



## City of North Bay Village

### Administrative Offices

1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141  
Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

## OFFICIAL AGENDA

### REGULAR CITY COMMISSION MEETING

**CITY OF NORTH BAY VILLAGE  
1700 KENNEDY CAUSEWAY, #132  
NORTH BAY VILLAGE, FL 33141**

**TUESDAY, JULY 26, 2011**

**7:00 P.M.**

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE CITY COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, HE OR SHE WILL 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. THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE EVIDENCE, NOR DOES IT AUTHORIZES CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION OR A SIGN LANGUAGE INTERPRETER TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT (305) 756-7171 NO LATER THAN FOUR DAYS PRIOR TO THE PROCEEDING. IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE NUMBERS AT (800) 955-8771 (TDD) OR (800) 955-8700 (VOICE) FOR ASSISTANCE.

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1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL**
  2. **A. PROCLAMATIONS AND AWARDS**
  - B. SPECIAL PRESENTATIONS**
    1. **JEANETTE NUNEZ/AVENTURA HOSPITAL  
FREE LEAD TESTING FOR CHILDREN**
  - C. ADDITIONS AND DELETIONS**

3. **BOARD REPORTS**

- A. ANIMAL CONTROL ADVISORY BOARD
- B. ARTS, CULTURAL & SPECIAL EVENTS BOARD
- C. CITIZENS BUDGET AND OVERSIGHT BOARD
- D. COMMUNITY ENHANCEMENT BOARD
- E. PLANNING & ZONING BOARD
- F. YOUTH SERVICES BOARD
- G. CITY MANAGER REVIEW COMMITTEE

4. **PUBLIC SAFETY DISCUSSION**

5. **COMMISSIONERS' REPORTS**

6. **CITY ATTORNEY'S REPORT**

7. **CITY MANAGER'S REPORT**

- A. PRESENTATION OF THE 2011-2012 ANNUAL OPERATING BUDGET

8. **GOOD & WELFARE AT APPROXIMATELY 8:00 P.M.**

9. **CONSENT AGENDA**

- A. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER EXTENDING THE CONTRACT COMPLETION DATE FOR THE DESIGN BUILD AGREEMENT BETWEEN THE CITY AND METRO EQUIPMENT SERVICE, INC., FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)*

The proposed Resolution will extend the contract completion date for the west bound sewer force main system to Miami to August 12, 2011.

- B. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$16,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS (FUND 07) AND THE DISBURSEMENT OF SUCH FUNDS TO COVER THE COST OF ANNUAL LICENSE RENEWAL, MAINTENANCE SUPPORT, AND HARDWARE MAINTENANCE FEES FOR THE MOBILE SERVERS FOR THE COMPUTER AIDED DISPATCH SYSTEM; SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The proposed Resolution will establish funds in the police federal forfeiture account and will allow expenditure of such funds for the purposes set forth in the Resolution.

**1.) Commission Action**

**10. PLANNING & ZONING CONSENT AGENDA**

**11. ORDINANCES FOR FIRST READING AND RESOLUTIONS**

- A. RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET PUBLIC HEARINGS FOR FISCAL YEAR 2011-12, AS REQUIRED BY LAW; DIRECTING THE FINANCE DIRECTOR TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The proposed Resolution will set a cap for the millage rate and will establish the dates for the first and second budget public hearings, as required by law.

**1.) Commission Action**

- B. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, PROVIDING SALARY AND INSURANCE PARAMETERS FOR THE POSITION OF CITY MANAGER BY AMENDING SECTION 33, "PERSONNEL POLICIES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; SETTING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CORINA S. ESQUIJAROSA)**

The proposed Ordinance will set a base salary, performance review, and insurance benefits for the position of City Manager.

**1.) Commission Action**

- C. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH BAY VILLAGE TO PROVIDE SEVERANCE GUIDELINES BY AMENDING CHAPTER 33, "PERSONNEL POLICIES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY CITY MAYOR CORINA S. ESQUIJAROSA)**

The proposed Ordinance will set limits and requirements for severance payments.

- D. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH BAY VILLAGE TO PROVIDE A TAKE HOME VEHICLE POLICY BY AMENDING CHAPTER 33, "PERSONNEL POLICIES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY CITY MAYOR CORINA S. ESQUIJAROSA)**

The proposed Ordinance will prohibit City employees from utilizing City-owned vehicles for personal use or as a take-home vehicle.

**1.) Commission Action**

- E. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF NORTH BAY VILLAGE TO REVISE BOAT AND WATER VESSEL TRAILER PARKING REQUIREMENTS, BY AMENDING CHAPTER 70, "TRAFFIC AND PARKING REGULATIONS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

The proposed Ordinance will prohibit boat or personal watercraft trailers of any length or any combination of these vessels to be parked in the public right-of-way.

**1.) Commission Action**

- F. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES TO PROVIDE FOR A SERGEANT-AT-ARMS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CORINA S. ESQUIJAROSA)**

The proposed Resolution will authorize one of the City's police officers to serve as the Sergeant-At-Arms during City Commission Meetings to maintain order and decorum.

**1.) Commission Action**

- G. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AMENDING THE COMMISSION MEETING AND AGENDA PROCEDURES TO CHANGE THE TIME OF REGULAR MEETINGS AND TO PROVIDE FOR TWO GOOD AND WELFARE SESSIONS DURING REGULAR MEETINGS; AND PROVIDING AN EFFECTIVE DATE. (INTRODUCED BY MAYOR CORINA S. ESQUIJAROSA)**

The proposed Resolution will allow for holding City Commission Meetings at 7:00 p.m. and for two sessions of Good and Welfare.

**1.) Commission Action**

- H. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING THE URBAN QUALIFICATION COOPERATION AGREEMENT WITH MIAMI-DADE COUNTY ALLOWING FOR THE OPTION TO PARTICIPATE IN VARIOUS FEDERAL GRANT PROGRAMS; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE AGREEMENT; AUTHORIZING THE APPROPRIATE OFFICIALS TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY INTERIM CITY MANAGER, ROBERT DANIELS)*

The proposed Resolution will allow an agreement with Miami-Dade County to provide opportunities to apply and participate in the various grant programs throughout the County.

1.) Commission Action

- I. A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, ESTABLISHING AN ADVISORY CHARTER REVIEW BOARD; PROVIDING FOR AN EFFECTIVE DATE. *(INTRODUCED BY VICE MAYOR CONNIE LEON-KREPS)*

The proposed Resolution will establish a group of citizens to review the City Charter and provide recommendations for amendment to the City Commission.

1.) Commission Action

12. PUBLIC HEARINGS INCLUDING ORDINANCES FOR SECOND READING
13. UNFINISHED BUSINESS
- A. WEST DRIVE REZONING
- 1.) Commission Action
14. NEW BUSINESS
15. GOOD AND WELFARE

16. APPROVAL OF MINUTES

17. ADJOURNMENT

CITY OF NORTH BAY VILLAGE  
MONTHLY REPORTS 2011

POLICE DEPT							
	JAN	FEB	MAR	APR	MAY	JUN	YTD
<b>PHONE CALLS BREAKDOWN:</b>							
911	9	13	13	13	10	15	73
RADIO	17	24	24	16	32	17	130
WALK-IN	20	18	30	21	22	21	132
TELEPHONE	203	216	242	260	225	241	1387
OFFICER INITIATED	1526	1892	2040	1324	1263	1,247	9292
<b>TYPES OF CRIMES/FELONIES</b>							
ATTEMPTED BURGLARY	1	0	0	0	0	0	1
BURGLARY STRUCTURE	1	0	0	0	1	1	3
BURGLARY RESIDENCE	3	0	0	1	3	3	10
BURGLARY VEHICLE	9	4	4	4	4	5	30
ROBBERY ARMED	0	1	0	0	0	0	1
ROBBERY STRONGARM	0	0	0	0	0	0	0
SEXUAL BATTERY	0	0	0	0	0	0	0
AGG BATTERY/ASSAULT	1	0	1	0	1	2	5
FRAUD GENERAL	1	0	1	1	0	0	3
CC FRAUD	1	0	1	1	1	0	4
ID THEFT	1	4	3	4	1	1	14
INTERNET FRAUD	0	0	0	0	0	0	0
GRAND THEFT	1	3	4	8	3	6	25
MOTOR VEHICLE THEFT	0	1	2	0	1	2	6
<b>MISDEMEANORS:</b>							
SIMPLE BATTERY	2	1	3	0	1	3	10
DOMESTIC BATTERY	1	2	5	0	1	2	11
ASSAULT	0	0	0	1	0	0	1
VERBAL THREATS	3	0	0	0	1	0	4
THEFT GENERAL	4	2	2	2	0	2	12
STOLEN DECAL	2	0	1	0	0	0	3
STOLEN TAG	2	0	2	0	1	0	5
DUI	0	2	2	0	0	0	4
<b>CITATIONS:</b>							
TRAFFIC	97	110	98	153	79	171	708
PARKING	50	77	45	51	19	47	289
<b>ARREST:</b>							
FELONY	4	1	4	5	6	3	23
MISDEMEANOR	5	11	10	8	7	4	45
BENCH WARRANT	1	0	3	0	0	1	5

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CITY OF NORTH BAY VILLAGE							
MONTHLY REPORTS 2011							
POLICE DEPT							
	JAN	FEB	MAR	APR	MAY	JUN	YTD
<b>REPORT TYPES:</b>							
MISC INCIDENT	8	26	29	25	36	33	157
OFFENSE INCIDENT	23	25	50	33	32	45	208
CRASH REPORT	11	9	3	10	4	6	43
HIT AND RUN	3	4	1	3	2	2	15
FIELD INTERVIEW	1	2	3	2	1	1	10
CODE WARNINGS	1	1	6	6	5	5	24
CODE VIOLATIONS	3	2	3	5	0	3	16
<b>INVESTIGATIONS:</b>							
CARRY OVER PRIOR	8	4	15	6	10	9	52
NEW INVESTIGATIONS	21	15	21	20	15	15	107
CASES CLEARED	8	3	15	7	9	10	52
CLEARANCE RATE	38.09%	15.79%	41%	27%	36%	41.66%	1.9954
BACKGROUND INVEST.	2	1	2	0	0	0	5
<b>RED LIGHT CAMERAS</b>							
Cases Reviewed			589	389			978
Cases Approved			506	291			797
Approval Rate			83%	75%			1.58
Personnel Time Spent			120	51			171
Estimated Revenue			\$37,950.00	\$21,825.00			\$59,775.00

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## CITY OF NORTH BAY VILLAGE

## MONTHLY REPORTS 2011

## BUILDING DEPT

	JAN	FEB	MAR	APR	MAY	JUN	YTD
PERMITS/UPFRONT FEES	\$ 10,290.40	\$ 10,313.08	\$ 11,628.48	\$ 16,601.38	\$ 16,301.25	\$13,082.25	\$ 78,216.84
VISITORS	164	207	214	203	207	278	1273
PERMIT APPLICATIONS/ REVISIONS	48	59	60	59	67	59	352
HOLD HARMLESS/ EXTENSIONS/ CERT OF COMPLETION/OCCUPANCY/ CHANGE OF CONTRACTORS/ REINSPECTIONS	\$0.00	\$404.35	\$580.00	\$625.00	\$375.00	\$305.00	\$2,289.35
INSPECTIONS:							
BLDG INSPECTIONS/REVIEW:	154	175	171	204	175	182	1061
ELEC INSPECTIONS:	27	25	32	42	33	33	192
MECH INSPECTIONS:	21	14	17	9	16	22	99
PLUMBING INSPECTIONS:	21	34	46	28	32	36	197
STRUCTURAL REVIEWS:	26	12	9	9	13	8	77

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CITY OF NORTH BAY VILLAGE  
MONTHLY REPORTS 2011  
FRONT DESK

	JAN	FEB	MAR	APR	MAY	JUN	YTD
TOTAL TRANSACTIONS (CASH/CREDIT CARDS)	389	442	486	590	465	466	2838
VISITORS	119	175	235	176	171	201	1077
PASSPORT ISSUED	11	33	40	45	63	59	251
NOTARY SERVICES	4	5	7	11	8	10	45
TAX RECEIPTS (OCCUP LICENSES)	7	9	13	31	15	262	337
LIEN SEARCH/REQUESTS FOR INFORMATION:	42	53	86	49	54	51	335
POST OFFICE	542	542	686	634	607	529	3540
<b>TRAFFIC COURT CASES:</b>							
ATS (AMERICAN TRAFFIC SOLUTIONS PRIOR TO 7/1/10) HEARINGS IN NBV	27	27	25	0	0	0	79
LAF (NBV-AFTER 7/1/10) HEARINGS IN MDC	129	183	168	115	72	160	827

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CITY OF NORTH BAY VILLAGE  
MONTHLY REPORTS 2011  
CODE COMPLIANCE

	JAN	FEB	MAR	APR	MAY	JUN	YTD
PHONE CALLS	100	60	63	87	69	47	426
MEETINGS ATTENDED	29	11	24	17	20	31	132
<b>Violations:</b>							
Illegal Boat Trailer		2			0		2
Trash, Rubbish & Debris on Property		1	2	4	9	5	21
Open & Abandoned property					1		1
Road Debris/Trash Picked Up				7	0	13	20
Dumpster Without Permits		1		1	0		2
Fence in Disrepair		1	1		3	5	10
Backed up Sewage		1	1	2	0		4
Illegal Auto Repair		1			0		1
Outside Storage				2	1	1	4
Illegal Business		2	72		1		75
Illegal Signs		10	18	2	22	51	103
Graffiti			2	1	1		4
Sight Visibility/Sidewalk Obstructions		1			3	3	7
Boat Trailer on Right-of-way					1		1
Illegal Conversions					2	2	4
Engine Repairs					1		1
Building Maintenance Req'd					2	6	8
Permit not displayed					1	1	2
Filming Without Permit		1			0		1
Dirty Pool/Stagnant Water		1	2		1	1	5
Barking Dog/s, Animal Complaint		1	2		0		3
Dirty Roof or not maintained		1			0		1
Dock In Disrepair		1			0		1
Landscaping Maintenance					3	7	
Structural Damage		1	1	6	1	1	10
Illegal Solicitation		1	4	1	0		6
Noise				1	0		1
Parking Lot Maintenance/Disrepair			4		3	1	8
Commercial Vehicles in Residential Area		2	1	1	4	3	11
Roadway Obstruction Cleared			13		0		13
INITIAL INSPECTIONS	43		81	27	48	36	235
VERBAL WARNINGS GIVEN				9	9	9	27
WARNINGS ISSUED	39		9		0	25	73
COURTESY NOTICE ISSUED	25		89	15	18	0	147
CITATIONS ISSUED	3		1	9	14		27
RE-INSPECTIONS	45		71	88	80	46	330

