

**RESOLUTION NO. 11-03-16**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN CLERK TO EXECUTE AN AGREEMENT WITH PALM BEACH COUNTY PERTAINING TO THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Lake Park ("Town") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Town Commission has determined that it is in the best interest of the community to do demolition and renovation of all or parts of certain existing structures; making improvements to the restrooms; improvements to lighting; and the installation of new park benches and litter receptacles at Lake Shore Park and Kelsey Parks ( the "Projects"); and

**WHEREAS**, the Town is an eligible entitlement community for Palm Beach County's Community Development Block Grant program pursuant to an Interlocal Agreement it has entered into with Palm Beach County; and

**WHEREAS**, the Projects fall within two of the three categories of eligible activities as defined by the United States Department of Housing and Urban Development (HUD), in as much as the Projects:

- (1) Will benefit low and moderate income persons on an area-wide basis; and
- (2) Will be a public facilities improvement; and

**WHEREAS**, the Projects lie entirely within a public area that is used by and available to all Town residents, visitors, and the general public for recreational purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Commission of the Town of Lake Park, Florida:

**SECTION 1.** The "whereas" clauses are incorporated herein and are true and correct.

**SECTION 2.** The Town Commission hereby authorizes and directs the Mayor and the Town Clerk to execute the grant agreement with Palm Beach County in the amount of \$437,555 for the Fiscal Years 2015 and 2016 Community Development Block Grants to undertake the Projects.

**SECTION 3.** The Town Commission hereby commits to the use of the funds received from HUD through Palm Beach County for the partial demolition and renovation of structures; improvements to restroom facilities; additional lighting; and the installation of new park benches and trash receptacles at Lake Shore and Kelsey Parks.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner O'Rourke, who moved its adoption. The motion was seconded by Vice-Mayor Glas-Castro, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	—
VICE-MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	—
COMMISSIONER ERIN FLAHERTY	<u>/</u>	—
COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	—
COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	—

The Town Commission thereupon declared the foregoing Resolution NO. 11-03-16 duly passed and adopted this 2 day of March, 2016.

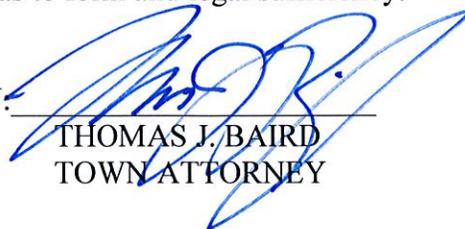
TOWN OF LAKE PARK, FLORIDA

BY:   
JAMES DUBOIS  
MAYOR

ATTEST:

  
VIVIAN MENDEZ  
TOWN CLERK  


Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY



Office of the  
Town Manager

November 24, 2015

Mr. Edward W. Lowery, Director  
Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, Florida 33406

**Subject: Combining Fiscal Year 2016 CDBG Funds with Fiscal Year 2014 and 2015  
Funds to Accomplish Multiple Projects in Lake Shore and Kelsey Parks;  
Amendments to the Agreement**

Dear Mr. Lowery:

The Town of Lake Park submitted for and received approval for a project in Kelsey Park using Fiscal Year 2015-2016 CDBG Program funding. \$33,964.00 was allocated for the purchase and installation of park benches and litter receptacles.

The Town has also been awarded \$362,941.00 in Fiscal Year 2014-2015 funds along with \$40,650.00 in Fiscal Year 2013-2014 funds for a Lake Shore and Kelsey Park Improvements project.

The Town requests that Palm Beach County consider allowing the Town to combine the Fiscal Year 2015-2016 funds with the previously approved Fiscal Year 2014 and 2015 funds, since all proposed projects are in Lake Shore and Kelsey Parks. Bundling the grants for the total amount of \$437,555.00 will allow the Town to accomplish as many of the approved projects under one design contract and one construction project as funding will allow.

In addition, the Town's Architectural Consultant has submitted project estimates that have required the Town to modify its plans that were approved in the original agreement by the Board of County Commissioners at their March 10, 2015 meeting. By this letter, the Town requests consideration of the following additions and deletions to "Exhibit A, Work Program Narrative" that was a part of the agreement with the County.

