

RESOLUTION NO. 07-368

A RESOLUTION ACCEPTING THE PROPOSALS OF KIMLEY-HORN AND ASSOCIATES, INC., AND TBE GROUP, INC., TO PROVIDE PROFESSIONAL ENGINEERING AND CONSULTING SERVICES RELATING TO BROWNFIELD REDEVELOPMENT, SUBJECT TO THE TERMS AND CONDITIONS OF WRITTEN CONTINUING SERVICES AGREEMENTS; APPROVING THE FIRST WORK AUTHORIZATION WITH TBE GROUP, INC., TO ADDRESS BROWNFIELD ISSUES ON CITY-OWNED PROPERTY WEST OF CLYDE MORRIS BOULEVARD AND NORTH AND SOUTH OF THE BELLEVUE AVENUE EXTENSION, AT AN INITIAL COST NOT TO EXCEED \$40,125; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE ABOVE-REFERENCED PROFESSIONAL SERVICE AGREEMENTS AND WORK AUTHORIZATION; AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT.

WHEREAS, by Resolution No. 07-156 the City Commission authorized the staff to pursue negotiated acquisition of services through submission and evaluation of proposals and negotiation of contracts; and

WHEREAS, the City Manager or his designee, meeting the criteria established in Section 30-116 City Code, has interviewed consultants to provide continuing professional engineering and consulting services relating to brownfield redevelopment; and

WHEREAS, the City Manager and the Deputy City Manager/Public Works recommends acceptance of the proposals submitted by Kimley-Horn and Associates, Inc., and TBE Group, Inc.; and

WHEREAS, continuing services agreements have been prepared to describe the range of services to be provided, pursuant to work authorizations to be issued under each such agreement, at either the hourly rates provided for in the agreements or for negotiated lump sum amounts; and

WHEREAS, TBE Group's continuing services agreement includes Work Authorization No. 1, relating to a City-owned brownfield site on the west side of Clyde Morris Boulevard, north and south of the Bellevue Avenue extension; and

WHEREAS under the terms of the Work Authorization, TBE Group shall initially provide site assessment and prepare a brownfield site remediation agreement for execution by the City and the Florida Department of Environmental Protection at a cost not to exceed \$40,125, and upon future City authorization TBE Group may provide additional services including site remediation, for amounts specified in the Work Authorization; and

WHEREAS, the City Manager and Deputy City Manager/Public Works recommend approval of Work Authorization No. 1 with TBE Group, Inc., and the Chief Financial Officer has filed a Sufficiency of Funds Certificate as to initial work to be performed thereunder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DAYTONA BEACH, FLORIDA:

SECTION 1. The City Commission hereby accepts the proposals submitted by Kimley-Horn and Associates, Inc., and TBE Group, Inc., to provide continuing professional engineering and consulting services relating to brownfield redevelopment, subject to Section 2 below.

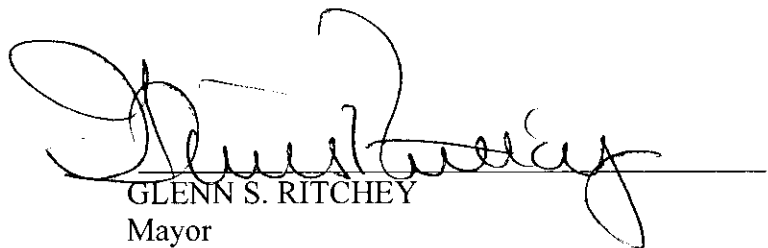
SECTION 2. The City Commission approves continuing professional services agreements with Kimley-Horn and Associates, Inc., and TBE Group, Inc., describing the range of brownfield remediation services to be provided, and providing for the execution of individual work authorizations to be issued under each such agreement, at either the hourly rates provided for in the agreements or for negotiated lump sum amounts. Copies of the agreements with

Kimley-Horn and Associates, and TBE Group, Inc., are attached hereto and incorporated herein as Exhibits A and B.

SECTION 3. The City Commission also approves Work Authorization No. 1 with TBE Group, Inc., which is attached to and incorporated in the aforementioned agreement with TBE Group, Inc. The work authorization is further described in the foregoing recitals.

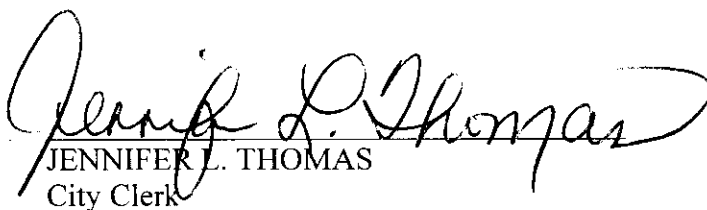
SECTION 4. The Mayor and City Clerk are hereby authorized to execute the above-described professional services agreements, and Work Authorization No. 1, on the City's behalf, subject to final review as to legal form by the City Attorney.

SECTION 5. This Resolution shall take effect immediately upon its adoption.



GLENN S. RITCHEY
Mayor

ATTEST:



JENNIFER L. THOMAS
City Clerk

Adopted: October 17, 2007