**7B(5)**

ILLEGAL SIGNS REMOVED	18				0		18
WORK WITHOUT PERMITS	8	5	12	9	5	15	54
COMMERCIAL VEHICLES CITED	6				0		6
STOP WORK ORDERS ISSUED	5				1	3	9
SERVICE OF PROCESS				3	0	0	3
DEBRIS PICKUP	3	8			17		28
CASES CLOSED	31		11	44	15	3	104

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CITY OF NORTH BAY VILLAGE  
MONTHLY REPORTS 2011  
PUBLIC WORKS

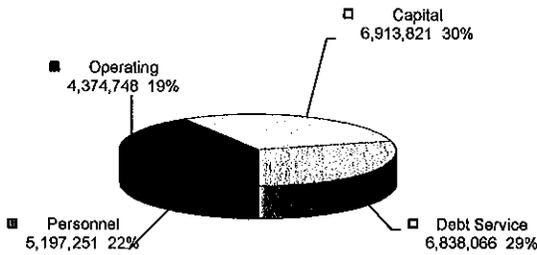
	JAN	FEB	MAR	APR	MAY	JUN	YTD
MEETINGS ATTENDED	10	8	6	7	8	12	51
INSPECTIONS	30	25	20	23	26	28	152
WATER PURCHASED, GAL	33,877,668	30,347,856	28,871,304	36,347,564	33,043,648	no Invoice	162,488,040
WATER SOLD, GAL	29,293,000	23,995,000	24,718,000	28,764,000	29,806,000	29,059,000	165,635,000
WATER WORK ORDERS	87	91.00	67	43.00	66.00	52.00	406
WATER BREAK EMERG		2.00	*		2.00	2.00	6
SEWERAGE DISPOSAL, GAL	30,746,000	28,520,000	31,988,000	24,808,000	23,019,000	no Invoice	139,081,000
SEWER BREAK EMERG				1nbv, 1mb			2
DISPOSAL Garbage/Trash, TN	367.27	320.09	312.33	368.88	367.85	390.89	2127.31
RECYCLING	\$ 5,303.54	5,303.54	5,952.98	5,952.98	4,989.41	no invoice	\$ 27,502.45
PARKS CLEAN UP, DAYS.	38	40	38	40	39	40	235

\* No Invoice rec'd to date

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**CITY OF NORTH BAY VILLAGE  
BUDGET-IN-BRIEF thru May 31, 2011**

**YTD-Citywide Expense Allocation**



**General Fund Revenues**

Revenues	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Real & Personal Property Taxes	3,139,629	2,662,092	2,471,747	92.8%
Franchise Fees	444,500	296,333	141,353	47.7%
Utility Service Taxes	420,000	280,000	224,488	80.2%
Communication Service Tax	316,602	211,068	171,960	81.5%
Licenses & Permits	70,600	36,667	22,424	61.2%
Intergovernmental Revenue	680,047	440,031	430,977	97.9%
Fines & Forfeitures	430,009	286,673	297,844	103.9%
Misc. Revenue	24,000	16,000	26,213	163.8%
Charges for Services	37,160	24,773	39,373	158.9%
Transfer from Utilities	217,264	-	-	0.0%
Debt Proceeds	6,325,000	-	-	0.0%
Appropriations & Carryover	1,944,621	-	-	0.0%
<b>Total Revenues &amp; Carryover</b>	<b>\$ 14,029,432</b>	<b>\$ 4,253,637</b>	<b>\$ 3,826,379</b>	<b>90.0%</b>

**General Fund Expenditures**

Expenditures	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
City Commission Department	69,273	46,182	44,667	96.7%
City Manager Department	114,863	76,954	51,067	66.4%
City Clerk Department	185,028	123,352	113,584	92.1%
Finance Department	127,915	85,277	85,494	100.3%
Legal Services Department	200,000	133,333	214,962	161.2%
General Government Department	842,446	561,631	413,498	73.6%
Police Department	3,755,337	2,503,558	2,583,641	103.2%
Recreation / Human Svces Dept.	36,193	29,088	25,601	88.0%
Debt Service Refunding	6,325,000	6,325,000	6,325,000	100.0%
Transfer to Capital Fund	1,856	-	-	0.0%
Transfer to Street Mnctce Fund	390,607	-	-	0.0%
Transfer to Transportation Fund	55,248	-	-	0.0%
<b>Total Expenditures</b>	<b>\$ 12,103,766</b>	<b>\$ 9,884,375</b>	<b>\$ 9,857,514</b>	<b>99.7%</b>

**YTD-Total Citywide Budget**

Expenditures	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Total Citywide Budget	23,980,887	18,160,837	16,640,026	91.6%

**Selected Other Funds**

Building Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	142,700	95,133	106,306	111.7%
Transfer from General Fund	-	-	-	-
Total Revenues	142,700	95,133	106,306	111.7%
Total Expenses	142,700	95,133	105,223	110.6%

**Selected Other Funds**

Street Mnctce Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	111,386	74,257	66,733	89.9%
Transfer from General Fund	390,607	-	-	-
Total Revenues	501,993	74,257	66,733	89.9%
Total Expenses	501,993	352,995	342,025	96.9%

**Selected Other Funds**

Transportation Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	200,000	133,333	87,067	65.3%
Transfer from General Fund	55,248	-	-	0.0%
Appropriations & Carryover	59,719	-	-	0.0%
Total Revenues & Carryover	314,967	133,333	87,067	65.3%
Transfer to Capital Improvements	181,144	120,763	87,067	72.1%
Total Expenses	133,823	106,488	36,825	34.6%

Capital Project Fund	Budget	Pro-Rata Budget	Year-to-Date	YTD %
Revenues	65,000	43,333	36,764	56.6%
Transfer from General Fund	1,856	-	-	0.0%
Transfer from Transportation Fund	181,144	-	-	0.0%
Appropriations & Carryover	2,313,488	-	-	0.0%
Total Revenues & Carryover	2,561,488	43,333	36,764	1.4%
Total Expenses	2,039,850	1,359,900	369,193	18.1%

Utility Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	4,218,319	2,812,213	2,999,023	106.6%
Appropriations & Carryover	(767,410)	-	-	0.0%
Total Revenues & Carryover	3,450,909	2,812,213	2,999,023	106.6%
Transfer to Water Imprmnts	25,000	-	-	0.0%
Transfer to General Fund	217,264	-	-	-
Transfer to Sewer Imprmnts	183,958	-	-	0.0%
Total Expenses	3,380,428	2,232,285	2,364,171	105.9%

Stormwater Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	215,000	143,333	127,500	89.0%
Appropriations & Carryover	277,741	-	-	0.0%
Total Revenues & Carryover	492,741	143,333	127,500	89.0%
Total Expenses	172,000	114,667	103,807	90.5%

Debt Service Fund	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	329,108	279,050	259,163	92.9%
Appropriations & Carryover	-	-	-	-
Total Revenues & Carryover	329,108	279,050	259,163	92.9%
Total Expenses	329,108	214,554	226,168	105.4%

Water Improvements	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	-	-	-	-
Transfer from Utility Fund	25,000	-	-	0.0%
Total Revenues	25,000	-	-	0.0%
Total Expenses	25,000	12,500	-	0.0%

Sewer Improvements	Budget	Pro-Rata Budget	Year-to-Date	Pro-Rata %
Revenues	5,405,971	3,695,960	3,674,757	99.4%
Transfer from Utility Fund	183,958	-	-	0.0%
Total Revenues	5,589,929	3,695,960	3,674,757	-
Total Expenses	5,589,929	3,787,939	3,235,100	85.4%

**Cash Position**

Sabadell United	3,264,611
CenterState	58,113
SBA Fund A	24,923
<b>Total General Fund</b>	<b>\$ 3,347,647</b>
Sabadell United	2,002,166
CenterState Series 2010	40,043
<b>Total Project Fund</b>	<b>\$ 2,042,209</b>

7C(1)

General Fund	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	Jul-11	Aug-11	Sep-11
<b>Revenues</b>												
Real & Personal Property Taxes	-	188,070	1,824,960	161,351	122,587	2,763	133,019	51,621	-	-	-	-
Franchise Fees	-	2,571	12,436	27,397	26,878	24,412	23,055	24,603	-	-	-	-
Utility Service Taxes	-	22,173	45,415	30,941	32,256	30,811	31,000	31,891	-	-	-	-
Communication Service Tax	-	-	48,335	-	48,753	23,996	-	50,876	-	-	-	-
Licenses & Permits	9,708	3,287	3,337	1,348	353	536	2,734	1,121	-	-	-	-
Intergovernmental Revenue	31,320	57,018	45,848	31,616	92,355	47,634	66,444	58,741	-	-	-	-
Fines & Forfeitures	53,031	107,771	49,203	(43,392)	18,910	50,054	16,118	46,148	-	-	-	-
Misc. Revenue	2,205	2,975	5,503	4,812	2,740	2,813	2,896	2,261	-	-	-	-
Charges for Services	3,707	3,479	4,148	3,362	4,604	8,231	6,390	5,452	-	-	-	-
<b>Total Revenues</b>	<b>99,972</b>	<b>387,345</b>	<b>2,039,186</b>	<b>217,436</b>	<b>349,437</b>	<b>191,249</b>	<b>281,656</b>	<b>272,714</b>	-	-	-	-
<b>Expenditures</b>												
City Commission Department	4,183	7,265	5,842	6,299	9,191	4,189	3,808	3,890	-	-	-	-
City Manager Department	11,415	11,417	10,935	11,453	5,617	(167)	(1,764)	1,260	-	-	-	-
City Clerk Department	12,240	18,574	10,821	10,690	11,548	25,968	11,995	11,746	-	-	-	-
Finance Department	12,170	8,170	9,037	8,391	9,002	19,304	8,498	10,922	-	-	-	-
Legal Services Department	4,000	35,969	302	72	40,742	35,452	54,364	44,061	-	-	-	-
General Government Department	53,680	41,975	55,153	32,293	60,978	55,254	57,133	56,116	-	-	-	-
Police Department	331,769	284,930	303,421	286,387	287,512	434,106	306,296	314,496	-	-	-	-
Recreation / Human Svcs Dept.	2,358	8,048	7,646	791	1,517	2,075	1,563	1,563	-	-	-	-
<b>Total Expenditures</b>	<b>431,816</b>	<b>416,349</b>	<b>403,157</b>	<b>356,377</b>	<b>426,108</b>	<b>576,180</b>	<b>441,913</b>	<b>444,072</b>	-	-	-	-
<b>Building Fund</b>												
Revenues	8,236	9,341	8,159	12,757	12,612	15,819	17,136	19,190	-	-	-	-
Expenditures	5,886	19,918	5,509	5,363	21,606	16,417	15,246	15,278	-	-	-	-
<b>Street Mtnce Fund</b>												
Revenues	1,323	9,641	9,061	1,323	9,436	17,274	9,613	9,062	-	-	-	-
Expenditures	29,704	53,291	49,102	62,397	57,509	40,608	23,718	25,697	-	-	-	-
<b>Transportation Fund</b>												
Revenues	-	-	-	15,091	16,766	-	38,635	16,575	-	-	-	-
Expenditures	1,774	8,269	2,519	4,199	4,989	5,567	4,945	4,564	-	-	-	-
<b>Capital Project Fund</b>												
Revenues	512	32,409	521	852	770	-	-	-	-	-	-	-
Expenditures	172,572	97,209	50	-	31,628	-	-	-	-	-	-	-
<b>Utility Fund</b>												
Revenues	379,987	379,771	349,647	383,704	354,232	376,697	383,068	391,230	-	-	-	-
Expenditures	126,456	382,474	203,661	206,402	316,357	306,813	324,693	496,967	-	-	-	-
<b>Stormwater Fund</b>												
Revenues	9,933	9,919	10,019	10,087	10,090	10,028	57,463	9,937	-	-	-	-
Expenditures	77	12,651	-	7	6,547	46,165	21,555	16,812	-	-	-	-
<b>Debt Service Fund</b>												
Revenues	-	19,719	191,348	16,918	12,853	290	-	5,412	-	-	-	-
Expenditures	160,625	-	65,543	-	-	-	-	-	-	-	-	-
<b>Water Improvements Fund</b>												
Revenues	-	-	-	-	-	-	-	-	-	-	-	-
Expenditures	-	-	-	-	-	-	-	-	-	-	-	-
<b>Sewer Improvements Fund</b>												
Revenues	60,903	512,907	1	867,318	591,513	177,795	475,906	988,304	-	-	-	-
Expenditures	-	15,700	270,132	619,286	603,145	260,093	475,906	1,009,050	-	-	-	-

70(2)



Kimley-Horn  
and Associates, Inc.

June 28, 2011

Mr. Robert Daniels  
Interim City Manager  
City of North Bay Village  
1700 Kennedy Causeway, Suite 132  
North Bay Village, FL 33141

■  
Suite 109  
5200 NW 33rd Avenue  
Fort Lauderdale, Florida  
33309

**RE:   City of North Bay Village  
Force Main Rehabilitation Design-Build Project  
RFP #2009-03, Project #WW803060  
KHA 043138011**

Dear Bob,

The Design-Build contract for the above referenced project was awarded by the City of North Bay Village (City) to Metro Equipment Services, Inc. (MES) and signed on October 27, 2009. The contract schedule was 365 days, but based on extensive stakeholder coordination and lengthy permitting processes, the contract completion date was changed from October 27, 2010 to June 30, 2011. The contract extension was approved by the City Commission on May 10, 2011. As part of that approval process, the Department of Environmental Protection (DEP) also agreed to extend the Consent Order deadline between the City of North Bay Village and DEP from November 30, 2010 to June 30, 2011.

To date, the force main piping system is installed, connected, and successfully pressure tested throughout the project area. The remaining component impacting project completion is a wastewater flow meter. The meter body and associated electrical components have been delivered, but per the attached letter from MES dated June 27, 2011, obtaining an electrical permit has created an unexpected delay. MES is expediting the electrical permit, but could not provide an actual date for receipt of the permit.

