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Item No.		6.A-E

**CITY COMMISSION MEMORANDUM 15-032
MARCH 9, 2015 AGENDA**

TO: Honorable Mayor and Members of the City Commission
PREPARED BY: Cynthia Porter, City Clerk
SUBMITTED BY: Norton N. Bonaparte, Jr., City Manager
SUBJECT: Consent Agenda

SYNOPSIS:

Approval of the consent agenda is requested.

- A. APPROVE A PURCHASE ORDER TO MOORE STEPHENS LOVELACE, P.A. IN THE AMOUNT OF \$71,750 FOR FISCAL YEAR 2014 AUDITING SERVICES.**

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

SYNOPSIS:

Approval of a purchase order to Moore Stephens Lovelace, P.A. in the amount of \$71,750 for fiscal year 2014 auditing services is requested.

FISCAL/STAFFING STATEMENT:

The fiscal year 2014 contract cost is \$71,750.

BACKGROUND:

The City Commission awarded the auditing contract to Moore Stephens Lovelace, P.A. on August 26, 2013 for fiscal years 2013 through 2017 starting at \$70,000 with an annual increase of 2.5%. This is the 2nd year of that award and is for the audit of fiscal year 2014.

LEGAL REVIEW:

No legal review requested of the City Attorney.

RECOMMENDATION:

It is staff's recommendation that the City Commission approve the issuance of a purchase order in the amount of \$71,750 to Moore Stephens Lovelace, P.A. for fiscal year 2014 auditing services.

B. APPROVE THE 2015 STATE OF FLORIDA LOW INCOME HOME ENERGY ASSISTANCE PROGRAM GRANT AGREEMENT.

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

SYNOPSIS:

The 2015 Low Income Home Energy Assistance Program Grant Agreement contract has been prepared.

FISCAL/STAFFING STATEMENT:

The total authorization of this grant is \$793,683. The grant period begins April 1, 2015 and ends on March 31, 2016. The grant funding includes salaries of one LIHEAP Supervisor, two Outreach Administrative Specialists, funds for home energy assistance, crisis assistance and weather related assistance for a twelve month period. The grant contract has been reviewed by Finance Director Cynthia Lindsay.

BACKGROUND:

The City of Sanford has administered this federally funded program for Seminole County residents since FY 1999-2000. This year's contract amount is a decrease in funding of \$88,932 from 2014 agreement due to a reduction in the federal allocation to the U.S. Department of Health and Human Services for the Low Income Home Energy Assistance Program.

LEGAL REVIEW:

2015 Low Income Home Energy Assistance Grant Agreement has been reviewed by Assistant City Attorney Lonnie Groot.

RECOMMENDATION:

It is staff's recommendation that the City Commission approve the 2015 State of Florida Low Income Home Energy Assistance Program Grant Agreement in the amount of \$793,683.

C. APPROVE CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$60,242 TO FRS ENVIRONMENTAL REMEDIATION INC., DBA THE FGS GROUP, FOR THE FORMER SANFORD POLICE DEPARTMENT SOIL REMEDIATION PROJECT.

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

SYNOPSIS:

Approval of Change Order No. 1 to FRS Environmental Remediation, Inc., doing business as The FGS Group ("FGS"), for the Former Sanford Police Department Site Soil Remediation project is requested.

FISCAL/STAFFING STATEMENT:

The total funding requested is in an amount not to exceed \$60,242 and is available from the City's reserve account. This project was funded by the Seminole County's U.S. 17/92 Corridor Community Redevelopment Agency (County CRA). These additional funds, as a result of this Change Order, may be reimbursed by the County CRA as well; however the City must pay initially and make a formal request for reimbursement to the County CRA.

BACKGROUND:

Funding as a result of a Change Order in an amount not to exceed \$60,242 is requested for unforeseen circumstances pertaining to the excavation of contaminated soils at the former SPD site. FGS was awarded the contract under IFB 13/14-14 on 10/27/2014 in the amount of \$163,823 for excavation and disposal of contaminated soils and restoration of the property. During excavation the on-site environmental inspector from PPM Consultants, Inc. ("PPM") concluded that there was more contamination than previously determined by the environmental consultant that had accomplished that work. The extra contaminated material, in accordance with the recommendation of the environmental consultant, was removed by direction of City staff. This project was funded by the County CRA in the amount of \$260,000 with two purchase orders issued for \$163,823 to FGS and \$82,737 to PPM for engineering, inspection and monitoring services. The Purchase order to FGS must be increased by \$60,242 to address the additional remedial work. Discussions with the County CRA resulted in the City being invited to formally request reimbursement for the additional change in the contract amount.

