

WORK ORDER No. 2 FOR PROFESSIONAL SERVICES

TO: H. W. Lochner, Inc.
8750 NW 36th Street, Suite 360
Doral, Florida 33178
(305) 592-7283

DATE: March 17, 2021

The City of Doral authorizes the firm of H.W. Lochner, Inc. to provide professional engineering consulting services for the provision of the development of a "Tree Protection Ordinance". Where H.W. Lochner, Inc. is a prequalified provider of professional engineering services selected in accordance with Consultant Competitive Negotiation Act (CCNA) requirements and approved by the City Council in December 2020 through Resolution 20-243. The work should be performed in accordance with the contract provisions contained in the Continuing Professional Services Agreement between H.W. Lochner, Inc. and the City of Doral dated January 1, 2020, and the attached Proposal dated January 19th, 2021 and submitted by your firm for the above referenced project.

SCOPE OF SERVICES AND SCHEDULE:

The scope of the project will be as described in the attached proposal from H.W. Lochner, Inc. dated January 19th, 2021 for the development of a "Tree Protection Ordinance". The schedule requires the scope of work to be completed within 25 days of Notice to Proceed. All limitations of time set forth in this Work Order are of the essence. The performance of services associated with this Work Order will be executed on a time and material basis not to exceed the amount of \$28,742.00.

You are required by the Continuing Service Agreement to begin work subsequent to the execution of this Work Order, or as directed otherwise. If you fail to begin work subsequent to the execution of this Work Order, the City of Doral will be entitled to disqualify the Proposal and revoke the award.

Work Order incorporates the terms and conditions set forth in the Continuing Services Agreement dated January 1, 2020 between the parties as though fully set forth herein. In the event that any terms or conditions of this Work Order conflict with the Continuing Services Agreement, the provisions of this specific Work Order shall prevail and apply. Work Order is not binding until the City of Doral agrees and approves this Work Order.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date first above written, in three (3) counterparts, each of which shall, without proof or accounting for the other counterparts, be deemed an original Contract.

CONSULTANT: H. W. Lochner, Inc.

BY: [Signature]
NAME: Edwin F. Mojena, PE
TITLE: Vice President

OWNER: City of Doral
BY: [Signature]
NAME: Albert P. Childress
TITLE: City Manager

WITNESSES:
1. [Signature]
2. [Signature]



AUTHENTICATION:
BY: [Signature]
NAME: Connie Diaz
TITLE: City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE SOLE USE OF THE CITY OF DORAL:

BY: _____
NAME: Luis Figueredo, Esq
TITLE: City Attorney

APPROVED
By Luis Figueredo, ESQ at 4:18 pm, Mar 22, 2021

January 19, 2021

Dulce Pantaleon, MPA, LEED Green Associate
General Services Administrator – Project Coordinator
City of Doral
8401 NW 53 Terrace
Doral, FL 33166
T (305) 593-6740 Ext. 6010
M (305) 849-9935
F (305) 593-6617
Dulce.pantaleon@cityofdoral.com

RE: Proposal – Doral Tree Protection Ordinance

Dear Ms. Pantaleon:

H.W. Lochner, Inc. (LOCHNER) is pleased to respond to your request for proposal on the above referenced project. Our sub-consultant, E Sciences, Incorporated (E Sciences) will assist the City of Doral (City) in the development of a tree protection ordinance.

1. PROJECT BACKGROUND

E Sciences' understanding of this project comes from Justin Freedman's meeting with you on January 5, 2021. The City would like E Sciences to write a tree protection ordinance, help the City receive delegation authorization from Miami-Dade County and assist with getting the ordinance passed and implemented.

2. SCOPE OF WORK FOR ENGINEERING SERVICES:

a. Tree Ordinance Development

E Sciences will coordinate with Miami-Dade County (County) and City attorneys and consult other ordinances and industry standards to write a tree ordinance addressing the City of Doral's (City) needs including the following components:

- Purpose and Findings – Define the intent of the tree ordinance.
- Definitions – Define relevant terms referenced within the tree ordinance.
- Applicability – Define applicability and intent of the tree ordinance.
- Exemptions – Define exemptions from the tree ordinance.
- Protected Trees – Determine what trees are protected.
- Requirements – Describe prohibited acts.
- Proper Tree Care – Outline pruning and safety requirements.
- Permits – Describe when permits are required and criteria for tree removal.
- New Construction/Development – Outline requirements for site plan submittal and tree preservation and care during and following development.