Once the flow meter is installed, MES is required to obtain approval from Miami-Dade Water and Sewer Department (WASD), the Department of Environmental Resource Management (DERM), and the City of North Bay Village prior to activating the force main. As a result, MES is requesting an additional 30 days associated with obtaining the electrical permit, completing the flow meter installation, and activating the force main. The requested extension would change the completion date from June 30, 2011 to July 30, 2011. MES indicated that they have coordinated with WASD and DERM so that once the flow meter is installed the approval process will be expedited by both agencies.

■  
TEL 954 635 6100  
FAX 954 739 2247

9A(1)

# METRO EQUIPMENT SERVICE, INC.

6-27-11

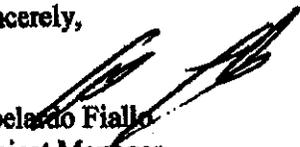
Kinley-Horn & Associates  
5200 N.W. 33 Rd Ave. Suite 109  
Ft. Lauderdale, Fla. 3309-6343  
Attn: Gary Ratay P.E.

Mr. Gary Ratay,

This letter is to inform you of the unexpected development that occurred when our electrical contractor went to pull the temporary permit at Miami-Dade County planning & Zoning on 6-23-2011. As per the e-mail attached the permitting department explained that they had made a mistake in issuing the electrical permit in the first place. They apologized and tried to work it out but determined that they had to dissolve the permit and that Metro Equipment Service, Inc. would have to go to the City of Miami to present two sets of sealed plans and apply for a new permit there. We do not know how long this could take until we apply tomorrow when we receive the sealed set of plans from LAN Engineering. The electrical supervisor at the City of Miami is aware and will try to expedite the process. We respectfully request an extension of time for this unforeseen situation that was not caused by Metro. To be safe we ask for 30 days. Please contact DEP for their understanding with this matter. I appreciate everyone's consideration in advance.

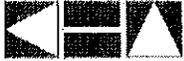
Please let me know if you need anything else.

Sincerely,



Abelardo Fiallo  
Project Manager  
Metro Equipment Service

CC: Mr. Sam Zamacona  
City of North bay Village- Public Works Director



Kimley-Horn  
and Associates, Inc.

July 1, 2011

■  
Suite 109  
5200 NW 93rd Avenue  
Fort Lauderdale, Florida  
33309

Mr. Michael Hambor  
Environmental Manager  
Department of Environmental Protection (DEP)  
400 North Congress Ave., Suite 200  
West Palm Beach, FL 33401

**RE: *City of North Bay Village  
Force Main Rehabilitation Design-Build Project  
Consent Order OGC#08-0440  
Kimley-Horn and Associates, Inc. (KHA) #043138006***

Dear Michael,

Per the attached letter dated June 27, 2011, Metro Equipment Services, Inc. (MES) is requesting a time extension associated with the above referenced project. The force main piping system is installed, connected, and successfully pressure tested throughout the project area. The remaining component impacting project completion is a wastewater flow meter. The meter body and associated electrical components have been delivered, but obtaining an electrical permit has created an unexpected delay. MES is expediting the electrical permit, but could not provide an actual date for receipt of the permit.

Once the permit is obtained and the flow meter is installed, MES is required to obtain approval from Miami-Dade Water and Sewer Department (WASD), the Department of Environmental Resource Management (DERM), and the City of North Bay Village prior to activating the force main. As a result, MES is requesting an additional 30 days associated with obtaining the electrical permit, completing the flow meter installation, and activating the force main. The requested extension would change the completion date from June 30, 2011 to July 30, 2011. MES indicated that they have coordinated with WASD and DERM so that once the flow meter is installed the approval process will be expedited by both agencies.

Based on the information provided and discussions with MES to determine the request is reasonable with impacts outside of their control, KHA recommended approved of this time extension request to the City. We hope that you will consider and approve this scheduling request, and waive any potential fees or violations as part of your approval.

■  
TEL 954 535 5100  
FAX 954 739 2247

9A(4)



Kimley-Horn  
and Associates, Inc.

Mr. Michael Hambor, July 1, 2011, Page 2

Please let us know if this schedule extension request is acceptable and should you have any questions or need further information, please do not hesitate to call me at (954) 535-5100.

Sincerely,

**Kimley-Horn and Associates, Inc.**

A handwritten signature in black ink, appearing to read "Gary R. Ratay".

Gary R. Ratay, P.E.  
Senior Associate

Attachments

Copy To: Alex Lopez  
Robert J. Daniels/Sam Zamacona/Nina Boniske  
Stefano Viola/File

9A(5)

# METRO EQUIPMENT SERVICE, INC.

6-27-11

Kinley-Horn & Associates  
5200 N.W. 33 Rd Ave. Suite 109  
Ft. Lauderdale, Fla. 3309-6343  
Attn: Gary Ratay P.E.

Mr. Gary Ratay,

This letter is to inform you of the unexpected development that occurred when our electrical contractor went to pull the temporary permit at Miami-Dade County planning & Zoning on 6-23-2011. As per the e-mail attached the permitting department explained that they had made a mistake in issuing the electrical permit in the first place. They apologized and tried to work it out but determined that they had to dissolve the permit and that Metro Equipment Service, Inc. would have to go to the City of Miami to present two sets of sealed plans and apply for a new permit there. We do not know how long this could take until we apply tomorrow when we receive the sealed set of plans from LAN Engineering. The electrical supervisor at the City of Miami is aware and will try to expedite the process. We respectfully request an extension of time for this unforeseen situation that was not caused by Metro. To be safe we ask for 30 days. Please contact DEP for their understanding with this matter. I appreciate everyone's consideration in advance.

Please let me know if you need anything else.

Sincerely,

  
Abelardo Fiallo  
Project Manager  
Metro Equipment Service

CC: Mr. Sam Zamacona  
City of North bay Village- Public Works Director



## City of North Bay Village

Administrative Offices

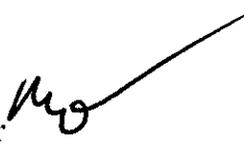
1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### MEMORANDUM City of North Bay Village

**DATE:** July 19, 2011

**TO:** Yvonne P. Hamilton, CMC  
City Clerk

**FROM:** Robert Daniels   
Interim City Manager

**SUBJECT:** Introduction of Resolution

---

Pursuant to Section 3.08 of the City Charter, I hereby introduce the following Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER EXTENDING THE CONTRACT COMPLETION DATE FOR THE DESIGN BUILD AGREEMENT BETWEEN THE CITY AND METRO EQUIPMENT SERVICE, INC., FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.**

There is no financial impact on the extension of this contract.

Accordingly, please place the item on the next available agenda.

RD:yph

Mayor  
Corina S. Esquijarosa

Vice Mayor  
Connie Leon-Kreps

Commissioner  
Frank Rodriguez

Commissioner  
Eddie Lim

Commissioner  
Dr. Paul Vogel

9A(7)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER EXTENDING THE CONTRACT COMPLETION DATE FOR THE DESIGN BUILD AGREEMENT BETWEEN THE CITY AND METRO EQUIPMENT SERVICE, INC., FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT J. DANIELS)**

**WHEREAS**, at a Special Election held on September 5, 2006, the voters of the City of North Bay Village (the "City") approved a capital improvement project for the replacement of the Biscayne Bay Sewer Force Main; and

**WHEREAS**, in Resolution No. 2009-75 the City Commission approved a Design-Build Agreement with Metro Equipment Service, Inc. ("Metro") for the Force Main Rehabilitation Design-Build Project (the "Project") for approximately \$4,457,012.00; and

**WHEREAS**, in April of 2010, by adoption of Resolution No. 2010-33, the City Commission approved an amendment to the Design Build Agreement pertaining to monetary Change Orders 1 through 4 representing an increase of \$162,322.80; and

**WHEREAS**, in September and December of 2010, Change Orders 5 through 7 (No. 5 piping deduction of \$14,850.00, No. 6 additional asphalt for \$2,910.00, and No. 7 time extension) were approved by the City Manager which resulted in an overall deduction of the Contract Price; and

9A(8)

**WHEREAS**, in May 2011, the City Commission approved Resolution 2011-20 approving Change Order No 8 to extend the Contract Time to June 30, 2011 and increase the Contract Price for an additional \$114,666.28 due to additional roadway and landscaping restoration work associated with installing the City's force main into the streets in the City of Miami increasing the total Contract Price to \$4,722,061.08; and

**WHEREAS**, completion of the project has been delayed due to permitting procedures and inspections for the Flow Meter required to measure the City's wastewater flow at the point of connection, resulting in the need to extend the Contract Time to August 12, 2011, with no additional costs; and

**WHEREAS**, The City's Engineering Consultant has reviewed and recommends approval of the proposed change order.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

**Section 2. Approval of Change Order.** That Change Order No. 9 to the Design- Build Agreement between the City and Metro Equipment Service, Inc, for the additional Contract Time through August 12, 2011, a copy of which is attached as Exhibit "1," together with such changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is approved.

**Section 3. Authorization of City Officials.** The Interim City Manager and/or his designee and the City Attorney are authorized to take all actions necessary to implement the terms and conditions of the Change Order.

**Section 4. Execution of the Agreement.** The Interim City Manager is authorized to execute the Change Order on behalf of the City, to execute any required agreements and/or documents to implement the terms and conditions of the Change Order, and to execute any additional time extensions, subject to the approval as to form and legality by the City Attorney.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

**FINAL VOTE AT ADOPTION:**

Mayor Corina S. Esquijarosa \_\_\_\_\_  
Vice Mayor Connie Leon-Kreps \_\_\_\_\_  
Commissioner Eddie Lim \_\_\_\_\_  
Commissioner Frank Rodriguez \_\_\_\_\_  
Commissioner Paul Vogel \_\_\_\_\_

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Corina S. Esquijarosa, Mayor

9A(10)

**ATTEST:**

---

Yvonne P. Hamilton, CMC  
City Clerk

**APPROVED AS TO FORM FOR THE USE  
OF THE CITY OF NORTH BAY VILLAGE:**

---

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
City Attorney

9A(11)

# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER

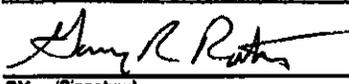
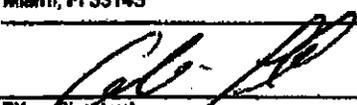
<b>PROJECT:</b> 30	<b>CHANGE ORDER #:</b>	9
FM Rehab Design-Build 1700 Kennedy Causeway Suite #132 North Bay Village, FL 33141	<b>CHANGE ORDER DATE:</b>	07/14/2011
	<b>PROJECT #s:</b>	RFP 2009-03
<b>TO:</b> Metro Equipment Service, Inc. 7171 SW 62 Ave., Suite 502 Miami, FL 33143	<b>DATE OF CONTRACT:</b>	10/27/2009
	<b>FOR:</b>	

The Contract is changed as follows:

Time extension associated with flowmeter permits

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$265,049.08
The Contract Sum prior to this Change Order was	\$4,722,061.08
The Contract Sum will be unchanged by this Change Order	\$0.00 *
The new Contract Sum including this Change Order will be	\$4,722,061.08
The Contract Time will be increased by Forty-three	43 days.
The date of Substantial Completion as of this Change Order therefore is	08/12/2011

**Not valid until signed by all parties below.**

Kimley Horn & Assoc.	Metro Equipment Service, Inc.	City of North Bay Village
ARCHITECT	CONTRACTOR	OWNER
6200 NEW 33 Ave., Suite 109	7171 SW 62 Ave., Suite 502	1700 Kennedy Causeway Suite #132
ADDRESS	ADDRESS	ADDRESS
Ft. Lauderdale, FL 33309	Miami, FL 33143	N. Bay Village, FL 33141
		
BY (Signature)	BY (Signature)	BY (Signature)
Gary Ratay	Robert Daniels	
(Typed Name)	(Typed Name)	(Typed Name)
DATE 7/	DATE 7-15-11	DATE

9A(12)

**RESOLUTION NO. 2011-20**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER IN THE AMOUNT OF \$114,666.28 TO THE DESIGN BUILD AGREEMENT BETWEEN THE CITY AND METRO EQUIPMENT SERVICE, INC., FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY CITY MANAGER ROBERT PUSHKIN)**

**WHEREAS**, at a Special Election held on September 5, 2006, the voters of the City of North Bay Village (the "City") approved a capital improvement project for the replacement of the Biscayne Bay Sewer Force Main; and

**WHEREAS**, in Resolution No. 2009-75 the City Commission approved a Design-Build Agreement with Metro Equipment Service, Inc. ("Metro") for the Force Main Rehabilitation Design-Build Project (the "Project") for approximately \$4,457,012.00; and

**WHEREAS**, in April of 2010, by adoption of Resolution No. 2010-33, the City Commission approved an amendment to the Design Build Agreement pertaining to monetary Change Orders 1 through 4 representing an increase of \$162,322.80; and

**WHEREAS**, in September and December of 2010, Change Orders 5 through 7 (No. 5 piping deduction of \$14,850.00, No. 6 additional asphalt for \$2,910.00, and No. 7 time extension) were approved by the City Manager which resulted in an overall deduction of the Contract Price; and

WHEREAS, Metro is requesting an additional amendment to the Design Build Agreement through Change Order No 8 to extend the Contract Time to June 30, 2011 and increase the Contract Price for an additional \$114,666.28 (as detailed in the request for change order dated April 6, 2011 from Metro to the City) due to additional roadway and landscaping restoration work associated with installing the City's force main into the streets in the City of Miami increasing the total Contract Price to \$4,722,061.08.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above Recitals are true and correct and incorporated herein by this reference.

**Section 2. Approval of Change Order.** That Change Order No. 8 to the Design- Build Agreement between the City and Metro Equipment Service, Inc, for the additional Contract Time through June 30, 2011 and for the additional Contract Price of \$114,666.28, a copy of which is attached as Exhibit "1," together with such changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is approved.

**Section 3. Authorization of City Officials.** The City Manager and/or his designee and the City Attorney are authorized to take all actions necessary to implement the terms and conditions of the Change Order.

