline of April 1, 2019.

ASSUMPTIONS

The following assumptions apply to the overall scope of work described above.

1. This effort envisions significant interdependence among CONSULTANT and TOWN and will require timely action and clear communication with respect to information requests, joint or pre-requisite tasks, work product reviews, and other aspects of the project. Some specific areas of support by TOWN personnel are as follow:
 - a. Coordinate with CONSULTANT if pump cycling does not occur and flow meters are needed to develop flow data. Temporary flow meters, if needed, will addressed under separate authorization.

- b. Coordinate with CONSULTANT to identify locations for pressure monitoring. If existing connection points are not sufficiently available, install a 1/4 NPT threaded outlet and valve for attachment of pressure data loggers at selected locations.
 - c. Verify wet well cross-sectional areas and pump on/off settings as requested by CONSULTANT. Confirm that “pump off” and “lead pump on” settings are below the invert of the influent line.
 - d. Coordinate with CONSULTANT to identify pump curve data and/or piping modifications that require updating in the model. Where needed, provide contractor information, construction timeframe, and pump serial numbers for use by CONSULTANT in obtaining current pump curves and piping characteristics.
- 2. It is assumed that the TOWN will generally provide access throughout the project to engineering and operations staff for field visit accompaniment when required and requests for information, possibly including but not limited to the following:
 - a. Plans, specifications, and as-built drawings for existing facilities and infrastructure.
 - b. Identification of private pump stations.
 - c. Pump curves and motor and impeller data.
 - d. Fixed and variable field data to be defined as part of the project.
 - e. Data relative to the age and maintenance history of infrastructure and equipment.

Exhibit B

FEE PROJECTION
TOWN OF BAY HARBOR ISLANDS
Town of Bay Harbor Wastewater Hydraulic Model Calibration

Task	Project Manager	Senior Engineer	Project Engineer	Clerical	Total Hours	Total Fee
LABOR:						
<u>Task 1 - Collect Field Data</u>						
Coordination Meeting	4	4	0	0	8	1,300
Flow Data	1	12	0	0	13	2,100
Pressure Data	1	8	0	0	9	1,500
subtotal	6	24	0	0	30	4,900
<u>Task 2 Confirm Model Structure and Operational Data</u>						
Coordination, Data Transfer and follow-up Meetings	4	4	0	0	8	1,300
Wet Level Verification and Model Update	1	2	16	0	19	2,500
Collect Pressure Data from Miami Beach at POC	1	2	0	0	3	500
Verify Pump Curve Data with Town/ Vendors	1	2	0	0	3	500
Update Model with Pump Curve Data	1	2	4	0	7	1,000
subtotal	8	12	20	0	40	5,800
<u>Task 3 - Perform Model Calibration</u>						
Calibrate Model to Actual Field Conditions	2	2	8	0	12	1,700
Meeting Attendance (Review/ Progress)	2	2	0	0	4	700
subtotal	4	4	8	0	16	2,400
<u>Task 4 - Prepare and Submit Report</u>						
Prepare Report of RER-DERM Submittal	2	12	0	4	18	2,500
Meeting Attendance (Review/ Commentary)	2	2	0	0	4	700
Address RER-DERM Commentary	2	8	0	0	10	1,600
subtotal	6	22	0	4	32	4,800
Total Labor Fee	24	62	28	4	118	\$17,900
<u>REIMBURSABLE COST:</u>						
Other Direct Costs (Mileage, printing/copying, and miscellaneous)						
Total Reimbursable Cost					Units	Unit Price
					Lump Sum	\$1,700.00
TOTAL PROJECT COST (LUMP SUM)						\$1,700
						\$19,600