



THE SUNRISE CITY
FORT PIERCE
CITY ATTORNEY'S OFFICE *Florida*

TO : John Andrews, P. E., City Engineer

THROUGH: Nicholas C. Mimms, P.E., City Manager *ncy*

FROM : James M. Messer, City Attorney

RE : Culpepper and Terpening, Inc. – Specific Authorization 10 Avenue B
Right –of-Way Map

DATE : June 5, 2018

The subject Specific Authorization 10 has been approved as to legal form and correctness.

A hard copy is being routed through the city manager office.

JM/mm

cc:

RECEIVED

JUN 08 2018

CITY OF FORT PIERCE
ENGINEERING DEPARTMENT



RECEIVED
TIME _____

JUN 04 2018

CITY OF FT. PIERCE
CITY MANAGER'S OFFICE

CITY ATTORNEY USE ONLY

Date Received:	6/4/18
Assigned To:	Sum
File:	
Due Date:	6/05/19
Hours:	1.0

REQUEST FOR LEGAL SERVICES



To: JAMES M. MESSER, CITY ATTORNEY

SUBMITTED BY: JOHN R. ANDREWS, P. E., CITY ENGINEER

CITY MANAGER AUTHORIZATION: NICHOLAS C. MIMMS, P.E., CITY MANAGER

RE: CULPEPPER AND TERPENING, INC. – SPECIFIC AUTHORIZATION 10 AVENUE B RIGHT-OF-WAY MAP

DATE: JUNE 4, 2018

Service Required: (please circle or underline)

Review Documents

Draft Document

Written Opinion Requested

Attend Meetings

Advise

Other: _____

Upon review and/or "Approval as to Form and Correctness," the Department submitting the RLS is responsible for placement of any related item on a Commission or Board Agenda.

- Brief statement of the nature of the request or problem:** The firm of Culpepper and Terpening, Inc. has been requested to prepare a right-of-way map for the establishment of Avenue B between N. 2nd Street and Indian River Drive. This work will be accomplished in under the Continuing Services Contract for RFQ 5833. The proposed work is labeled Specific Authorization 10.
- Discussion of the implications and the possible impact if not apparent from preceding information:** This work is for the establishment of public right-of-way to prevent certain parcels from being land locked.
- Time considerations and their significance:** The next available City Commission meeting is June 18, 2018.
- Are City funds required? If so, list approvals obtained for expenditure of funds:** City General funds will be used.
- Factual background:** Culpepper and Terpening, Inc. were selected as one of the City's Continuing Service Consultants for survey and design services.

6. List and/or attach all related documents and known authorities (e.g., statute, ordinance, resolution, administrative code, legal case, RFP, bidder's response, contract, lease, letter, memorandum, prior legal opinion, deed, etc.):

- Proposal / Scope of Work (dated May 26, 2018)

7. Identify prior legal assistance on this or a related matter and the attorney who handled it:

8. If this is a request for review of a contract, provide the following:

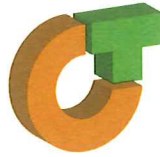
a. List of individuals who have read and approved the business terms and conditions of the contract and confirmed the ability to carry out the terms of the contract as they apply to the City: (This office is not responsible for reviewing either the accuracy or value of the business terms and conditions or product specifications of the contract as agreed upon between the department and contractor. However, this office is available to negotiate the terms as desired by the City upon request.)

Jack Andrews, P.E., City Engineer

b. Insurance requirements that differ from the City's template insurance terms:

c.

CITY ATTORNEY USE ONLY			
Routed for Review	Date	Response Deadline	Response



CULPEPPER & TERPENING, INC.
CONSULTING ENGINEERS | LAND SURVEYORS

May 26, 2016

Project 18-112

Contract

Sender's Email: tkiernan@ct-eng.com

VIA: Email (jandrews@city-ftpierce.com)
Original via U.S. Mail

Mr. Jack Andrews, P.E., City Engineer
City of Fort Pierce – Engineering Department
100 North US #1
Fort Pierce, FL 34950

RECEIVED
MAY 21 2018
CITY OF FORT PIERCE
ENGINEERING DEPARTMENT

**RE: Avenue B, Right-of-Way Map
Proposal for Survey and Design Services
Specific Authorization No. ____, RFQ 2013-005**

Dear Mr. Andrews:

On behalf of the firm of Culpepper & Terpening, Inc., we are pleased to present two (2) signed original Specific Authorization No. 10 in reference to our *Continuing Services Contract* for RFQ 2013-005 to provide the professional survey services in support of an "Avenue B – Right-of-Way Map".

Thank you for the opportunity to provide these services to the City. As always, should you have any questions or require any additional information, please feel free to contact me directly at (772) 464-3537, Ext. 114.

Sincerely,

CULPEPPER & TERPENING, INC.

Thomas P. Kiernan, P.S.M
Vice President/Director of Survey

James P. "Butch" Terpening, P.E.
C.O.O.

Encl:

**ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018**

Pursuant to the provisions contained in the “Agreement for Professional Engineering Services” between The City of Ft. Pierce (hereinafter referred to as “CITY”) and Culpepper & Terpening, Inc. (hereinafter referred to as “ENGINEER”) and this Specific Authorization dated the __ day of ____ 2018, authorizes the ENGINEER to provide service as under the terms and conditions set forth herein and in the AGREEMENT, which is incorporated herein by reference as though set forth in full.