**Section 4. Execution of the Agreement.** The City Manager is authorized to execute the Change Order on behalf of the City, to execute any required agreements and/or documents to implement the terms and conditions of the Change Order, subject to the approval as to form and legality by the City Attorney.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

The motion to adopt the foregoing Resolution was offered by Commissioner Eddie Lim, seconded by Vice Mayor Connie Leon-Kreps.

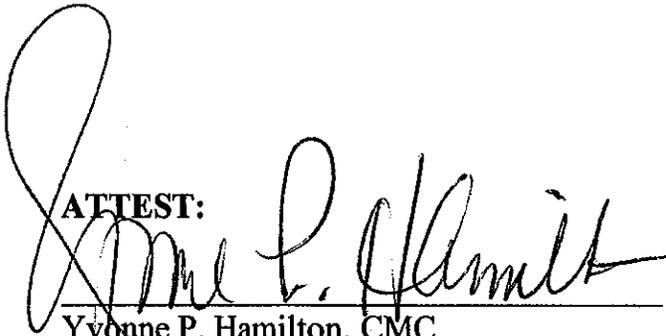
**FINAL VOTE AT ADOPTION:**

Mayor Corina S. Esquijarosa	<u>Yes</u>
Vice Mayor Connie Leon-Kreps	<u>Yes</u>
Commissioner Eddie Lim	<u>Yes</u>
Commissioner Frank Rodriguez	<u>No</u>
Commissioner Paul Vogel	<u>Yes</u>

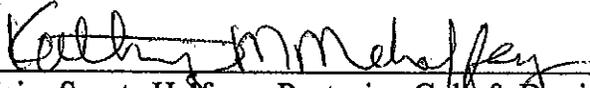
**PASSED AND ADOPTED** this 10th day of May, 2011.

  
Corina S. Esquijarosa, Mayor

**ATTEST:**

  
Yvonne P. Hamilton, CMC  
City Clerk

**APPROVED AS TO FORM FOR THE USE  
OF THE CITY OF NORTH BAY VILLAGE:**



\_\_\_\_\_  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
City Attorney

City of North Bay Village Resolution: Metro Equipment Service, Inc.-Change Order/\$114,666.28-5/10/2011



## City of North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### MEMORANDUM

City of North Bay Village

**DATE:** April 29, 2011

**TO:** Yvonne P. Hamilton, CMC  
City Clerk

**FROM:**   
Robert Pushkin  
City Manager

**SUBJECT:** Introduction of Resolution

---

Pursuant to Section 3.08 of the City Charter, I hereby introduce the following Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, APPROVING A CHANGE ORDER IN THE AMOUNT OF \$114,666.28 TO THE DESIGN BUILD AGREEMENT BETWEEN THE CITY AND METRO EQUIPMENT SERVICE, INC., FOR THE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT; AUTHORIZING CITY OFFICIALS TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE TERMS OF THE CHANGE ORDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.**

Accordingly, please place the item on the next available agenda.

RP:yph

Mayor  
Corina S. Esquijarosa

Vice Mayor  
Connie Leon-Kreps

Commissioner  
Frank Rodriguez

Commissioner  
Eddie Lim

Commissioner  
Dr. Paul Vogel

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# CHANGE ORDER SUMMARY TABLE

**PROJECT MGR.**  
**CONTRACTOR**

Gary R Ratay  
 KHA Project No. 043138006  
 Metro Equipment Services, Inc.  
 Metro Project No. 30

**PROJECT:** City of North Bay Village  
 Force Main Rehabilitation Design-Build Project  
 RFP #2009-03

**CONTRACT AMOUNT:** \$4,457,012.00

Change Order Number	Date Authorized	Change Order Description	Original Contract Amount	Change Order Amount	Revised Contract Amount	Net Change Order Amount to Date
1	4/13/10	Additional material and time for revised pipe route	\$4,457,012.00	\$80,012.81	\$4,547,024.81	\$90,012.81
2	4/13/10	Additional design and survey for revised pipe route		\$29,526.74	\$4,576,551.55	\$119,539.55
3	4/13/10	Buy America cost increase		\$12,783.25	\$4,589,334.80	\$132,322.80
4	4/13/10	Additional PR services		\$30,000.00	\$4,619,334.80	\$162,322.80
5	9/24/10	Change from DIPS to IPS HDPE pipe		-\$14,850.00	\$4,604,484.80	\$147,472.80
6	12/16/10	Additional Asphalt		\$2,910.00	\$4,607,394.80	\$150,382.80
7	12/16/10	Time extension only		\$0.00	\$4,607,394.80	\$150,382.80
8	Pending	City of Miami restoration/Police/PR/Time extension		\$114,666.28	\$4,722,061.08	\$265,049.08

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# CHANGE ORDER

OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER



PROJECT: 30  
FM Rehab Design-Build  
1666 Kennedy Causeway, Suite 700  
N. Bay Village, FL 33140

CHANGE ORDER #: 1  
CHANGE ORDER DATE: 07/09/2010  
PROJECT #s: RFP 2009-03  
DATE OF CONTRACT: 10/27/2009  
FOR:

TO: Metro Equipment Service, Inc.  
9425 Sunset Dr. # 225  
Miami, FL 33173

The Contract is changed as follows:

For furnishing & installing additional 20" HDPE & 16" PVC pipe associated with modified pipe route on Pelican Harbor..

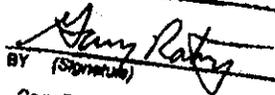
The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$0.00
The Contract Sum prior to this Change Order was	\$4,457,012.00
The Contract Sum will be increased by this Change Order in the amount of	\$90,012.81
The new Contract Sum including this Change Order will be	\$4,547,024.81
The Contract Time will be increased by	sixty
The date of Substantial Completion as of this Change Order therefore is	60 days.
	12/26/2010

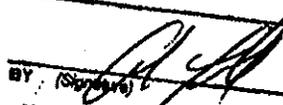
**Not valid until signed by all parties below.**

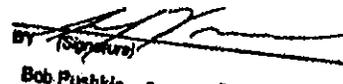
Kimley Horn & Aso.  
ARCHITECT  
6200 NEW 33 Ave., Suite 109  
ADDRESS  
FL Lauderdale, FL 33309

Metro Equipment Service, Inc.  
CONTRACTOR  
9425 Sunset Dr. # 225  
ADDRESS  
Miami, FL 33173

City of North Bay Village  
OWNER  
1666 Kennedy Causeway, Suite 700  
ADDRESS  
N. Bay Village, FL 33140

  
BY (Signature)  
Gary Ratay  
(Typed Name)

  
BY (Signature)  
Abbey Flato  
(Typed Name)

  
BY (Signature)  
Bob Pushkin  
(Typed Name)

DATE 4/13/10

DATE 4-13-10

DATE 4/13/10

Quantum Software Solutions, Inc. Document

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# CHANGE ORDER

OWNER  
ARCHITECT  
CONTRACTOR  
FIELD  
OTHER



<b>PROJECT:</b> 30 FM Rehab Design-Build 1666 Kennedy Causeway, Suite 700 N. Bay Village, Fl 33140	<b>CHANGE ORDER #:</b> 2
<b>TO:</b> Metro Equipment Service, Inc. 9425 Sunset Dr. # 225 Miami, Fl 33173	<b>CHANGE ORDER DATE:</b> 07/09/2010
	<b>PROJECT #s:</b> RFP 2009-03
	<b>DATE OF CONTRACT:</b> 10/27/2009
	<b>FOR:</b>

The Contract is changed as follows:

Costs associated with additional survey & design/engineering associated with modified pipe route on Pelican Harbor.

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$90,012.81
The Contract Sum prior to this Change Order was	\$4,547,024.81
The Contract Sum will be increased by this Change Order in the amount of	\$29,526.74
The new Contract Sum including this Change Order will be	\$4,576,551.55
The Contract Time will be increased by zero	0 days
The date of Substantial Completion as of this Change Order therefore is	Unchanged

Not valid until signed by all parties below.

<u>Kimley Horn &amp; Assoc.</u> ARCHITECT 6200 NEW 33 Ave., Suite 109 ADDRESS Fl. Lauderdale, Fl 33309	<u>Metro Equipment Service, Inc.</u> CONTRACTOR 9425 Sunset Dr. # 225 ADDRESS Miami, Fl 33173	<u>City of North Bay Village</u> OWNER 1666 Kennedy Causeway, Suite 700 ADDRESS N. Bay Village, Fl 33140
<u></u> BY (Signature) Gary Rotay (Typed Name)	<u></u> BY (Signature) Abbey Fiallo (Typed Name)	<u></u> BY (Signature) bob Pushkin <u>samy Zamama</u> (Typed Name)
DATE <u>4/13/10</u>	DATE <u>4-13-10</u>	DATE <u>4/13/10</u>

Quantum Software Solutions, Inc. Document

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# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER

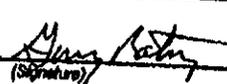
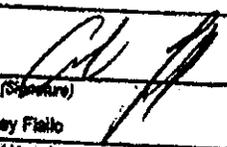
PROJECT: 30	FM Rehab Design-Build 1666 Kennedy Causeway, Suite 700 N. Bay Village, FL 33140	CHANGE ORDER #:	3
TO: Metro Equipment Service, Inc. 9425 Sunset Dr. # 225 Miami, FL 33173		CHANGE ORDER DATE:	07/09/2010
		PROJECT #s:	RFP 2008-03
		DATE OF CONTRACT:	10/27/2009
		FOR:	

The Contract is changed as follows:

Costs associated with meeting AARA requirements for materials/fitting.

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$119,539.55
The Contract Sum prior to this Change Order was	\$4,576,551.55
The Contract Sum will be increased by this Change Order in the amount of	\$12,783.26
The new Contract Sum including this Change Order will be	\$4,589,334.80
The Contract Time will be increased by zero	0 days.
The date of Substantial Completion as of this Change Order therefore is	Unchanged

**Not valid until signed by all parties below.**

Kimley Horn & Assoc. ARCHITECT 5200 NEW 33 Ave., Suite 109 ADDRESS FL Lauderdale, FL 33309 BY  Gary Flahay (Typed Name) DATE 4/13/10	Metro Equipment Service, Inc. CONTRACTOR 9425 Sunset Dr. # 225 ADDRESS Miami, FL 33173 BY  Abbey Field (Typed Name) DATE 4-13-10	City of North Bay Village OWNER 1666 Kennedy Causeway, Suite 700 ADDRESS N. Bay Village, FL 33140 BY  Bob Pushkin (Typed Name) DATE 4/13/10
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# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER



<b>PROJECT:</b> 30	<b>CHANGE ORDER #:</b>	4
FM Rehab Design-Build 1666 Kennedy Causeway, Suite 700 N. Bay Village, Fl 33140	<b>CHANGE ORDER DATE:</b>	07/09/2010
	<b>PROJECT #s:</b>	RFP 2009-03
<b>TO:</b> Metro Equipment Service, Inc. 9425 Sunset Dr. # 225 Miami, Fl 33173	<b>DATE OF CONTRACT:</b>	10/27/2009
	<b>FOR:</b>	

The Contract is changed as follows:

Additional costs associated with the City's request to increase the amount of public relations & graphic design work.

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$192,322.80
The Contract Sum prior to this Change Order was	\$4,669,334.60
The Contract Sum will be increased by this Change Order in the amount of	\$30,000.00
The new Contract Sum including this Change Order will be	\$4,819,334.60
The Contract Time will be increased by zero	0 days.
The date of Substantial Completion as of this Change Order therefore is	Unchanged

**Not valid until signed by all parties below.**

<u>Kinley Horn &amp; Asc.</u>	<u>Metro Equipment Service, Inc.</u>	<u>City of North Bay Village</u>
ARCHITECT	CONTRACTOR	OWNER
<u>6200 NEW 33 Ave., Suite 109</u>	<u>9425 Sunset Dr. # 225</u>	<u>1666 Kennedy Causeway, Suite 700</u>
ADDRESS	ADDRESS	ADDRESS
<u>Fl. Lauderdale, Fl 33309</u>	<u>Miami, Fl 33173</u>	<u>N. Bay Village, Fl 33140</u>
<u></u>	<u></u>	<u></u>
BY (Signature)	BY (Signature)	BY (Signature)
<u>Gary Ralay</u>	<u>Abbey Fiallo</u>	<u>Bob Pushkin</u>
(Typed Name)	(Typed Name)	(Typed Name)
DATE <u>4/13/10</u>	DATE <u>4-13-10</u>	DATE <u>4/13/10</u>

Quantum Software Solutions, Inc. Document

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# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER



<b>PROJECT:</b> 30	<b>CHANGE ORDER #:</b> 5
FM Rehab Design-Build 1666 Kennedy Causeway, Suite 700 N. Bay Village, Fl 33140	<b>CHANGE ORDER DATE:</b> 09/14/2010
<b>TO:</b> Metro Equipment Service, Inc. 7171 SW 62 Ave., Suite 502 Miami, Fl 33143	<b>PROJECT #:</b> RFP 2009-03
	<b>DATE OF CONTRACT:</b> 10/27/2009
	<b>FOR:</b>

The Contract is changed as follows:

Credit issued to the City of North Bay Village for the substitution of 20' IPS DR 9 pipe

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$162,322.80
The Contract Sum prior to this Change Order was	\$4,619,334.80
The Contract Sum will be decreased by this Change Order in the amount of	(\$14,850.00)
The new Contract Sum including this Change Order will be	\$4,604,484.80
The Contract Time will be increased by zero	0 days
The date of Substantial Completion as of this Change Order therefore is	Unchanged

**Not valid until signed by all parties below.**

<u>Kimley Horn &amp; Asoc.</u>	<u>Metro Equipment Service, Inc.</u>	<u>City of North Bay Village</u>
ARCHITECT	CONTRACTOR	OWNER
<u>5200 NEW 33 Ave., Suite 109</u>	<u>7171 SW 62 Ave., Suite 502</u>	<u>1666 Kennedy Causeway, Suite 700</u>
ADDRESS	ADDRESS	ADDRESS
<u>Ft. Lauderdale, Fl 33308</u>	<u>Miami, Fl 33143</u>	<u>N. Bay Village, Fl 33140</u>
<u></u>	<u></u>	<u></u>
BY (Signature)	BY (Signature)	BY (Signature)
<u>Gary Reley</u>	<u>Bob Pushkin</u>	<u>Bob Pushkin</u>
(Typed Name)	(Typed Name)	(Typed Name)
DATE <u>9/24/10</u>	DATE <u>9-24-10</u>	DATE <u>9/24/10</u>

Quantum Software Solutions, Inc. Document

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# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER

<b>PROJECT: 30</b>	<b>CHANGE ORDER #:</b>	<b>8</b>
FM Rehab Design-Build 1868 Kennedy Causeway, Suite 700 N. Bay Village, Fl 33140	<b>CHANGE ORDER DATE:</b>	<b>12/08/2010</b>
	<b>PROJECT #s:</b>	<b>RFP 2009-03</b>
<b>TO: Metro Equipment Service, Inc.</b> 7171 SW 62 Ave., Suite 502 Miami, Fl 33143	<b>DATE OF CONTRACT:</b>	<b>10/27/2009</b>
	<b>FOR:</b>	

The Contract is changed as follows:

Additional asphalt trench restoration @ Hispanola & N. Treasure Drive.

