

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
LOCAL AGENCY CERTIFICATION QUALIFICATION AGREEMENT

AGENCY TOWN OF CUTLER BAY

The noted agency hereby agrees to comply with the following requirements when developing all projects on the Federal Aid Highway Systems:

1. The *Local Agency Program Manual* and all policies and guidelines promulgated by the State of Florida Department of Transportation (FDOT) which accomplish the policies and objectives set forth in Title 23, U.S. Code, Highways and the Regulations issued pursuant thereto.

2. The overall approval authorities and conditions will be as follows:

a. The designs will be reviewed and approved by the following State of Florida registered Professional Engineer.

Town's Consulting Engineers
Position Title Only

b. The hearing's findings (if required) will be reviewed and approved by the following official or officials.

Town Manager
Position Title or Titles Only

c. The contract plans, specifications and estimate of cost will be reviewed and approved by the following State of Florida registered Professional Engineer.

Town's Consulting Engineers
Position Title or Titles Only

d. Agreements will be signed by the following responsible local official:

(1) Railroad Town Manager VIA Authorizing Resolution
Position Title Only

(2) Utility Town Manager VIA Authorizing Resolution
Position Title Only

(3) Consultant Town Manager VIA Authorizing Resolution
Position Title Only

(4) Technical Services Town Manager VIA Authorizing Resolution
Position Title Only

e. The award of contract will be signed by the following responsible official.

Town Manager VIA Authorizing Resolution
Position Title or Titles Only

f. If there are DBE requirements on a project, the following will be the DBE liaison officer:

Public Works Director
Position Title

g. All projects will be designed and constructed in conformance with the requirements of the *Local Agency Program Manual*.

h. The Contract Administration will be supervised by the following State of Florida registered Professional Engineer.

Town's Consulting Engineers

Position Title Only

i. Construction Administration and Material Sampling and Testing will be accomplished in accordance with the requirements of the *Local Agency Program Manual*.

3. The agency agrees that they have the means to provide adequate expertise and will have support staff available to perform the functions being subdelegated. The support staff may include consultant or state services.

4. The agency agrees to submit the names of the approving authorities noted in Section 2 above with each project prospectus.

5. All projects under Local Agency Certification shall be available for review by the FHWA and the State at any time, and all project documents shall be retained and available for inspection during the plan development and construction stages and for a three-year period following acceptance of the project by FHWA.

6. The FDOT District Local Agency Program Administrator's approval of the Local Agency Certification may be rescinded at any time upon request by the local agency or if in the FDOT District Local Agency Program Administrator's opinion it is necessary to do so. The rescission may be applied to all or part of the programs or projects approved in the Local Agency Certification.

Mayor or Chairman

March 3, 2009

Date

**STATE OF FLORIDA DEPARTMENT
OF TRANSPORTATION**

The Local Agency is certified in the following functional areas:

Design

Consultant Selection

Bid and Award Project

Right of Way

Planning

Environmental Documentation

Construction Administration

Approved By:

District Secretary or Designee

Date



Office of the Town Manager

Steven J. Alexander
Town Manager

February 27, 2009

Florida Department of Transportation
Danny Iglesias, P.E.
Senior Project Manager
District LAP Administration
1000 NW 111 Avenue, Suite 6251
Miami, Florida 33172-5800

RE: Application for Local Agency Certification

Dear Mr. Iglesias,

The Town of Cutler Bay is hereby submitting an application for Local Agency Certification in order to become certified in the areas of design, bid and award project, construction administration, planning and consultant selection. The Town desires the authority to take the lead role in selecting the consultants that will be preparing the plans for our federally funded state road reconstruction. In addition, we are also enclosing the following documents:

- Two (2) copies of Form 525-101-33, "Local Agency Qualification Certification Agreement"
- The Town's organization chart as well as for applicable departments
- A narrative addressing the Town's qualifications in the areas where certification is requested as well as a list of the Town's currently federally funded projects
- Town's Federal Stimulus Project(s) Details/Estimates/Location
- Comprehensive Annual Financial Report (CAFR) fiscal year ended September 2007
- Purchasing Ordinance #06-22 & Accounting Policies and Procedures
- Town's Operating & Capital Budget fiscal year 2008-09

We look forward to our mutual collaboration and your favorable approval. If you require additional information or have any questions, please contact me at (305) 234-4262 or electronically at salexander@cutlerbay-fl.gov

Sincerely,

Steven J. Alexander
Town Manager

10720 Caribbean Boulevard, Suite 105, Cutler Bay, FL 33189
(305) 234-4262 Office (305) 234-4251 Fax
www.cutlerbay-fl.gov

**Town of
Cutler Bay
Residents**

Mayor & Council
 Paul Vrooman, Mayor
 Edward MacDougall, Vice Mayor
 Peggy Bell, Councilmember
 Ernest Sochin, Councilmember
 Timothy Meerboot, Councilmember

Town Attorney
 Weiss, Serota

Town Manager
 Steven Alexander
 Administration
 Budget Preparation
 Customer Service
 Capital Projects
 Personnel
 Information Management
 Communications

Town Clerk
 Erika Santamaria
 Minutes
 Records Retention
 Clerical Support
 Elections

**Asst to the
Clerk**
 Erin O'Donnell

**Administrative
Services Director**
 Yani Ramos

Executive Asst
 Elizabeth Deveaux

Customer Service Rep
 Janet Rosello

Community Development
 David Hennis
 Planning
 Zoning
 Building Inspections
 Code Enforcement
 Economic Development

Patricia Lauderman, Admin Asst
 Kathryn Lyon, Planner
 Luis Kruger, Code Officer
 Dennis Santiago, Code Officer
 Miguel Parages, Code Officer
 Susan Schnur, Code Officer
 Luis Colmenarez, Code Officer

**Parks & Rec
Director**
 Alan Rickle
 Recreation/Cultural
 Special Events

Annette Blanco, Admin Asst
 Etienne Bejarano, Recreation Coord.
 Fred Bobson, Recreation Coord.
 Christine Hart, Aquatics Coord.
 Part-time Staff

Finance Director
 Robert Daddario, CPA
 Finance/Accounting
 Purchasing
 Risk Management
 Occupational Licenses
 Burglar Alarm Registrations

Joan Hohensee, Accounting
 Clerk
 Diana Garcia, Finance Clerk

Public Works Director
 Rafael Casals
 Community Facilities
 Beautification
 ROW/Median Maint.
 Public Works
 Mass Transit

Lori Savoureux, Admin
 Asst
 Maintenance Workers:
 Danny Rodriguez
 Scott Volin
 Ted Gibson

**Police
(Contracted with County)**
 Julie Miller, Major
 Police Patrol
 Community Relations
 Criminal Investigations
 Traffic Enforcement
 Emergency Preparedness

Stephen Smith, Capt.
 Eugene Fernandez, Lt.
 James Edwards, Sgt.
 Paul Hernandez, Sgt.
 Frank Farinas, Sgt.
 Chad Murphy, Sgt.
 Juan Rodriguez, Sgt.
 William Crider, Sgt.
 Ronald Rodriguez, Sgt.
 Ellie Torres, Admin Officer
 Sonia Calderon, Admin Sec.

Building Dept.
 Sandra Cuervo,
 Manager
 3rd Party Contractor



TOWN OF CUTLER BAY

APPLICATION FOR LOCAL AGENCY PROGRAM CERTIFICATION

The Town of Cutler Bay, Florida, operates under a Council, Manager form of government. Elected officials include the Mayor, Vice Mayor and three (3) Council Members. There are three (3) single members which are chosen from their respective resident districts, with the two (2) Council Members being elected at-large by townwide vote. The Town organizational chart displays the relationships between the various organizational units of the Town government.