The CITY desires surveying services related to the right-of-way mapping of Avenue B, hereinafter referred to as the “Project”.

Section 1 – Scope of Work

ENGINEER will provide the following services in accordance with this AUTHORIZATION:

Surveying Services as described in the attached Exhibit A.

Section 2 – Deliverables

ENGINEER will provide the following Deliverables to CITY:

Please refer to the attached Exhibit A.

Section 3 – Schedule of Services

Please refer to the attached Exhibit A.

Section 4 – Method and Amount of Compensation

4.1 CITY will compensate ENGINEER for services under this AUTHORIZATION in accordance with the payment methods as set forth in Section 6 of the AGREEMENT.

4.2 Please refer to Exhibit B for detailed information

Section 5 – CITY’s Responsibilities

CITY hereby designates City Engineer or designee as CITY’s representative pursuant to Section 5 of the AGREEMENT.

Section 6 – Other Provisions

All applicable portions of the AGREEMENT not specifically modified herein shall remain in full force and effect and are incorporated by reference herein.

**ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018**

IN WITNESS WHEREOF, this AGREEMENT, consisting of 2 pages had been fully executed on behalf of ENGINEER by its duly authorized officer, and the CITY has the same to be duly executed in its name and in its behalf, effective as of the date herein above written.

THE CITY OF FORT PIERCE

By: _____
Linda Hudson

Title: Mayor

Date: _____

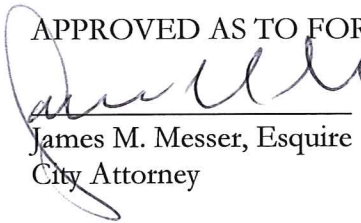
ENGINEER

By: _____
Stefan K. Matthes, P.E.

Title: Senior Vice President

Date: _____

APPROVED AS TO FORM & CORRECTNESS:



James M. Messer, Esquire
City Attorney

Date: 6/05/2018

**ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018**

**EXHIBIT "A"
SCOPE OF SERVICES**

Project Description:

The City of Ft. Pierce desires surveying services in support of a vacant \pm 1-acre parcel (Avenue B Right-of Way) between Indian River Drive and North 2nd Street in Fort Pierce, Florida.

Specific tasks to be performed by Consultant are as follows:

Phase 3: FINAL DESIGN SERVICES

Task 3.1 Avenue B – Right of-Way Map

Consultant shall provide survey data collection of the portion of Avenue B right-of-way located on a vacant \pm 1 acre parcel (Parcel ID No. 2410-503-0043-000-2). The data collection and map preparation shall be performed to establish a right-of-way map suitable for recordation.

**ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018**

**EXHIBIT "B"
FEE SCHEDULE**

Work effort and project expenses associated with this project will be invoiced on a not-to-exceed basis as follows:

<u>Phase/Task</u>	<u>Description</u>	<u>Task Fee</u>	
Phase 3	Final Design Services		
Task 3.1	Avenue B – Right-of-Way Map	\$ 4,300.00	L.S.
	Reimbursable Expenses	\$ 250.00	L.S.
	Total Fees	\$4,550.00	

Additional services associated with providing expert witness testimony regarding the findings of this contract will be provided on an hourly basis in accordance with the rates provided in Exhibit "D"

**ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018**

**EXHIBIT “C”
SCHEDULE**

The project shall be completed in accordance with the following task schedule:

<u>Task</u>	<u>Submittal Date</u>
Task 3.1: Avenue B – Right-of-Way Map	± 2-3 weeks from NTP

The project deliverables associated with each task provided in Exhibit “A” will be delivered to the City in accordance with the schedule provided above. Three (3) hard copies and PDF and AutoCAD electronic files of each of the deliverables will be as follows:

- 24” x 36” Final Plans

ADDITIONAL SERVICES
SPECIFIC AUTHORIZATION No. 10
REFERENCE RFQ No. 2013-005
May 15, 2018

EXHIBIT "D"
HOURLY RATE SCHEDULE

Professional Services	Rate
Principal Engineer, P.E.	\$195.00
Principal Planner	\$195.00
Senior Project Manager, PE	\$175.00
Senior Project Engineer, P.E.	\$135.00
Senior Project Surveyor, P.S.M..	\$160.00
Senior Land Surveyor, P.S.M.	\$125.00
Senior Project Manager	\$125.00
Project Engineer, P.E.	\$125.00
Project Manager	\$90.00
Project Engineer, E.I.T.	\$90.00
Senior Construction Manager	\$125.00
Construction Manager	\$90.00
Construction Inspector	\$75.00
GIS Project Manager	\$90.00
Sr. Engineering Technician	\$75.00
Engineering Technician	\$60.00
Sr. Surveying Technician	\$75.00
Surveying Technician	\$60.00
Administrative Services	\$40.00
3-D Laser Scan Crew	\$175.00
GPS Survey Crew	\$145.00
Survey Crew	\$125.00

Rates are valid until December 31, 2018