- Task the Architectural Consultant to specify the park benches and litter receptacles and indicate their location on the site plan. Add these additional costs to the existing professional services contract.
- Purchase and install park benches and litter receptacles as part of the construction contract.
- While the original agreement stipulates that, "The site lighting at Lake Shore Park shall be bid separately as one contract", include the placement of underground power supply lines running to the future light pole locations into the current construction contract.
- Task the Architectural Consultant to specify the re-roof of the two (2) buildings adjacent to the remodeled restroom in the construction plans. Add these additional costs to the existing professional services contract.
- Re-roof two (2) buildings adjacent to the remodeled restroom building in Lake Shore Park. These roofs will match the new roof approved to be placed on the existing restroom.

535 Park Avenue  
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- Strike the following task from the approved agreement's *Scope of Work: Lake Shore Park*, "Construct a new building with ADA compliant restrooms to meet needs of park users, complete with A/C unit, related amenities, site work, mechanical upgrades (where necessary) and landscaping."
- Amend the following task in the approved agreement's *Scope of Work: Kelsey Park*; construct a restroom facility of approximately 840 S.F. (increased from 580 S.F.).

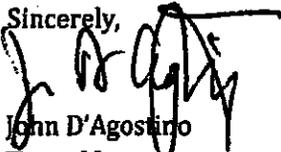
If bid prices submitted for the core project are lower than the Architect's initial estimates, the Town would like to have the flexibility to accomplish additional, pre-approved tasks through the use of Bid Alternates. Our priorities, in descending order, will be:

- Construction and renovation of the restrooms
- The purchase and placement of benches and trash receptacles
- Re-roof of two adjacent park buildings
- Placement of underground power lines for site lighting

I think you'll find that the modifications being requested do not significantly deviate from the original project submittals.

Thank you for your consideration of the Town's request.

Sincerely,



John D'Agostino  
Town Manager

cc: Carlos Serrano, Director, Strategic Planning Section  
Lynette Scraper, Project Coordinator  
David Hunt, Public Works Director  
Bambi McKibbon-Turner, Human Resources Director  
Richard Pittman, Project Manager  
Blake Rane, Finance Director



Office of the  
Town Manager

March 3, 2016

Ms. Betsy Barr  
Director of Contract Development  
and Quality Control  
Department of Economic Sustainability  
100 Australian Avenue, Suite 500  
West Palm Beach, Florida 33406

Dear Ms. Barr:

The purpose of this letter is to certify that James DuBois, Mayor of the Town of Lake Park, and Vivian Mendez, Town Clerk, are authorized to sign the Agreement between Palm Beach County and the Town of Lake Park for use of the Fiscal Year 2015 and Fiscal Year 2016 Community Development Block Grant.

Additionally, at the March 2, 2016 Commission meeting, the Town Commission authorized Mayor DuBois and Town Clerk Mendez to sign this agreement. Attached is a certified copy of the Resolution authorizing such signature.

Sincerely,

John O. D'Agostino  
Town Manager

Attachment

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## AFFIRMATION OF NON- DISCRIMINATION POLICY

Organization Name: TOWN OF LAKE PARK

Authorized Representative: Name: BAMBI M<sup>o</sup>KIBBON-TURNER  
Title: HUMAN RESOURCES DIRECTOR

The undersigned acknowledges that it is the express policy of the Palm Beach County Board of County Commissioners that Palm Beach County ("County") shall not conduct business with nor appropriate funds for any organization that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, familial status, marital status, sexual orientation, gender identity and expression, disability, or genetic information, and that County Resolution 2014-1421, as may be amended, requires all entities doing business with the County ("Organization") to submit a copy of their written non-discrimination policies to ensure consistency with County resolution 2014-1421, as may be amended, or to provide a written statement affirming their non-discrimination policies are in conformance with County Resolution 2014-1421, as may be amended. This policy is applicable whether the Organization is public or private, for profit or not-for-profit.