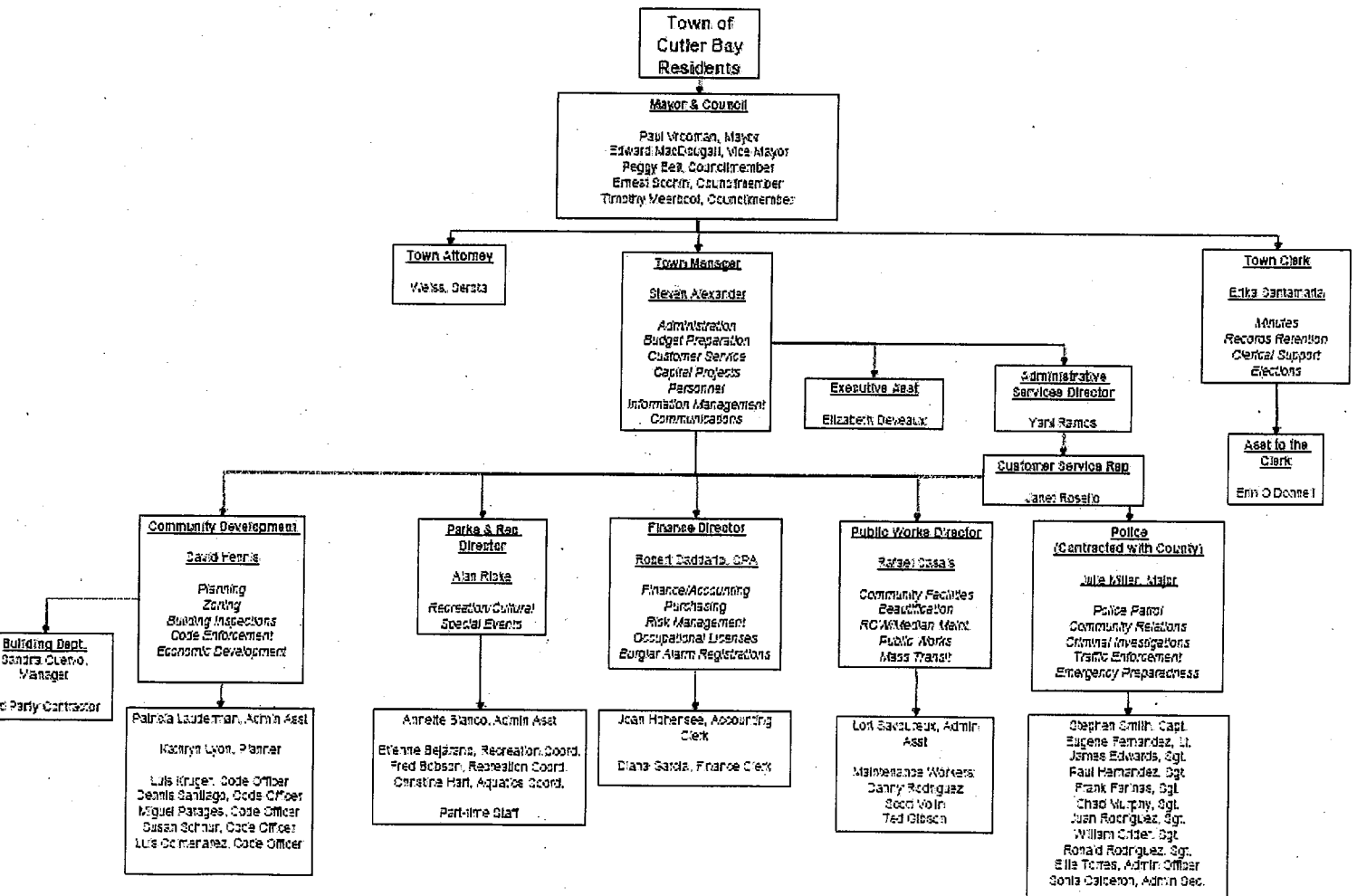
The Town of Cutler Bay, Florida, was incorporated on November 8th, 2005, making it the newest incorporated municipality in the State of Florida, as the 36th municipality in Miami-Dade County, and at a population of approximately 41,930. The boundaries are approximately as follows: on the North by SW 184 Street (Eureka Drive) from the Florida Turnpike to Biscayne Bay; on the West from SW 184 Street following US #1 to SW 112 (Allapattah Road) and then along SW 126 (Hainlin Mills Drive); on the South by SW 216 Avenue and along historic Old Cutler Road, taking a right on SW 224 Street going east to Biscayne Bay. The Eastern Border follows the coastline of Biscayne Bay from SW 184 Street to SW 224 Street. In total, the Town comprises approximately 9.7 square miles.