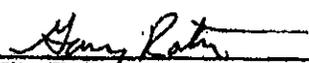
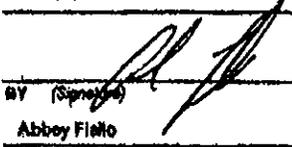
8" of kerrock & 2" asphalt - 35 s.y. @ \$ 42.00/sy = \$ 1,470.00

Asphalt removal, regearing & paving of 2" of asphalt - 48 s.y. @ \$ 30.00/s.y. = \$ 1,440.00

Total - \$ 2,910.00

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$147,472.80
The Contract Sum prior to this Change Order was	\$4,604,484.80
The Contract Sum will be increased by this Change Order in the amount of	\$2,910.00
The new Contract Sum including this Change Order will be	\$4,607,394.80
The Contract Time will be increased by zero	0 days.
The date of Substantial Completion as of this Change Order therefore is	Unchanged

Not valid until signed by all parties below.

<u>Kimley Horn &amp; Ass.</u>	<u>Metro Equipment Service, Inc.</u>	<u>City of North Bay Village</u>
ARCHITECT	CONTRACTOR	OWNER
<u>5200 NEW 33 Ave., Suite 109</u>	<u>7171 SW 62 Ave., Suite 502</u>	<u>1868 Kennedy Causeway, Suite 700</u>
ADDRESS	ADDRESS	ADDRESS
<u>Ft. Lauderdale, Fl 33309</u>	<u>Miami, Fl 33143</u>	<u>N. Bay Village, Fl 33140</u>
		
BY (Signature)	BY (Signature)	BY (Signature)
<u>Gary Raley</u>	<u>Abbey Fiello</u>	<u>Bob Pushkin</u>
(Typed Name)	(Typed Name)	(Typed Name)
DATE <u>12/16/10</u>	DATE <u>12-16-10</u>	DATE <u>12/16/10</u>

Quantum Software Solutions, Inc. Document

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# CHANGE ORDER

OWNER  
 ARCHITECT  
 CONTRACTOR  
 FIELD  
 OTHER



<b>PROJECT:</b> 30	<b>CHANGE ORDER #:</b>	7
FM Rehab Design-Build 1666 Kennedy Causeway, Suite 700 N. Bay Village, Fl 33140	<b>CHANGE ORDER DATE:</b>	12/06/2010
	<b>PROJECT #s:</b>	RFP 2009-03
<b>TO:</b> Metro Equipment Service, Inc. 7171 SW 62 Ave., Suite 502 Miami, Fl 33143	<b>DATE OF CONTRACT:</b>	10/27/2009
	<b>FOR:</b>	

The Contract is changed as follows:

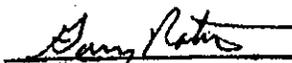
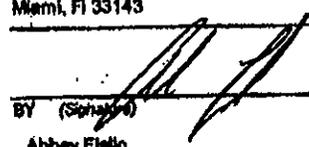
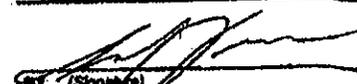
Additional time extension to the contract due to delays encountered during permitting application (DERM) & review by county agency (MDWASD).

New Substantial Completion Date is April 30, 2011.

New Final Completion date is May 10, 2011.

The original Contract Sum was	\$4,457,012.00
The net change by previously authorized Change Orders is	\$150,382.80
The Contract Sum prior to this Change Order was	\$4,607,394.80
The Contract Sum will be unchanged by this Change Order	\$0.00
The new Contract Sum including this Change Order will be	\$4,607,394.80
The Contract Time will be increased by one hundred thirty-five	135 days.
The date of Substantial Completion as of this Change Order therefore is	05/10/2011

**Not valid until signed by all parties below.**

<u>Kimley Horn &amp; Ass.</u>	<u>Metro Equipment Service, Inc.</u>	<u>City of North Bay Village</u>
ARCHITECT	CONTRACTOR	OWNER
5200 NEW 33 Ave., Suite 109	7171 SW 62 Ave., Suite 502	1666 Kennedy Causeway, Suite 700
ADDRESS	ADDRESS	ADDRESS
Fl. Lauderdale, Fl 33309	Miami, Fl 33143	N. Bay Village, Fl 33140
		
BY (Signature)	BY (Signature)	BY (Signature)
Gary Ratay	Abbey Flatio	Bob Pushkin
(Typed Name)	(Typed Name)	(Typed Name)
DATE <u>12/16/10</u>	DATE <u>12-16-10</u>	DATE <u>12/16/10</u>

Quantum Software Solutions, Inc. Document

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Kimley-Horn  
and Associates, Inc.

May 2, 2011

Mr. Bob Pushkin  
City Manager  
City of North Bay Village  
1700 Kennedy Causeway, Suite 132  
North Bay Village FL 33141

■  
S/n 109  
5200 NW 33rd Avenue  
Fort Lauderdale, Florida  
33309

**RE: City of North Bay Village  
Force Main Rehabilitation Design-Build Project  
RFP #2009-03, Project #WW803060**

Dear Bob,

Per the attached letter dated April 6, 2011 (*Attachment 1*), Metro Equipment Services, Inc. (MES) is requesting additional time and additional compensation associated with completing the above referenced project. The change order request includes modifying their final completion date from May 10, 2011 to June 30, 2011 and increasing their contract amount by \$114,666.28. The cost increase is based on additional roadway and landscaping restoration work associated with installing the City's force main in the city limits of Miami. This change order would increase the contract value from \$4,607,394.80 to \$4,722,061.08.

In reference to the request for additional time, the contract was awarded by the City of North Bay Village (City) to MES and signed on October 27, 2009 with a contract completion date of October 27, 2010. Based on this project being advertised and awarded as Design-Build, MES was required to complete the design and obtain all necessary permits as part of their contract. As determined during the conceptual design phase, the project included several stakeholders and permitting agencies, and as part of the permitting phase, MES did encounter several lengthy processes to obtain permits from agencies such as Miami-Dade Park and Recreation, Miami-Dade Water and Sewer Department, City of Miami, and Miami-Dade School Board. The City, Kimley-Horn and Associates, Inc. (KHA) and MES have worked together over the past year to obtain all permits, coordinate with all impacted property owners, and move the project into construction phase. To date, construction activities are consistently progressing, but the coordination required to begin and maintain construction activities has taken more time than anticipated.

As a result, MES requested a time extension that included a substantial completion date of April 30, 2011 and a final completion date of May 10, 2011. The following items are attached in support of their request:

- MES letter dated 11-05-10 requesting the new substantial and final completion dates (*Attachment 2*).

■  
TEL 954 635 5100  
FAX 954 736 2247

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- Revised construction schedule based on receipt of permits and associated construction activities with start dates and durations (*Attachment 3*).
- A spreadsheet indicating the estimated permitting schedules versus the actual time required to obtain the key permits (*Attachment 4*).
- KHA letter dated 11-10-10 to the City recommending approval of MES's requested time extension (*Attachment 5*).
- KHA letter dated 11-23-10 to the Department of Environmental Protection (DEP) requesting a time extension associated with the Consent Order currently in place with the City (*Attachment 6*).
- DEP letter dated 02-28-11 to the City approving the request for a June 30, 2011 Consent Order deadline (*Attachment 7*).

In addition, the wastewater flow meter has since been approved and released for production, but the delivery schedule from the manufacturer is May 26, 2011. MES has requested additional time through June 30, 2011 associated with the installation and start-up of the meter. *Attachment 8* is a timeline of the design, approval and ordering process in support of the request for additional time. This additional time will coincide with the revised consent Order deadline of June 30, 2011. Based on the information provided, KHA recommends approval of the additional time request through June 30, 2011 as part of the change order.

In reference to the request for additional costs, the request for change order includes increasing MES's contract amount by \$114,666.28. In order to obtain a City of Miami permit and in conjunction with the Shorecrest HOA requirements, MES was required to meet extensive permit conditions beyond the original contract requirements. The permit conditions included construction methods and means that could not have been anticipated and additional asphalt and landscaping requirements beyond restoring the impacted areas to equal or better condition as stated in MES's contract.

The following is a summary of the work required by the City of Miami and included in this change order request from MES:

- As part of the original contract, it was anticipated that one travel lane associated with the force main installation be repaired on NE 80th Street. As part of the City of Miami permit conditions, MES was required to restore both travel lanes. MES is only requesting the costs to restore the additional travel lane.
- As part of staging or laying-out the horizontal directional drill piping on NE 80th Street, the City of Miami required MES to widen the roadway by 3-feet to allow additional clearance for traffic to pass. As this was an unforeseen issue and not part of the original restoration, MES is requesting costs associated with this asphalt widening work.
- As part of the City of Miami permit and Shorecrest HOA requirements, MES has been required to provide additional landscaping and sod improvements in

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areas outside of their contract terms which only include restoring areas impacted by construction to equal or better condition.

- Two water main breaks occurred that were not a result of MES construction activities. Based on both repairs requiring an emergency response and MES's ability to respond quickly and cost effectively, the City directed MES to perform the water main repairs, replace a water meter vault, and restore the associated asphalt.
- As part of the extensive coordination efforts with the City of Miami and Shorecrest HOA, Media Relations Group (MRG), a sub consultant to MES, was required to facilitate additional meetings, provide additional project notices, and provide additional onsite coordination.
- As part of the City of Miami's requirement to restore all of the asphalt on NE 80th Street, MES was required to repair roadway base and limerock before installing final asphalt. These additional repairs were outside of the force main trench line and therefore not included in MES's original contract.

Based on the information provided by MES in support of work done beyond their current contract requirements, KHA recommends approval of the additional project costs as part of this change order.

In addition to this change order request and as part of obtaining the City of Miami permit, MES was required to sign an agreement with a Shorecrest United HOA to potentially provide three speed tables on NE 80th Street or provide Shorecrest United HOA with \$15,000.00 if 60% of the neighbors do not agree to construct speed tables. MES and the City are currently working with the neighborhood to finalize the consensus. Resulting costs associated with the speed tables or the \$15,000.00 will not be the responsibility of MES and will be included in the cost of the Force Main Rehabilitation Design-Build Project. *Attachment 9* is Shorecrest United HOA agreement for reference.

If you have any questions or need additional information, please call me to discuss.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

Gary R. Ratay, P.E.  
Senior Associate

Attachments

Copy To: Sam Zamacona/Stefano Viola/File

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**METRO EQUIPMENT SERVICE, INC.**

7171 SW 61<sup>st</sup> Ave. Miami, FL 33143  
(305) 740-3303 Office, (305) 740-3305 Fax

April 6, 2011

City of North Bay Village  
1666 Kennedy Causeway, Suite 700  
North Bay Village, FL 33141

Attention: Bob Pushkin, North Bay Village City Manager

Reference: City of Miami Restoration Over & Above Cost

Dear Bob,

I have attached all of the expenses relating to the restoration for the City of Miami from NE 80<sup>th</sup> Street and 7<sup>th</sup> Avenue to Bayshore Drive.

**C & R Milling & Paving, Inc.**

- Preparation and expansion of the road 3' wide - \$10,220.00
- Remove and dispose of 3 foot wide strip of asphalt along 80<sup>th</sup> Street - \$1,125.00
- Estimate for restoration of 1 lane - \$33,504.00
- Estimate for full road restoration - \$67,024.00  
(Difference between the two prices is the additional cost of restoration above and beyond our permit conditions)
- Net Change Order - \$33,520.00

**R&R Garden & Nursery Supplies Corp.**

- NE 10<sup>th</sup> Ave. to 7<sup>th</sup> Ave.  
Removal and disposal of excess material. Furnish and install top soil, sod, and maintenance - \$44,300.00 (Metro is responsible for 30%)  
\$31,010.00 Net Change Order
- NE 81<sup>st</sup> St. to North of the two islands on 79<sup>th</sup> St. and 8<sup>th</sup> Ct.  
Removal and disposal of excess material. Furnish and install top soil, St. Augustine Sod and maintenance - \$7,788.82 (All of this cost is above and beyond our permit conditions)
- NE 80<sup>th</sup> St. between 9<sup>th</sup> Ave. and 10<sup>th</sup> Ave.  
Island Restoration - \$2,221.92 x 2 = \$4,443.84 (All of this cost is above and beyond our permit conditions)

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# METRO EQUIPMENT SERVICE, INC.

7171 SW 62<sup>nd</sup> Ave. Miami, FL 33143  
(305) 740-3303 Office, (305) 740-3305 Fax



- Additional police services due to delays in permit approval. Commissioners approval needed before permit could be issued.

Total is \$7525.00

## NBV – Back charge to locate and repair water service channel 7

2/8

- 4 Persons locate 12" water line
- 4 Hrs. to install saddle and corp stop

Supplies from Ferguson

- 2- 20" DIP, 6" DIP, 2- 12" Saddles, 2- Corp Stops, 100' Poly Pipe, 12" Repair Clamps, Reducers 3" to 2.5" and 2.5" to 2"

2/10

- Tap 12", install poly pipe, and install sleeves (6" DIP) across roadway.
- 4 Hrs., 3 person

2/25

- 3 persons to tie in water line

Total is \$3,138.52

## Asphalt milling and overlay restoration for 12" water line repair

East bound turn lane:

3/1

- Backfill, grade and compact (densities)
- 3 persons, combo, and small rollers -- 4 Hrs.

