

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 BERMUDEZ, 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

EXHIBIT “A”

January 19, 2021

Dulce Pantaleon, MPA, LEED Green Associate
General Services Administrator – Project Coordinator
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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.

LOCHNER
CONSULTANT PROFESSIONAL SERVICES FOR CITY OF DORAL

Tree Protection Ordinance

1/19/2021

ATTACHEMENT A - FEE PROPOSAL

Task	Activity	Principal Engineer	Project Manager	Senior Engineer	Project Engineer	GIS Technician	CADD Technician	Planner	Land Planner	TOTAL	
	<i>Rates</i>	\$ 210.00	\$ 175.00	\$ 165.00	\$ 132.00	\$ 71.00	\$ 69.00	\$ 77.00	\$ 130.00		
A	Sub-Task A Develop Ordinance and County Approval										
		Research delegation process and coordinate with County	0.6								0.6
		First meeting with City to determine elements of Tree Protection Ordinance	0.4								0.4
		Draft Tree Protection Ordinance	5.3								5.3
		Second meeting with City	0.2								0.2
		Revisions	0.6								0.6
		Third meeting with City	0.2								0.2
		Revisions	0.3								0.3
		Submit to County	0.1								0.1
		Revisions and final document	0.9								
											-
		Sub-total Hours	8.5	-	-	-	-	-	-	-	7.6
		Sub-total Salary Cost	\$ 1,785.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,785.00
B	Sub-Task B Council Readings										
		Support staff to prepare for readings at City Council meetings	0.4								
		Attend meetings	0.3								
											-
											-
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		Sub-total Hours	0.7	-	-	-	-	-	-	-	-
		Sub-total Salary Cost	\$ 147.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 147.00
		LOCHNER Total Hours	9.2	-	-	-	-	-	-	-	7.6
	LOCHNER Salary Cost	\$ 1,932.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,932.00	
	<i>E Sciences, Incorporated</i>										
										<i>Sub-Consultant Fee (Attached)</i>	
										\$ 26,810.00	
										<i>Direct Expenses:</i>	
										<i>SUB-TOTAL COST FEE (EXPENSES)</i>	
										\$ 28,742.00	
										TOTAL COST FEE	
										\$ 28,742.00	