The Town provides various municipal services to its residents including Police (through a contract with Miami-Dade County), Planning and Zoning services, Building Code services, Public Works, Parks and Recreation, Code Compliance. The Town is currently staffing these departments. Fire and rescue services, sanitation and library are provided by Miami-Dade County.

TOWN OF CUTLER BAY TABLE OF ORGANIZATION

Town of Cutler Bay Departments

Legislative	Finance Department
Town Manager	Planning & Zoning
Town Attorney	Building
Town Clerk	Code Compliance
Parks & Recreation	Police
	Public Works



- The Legislative Department consists of the Mayor, Vice Mayor and three Town Council members. The three Council members are elected from wards, and the Mayor and Vice Mayor are elected townwide. The representatives are:

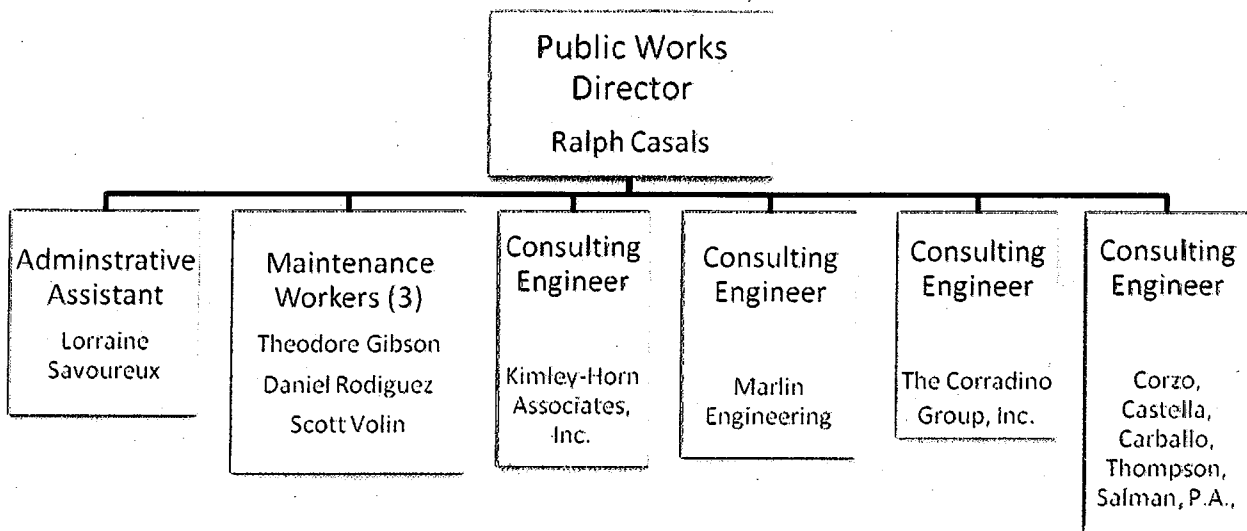
Mayor	Paul S. Vrooman
Vice Mayor	Edward P. MacDougall
Councilman	Timothy J. Meerbott
Councilman	Ernest S. Sochin
Councilwoman	Peggy R. Bell

- The Town Manager is the chief executive officer for the Town and is appointed by and reports to the Mayor and Town Council as a body. All policies, procedures and protocols are administered through the Manager in accordance with Town codes, laws and Council directives. All employees except the Town Attorney and Town Clerk are hired by, and report to, the Town Manager through a series of assistants and department heads. The Current Town Manager is Steven J. Alexander. (Professional resumes attached).
- The Town Attorney is appointed directly by the Town Council and reports to them as a body. The current Town Attorney is Mitch Bierman. Mr. Bierman works for the firm of Weiss Serota Helfman Pastoriza Cole & Boniske PL, Miami, Florida, and serves the Town of Cutler Bay under a retainer agreement.
- The Town Clerk is appointed by the Council and reports to them as a body. The clerk is responsible for maintaining official Town records and contracts, and for recording official meetings. The clerk is also responsible for municipal elections. The current Town Clerk is Erika Gonzalez-Santamaria, C.M.C. (Professional resumes attached).
- The Town's Parks & Recreation Department is responsible for providing recreational services to a resident population of approximately 41,000 people through services of seven (7) Town parks and one (1) swimming pool. The department has twenty-two (22) employees that provide program services and facilities maintenance and construction management of capital projects in the parks. Alan Ricke is the Director of the Parks and Recreational Department. (Professional resumes attached).
- The Town of Cutler Bay contract with the **Miami-Dade County Police Department** for its patrol and special police services. The department has 51 sworn officers and operates from a building located in the heart of the Town on 10720 Caribbean Blvd., Suite # 125. The Cutler Bay District is headed by Captain Julie Miller.
- The **Public Works Department** for the Town of Cutler Bay is responsible for the maintenance of all public streets and associated rights-of-way. The department supervises a number of consultants in transportation planning, stormwater

planning and construction, livability studies, median enhancement projects, beautification and drainage. The department is headed by Mr. Rafael G. Casals and has a full-time quality assurance engineering inspector to supervise contractors in the field. (Professional resume attached).

- **Public Works Department Organization**

The Public Works Department consists of five (5) authorized positions, and four (4) consulting engineering firms. The department reports directly to the Town Manager.



- **Quality Assurance**

It is the mission of the Government of the Town of Cutler Bay, to provide for the professional delivery of public services to all citizens while being good stewards of public resources for the enhancement of the quality of life. In order to carry out the mission, quality is preminent.

One of the reasons that Cutler Bay was incorporated was that the area residents felt that Miami-Dade County was not providing quality services to this community. Street paving and stormwater construction projects were poorly executed and deteriorated almost immediately upon completion. Complaints were rampant. As a reaction to this, quality control for projects was a top priority in forming our public works department. Full-time Public Works Director was hired at the outset to watch our consultants and contractors, but to also watch and follow up on Count Projects being undertaken within our Town.

The Public Work Director is also responsible for citizen-initiative efforts to reduce litter and to clean up areas of roadways.

- **Capability for Matching Federal Funds**

The Town of Cutler Bay is fully capable of matching Federal funds. In our short existence as a Town, the Town has already received and committed to match Town funds to state appropriations for stormwater construction activities. We have also received several State grants requiring matching funds to which we have also committed.

With the FY 08-09 annual budget, Town Council established Account with a dedicated millage revenue source to be used principally for providing the matching funds for grants.

- **Financial Systems**

The Town of Cutler Bay receives its funding from a variety of sources (See attachment 2008-09 Operating Budget. In particular interest to the LAP process, would be the funding of the Public Works Department within the Town's financial structure receives its funding from a variety of sources. Two primary sources are the 1st and 2nd Local Option Gas Tax .

Grants also comprise an increasing source of revenue for capital projects for the Town. In FY 07-08, the Town received State appropriations for stormwater totaling \$500,000. The Town has several other major roadway grants pending.