Accordingly, the undersigned hereby affirms the following on behalf of the Organization:

- The Organization has a written non-discrimination policy which is consistent with the requirements of County Resolution 2014-1421 and has provided a complete copy of its policy to the County for its records.
- Copy of the Organization's written non-discrimination policy is attached.
- Copy of the Organization's written non-discrimination policy was previously submitted to the County and is on file with the County's Department of Economic Sustainability.
- The Organization has a written non-discrimination policy and has provided a complete copy of its policy to the County for its records, however, the Organization's non-discrimination policy is not entirely consistent with the requirements of County Resolution 2014-1421.
- The Organization will conform to the County's non-discrimination policy in Resolution 2014-1421, as may be amended.
- The Organization does not have a written non-discrimination policy; however, the Organization will conform to the County's non-discrimination policy in Resolution 2014-1421, as may be amended.

Signature of Authorized Representative: Bambi M<sup>o</sup>Kibbon-Turner

Date: 2/23/2016

# **TOWN OF LAKE PARK NON-DISCRIMINATION POLICY**

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY:**

The Town of Lake Park adheres to a policy of nondiscrimination in employment and strives affirmatively to provide equal opportunity for all as required by state and federal laws. The Town attempts to identify and overcome real or potential artificial barriers to employment, training, or promotional opportunities for its employees and applicants.

It is the policy of the Town of Lake Park to prohibit discrimination based on race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

The Town strives to ensure a highly qualified staff in terms of educational background and experience which reflects the overall diversity in terms of factors such as race, ethnicity and gender of the pool of qualified candidates.

In recruiting applicants for Town positions, the Town encourages men and women to enter non-traditional occupational areas where their gender is under-represented.

The Town continually develops and reviews job descriptions and entry qualifications in order to ensure that the tasks and duties required are reasonable and do not impose artificial barriers to qualified applicants.

No individual will be denied access, employment, training, or promotion on the basis of race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

The Human Resources Department will conduct job advertising and recruitment activities in a manner designed to apprise persons of diverse backgrounds.

Merit principles will be followed in the hiring, promotion and retention of Town employees.

## **NON-DISCRIMINATION HARASSMENT POLICY:**

It is the affirmative policy of the Town of Lake Park to prohibit discrimination in all aspects of employment or hiring with the Town based on race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression.

All employees are hereby notified that they are expected to work with other employees without regard for the race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression of the individual.

Harassment or discrimination based on any of the above categories or factors is a violation of applicable laws and a breach of the Town's non-discrimination/harassment policy.

Violations of the Town's policy are expressly prohibited and shall not be tolerated.

Such violations shall be grounds for disciplinary action including, but not limited to, termination of employment.

**Sexual harassment**, including same sex harassment is a violation of Title VII of the Civil Rights Act of 1964.

Sexual harassment is defined as a pattern of behavior that includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Complaints alleging employment harassment or discrimination on the basis of race, color, religion, national origin, sex, age, disability, familial status, marital status, sexual orientation or gender identity or expression should be made to the Human Resources Director or to the employee's Department Head or supervisor as set forth in Section 8.8 of this Handbook.



Public Works  
Department

## AMENDMENT No.1

### TO PROFESSIONAL SERVICES CONTRACT BETWEEN TOWN OF LAKE PARK AND CPZ ARCHITECTS, INC. DATED OCTOBER 21, 2015

This Amendment No.1 shall become an integral part of the Professional Services Contract between the Town of Lake Park and CPZ Architects, Inc. upon execution by both parties.

Exhibit "B" Consultant Proposal, page 2, paragraph D: "Construction Administration", strike out narrative in entirety and replace with the following language:

Services during construction are not included and will be billed at the hourly rates per Exhibit "C", computed at 15 minute intervals when approved in advance by the Client.

Typical Consultant and Sub-consultant services include shop drawing review, change orders, and specialty inspections such as structural and electrical which are beyond the required Town's Building Official inspections and the coordination services provided by the Consultant, for these assigned tasks, when approved in advance by the Client.

NOTE: Exception to the hourly rate billing are Structural Inspections which will be billed at a fixed fee of \$450 per inspection. The Fixed Fee for Structural Inspections includes: a site visit which includes travel time; a site visit report; and if required by the Building Department, signing and sealing of the site visit report.

Exhibit "B" Consultant Proposal, page 2, paragraph G: "Reimbursable Allowance...\$2,000.00, add the following language:  
Reimbursable expenses, as detailed in General Conditions, January, 2015, No. 2, will be billed at actual cost.

Exhibit "B" Consultant Proposal, page 2, paragraph H., Item's 1., 2., 3., and 4.,: Strike out in entirety.

Exhibit "B" Consultant Proposal, page 2, paragraph I, "Additional Services not included in the estimate above", Strike out Item 1 in entirety and replace with the following language:

1. Preparation of full As-Built Drawings will be performed by the selected Contractor and paid as an individual line item in the Schedule of Values per the bid submittal.

650 Old Dixie Highway  
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Public Works  
Department

Exhibit "B" Consultant Proposal, page 2, paragraph I, "Additional Services not included in the estimate above", Strike out Item 2 in entirety and replace with the following language:  
**2. Extensive investigation of the existing space, mechanical equipment and electrical systems was determined to NOT be needed as the date of this Amendment No. 1.**

Exhibit "B" Consultant Proposal, page 3 paragraph J. Item 5: Strike out in entirety.

Exhibit "B" Consultant Proposal, Add the following language:  
**K. Compensation for additional Consultant's coordination services and Sub-Consultant services (Structural, Mechanical, Electrical Engineers, etc.) not included above, shall be billed at an hourly fixed fee per Exhibit "C" computed at 15 minute intervals when approved in advance by the Client.**

Exhibit "B" Consultant Proposal, General Conditions, January 2015, Item 2. "Direct & Reimbursable Expenses", strike out the first sentence in the narrative and replace with the following language:  
**CPZ ARCHITECTS, INC.'s Direct Expenses shall be those costs incurred on or directly for the CLIENT'S Project, including but not limited to courier service, laboratory tests and analyses, printing and reproduction charges.**

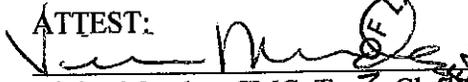
Exhibit "B" Consultant Proposal, General Conditions, January 2015, Item 3. "Outside Services", strike out narrative in entirety and replace with the following language:  
**"If technical or professional services not previously included are required from outside sources, these outside services are first required to be approved by the Client, and if approved, will be billed at an hourly fixed fee as identified in Exhibit "C" (Computed at 15 minute intervals).**

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TOWN OF LAKE PARK,  
through its Town Commission

By:   
James DuBois, Mayor  
2 day of March 2016

ATTEST:  
  
Vivian Mendez, CMC, Town Clerk  




Public Works  
Department

Approved as to form and legality

By: [Signature]  
Thomas J Baird, Town Attorney  
2<sup>ND</sup> day of MARCH, 2016

(CONSULTANT)

By: [Signature]  
Christopher P. Zimmerman  
11 day of MARCH 2016

End of Amendment No.1

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March 2, 2016

Town of Lake Park  
Attn.: Mr. Richard Pittman, Project Manager  
650 Old Dixie Highway  
Lake Park, FL 33403

**RE: Amendment No.2 to Professional Services Contract between the Town of Lake Park and CPZ Architects, Inc.; approved by Town Commission on October 21, 2015**

Dear Mr. Pittman:

We are pleased to offer the following fee proposal to provide additional Architectural Services.

**SCOPE**

*This work includes construction documents including architectural, civil engineering, landscape architectural and structural drawings for the new benches, trash receptacles and the re-roofing of (2) adjacent buildings including the elimination of dormers. Drawings will be added to the permitting, bidding, and construction documents already in progress.*

