

**RESOLUTION NO. 18-09-90**

**A RESOLUTION OF THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, APPROVING THE FINAL RANKINGS AND RECOMMENDATIONS OF THE RFP 18-20 EVALUATION COMMITTEE FOR ANNE'S BEACH BOARDWALK REPLACEMENT, PAVILIONS AND PARKING AREAS; AUTHORIZING THE VILLAGE MANAGER AND VILLAGE ATTORNEY TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICE AGREEMENT FOR THE REQUESTED SERVICES; AUTHORIZING THE VILLAGE MANAGER TO EXPEND BUDGETED FUNDS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the boardwalk at Anne's Beach on Lower Matecumbe Key deteriorated over the years due to weather-related disturbances and environmental conditions; and

**WHEREAS**, in November 2016, Islamorada, Village of Islands (the "Village") applied to the Monroe County Tourist Development Council (the "TDC") for FY 2017 Capital Project funding for Anne's Beach Boardwalk Replacement Repairs Phase I Project; and

**WHEREAS**, in January 2017, the TDC approved the Village's grant application for the Anne's Beach Boardwalk Replacement Repairs Phase I Project; and

**WHEREAS**, on August 24, 2017, the Village Council passed and adopted Resolution No. 17-08-70, thereby approving the professional agreement with The Weiler Engineering Corporation ("Weiler") for the boardwalk design; and

**WHEREAS**, on September 10, 2017, Hurricane Irma affected Islamorada and the Florida Keys and washed out the entire boardwalk, the six (6) existing pavilions and the two (2) parking lots at Anne's Beach; and

**WHEREAS**, on December 7, 2017, the Village Council passed and adopted Resolution No. 17-12-102 expanding the scope of work with Weiler to include the six (6) pavilions and repair of the washed-out parking lots; and

**WHEREAS,** Weiler completed the design for the new boardwalk, six (6) pavilions and two (2) parking lots at Anne's Beach and submitted the final construction plans to Village staff; and

**WHEREAS,** the Village needs a Florida licensed general contractor capable of efficiently providing all necessary expertise, personnel, tools, materials, equipment, transportation, supervision and overall services to construct the boardwalk, pavilions and parking lots at Anne's Beach; and

**WHEREAS,** the Village advertised a Request for Proposals for General Contractor Services to Construct a New Boardwalk, Pavilions and Parking Areas and Anne's Beach ("RFP 18-15") from May 8, 2018 through June 8, 2018, attached as Exhibit "A" hereto; and

**WHEREAS,** the Village Clerk received five (5) proposals in response to RFP 18-15; and

**WHEREAS,** the Village Manager created an Evaluation Committee (the "Committee") to review responsive proposals and make a recommendation to the Village Council for the selection of the contractor; and

**WHEREAS,** the Committee reviewed the five (5) proposals received using the selection criteria and point system detailed in the RFP; and recommended LPS Utilities, Inc. for selection; and

**WHEREAS,** on June 28, 2018, the Village Council adopted Resolution 18-06-54, thereby approving the rankings of the Committee and authorizing the Village Manager to negotiate and enter into an Agreement for the requested services; and

**WHEREAS,** due to pricing issues discovered within all of the proposals received, the Committee and the Village Manager recommended that the Village Council rescind the bid award and redo the competitive selection process for the construction of a new boardwalk, pavilions and parking areas at Anne's Beach; and

**WHEREAS**, on July 19, 2018 the Village Council adopted Resolution 18-07-63, thereby rescinding Resolution 18-06-54 and directing the issuance of a new competitive solicitation process for the construction of a new boardwalk, pavilions and parking areas at Anne's Beach; and

**WHEREAS**, the Village advertised a Request for Proposals for Anne's Beach Boardwalk Replacement, Pavilions and Parking Areas ("RFP 18-20") from July 27, 2018 through August 30, 2018, attached as Exhibit "A" hereto; and

**WHEREAS**, the Village Clerk received six (6) proposals in response to RFP 18-20; and

**WHEREAS**, the Village Manager created an Evaluation Committee (the "Committee") to review responsive proposals and make a recommendation to the Village Council for selection of the contractor; and

**WHEREAS**, the Committee reviewed the six (6) proposals using the selection criteria and point system detailed in the RFP; and

**WHEREAS**, the Committee has recommended Island Villa Construction, LLC. for selection; and

**WHEREAS**, the Village Council of the Village desires to approve the rankings and select the recommended firm, Island Villa Construction, LLC. for construction of the boardwalk, pavilions and parking areas at Anne's Beach; and

**WHEREAS**, the Village Council has determined that the procurement and utilization of these services is in the best interest of the Village and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.**     The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2.**     **Approval of Ranking.**    The Village Council of Islamorada, Village of Islands, hereby approves the Committee's final rankings and recommendations as follows:

1. Island Villa Construction, LLC.
2. OAC Action Construction
3. Coral Construction Company
4. Shoreline Foundation, Inc.
5. Charlie Toppino & Sons, Inc.

**Section 3.**     **Authorization of Village Officials.**    The Village Manager and/or his designee and the Village Attorney are authorized to accept the proposal from Island Villa Construction, LLC. for the construction of Anne's Beach Boardwalk Replacement, Pavilions and Parking Areas, and to take all necessary and expedient action to effectuate the requested services.

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

**Section 5.**     **Authorization of Fund Expenditure.**    Notwithstanding the limitation imposed upon the Village Manger pursuant to the Village's Purchasing Procedures Ordinance, the Village Manager is authorized to expend budgeted funds to implement the terms and conditions of the Agreement.

**Section 4.**     **Effective Date.**    This Resolution shall take effect immediately upon adoption.

Motion to adopt by Councilman Mike Forster, second by Vice Mayor Deb Gillis.

**FINAL VOTE AT ADOPTION**

**VILLAGE COUNCIL OF ISLAMORADA, VILLAGE OF ISLANDS**

Mayor Chris Sante	YES
Vice Mayor Deb Gillis	YES
Councilman Mike Forster	YES
Councilwoman Cheryl Meads	YES
Councilman Jim Mooney	YES

**PASSED AND ADOPTED ON THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2018.**

  
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CHRIS SANTE, MAYOR

ATTEST:

  
\_\_\_\_\_  
KELLY TOTH, VILLAGE CLERK

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND BENEFIT OF ISLAMORADA,  
VILLAGE OF ISLANDS ONLY

  
\_\_\_\_\_  
ROGET V. BRYAN, VILLAGE ATTORNEY

**EXHIBIT A Available Upon  
Request.**

Please contact Village Clerk at  
305-664-6413 or  
[deputyclerk@islamorada.fl.us](mailto:deputyclerk@islamorada.fl.us)