The Town has established a system of financial controls including the use of purchase order for buying, competitive bidding, and financial reporting including a yearly audit performed by an outside independent audit company as required by Florida Statutes. The Town has also hired an in-house accountant whose duties are primarily grant and contract management. This was to ensure compliance by the Town and its contractors.

- **Key Person Qualification**

The Town of Cutler Bay has highly qualified individuals in all areas of its operations. While we have only been a municipality for four (4) years, our staff has decades of experience they bring to their positions.

Steven J. Alexander, Town Manager, holds a Bachelor of Science Degree and has over 20 years of experience in municipal administration including over 4 as a Town Manager.

Rafael G. Casals, Public Works Director, holds a Bachelor of Science Degree and has over 20 years in the Public Works field.

Raul Rodriguez is currently the Town's building inspector. He is a State Certified Building Official and has several years of experience in reviewing roadway and drainage plans.

Robert Daddario is the Town's Finance Director. Mr. Daddario is a Certified Public Accountant and has several years of both accounting and auditing experience.

- **Planning Qualifications and Experience**

Town staff has the following experience relative to project planning and administration:

Participation in Join Project Agreement with both FDOT & Miami-Dade County for a variety of roadway improvements.

Annual street paving and maintenance program.

Bridge rehabilitation program.

Capital projects program multi-year planning and financing.

Comprehensive master planning.

Transportation Master Plan.

Transit planning, maintenance and operation.

Capital financing projects.

Interagency agreement, interlocal agreement and cooperation.

Interagency purchasing cooperative agreements.

Request for proposal and request for qualification preparation, evaluation and management.

Annual right-way-way maintenance program.

Annual water main upgrade program planning, financing and implementation.

Annual sewer main and lift station maintenance and operation.

Water and sewer treatment plant planning, upgrade, financing and operation.

Water, sewer and electric utility operation, billing, collection and customer service.

Stormwater Utility planning, operation, management and financing.

Livability studies.

Transportation corridor planning.

Grant application and administration for Federal and State Grants.

Contract management for capital improvements.

Flood prevention planning and control.

Environmental assessment and planning.

Canal maintenance program.

Multi-year park planning, operation and maintenance.

Facility maintenance.

Capital project supervision and administration.

- **Right-of-Way**

The Town has a continuing contract with the following firms for right-of-way planning, design and surveying as needed: Kimley-Horn & Associates, Marlin Engineering, Corzo Castella Carballo Thompson Salman, P.A. and The Corradino Group. These firms assisted by the Town Attorney, have the ability to search records for title information, easements, zoning and property usage, history and other related documentation necessary to perform required tasks. The Firms are very familiar with FDOT having worked for that

agency on a continuing basis. They are responsible to the Town for project design, layout for supervision during implementation.

- **Design**

Town staff has experience in undertaking minor designs for roadway improvements and maintenance activities. The annual pavement program specifications were developed by staff as are minor local road widening and sidewalk installations. All projects designed by Town engineering staff have followed standard engineering principals. All road improvement utilizes FDOT guidelines even when on strictly local roads. All permits are obtained by Town staff. For large projects, the Town has continuing engineering design and construction contacts with the following firms: Kimley-Horn & Associates, Marlin Engineering, Corzo Castella Carballo Thompson Salman, P.A. and The Corradino Group. All of these firms are familiar with FDOT standards, guidelines and specification and have worked in the past or a working for FDOT currently.

- **Estimates**

Project estimates are provided by in-house staff and supplemented by qualified estimators from one of our continuing contract engineering firms. For many of grant funded projects, planning, design, CE&I and capital construction O&M costs are also necessary to be estimated. Staff is also experiences in preparing annual public works and capital project budgets. These budgets are very detailed and require considerable expertise to complete successfully. Engineering estimates are also solicited from our continuing contractors on staff which provides accurate pre-construction estimating. Their experience includes surveying, geotechnical, materials testing, traffic studies, water, sewer and drainage, as well as landscaping and roadway design.

- **Construction**

Town staff has provided construction inspection and administration for all projects within the town since inception. The Town currently is completing a Park Facility Improvement Project Totaling \$1,100,000. Staff is supplemented with inspection from architects and engineers hired by the town from its continuing contracts. Town staff has considerable experience in inspection and project monitoring in their previous employment venues. In addition to staff, the Town utilizes its continuing architectural and engineering contracts for construction observation and inspection activities. All of the aforementioned firms have considerable expertise in these activities.

- **Bid and Award**

Town staff has considerable expertise in this activity. Staff has prepared over 12 bids and RFP's/RFQ's for equipment, services and construction during the past one year. These include the selection of 6 different firms for continuing contracts in transportation engineering, stormwater engineering, planning, architecture and landscape architecture. Staff prepared the RFP and RFQ's and utilized the Competitive Consultant's Negotiation Act process. Town staff is experienced in preparing documents that meet all federal and state requirements and those of other funding agencies. All contracts, bids and proposals are reviewed by purchasing and the Town Attorney for compliance with appropriate funding agency requirements.

- **Advertising for Bids**

(A) A project(s) shall not be advertised until all necessary permits have been received, all rights-of-way have been acquired and all railroad crossings, utilities and maintenance agreements have been executed. Public Works Department will not issue a Construction Permit without the above requirements being met.

(B) Final department approved specifications are sent to the Town Clerk for bid publication/advertisement.

(C) Legal advertisement is prepared by the Town Clerk's Office and sent to the local newspaper of general circulation. Advertisement states the bid opening time and date, which is normally 30 - 32 days from date of advertisement, but a minimum of 30 days between issuing the bid and bid opening, and if needed, a pre-bid meeting is also stated in the advertisement with the time, date and location.

(D) Notice to Bidders sent out to prospective contractors on the day the legal advertisement runs in a newspaper of general circulation.

- **Bid Opening and Tabulation**

(A) Bids are received in a sealed envelope, read aloud and entered onto a bid tabulation sheet. The Town Clerk or designee will open the bids on the date and time specified in the advertisement. At the bid opening the bid amount for each Bidder will be read aloud and the apparent low Bidder will be identified.

(B) Copies of the bid abstract are emailed to bidders when completed and posted at Town Hall.

(C) Copies of each contractor's bid submittal are given to relevant Town department head representatives for evaluation.

- **Bid Analysis and Award of Contract**

The bid submittals are reviewed by a committee consisting of a minimum of three (3) Town representatives (also a consultant if he/she is involved with the project) and all pertinent information is documented as it pertains to the bid specifications and Invitation to Bid requirements. The following factors are some examples of relevant in determining the lowest bidder:

- Eligibility, capacity, and skill of the bidder to perform the contract and provide services and supplies required
- Whether the bidder can perform the contract or provide supplies and services promptly, or within the time specified, or without delay
- The quality of bidder's performance on previous contracts or services with the "Town of Cutler Bay"
- The character, integrity, reputation, judgment, experience and efficiency of the bidder
- The ability of the contractor to provide further maintenance and service in a timely manner
- The financial stability and resources of the bidder, as related to his/her ability to perform the work.

When the award is not to the lowest bidder, the appropriate department head and/or committee chairperson shall prepare a full and complete written statement of the reasons with the concurrence of the Town Manager and filed with all other information related to the transaction. If all bids received are for the same total amount or unit price, the Town Manager shall request new bids unless the public interest will not permit this delay. All bid documents/contracts shall be approved as to form by the Town Attorney prior to issuance. References are personally contacted and their responses are also documented. Determinations are made as to non-responsive and non-responsible bidders and a recommendation is then forwarded to the appropriate department head. The Town Manager's Office then sends out a Notification of Intent to Award to bidders that submitted, informing them of the Town's selection. If the Low Bidder changes after the posting original Bid Tabulation, another Bid Tabulation must be posted. Notice of Intended Decision (Posting of Bid Tabulations) to award a contract or to reject all bids shall be given by posting the bid tabulations on the date and place specified in the Bid documents and/or advertisement prior to contract awards. For LAP projects, approval from FDOT will be sought and subsequently presented to Town Council for local approval.