3/2

- 3 persons to asphalt turn lane – 3Hrs.
- 30 LF traffic separator concrete
- 8 hrs. on 3 trips to exercise valves

Total is \$4,796.99

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**METRO EQUIPMENT SERVICE, INC.**

7171 SW 62<sup>nd</sup> Ave. Miami, FL 33143  
(305) 749-3303 Office, (305) 749-3305 Fax



Replacement of meter vaults in front of channel 7. Materials only.

Total is \$695.50

Public Relations

Total is \$5,000.00

Cut 2' wide 900 LF long of asphalt between 7<sup>th</sup> and 10<sup>th</sup> & NE 80 Ave eastbound lane, rework base, add limerock where needed, roll compact, and take densities.

Total is \$5402.61

Grand total - \$114,666.28

Additional time to 6/30/11 due to the Flow meter delay by WASA.

Three traffic tables on 80<sup>th</sup> St. between 7<sup>th</sup> Ave, and 10<sup>th</sup> Ave., Metro Equipment Service is not responsible for any of the costs of design, construction, implementation, permitting, or traffic study. Any costs related to this are above and beyond our current permit conditions. (If 60% of the neighbors do not agree to construction of speed tables, City of North Bay Village agrees to pay \$15,000.00 to Metro Equipment Service or Shorecrest United directly.

If you have any questions or concerns please call me at the numbers below.

Thank you,

  
Abbey Fialko  
(305) 749-3303 Office  
(305) 749-3305 Fax  
(305) 586-8925 Mobile

9A(31)

# METRO EQUIPMENT SERVICE, INC.

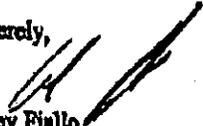
11-05-10

Kimley-Horn & Associates  
5200 NW 33 rd Ave.  
Ft. Lauderdale, Fla. 3309-6343  
Re: Extension of time request  
City of North Bay Village  
16<sup>th</sup> FM Rehabilitation  
Contract # WWB03060  
Attn: Gary Ratay P.E.

Dear Gary,

As per your request we are hereby officially requesting an extension of our contract to April 30, 2011 to substantial completion and May-10-11 to final based on the supporting documentation submitted. Please let me know if you need anything else.

Sincerely,

  
Abbey Fiallo  
Project manager/Estimator  
Metro Equipment Service, Inc.

7171 SW 62 Avenue • Suite 502 • Miami, FL 33143 • Phone (305) 740-3303 • Fax (305) 740-3305

9A(32)

ATTACHMENT 3

CITY OF NORTH BAY VILLAGE FURCERMAN REHABILITATION DESIGN-BUILD PROJECT									
Item	Task Name	Duration	Start	Finish	Predecessors	Successors	Summary	Project Summary	Global Status
1	Engineering and Design Planning (including, permitting, bid and issuance)	148 days	Thu 12/24/15	Thu 12/24/16					
2	Construction to Phase Section STA 177+00	8 days	Wed 12/23/15	Thu 12/24/15					
3	Construction of 12' Parapet with Storm PG STA 177+00 to STA 184+00	48 days	Wed 12/23/15	Thu 12/23/16					
4	Site Rehabilitation in North Bay Village	80 days	Wed 12/23/15	Thu 12/23/16					
5	Final and Preliminary Work from the Pump station STA 177+00 to STA 184+00	2 days	Wed 12/23/15	Thu 12/23/15					
6	Final Construction Details for PG STA 184+00 to STA 184+00 through permitting procedure	30 days	Wed 12/23/15	Thu 12/23/16					
7	Final from STA 184+00 to STA 184+00	2 days	Wed 12/23/15	Thu 12/23/15					
8	Final City and Public Bay Project Measurement of Part STA 184+00 to STA 187+00	12 days	Thu 12/24/15	Thu 12/24/15					
9	Construction to Open Cut from STA 187+00 to STA 187+00	30 days	Thu 12/24/15	Thu 12/24/16					
10	Final and Preliminary Work from STA 187+00 to STA 187+00	2 days	Thu 12/24/15	Thu 12/24/15					
11	Construction for PG STA 187+00 to PG STA 187+00 including procedure	30 days	Thu 12/24/15	Thu 12/24/16					
12	Final from STA 187+00 to STA 187+00	2 days	Thu 12/24/15	Thu 12/24/15					
13	Final STA 187+00 POC and PG STA 187+00 to STA 187+00	2 days	Thu 12/24/15	Thu 12/24/15					
14	Final City of North Bay Village (PG STA 187+00 to PG STA 187+00) including procedure	48 days	Thu 12/24/15	Thu 12/24/16					
15	Final from Station Number STA 187+00 to STA 187+00	2 days	Thu 12/24/15	Thu 12/24/15					
16	Construction of 12' Parapet with Storm STA 187+00 to STA 187+00 in the center of Administration Avenue and PG STA 187+00	20 days	Thu 12/24/15	Thu 12/24/16					
17	Site Rehabilitation on PG STA 187+00	2 days	Thu 12/24/15	Thu 12/24/15					

9A(33)

CITY OF NORTH BAY VILLAGE FORCE MAIN REHABILITATION DESIGN-BUILD PROJECT

Item	Description	Quantity	Unit	Start Date	End Date	Notes
1	Open Cut on the Center Administration Area at STA 14+00 to STA 14+40	8 days	Day	Thu 12/21/11	Mon 1/04/12	
2	Excavate and Pressure Test Line from STA 14+00 to STA 14+40	2 days	Day	Thu 1/04/12	Mon 1/09/12	
3	Install and Pressure Test from STA 14+40 to STA 14+70	2 days	Day	Mon 1/09/12	Thu 1/12/12	
4	Cutting Trench	2 days	Day	Wed 1/10/12	Thu 1/11/12	
5	Install the Structural Shell at STA 14+40	2 days	Day	Mon 1/09/12	Mon 1/15/12	
6	Perform Test at 100% Pump Station	2 days	Day	Wed 1/10/12	Thu 1/11/12	
7	Installation of Inflow Bay on ME 7157	3 days	Day	Thu 1/11/12	Mon 1/15/12	
8	100% Installation of Pump and Observation	4 days	Day	Wed 1/10/12	Thu 1/18/12	
9	Final Water Test	2 days	Day	Thu 1/18/12	Thu 1/25/12	
10	Final water test, water assembly, and flow meter at STA 20+10 (Pulsar Hubby) including backflow and open test from 20+10 to 20+191 scheduled	15 days	Day	Thu 1/25/12	Thu 2/16/12	
11	Perform backflow test on Inflow Bay	2 days	Day	Thu 1/25/12	Thu 2/01/12	
12	100% Structural Shell at Station Bay	2 days	Day	Thu 1/25/12	Wed 2/01/12	
13	Install and Pressure Test from Station Bay from STA 20+10 to STA 20+191	12 days	Day	Thu 1/25/12	Mon 2/19/12	
14	Excavate and Pressure Test from STA 20+191 to 20+240	2 days	Day	Thu 2/15/12	Wed 2/21/12	
15	100% Structural Shell at STA 20+240	1 day	Day	Thu 2/15/12	Thu 2/15/12	
16	Excavate and Pressure Test from STA 20+240 to 20+290	2 days	Day	Thu 2/15/12	Mon 2/19/12	
17	Install 30% of Tapping Station 1048	2 days	Day	Thu 2/15/12	Thu 2/15/12	
18	100% Installation in the City of Miami	14 days	Day	Thu 2/15/12	Thu 3/01/12	
19	Final Installation, Clean up, Project Ltd. Responsibilities, & Project Closure	20 days	Day	Thu 2/15/12	Thu 3/22/12	
20		10 days	Day	Thu 2/15/12	Thu 3/01/12	

Project: **North Bay Village Force Main Rehabilitation Design-Build Project**  
 Date: **11/14/11**  
 Scale: **AS BUILT**  
 Drawing No: **01-000**  
 Revision: **0**  
 Author: **...**  
 Checker: **...**  
 Engineer: **...**  
 Project Manager: **...**  
 Client: **...**  
 City: **...**  
 State: **...**  
 Country: **...**  
 Date: **...**

9A(34)

ATTACHMENT 4

City of North Bay Village Force Main Rehabilitation

Project Component	Responsible Agency	Permit/Approval Type	Submitted	Est. Time To Obtain Approval	Actual Time to Obtain Approval	Event Time	Approval Date	Remarks
Pipeline Installation Landside	Southside Water and Sewer Department (SWSD) NEV, Inc. Metropolitan County Department of Environmental Resource Management (DCERM) NEV, Inc. Southside Water and Sewer Department (SWSD) NEV, Inc. Metropolitan County Department of Environmental Resource Management (DCERM) NEV, Inc. Southside Water and Sewer Department (SWSD) NEV, Inc. Metropolitan County Department of Environmental Resource Management (DCERM)	Location of the HDD Pit at Pelican Harbor	11/20/10	2 Month	4 Months	-	3/24/2018	Completion of NEV for final location of the HDD at Pelican Harbor due to the proposed construction.
		Diversion & Approval	3/24/2010	2 Weeks	1 Week	0	7/26/2010	SWSD Permitted from SWSD Approval (Specialty submittal)
		Diversion & Approval	7/15/2010	2 Weeks	1 Week	0	7/26/2010	DCERM approval RM
		Diversion & Approval	3/24/2010	3 Months	4 Months	3 Months	3/29/2010	WARD jurisdiction & internal capacity analysis performed according to DCERM forms
		Diversion & Approval	3/29/2010	2 Weeks	2 Weeks	1 Week	3/29/2010	DCERM Review of RM
		Diversion & Approval	11/20/2009	3 Months	5 Months	2 Month	4/14/2010	Agreed to work with adjacent property 4870/48710
		Diversion & Approval	3/29/2010	4 Months	6 Months	3 Months	8/17/2010	Grant of Authority requested by WARD for permit approvals
		Diversion & Approval	3/29/2010	4 Months	6 Months	3 Months	8/17/2010	Grant of Authority requested by WARD for permit approvals
		Diversion & Approval	3/29/2010	4 Months	6 Months	3 Months	8/17/2010	Grant of Authority requested by WARD for permit approvals
		Diversion & Approval	3/29/2010	4 Months	6 Months	3 Months	8/17/2010	Grant of Authority requested by WARD for permit approvals

9A(35)



Kimley-Horn  
and Associates, Inc.

November 10, 2010

Mr. Bob Pushkin  
City Manager  
City of North Bay Village  
1666 Kennedy Causeway, Suite 700  
North Bay Village, Florida 33141-4190

■  
Suite 100  
5000 NW 83rd Avenue  
Fort Lauderdale, Florida  
33309

**RE: City of North Bay Village  
Force Main Rehabilitation Design-Build Project  
RFP #2009-03, Project #WW803060  
KHA 043138006**

Dear Bob,

The Design-Build contract for the above referenced project was awarded by the City of North Bay Village (City) to Metro Equipment Services, Inc. (MES) and signed on October 27, 2009. The contract schedule is 365 days. Based on this project being advertised and awarded as Design-Build, MES was required to complete the design and obtain all necessary permits as part of their contract. As determined during the conceptual design phase, the project includes several stakeholders and permitting agencies, but as part of the permitting phase, MES did encounter several lengthy processes to obtain permits from agencies such as Miami-Dade Park and Recreation, Miami-Dade Water and Sewer Department, City of Miami, and Miami-Dade School Board. The City, Kimley-Horn and Associates, Inc. (KHA) and MES have worked together over the past year to obtain all permits, coordinate with all impacted property owners, and move the project into construction phase. To date, construction activities are consistently progressing, but the coordination required to begin construction activities has taken more time than anticipated.

As a result, MES is requesting a time extension that includes a substantial completion date of April 30, 2011 and a final completion date of May 10, 2011. This represents a time extension of approximately six months. The following items from MES are attached in support of their request:

- Letter dated 11-05-10 requesting the new substantial and final completion dates.
- Revised construction schedule based on receipt of permits and associated construction activities with start dates and durations.
- A spreadsheet indicating the estimated permitting schedules versus the actual time required to obtain the key permits.

■  
TEL 854 535 5100  
FAX 854 730 2247

9A(36)



Based on the information provided, meetings with MBS to determine the request is reasonable with impacts outside of their control, and participating on behalf of the City in several of the permitting efforts, KHA recommends approval of this time extension request. Please advise if you agree with the request so that we can direct MBS to generate the associated Change Order. Per the contract documents, this Change Order is for time only and does not include any increase in project costs.

Once this issue is resolved, KHA will coordinate with the City to meet with Department of Environmental Protection (DEP) to discuss the revised schedule as it relates to the DEP consent decree deadline. The consent decree deadline is December 31, 2010, so this extension if approved will represent a delay of approximately 4 months.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

Gary R. Rainy, P.E.  
Senior Associate

Attachments

Copy To: Sam Zamacona  
Stefano Viola/File

X:\FTL\_City\043 Jobs\04311006-Forté Main Rehab Canal Ajuda\Main time extension request.doc

9A(37)



Kimley-Horn  
and Associates, Inc.

November 23, 2010

Michele K. Owens  
Department of Environmental Protection  
Environmental Specialist, Drinking Water Program  
400 North Congress Ave., Suite 200  
West Palm Beach, FL 33401

■  
Suite 100  
6200 NW 33rd Avenue  
Fort Lauderdale, Florida  
33309

**RE:** *City of North Bay Village  
Force Main Rehabilitation Design-Build Project  
Consent Order OGCH08-0440  
Kimley-Horn and Associates, Inc. (KHA) #043138006*

Dear Michele,

The City of North Bay Village has been working over the last several years completing various wastewater improvement projects to comply with the above referenced Consent Order requirements. The City has coordinated with the Department of Environmental Protection (DEP) on the following wastewater system improvements as part of improving service to the City, protecting the environment, and to comply with the Consent Order:

- Completed the Main Wastewater Pump Station Rehabilitation project. The project was completed in accordance with the DEP approved In-Kind Project Proposal provided by the City of North Bay Village dated August 21, 2009. The improvements basically included three (3) upgraded pumps, three (3) variable frequency drives, complete control system replacement, SCADA system with central unit and antenna at the main pump station, and three remote SCADA/RTU units with antennas at the City's other three pump stations.
- Completed the installation of a new emergency generator system at the Hispaniola wastewater pump station.
- Secured a new emergency generator for use at the North Treasure wastewater pump station.
- Cleaned and video recorded the City's complete wastewater collection system to evaluate a rehabilitation approach.
- Implemented a wastewater collection system rehabilitation program including extensive gravity sewer lining and point repairs. The majority of the gravity sewer lining is complete and the point repair program is ongoing.
- Completed a Sanitary Sewer Evaluation Study (SSES) and submitted the document to the Department of Environmental Resource Management (DERM) for review.