LOCHNER

- Replacement Trees and Quantities – Specify species, minimum standards and guarantee requirements.
- Non-native Invasive Exotic Plants – Provide language to require removal and prohibit planting of non-native invasive exotic plants.
- Tree Bank – Determine fees to be collected and levels of mitigation in lieu of tree replacement.
- Penalty for Violations – Establish enforcement and remedial actions.
- Appeals and Variances – Provide criteria and the process.
- Include language to address the New Florida Tree Law

It should be noted that the above bullets do not necessarily reflect the sections or organization of the proposed ordinance. The format will be determined during development and based upon City input.

Three meetings to determine the following are included in this scope:

1. Components the City would like included in the tree ordinance and the details of said components.
2. Review of first draft and make necessary revisions.
3. Review of second draft and revisions.

b. Council Approval

E Sciences shall:

1. Support staff with preparation for readings at City Council meetings.
2. Attend and answer questions at two City Council meetings.

3. SCHEDULE

These tasks will be completed within 25 working days of authorization. We will notify you if the City Council meeting schedule will change the delivery date.

Should Consultant or CLIENT determine that any stakeholder is delaying the project due to late reviews or turn-around of information requests, it is the Consultant's responsibility to advise CLIENT of the situation, and of its impact, or pending impact, on the project schedule. As appropriate, the Consultant will solicit CLIENT assistance in obtaining the stakeholders timely cooperation in processing information requests and reviews to maintain the project schedule. Given fair and reasonable advisement of same, project schedule delays caused by stakeholder delay will be considered by CLIENT as grounds for a revised project schedule.

4. COMPENSATION

The compensation for this work order is contained in Attachment A. Invoicing will be lump sum. Progress reports will be submitted with each invoice to document the work completed.

RESOLUTION No. 21-77

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A WORK ORDER WITH H.W. LOCHNER, INC., TO PROCEED WITH ENGINEERING CONSULTING SERVICES FOR THE PROVISION OF THE DEVELOPMENT OF A TREE PROTECTION ORDINANCE IN AN AMOUNT NOT TO EXCEED \$28,742.00; AND AUTHORIZING A BUDGET TRANSFER OF \$13,227.00 FROM THE PUBLIC WORKS FUND - "OPERATING SUPPLIES" ACCOUNT No. 001.80005.500520, TO THE PUBLIC WORKS FUND - "PROFESSIONAL SERVICES" ACCOUNT No. 001.80005.500310, TO PROVIDE SUFFICIENT FUNDING IN THE ACCOUNT TO COVER THE COST OF THE PROPOSED SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (City) has the authority to enact laws which promote the public health, safety, and the quality of life of its citizens; and

WHEREAS, it is the City's interest to protect of City's green infrastructure and promote its expansion; and

WHEREAS, the City seeks to improve and increase the tree canopy in order to provide shade which saves energy, reduces greenhouse gas emissions, mitigates noise, light pollution, and local heat island effect; and

WHEREAS, the City requested a proposal from H.W. Lochner, Inc. (Lochner) for the development of a Tree Protection Ordinance; and

WHEREAS, in addition this ordinance will help the City pursue the world recognition "Tree Cities of the World" from the Arbor Day Foundation and the Food and Agriculture of the United Nations (FOA); and

WHEREAS, Lochner, is a prequalified provider of professional engineering consulting services selected in accordance with Consultant Competitive Negotiation Act (CCNA) requirements and approved by the City Council in December 2020; and

WHEREAS, Lochner prepared the attached proposal on a time and material basis, in a not to exceed amount of \$28,742.00; and

WHEREAS, staff recommends that the City Council approve and authorize the City Manager to execute the Work Order with Lochner to develop a “Tree Protection Ordinance” in an amount not to exceed of \$28,742.00; and

WHEREAS, staff respectfully requests that the City Council authorize a budget transfer of \$13,227.00 from the Public Works Fund - “Operating Supplies” Account, Account No. 001.80005.500520, to the Public Works Fund - “Professional Services” Account, Account No. 001.80005.500310, to provide sufficient funding in the account to cover the cost of the proposed services; and

WHEREAS, funding for this request is available in the current Fiscal Year from the Public Works Department Fund, “Professional Services” Account, Account No. 001.80005.500310.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The Work Order between the City of Doral and Lochner for the engineering consulting services for the development of a “Tree Protection Ordinance” in an amount not to exceed of \$28,742.00, a copy which is attached as Exhibit “A”, and a budget transfer of \$13,227.00 from the Public Works Fund - “Operating Supplies” Account, Account No. 001.80005.500520, to the Public Works Fund - “Professional Services” Account, Account No. 001.80005.500310, are hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the Work Order and expend budgeted funds on behalf of the City in furtherance hereof.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Cabral who moved its adoption.
The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 17 day of March, 2021.



JUAN CARLOS BÉRMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY