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RESOLUTION NO. 09-45

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO THE CORAL REEF PARK RESTROOM AND CONCESSION BUILDING PROJECT; APPROVING A PROPOSAL WITH MCHARRY AND ASSOCIATES TO PROVIDE LEED-RELATED SERVICES TO OBTAIN USGBC CERTIFICATION; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE SUCH PROPOSAL AND ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$35,360; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Village of Palmetto Bay recently approved a contract with MC Harry Associates to provide design services for the Coral Reef Park Restroom and Concession Building Project; and,

**WHEREAS**, the Village is desirous to incorporate LEED certifiable elements into the project in furtherance of its green initiatives; and,

**WHEREAS**, MC Harry & Associates has the ability to provide the LEED-related services as further detailed on the attached proposal in order to attain LEED certification for the new concession building; and,

**WHEREAS**, MC Harry & Associates will provide the necessary project administration services, the required commissioning services, the quality control documentation review, and the green building material specification for the lump sum of \$35,360.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The proposal with MC Harry & Associates to provide LEED-related services, included herewith as Attachment A, is hereby approved.

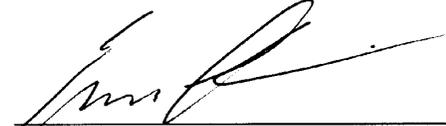
Section 2. The Village Manager is authorized to execute the proposal and issue a purchase order in the amount of \$35,360 to MC Harry & Associates.

Section 3. This resolution shall take effect immediately upon its approval.

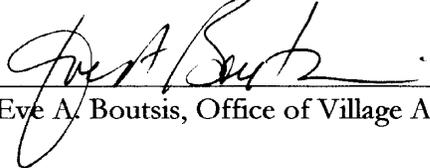
PASSED and ADOPTED this 4<sup>th</sup> day of May, 2009.

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Attest:   
Meighan Rader  
Village Clerk

  
Eugene P. Flinn, Jr.  
Mayor

APPROVED AS TO FORM:

  
Eve A. Boutsis, Office of Village Attorney

FINAL VOTE AT ADOPTION:

- |                                   |               |
|-----------------------------------|---------------|
| Council Member Ed Feller          | <u>Absent</u> |
| Council Member Howard J. Tendrich | <u>YES</u>    |
| Council Member Shelley Stanczyk   | <u>YES</u>    |
| Vice-Mayor Brian W. Pariser       | <u>YES</u>    |
| Mayor Eugene P. Flinn, Jr.        | <u>YES</u>    |

# MCHARRYASSOCIATES

July 3, 2008

Ron Williams  
City Manager  
Village of Palmetto Bay

Re: Village of Palmetto Bay  
Coral Reef Park Concessions Building  
Tasked Based Lump Sum Fee Proposal  
LEED Services

Ron:

The MC Harry Team is pleased to submit the following fee proposal to provide LEED-related services required in the pursuit of a USGBC 'certified' Rating for the project. Our lump sum fee proposal for these services is based on our estimate of man-hour labor shown on Attachment 1.

## Project Scope

It is our understanding that the project program currently calls for a one story 'green' concessions building located within the Village's *Coral Reef Park*. The project is to accommodate approximately 2,000 GSF of concessions space and related support functions with the expectation of achieving a LEED 'certified' Rating from the USGBC.

## Detailed Scope of LEED Related Services

To Achieve a LEED NC 'certified' Rating measured against LEED NC v2.2 criteria, a minimum of 26 credits must be reviewed and approved by USGBC in addition to satisfying seven separate prerequisites. Seeking LEED certification is a team effort requiring diligent execution from all stakeholders. We have outlined various strategies that can be used; and are confident that working together with the Village, and the Contractor that our team can achieve the initial 26 points required for threshold level certification.

1. Sustainable "Green" Design Project Administration Services

The design team will provide consulting services to help 'harvest' up to 26 points (plus 3 to 5 overage points), including one credit for accreditation, and up to four credits under the Innovation in Design category as defined in the LEED NC v2.2 Rating System. The MC Harry Team will be responsible for administering the certification process. The responsibility for creating/collecting the required credit documentation will be assigned to the appropriate member of the design and construction phase teams. During this task, the overall LEED process is scheduled and milestone dates are established; the project will be registered with USGBC; the LEED checklist worksheet is used to assign LEED credits to the design team members and help them stay on track with the LEED process. Fees assessed by USGBC related to LEED building registration, design and construction phase reviews, and credit interpretation fees payable to USGBC shall be reimbursable. They are about \$2,200 and are included in the fee assessment.

2. Fundamental Commissioning for EA PreReq 1

Our scope of work includes the required independent Commissioning Authority services for the project. We will participate with the commissioning team in meeting requirements for commissioning of energy systems (HVAC, domestic hot water, lighting control systems) as listed in the LEED NC v2.2 Rating System for Energy and Atmosphere Prerequisite 1. The commissioning team includes the owner, architect of record, engineers of record, general contractor, and associated subcontractors (who will each execute tests for the systems they have installed).

The prerequisite *Fundamental Commissioning* scope of work includes assistance with developing Owner Project Requirements; Basis of Design review; incorporating commissioning requirements into the architectural and engineering specifications; developing a commissioning plan with functional and performance tests for equipment; completing a commissioning report; and completing the LEED CS v2 Letter Templates for EA Prerequisite 1.

3. Quality Control Documentation Review

The MCHarry Team will review all PDF documents uploaded to the USGBC project web site; comment on their conformance with LEED criteria for credit documentation; and recommend revisions as necessary;

4. Green Building Material Specification  
By virtue of the design team's prior experience with sustainable design and LEED track projects, we will find sources and write specifications for building-related green building materials, systems, and processes.

**Services Not Included in this Proposal**

Consulting services not included in this proposal include:

1. Design efforts and documentation required to achieve LEED points beyond the minimum threshold and adequate coverage (26 plus 3 to 5 points) for a 'certified' rating.
2. photometric calculations addressing light pollution reduction;
3. authoring the Measurement & Verification Plan; or stormwater management calculations;
4. daylight computer modeling; or life cycle assessment of materials
5. procurement of existing and/or proposed public transportation infrastructure information required to verify compliance with sustainable site credit - SSc4.1

**Additional Services**

1. Additional, commissioning related, site visits required due to improper set-up of the systems by contractors, or due to failed commissioning tests may be considered additional services (these should be back-charged to the contractor/subcontractor). Specification 01810 to be developed as part of the commissioning report will define the contractor's obligations in this regard;
2. Unforeseen LEED related services arising out of an increase to the scope of the project as defined herein, or a desire to harvest additional points beyond the minimum required for 'certified' rating (26), including, but not limited to the design, coordination and documentation of on-site electric power generating systems;
3. Preparation of applications and supporting documents for private or governmental grants for sustainable design;

**Fee Proposal Summary**  
**LEED Services**

MCHARRY- Architectural	\$12,240	35%
MEP		
Engineer	\$8,320	24%
Registration Fees	\$2,200	6%
Commissioning Agent	<u>\$12,600</u>	36%
	<u>\$35,360</u>	

See detailed fee proposal attached.

Sincerely,

**M. C. Harry & Associates, Inc.**

James W. Piersol, AIA,  
Principal