■  
TEL 954 635 6100  
FAX 954 739 2247

9A(38)



With the above items complete, the Force Main Rehabilitation Design-Build Project represents the final component of the Consent Order requirement with an associated completion date of December 31, 2010. The following is a brief history and an update on the force main project status. The Design-Build contract was awarded by the City of North Bay Village (City) to Metro Equipment Services, Inc. (MES) and signed on October 27, 2009. The contract schedule was 365 days. Based on this project being advertised and awarded as Design-Build, MES was required to complete the design and obtain all necessary permits as part of their contract. As determined during the conceptual design phase, the project included several stakeholders and permitting agencies; but as part of the permitting phase, MES did encounter several lengthy processes to obtain permits from agencies such as Miami-Dade Park and Recreation, Miami-Dade Water and Sewer Department, City of Miami, and Miami-Dade School Board. The City, KHA and MES have worked together over the past year to obtain all permits, coordinate with all impacted property owners, and move the project into construction phase. To date, construction activities are consistently progressing, but the coordination required to begin construction activities has taken more time than anticipated.

As a result, MES requested a time extension that includes a substantial completion date of April 30, 2011 and a final completion date of May 10, 2011. The following items from MES are attached in support of their request:

- Letter dated 11-05-10 requesting the new substantial and final completion dates.
- Revised construction schedule based on receipt of permits and associated construction activities with start dates and durations.
- A spreadsheet indicating the estimated permitting schedules versus the actual time required to obtain the key permits.

Based on the information provided, meetings with MES to determine the request is reasonable with impacts outside of their control, and participating on behalf of the City in several of the permitting efforts, KHA recommended approved of this time extension request to the City.

As part of recommending the time extension to the City, KHA also advised coordinating with the DEP to request a time extension as it relates to the Consent Order schedule. If approved by DEP, the revision to May 10, 2011 would represent an extension of approximately 4 months. However, KHA recommended to the City that they request an extension from DEP to June 30, 2011 or an extension of 6 months. This requested extension will allow for the contractor to complete the project in accordance with their revised contract schedule and allow for unforeseen delays that may occur on a project of this magnitude.

As part of requesting this time extension, the following information is offered to illustrate the City's commitment to improving their wastewater system and to define



the progress that has been made to date on the Force Main Rehabilitation Design-Build Project:

- The Design Build Team has completed the design and obtained or coordinated all environmental, construction, and land use permits.
- All material shop drawings have been reviewed and approved, and materials have been ordered.
- The majority of the 16-inch PVC force main piping is installed on Treasure Island in the City of North Bay Village with preliminary restoration complete.
- The majority of the 16-inch PVC force main piping is installed on 80th Avenue in the City of Miami with preliminary restoration complete.
- The majority of the 16-inch PVC force main piping is installed on Pelican Harbor with preliminary restoration complete.
- The eastern most 20-inch, HDPE, Horizontal Directional Drill (HDD) water crossing is installed and tested.
- The central 20-inch, HDPE, HDD water crossing is currently underway.

The remaining work for substantial completion primarily includes installation of the western most 20-inch HDD, installation of 16-inch PVC piping on 79<sup>th</sup> Street Causeway, connection and final testing of the complete piping system, site restoration, and permit certifications. As a result of the remaining work and the revised schedule provided by the Design-Build Team, this letter serves as a formal request by the City to extend the Consent Order deadline from December 31, 2010 to June 30, 2011. The City has been very diligent in improving their wastewater system and expediting the completion of this force main project. We hope that you will consider and approve this scheduling request, and waive any potential fees or violations as part of your approval.

Please let us know if this schedule extension request is acceptable and should you have any questions or need further information, please do not hesitate to call me at (954) 535-5100.

Sincerely,

**KIMLEY-HORN AND ASSOCIATES, INC.**

Gary R. Ratay, P.E.  
Senior Associate

Attachments

Copy To: Robert Pushkin/Sam Zamacona  
Stefano Viola/File

9A(40)



# Florida Department of Environmental Protection

Southeast District Office  
400 N. Congress Avenue, Suite 200  
West Palm Beach, FL 33401

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

MAR 01 2011

RETURN RECEIPT REQUESTED

91 71DA 2133 3938 2488 2956  
Sam Zamacona, E.I.  
Public Works Director  
City of North Bay Village  
1666 Kennedy Causeway, Suite 700  
North Bay Village, Florida 33141  
[samzamacona@nbvillage.com](mailto:samzamacona@nbvillage.com)

Miami-Dade County  
Facility ID No. FLU032182

Re: DEP vs. City of North Bay Village/Consent Order No. OGC 08-0440  
Request for Extension of Deadline

Dear Mr. Zamacona:

Paragraph 9 of the referenced Consent Order required the City of North Bay Village ("City") to complete the force main rehabilitation project by November 30, 2010. On November 23, 2010, the Department received a letter from Mr. Gary R. Ratay, P.E., with Kinley-Horn and Associates, Inc., requesting an extension of that deadline. Based on the supporting documentation provided with Mr. Ratay's letter, the request is approved and the deadline is extended to June 30, 2011. The City shall submit monthly progress reports to this office, within ten days of the end of each reporting month. The first report will be due March 10, 2011, for the month of February, 2011.

Should you have any questions concerning this Consent Order, please contact Alex Lopez of this office at (561) 681-6782 or at [Alex.Lopez@dep.state.fl.us](mailto:Alex.Lopez@dep.state.fl.us).

Sincerely,

Kevin Claridge  
Assistant Director  
Southeast District

02/28/11  
Date

KC/lab/mt/al

cc: Lea Crandall, Agency Clerk  
Diana Thurman, DEP/TLH  
Agustin Socarras, DERM

[Lea.Crandall@dep.state.fl.us](mailto:Lea.Crandall@dep.state.fl.us)  
[Diana.Thurman@dep.state.fl.us](mailto:Diana.Thurman@dep.state.fl.us)  
[SocarA@miamidade.gov](mailto:SocarA@miamidade.gov)

9A(41)

ATTACHMENT B

Flow Meter History based on e-mails provided by Metro Equipment Services, Inc.

Date	Description/Status of Order	Days
March 11, 2010	WASD requests that meter be moved to Pelican Harbor. The vault was originally to be on NEV side (near Chinese Buffet). It was approved by KHANBYV.	
March 15, 2010	Started shop drawing process around March 15, 2010	4
June 11, 2010	Exchanged information	88
June 28, 2010	Waiting for WASD plans approval	17
July 15, 2010	WASD approves permit set of plans	17
August 18, 2010	MES supplies LAN with shop drawings for WASD/City of Miami portion approval	34
August 30, 2010	Waiting for WASD approval, but is anticipated to be the next day	12
August 30, 2010	Metro received WASD approval	0
August 31, 2010	Meter supplier asked if approval was as submitted or with notations	1
September 3, 2010	Manufacturer could not release for production until approval was clear	3
October 1, 2010	After all comments were addressed shop drawings are submitted to WASD for review	28
October 4, 2010	WASD shop drawing review Fee paid	3
October 7, 2010	WASD disapproved the vault (basically it didn't match the approved plans)	3
October 11, 2010	Still waiting for clarification on approval status	4
October 13, 2010	WASD approves Plug Valve and Sewer Meter (WASD requests shop drawing for MJ Adapter Kit)	2
October 14, 2010	Resubmittal of shop drawings	1
November 11, 2010	Still waiting for clarification. Manufacturer advised on a 14-16 week lead time.	28
November 17, 2010	Submitted Shop Drawings for Vault and new Sewer Meter model	6
November 18, 2010	WASD requests additional valve at meter location.	1
November 23, 2010	Manufacturer discontinues Sewer Meter model and has a new replacement	5
November 23, 2010	WASD approved the Vault and Sewer Meter	0
November 29, 2010	WASD accepts suggested fix (avoiding need for another valve)	6
December 10, 2010	WASD Approves Venturi, Magmeter (conditionally) and request shop drawing for Totalizer/Recorder	11

9A(42)

December 14, 2010	Additional information on the meter and flow converter provided to WASD	4
December 15, 2010	Resubmittal on the meter and a new submittal on the recorder/totalizer to WASD requested	1
December 16, 2010	Issue on manufacturer of chart recorder developed	1
December 18, 2010	Reference to a conference call with the manufacturer was mentioned	2
December 20, 2010	Recorder submittal and reconfiguration	2
December 29, 2010	WASD review process	9
January 5, 2011		7
January 13, 2011	WASD responds with addition questions and wants confirmation in writing from vendor on Recorder	8
January 19, 2011	Jan. 19 <sup>th</sup> 2011: AWC, Inc. responds and confirm reconfiguration of recorder	6
January 20, 2011	On January 20, 2011, the flow meter and chart recorder was approved and released for production to the manufacturer	1
	The released for production was via e-mail	
	A delivery schedule was requested	1
January 21, 2011	January 21, 2011: AWC, Inc. confirms order with MES	
February 14, 2011	A signed submittal revision dated February 14, 2011 was provided to the manufacturer	24
	A delivery schedule was requested	
March 2, 2011	MES requests delivery date of flow meter from supplier/manufacturer	17
March 7, 2011	The manufacturer advised that the tentative delivery date is June 6, 2011	5
	As a result of the delivery date, Metro advised a history of the order would be provided to the City/KIHA as requested	
	Metro confirmed the meter was approved on January 21, 2011	
	The manufacturer advised that they would look into improving the delivery date	
March 21, 2011	Metro advised that the manufacturer is still working on improving the date	14
	The manufacturer referenced the long approval process and the late January/early February release time	
	The 14-16 week lead time referenced again by the manufacturer	
March 22, 2011	Metro provided the e-mail history prior to submittal approval summarized above	1
	The manufacturer makes reference to February 14, 2011 as the actual release date	
March 22, 2011	Metro provided a second e-mail history for information after approval of the meter	0
	Metro suggested that based on the information to date, a time extension should be requested	
March 29, 2011	Metro provided an updated shipping date of May 26, 2011	7
	Metro advised they would need 30-40 days for installation and requested a time extension	
April 6, 2011	Metro provided Change Order request including a time extension to June 30, 2011	8

9A(43)

2-18-11 JF Addendum to agreement dated 2-15-11  
as per attachment. ATTACHMENT 9

February 16, 2011

1. This agreement comes as the result of a mediated settlement between Metro Equipment Services, Inc. (Metro) and Shorecrest United, a group of homeowners comprised of residents in the affected right of way on Northeast 80<sup>th</sup> Street, between NE 7<sup>th</sup> Avenue east to NE 10<sup>th</sup> Avenue.
2. Metro agrees to fully restore the affected right of way, completely installing new sod on all swales, sidewalk to street on NE 80<sup>th</sup> Street between NE 7<sup>th</sup> Avenue and NE 10<sup>th</sup> Avenue. As well as NE 8<sup>th</sup> Court, from NE 81<sup>st</sup> Street, south to the barricade just before NE 79<sup>th</sup> Street.
3. Metro agrees to replace ALL foliage and trees damaged and/or removed during the course of the construction and to repair, refurbish and replace the trees in the barricades at NE 80<sup>th</sup> Street at 8<sup>th</sup> Court, NE 80<sup>th</sup> Street at 10<sup>th</sup> Avenue and both barricades at NE 80<sup>th</sup> Street at NE 7<sup>th</sup> Avenue, in accordance with the approved plans presently on file with City of Miami Public Works Department.
4. Metro agrees to restore all affected driveway approaches in the affect area.
5. Metro agrees to pay for the design, construction and implementation of at least three (3) traffic tables on NE 80<sup>th</sup> Street between NE 7<sup>th</sup> Avenue and NE 10<sup>th</sup> Avenue, subject to county and city approval, together with neighborhood approval of not less that 60 percent of neighbors in the affected area. If the approvals can be obtained prior to closure of the contract, Metro agrees to construct the speed tables. In the event the approvals are not obtained prior to the completion of the construction, Metro agrees to post a cash or performance bond adequate to ensure the completion of the contract to build the speed tables. In the event the county or city does not

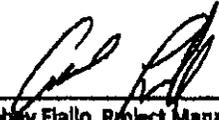
JF  
2-18-11

9A(44)

2-18-11

approve the speed table, Metro will pay an equally adequate amount into an account to be used specifically for other improvements to the affected area. <sup>df</sup> *not to exceed \$15,000 (US)*. In the event that 60 percent of the neighbors in the affected area do not agree to the construction of the speed tables, then Metro is relieved of this specific obligation.

- 6. Shorecrest United and the neighbors who sign this document, agrees to release Metro of all claims prior to the execution of the agreement, future claims, such as damages yet to be occasioned are NOT released herein: *affected by Metro and determined by City of Miami Public works*
- 7. The parties agree that this settlement is premised upon good faith and fair dealing with each party to their respective obligations and performances.

  
 \_\_\_\_\_  
 Abbey Fiallo, Project Manager  
 Metro Equipment Services, Inc.

\_\_\_\_\_  
 Troy W. Howard  
 Shorecrest United, other signatures to follow

\_\_\_\_\_  
 Shorecrest Resident in affected area

9A(45)

Shorecrest Resident in affected area  
Address

AF 2-18-11

9A(46)

2/15/11

This agreement comes as a result of a mediated settlement between Metro Equipment Services, Inc (Metro) and Shoemart United, a homeowners Association that represents the affected right of way on NE 30<sup>th</sup> Street from NE 174<sup>th</sup> Ave to NE 10<sup>th</sup> Ave.

Metro agrees to replace all foliage and trees damaged by Metro and to repair, refurbish and replace the trees in the "Barricaded street" in accordance with the approved plans presently on file with public works.

Metro agrees to repair and refurbish all curbs on the right of way in the condition they were found prior to construction.

Metro agrees to refurbish all driveway approaches <sup>that were effected by construction</sup> for all residents in the effected area.