LEGAL REVIEW:

The City Attorney has reviewed the matter and has no legal objection to the procurement activity assuming that the procurement activity has been accomplished in accordance with controlling legal authority including, but not limited to, City purchasing policies and assuming that the

analysis of this matter has resulted in the conclusion that the underestimate of the contaminated material by the environmental consultant did not result in any liability that could result in the City obtaining damages.

RECOMMENDATION:

It is staff's recommendation that the City Commission approve Change Order No. 1 in an amount not to exceed \$60,242 to FRS Environmental Remediation, Inc., dba The FGS Group for the former Sanford Police Department Soil Remediation Project.

D. APPROVE CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$72,890.05 TO HALIFAX PAVING, INC. FOR THE PERSIMMON AVENUE WIDENING PROJECT.

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
- Update Regulatory Framework
- Redevelop and Revitalize Disadvantaged Communities

SYNOPSIS:

Approval of Change Order No. 1 to Halifax Paving, Inc. for the Persimmon Avenue Widening Project (IFB 13/14-10) is requested.

FISCAL/STAFFING STATEMENT:

The total funding requested is in an amount not to exceed \$72,890.05 and is available from the City's Second Generation residual funds account.

BACKGROUND:

Funding as a result of a Change Order in an amount of \$72,890.05 is requested for unanticipated utility adjustments that need to be corrected for construction progress. City staff confirmed the necessary adjustments identified by the contractor. It was noted that the utilities were in conflict with the road and drainage construction along the scope of the project. The Change Order also grants the contractor an additional 43 days to complete work (35 for construction plus 8 for holiday and weather).

LEGAL REVIEW:

The City Attorney has reviewed this matter and has no legal objection to the procurement activity assuming that the procurement activity has been accomplished in accordance with controlling legal authority including, but not limited to, City purchasing policies and assuming

that the analysis of this matter has resulted in the conclusion that the additional costs relating to utility adjustments did not result in any liability that could result in the City obtaining damages from the firm that accomplished the design of the subject Project or in the City obtaining damages from others that were the insipient cause of the additional work for which the City is incurring additional costs.

RECOMMENDATION:

It is staff's recommendation that the City Commission approve Change Order No. 1 in an amount not to exceed \$72,890.05 to Halifax Paving, Inc. for the Persimmon Avenue Widening Project.

E. APPROVE THE TRANSFER OF THE POLICE BOAT, AN 18 FOOT BOSTON WHALER GUARDIAN, TO THE CITY OF ST. CLOUD POLICE DEPARTMENT AND AUTHORIZE THE CITY ATTORNEY TO DRAFT APPROPRIATE TRANSFER DOCUMENTS AND APPROPRIATE EXECUTION BY THE CITY.

STRATEGIC PRIORITIES:

- Unify Downtown & the Waterfront
- Promote the City's Distinct Culture
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SYNOPSIS:

Request approval to transfer the City's Police Boat to the City of St. Cloud Police Department.

FISCAL/STAFFING STATEMENT:

There will not be any cost associated with transferring the Police Boat. However, there will be an approximate \$1,500 annual savings in operational costs to maintain and operate it. The Police Boat was originally purchased by the Regional Grant Authority, Orange County Sheriff's Office on behalf of the City using U.S. Department of Homeland Security Urban Area Security Initiative (UASI) Federal funding totaling \$35,724.

BACKGROUND:

The Police Boat, an 18 foot Boston Whaler Guardian, was purchased in 2004/05. At the time of purchase the Police Department was also conducting a Staffing Study which among many factors also considered the staffing required to support the operation of this boat. While the Staffing Study was approved for the funding of 10 additional officers each year for five years, when the economy faltered and available revenues dropped, the continued funding of these sorely needed additional officers was discontinued. As a result, staffing to support the operation of the Police Boat has not been available. Because the Police Boat has not been used by the City, other agencies with the required level of staffing to support the operation of the Police Boat have been intermittently requesting the Police Boat be transferred to their agencies. Because this grant

funding was provided for homeland security purposes, the City may not transfer the Police Boat to other City departments. Technically speaking the Police Boat remains Federal property and the grant authority can relocate the boat to another law enforcement agency if it is not utilized.

LEGAL REVIEW:

The City Attorney's Office has reviewed the proposal and has no legal objection with the appropriate transfer documents being drafted and executed after approval of the matter by the City Commission.

RECOMMENDATION:

It is staff's recommendation that the City Commission approve the transfer of the Police Boat, an 18 foot Boston Whaler Guardian, to the City of St. Cloud Police Department and authorize the City Attorney to draft appropriate transfer documents for appropriate execution by the City.

SUGGESTED MOTION:

"I move to approve the Consent Agenda."