**SERVICES & COMPENSATION**

**Construction Documents**

- Add demolition plan showing locations of benches and trash receptacles to be demolished along with their related existing concrete pads
- Develop Site Plan depicting location of fifteen (15) new benches (3 – 4’ benches and 12- 6’ benches) and six (6) new trash receptacles and location of existing buildings to be re-roofed
- Design and detail new concrete pads for benches and trash receptacles
- Develop design and connection details for new benches and trash receptacles
- Develop specifications for the add alternate of re-roofing of the Pavilion (Community Meeting Building) and the Tennis Center office building. Including design and specification for the removal of the dormers and reframing and sheathing, including flashing and “S” Tile to match buildings in the base bid.
- Develop specifications for a Deduct Alternate for shingle roof in lieu of concrete tile roof for all re-roof of existing buildings as well as the new roof for the Kelsey Park Restroom

**COMPENSATION**

Compensation for architectural and engineering services shall be on a stipulated basis as follows:

Architectural Fee related to benches and trash receptacles	\$ 2,000.00
Architectural and Structural fees related to re-roofing of Pavilion Bldg.	\$ 1,750.00
Architectural and Structural fees related to re-roofing of Tennis Ctr. Bldg.*	\$ 1,750.00
Architectural Fee related to the Shingle Roofing Alternates (*25%)	\$ 2,500.00
<b>TOTAL</b>	<b>\$ 8,000.00</b>

**CPZ ARCHITECTS, INC.**

4316 WEST BROWARD BOULEVARD, PLANTATION, FLORIDA 33317  
200 N EL MAR DRIVE, SUITE 200, JENSEN BEACH, FLORIDA 34957  
(954) 792-8525, FAX (954) 337-0359



COMPENSATION (CONSTRUCTION ADMINISTRATION, ITEM "D" OF CONTRACT) BILLED AT HOURLY RATE.

Services during construction associated with Pavilion reroofing Includes 2 site visits at \$500 each (4 hours @ \$125/hr) (Allowance)	\$ 1,000.00
Services during construction associated with Tennis Ctr. Bldg. Includes 1 site visit at \$500 each (4 hours @ \$125/hr) (Allowance)*	\$ 500.00
<b>TOTAL</b>	<b>\$ 1,500.00</b>

\*Non-reimbursable from CDBG funds

TIME OF COMPLETION

A time extension for the completion of the design contract requirements which include the Scope of Work additions per Amendment No. 2, is hereby approved to be extended by 83 calendar days. The new design contract completion date is hereby established as March 23, 2016.

CONTRACT REVISION

Original Contract Amount	\$ 59,000.00
Cost of Amendment No.2	\$ 9,500.00
<b>TOTAL CONTRACT AMOUNT TO DATE</b>	<b>\$ 68,500.00</b>

We thank you for the opportunity to offer you these services. If you have any questions, please contact me at 954-792-8525.

Respectfully,  
CPZ ARCHITECTS, INC.

Chris P. Zimmerman, AIA  
President

Accepted on 3/2 2016.  
By: [Signature]  
Title: Mayor



EXHIBIT "C"

Compensation for Client Approved additional architectural/engineering Construction Administration services not included above shall be computed on a per hour basis (computed in 15 minute intervals) as follows:

**CPZ Architects**

- Chris Zimmerman, Principal \$150/hr
- Erik Garcia, Project Manager \$125/hr

**Chen Moore (Civil & Landscaping):**

- Andrew Savage, Project Engineer \$110/hr
- Suzanne Dombrowski, Senior Engineer \$145/hr
- Eric Harrison, Project Landscape Architect \$110/hr
- Cristobal Betancourt, Senior Project Manager \$155/hr

**Project Caine (MEP Engineers):**

- Robert Caine, Principal \$220/hr
- Jacob Arana, Senior Engineer \$175/hr
- Beau Gallo, Project Engineer \$150/hr
- Tony Gazzia, Designer \$100/hr

**MUE (Structural Engineers):**

Shop drawing reviews

- Marcus Unterweger, Structural Engineer \$140/hr
- Ricardo Madriz, Structural Engineer \$140/hr
- Giacomo Stanghellini, Structural Engineer \$140/hr
- Yousef Ghaffari, Structural Engineer \$140/hr
- Igor Bardales, Structural Engineer \$140/hr

Structural Inspections: \$450 Fixed Fee per Inspection

Note: The Fixed Fee for Structural Inspections includes: a site visit which includes travel time; a site visit report; and if required by the Building Department, signing and sealing of the site visit report.