①

Metro agrees to pay for the design, construction and

9A(47)

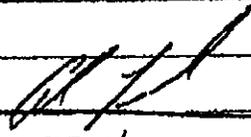
implementation of Traffic tables, subject to County and City approval, together with Neighborhood approval of not less than 60% of the Neighbors of the project can be obtained prior to closure of the contract Metro agrees to construct the Speed tables. In the event the tables approvals are not obtained prior to completion of the contract, Metro agrees to post a cash or performance bond adequate to ensure the completion of the <sup>to build the speed tables</sup> contract. In the event the County or City does not approve the speed tables Metro is relieved of this obligation. In the event 60% of the Neighbors on the affected street do not agree to the construction of the speed tables, then Metro is relieved of this obligation.

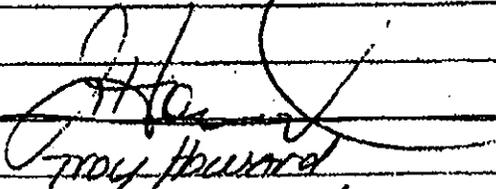
②  
H

9A(48)

Shorecrest United <sup>and its members</sup> agrees to release Metro of  
all claims prior to the execution of this agreement,  
future claims, such as damages etc to be recovered  
are not released herein.

The parties agree that this settlement is premised  
upon good faith and fair dealing with each party  
to their respective obligations and performances.

  
Abbey Frallo  
Project Manager Metro Equipment  
Services LLC

  
Troy Howard  
Shorecrest United, other members to  
follow.

③  
4/24

QA(49)

member Shorecrest United, Inc.

member Shorecrest United, Inc.

members Shorecrest United, Inc.

members Shorecrest United, Inc.

members Shorecrest United, Inc.

member Shorecrest United, Inc.

member Shorecrest United, Inc.

(4)

AP

9A(50)

Member Sharecrest United, Inc.

5

JK

QA(51)

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## NORTH BAY VILLAGE POLICE DEPARTMENT

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MEMORANDUM NO. 11-07-02

DATE: July 1, 2011  
TO: Robert J. Daniels, Interim City Manager   
FROM: James McCready, Acting/Chief of Police  
SUBJECT: LAW ENFORCEMENT TRUST FUND EXPENDITURES

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**Background:**

The North Bay Village Police Department participates in an Equitable Sharing Agreement with the Federal Drug Enforcement Administration (DEA) and the United States Department of Justice. Under this agreement, due to our active participation, we can utilize funds and property seized during investigations. After the funds are awarded, we receive our equitable share which could range from fifty to ten percent. Over the past three years, the Department has received over \$1.1 million from this partnership. The Department currently has two investigators assigned to DEA. Expenses charged to the Law Enforcement Trust Fund are recommended by the Police Chief periodically as funding is available and in accordance with the Guide to Equitable Sharing for State and Local Law Enforcement Agencies. These expenditures are then approved by the City Commission.

**Discussion:**

The Police Department purchased the CAD/RMS and Mobile Servers from Computer Information Systems, Inc. during F/Y 2006 utilizing our Law Enforcement Trust Fund. Contractually, each July thereafter, we are responsible for Annual License Renewal, Maintenance Support and Hardware Maintenance fees for both servers. Funds have been appropriated from LETF for all fees and expenses associated with the servers, including laptops, air cards, etc. Therefore, we are requesting the appropriation of funds for the annual fees in the total amount of \$16,600.00, as a permissible use listed on ***Page 17 (d. Law Enforcement Equipment ) of the USDOJ Guide to Equitable Sharing.***

**Recommendation:**

Staff recommends approval for these requests under the Consent Agenda.

9B(1)

Weiss Serota Helfman  
Pastoriza Cole & Boniske, P.L.

# Memo

To: Mayor and City Commission

From: Kathryn Mehaffey

Date: July 18, 2011

Re: Use of federal forfeiture funds for annual license renewals, maintenance support and hardware maintenance fees for the CAD/RMS and Mobile servers

---

You have asked us to review an item for the July 12, 2011 Commission agenda regarding a request from the Acting Chief of Police for appropriation and disbursement of federal forfeiture funds for annual license renewals, maintenance support and hardware maintenance fees for the CAD/RMS and Mobile servers.

Approved federal purposes for the use of these funds are quite broad, and include, amongst other things, law enforcement and detention facilities, overtime for law enforcement operations, training to perform official law enforcement duties, improvements to law enforcement facilities, law enforcement awards and memorials, and equipment and equipment maintenance for law enforcement activities.

The proposed designation of funds for annual license renewals, maintenance support and hardware maintenance fees for the CAD/RMS and Mobile servers falls within the federal guidelines for the expenditure of federal forfeiture funds under provision VIII.A.1.d. of the Federal guidelines.

9B(2)



## City of North Bay Village

Administrative Offices

1700 Kennedy Causeway, Suite #132 North Bay Village, FL 33141

Tel: (305) 756-7171 Fax: (305) 756-7722 Website: www.nbvillage.com

### MEMORANDUM City of North Bay Village

**DATE:** July 19, 2011

**TO:** Yvonne P. Hamilton, CMC  
City Clerk

**FROM:** Robert Daniels  
Interim City Manager *[Signature]*

**SUBJECT:** Introduction of Resolution

---

Pursuant to Section 3.08 of the City Charter, I hereby introduce the following Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$16,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS (FUND 07) AND THE DISBURSEMENT OF SUCH FUNDS TO COVER THE COST OF ANNUAL LICENSE RENEWAL, MAINTENANCE SUPPORT, AND HARDWARE MAINTENANCE FEES FOR THE MOBILE SERVERS FOR THE COMPUTER AIDED DISPATCH SYSTEM; SETTING AN EFFECTIVE DATE.**

Accordingly, please place the item on the next available agenda.

RD:yph

Mayor  
Corina S. Esquijarosa

Vice Mayor  
Connie Leon-Kreps

Commissioner  
Frank Rodriguez

Commissioner  
Eddie Lim

Commissioner  
Dr. Paul Vogel

9B(3)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$16,000 OF AVAILABLE NON-APPROPRIATED POLICE FEDERAL FORFEITURE FUNDS (FUND 07) AND THE DISBURSEMENT OF SUCH FUNDS TO COVER THE COST OF ANNUAL LICENSE RENEWAL, MAINTENANCE SUPPORT, AND HARDWARE MAINTENANCE FEES FOR THE MOBILE SERVERS FOR THE COMPUTER AIDED DISPATCH SYSTEM; SETTING AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

WHEREAS, the United States Code addresses the purposes and procedures to be utilized for the appropriation of Police Federal Forfeiture Funds; and

WHEREAS, the Chief of Police of the City of North Bay Village has requested appropriation of \$16,000 of Police Federal Forfeiture Funds, in accordance with federal regulations; and

WHEREAS, in accordance with federal forfeiture regulations set forth in the United States Code, the Chief of Police requests disbursement of the funds to cover the cost of the annual license renewal, maintenance support and hardware maintenance fees for the mobile servers for the Computer Aided Dispatch system.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:**

**Section 1:** Recitals. The foregoing whereas clauses are hereby ratified and confirmed as being true; and the same are hereby made a specific part of this Resolution.

**Section 2:** Appropriation of Funds. That \$16,000 is hereby appropriated in the Police Federal Forfeiture Account (Fund 07).

**Section 3:** Disbursement of Funds. That approval to disburse \$16,000 from the Police Federal Forfeiture Account (Fund 07) for the cost of the annual license renewal, maintenance support and hardware maintenance fees for the mobile servers for the Computer Aided Dispatch system is hereby granted.

**Section 4:** Severability. That the provision of the resolution are declared to be severable and if any section, sentence, clause or phrase of the resolution shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences and phrases of this Resolution but they shall remain in effect, notwithstanding the invalidity of any part.

**Section 5:** Conflict. That all resolutions or parts of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

**Section 46.** Effective Date. That this Resolution shall take effect immediately upon approval.

The motion to adopt the foregoing Resolution was offered by \_\_\_\_\_, seconded by \_\_\_\_\_.

**FINAL VOTE AT ADOPTION:**

Mayor Corina S. Esquijarosa \_\_\_\_\_  
Vice Mayor Connie Leon-Kreps \_\_\_\_\_  
Commissioner Eddie Lim \_\_\_\_\_  
Commissioner Frank Rodriguez \_\_\_\_\_  
Commissioner Paul Vogel \_\_\_\_\_

**PASSED and ADOPTED this \_\_\_ day of July 2011.**

\_\_\_\_\_  
Mayor Corina S. Esquijarosa

9B(5)

**ATTEST:**

---

Yvonne P. Hamilton  
City Clerk

**APPROVED AS TO FORM FOR THE USE ONLY  
OF THE CITY OF NORTH BAY VILLAGE:**

---

Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
City Attorney

(City of North Bay Village Resolution: Appropriation and Disbursement of Federal Forfeiture Funds to cover the cost of license renewal, maintenance and support of the Computer Aided Dispatch System)

9B(6)



**City of North Bay Village**

**Administrative Offices**

1700 Kennedy Causeway Suite 132 North Bay Village FL 33141-4190  
(305) 756-7171 Fax (305) 756-7722 Website – www.nbvillage.com

**MEMORANDUM**

**To:** Mayor Corina S. Esquijarosa  
Vice Mayor Connie Leon-Kreps  
Commissioner Eddie Lim  
Commissioner Frank Rodriguez  
Commissioner Paul Vogel

**From:** Robert Daniels  
Interim City Manager 

**Date:** July 20, 2011

**Subject:** Proposed Millage Rate FY 2011-2012

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The proposed millage rate is used to set a maximum cap on the millage rate. In other words, the millage rate can be lowered prior to adopting the budget, but it cannot be raised past this maximum cap. This proposed millage rate is used on the TRIM notice or the Notice of Proposed Property Taxes. The proposed millage rate for FY 2011-2012 is 5.9000.

As indicated at the June 30, 2011 Commission Meeting, the first Public Budget Hearing is scheduled for September 6, 2011 and the second Public Budget Hearing is scheduled for September 20, 2011. Both hearings will commence at 6:30 P.M. These dates were chosen to not conflict with the School Board's hearing on September 7, 2011 and Miami-Dade County's hearings on September 8, 2011 and September 22, 2011, which take precedence.

11A(1)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET PUBLIC HEARINGS FOR FISCAL YEAR 2011-12, AS REQUIRED BY LAW; DIRECTING THE FINANCE DIRECTOR TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. (INTRODUCED BY INTERIM CITY MANAGER ROBERT DANIELS)**

WHEREAS, on July 1, 2011, Pedro J. Garcia, Property Appraiser of Miami-Dade County, Florida (the "Property Appraiser") served upon the City of North Bay Village, Florida (the "City"), a Certification of Taxable Value (the "Certification") certifying to the City its 2011 taxable value; and

WHEREAS, the provisions of Section 200.065, Florida Statutes, require that the City, within thirty-five (35) days of service of the Certification, furnish to the Property Appraiser the proposed millage rate, the current year rolled-back rate and the date, time and place at which public hearings will be held to consider the proposed millage rate and the tentative budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA AS FOLLOWS:**

**Section 1. Recitals.** The foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution.

11A(2)

**Section 2. Declaration of Proposed Millage Rate.** The proposed millage rate for the City of North Bay Village for Fiscal Year 2011-12 is declared to be \_\_\_\_\_ mills, which is \$\_\_\_\_\_ per \$1,000.00 of assessed property within the City of North Bay Village.

**Section 3. Computation of Rolled-back rate.** The current year rolled-back rate as computed pursuant to Section 200.065, Florida Statutes, is \_\_\_\_\_, which is \$\_\_\_\_\_ per \$1,000.00 of assessed property within the City of North Bay Village.

**Section 4. Schedule of Budget Hearings.** The proposed date, time and place of the first and second public hearings are set by the City Commission as follows:

**Date**

**Time**

**Place**

**FIRST BUDGET HEARING:**

Tuesday, September 6, 2011, 6:30 PM

City Hall  
1700 Kennedy Causeway, #132  
North Bay Village, FL 33141

**SECOND BUDGET HEARING:**

Tuesday, September 20, 2011, 6:30 PM

City Hall  
1700 Kennedy Causeway, #132  
North Bay Village, FL 33141

In the event that the Board of County Commissioners of Miami-Dade County, Florida or School Board schedule any County Budget Hearing on a date set for a City Budget Hearing, the City Manager is authorized to change the date of either or both the Budget Hearings.

**Section 5. Authorization of Finance Director.** The Finance Director is directed to send the original Certification of Taxable Value and a certified copy of this Resolution to the Property Appraiser on or before August 5, 2011.

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

The motion to adopt the foregoing Resolution was offered by \_\_\_\_\_,  
seconded by \_\_\_\_\_.

**FINAL VOTE AT ADOPTION:**

Mayor Corina S. Esquijarosa \_\_\_\_\_  
Vice Mayor Connie Leon-Kreps \_\_\_\_\_  
Commissioner Eddie Lim \_\_\_\_\_  
Commissioner Frank Rodriguez \_\_\_\_\_  
Commissioner Paul Vogel \_\_\_\_\_

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Corina S. Esquijarosa, Mayor

**ATTEST:**

---

Yvonne P. Hamilton  
City Clerk

**APPROVED AS TO FORM FOR USE ONLY BY  
THE CITY OF NORTH BAY VILLAGE:**

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Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.

City of North Bay Village Resolution: Setting of Proposed Millage Rate-2011-2012  
Fiscal Year



## City of North Bay Village

### Administrative Offices

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### MEMORANDUM City of North Bay Village

**DATE:** July 20, 2011

**TO:** Yvonne P. Hamilton  
City Clerk

**FROM:** Robert Daniels   
Interim City Manager

**SUBJECT:** Introduction of Resolution

---

Pursuant to Section 3.08 of the City Charter, I hereby introduce the following Resolution:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH BAY VILLAGE, FLORIDA DETERMINING THE PROPOSED MILLAGE RATE, AND THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND BUDGET PUBLIC HEARINGS FOR FISCAL YEAR 2011-12, AS REQUIRED BY LAW; DIRECTING THE FINANCE DIRECTOR TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Accordingly, please place the item on the next available agenda.

RD:yph

Mayor  
Corina S. Esquijarosa

Vice Mayor  
Connie Leon-Kreps

Commissioner  
Frank Rodriguez

Commissioner  
Eddie Lim

Commissioner  
Dr. Paul Vogel

11A(6)