- **Contract Time**

The Contractor is required to provide the Town with a horizontal bar schedule of construction activities. The following procedures will be used by the "Town of Cutler Bay" in establishing contract durations:

- Review the project plans and specifications with special emphasis on maintenance of traffic. If the project has more than one phase, determine what work can be done in each of the phases.
- List the required activities for each phase. This list does not need to be exhaustive but does need to include all controlling items of work or activities on the critical path.
- List each quantity of the unit of work that will be used as a basis for estimating the duration of that activity. On a project with more than one phase, use only that quantity associated with that phase.
- Review the appropriate Utility Work Schedule and or Agreements to determine what part of the requested schedule potentially impacts the Contractor's work. A delay occurs only if the prime contractor cannot work as a result of utility conflicts.
- Assure good cooperation between the utility and the contractor during the actual construction of the project. Utility relocation duration should be handled as an activity if they will contribute to the project duration.

Contract time will commence to run on the thirteenth day after the Effective Date of the Agreement, or, if a Notice to Proceed is given, on the day indicated in the Notice to Proceed as per the General Conditions. The Town uses calendar days in its contracts; These conditions state:

- When any period of time is referred to in the Contract Documents by days, it will be computed to exclude the first and include the last day of such period. If the last day of any such period falls on a Saturday or Sunday or on a day made a legal holiday by the law of the applicable jurisdiction, such day will be omitted from the computation.
- A calendar day of twenty-four hours measured from midnight to the next midnight shall constitute a day.

The contract will include language that specifies a "time is of the essence" clause and sets Town compensation per calendar day beyond the last day of the contract.

- **Engineers Estimate**

The Town's Consulting Engineers will develop cost estimates for every project. If the project is on the National Highway System (NHS), the Town will follow FDOT's method of estimating. The Public Works Department or consulting engineers are responsible for establishing all pay items and continuously updating the jobs to ensure consistency of the plans. The Finance Director provides information concerning those pay item tasks and/or materials that are altered for a particular job and therefore require special provisions other than those listed in the standard specifications. The Public Works Department reviews the plans and specifications to determine if there are any unusual conditions that would affect the overall cost of the project or the cost of any individual pay item. The estimate will

include a list of all items on the project, along with quantities and prices for each pay item. A thorough estimate is very important as it is used for Federal or State authorization. The bidder's estimators perform a role in the analysis and judgment of the scope of work required to complete the contract. All estimators must make a judgment as to the accuracy of the prices on each item. For example:

- (1) Does the computer generated price represent the project, or is the price too low or high in relation to the quantity of this particular pay item?
- (2) Does a pay item contain costs for other work, as referenced by a plan note, causing this item to be higher than the computer price?
- (3) Is the project in a remote area far enough away from asphalt, concrete and/or borrow pit sources to cause prices to be inflated due to haul distance?
- (4) Is the project adjacent to a contractor's home office thus causing his prices to be reduced?
- (5) Has liquid asphalt increased in price, thus causing the cost of asphalt to be increased?
- (6) Is this specialized work that has a very low production rate, thus causing an increase in the price of an item?
- (7) Is larger than normal equipment required to drive pile or to set beams, causing the price to increase?
- (8) Is the project located in an area that will require daily Mobilization/Demobilization cost, thus causing an increase in price?
- (9) Are contractors in the vicinity of project overloaded with work, thus increasing the cost of a project?

If a price is determined to be inaccurate, the bidders estimator will provide an override price that more closely represents the expected cost of these items. However, the estimator must be able to substantiate the overridden price. Town determined estimates become official upon advertisement of each project, however, for the purpose of financial quality control, the in-house estimate is not advertised with the bid opening.

- **Project Supervision and Staffing**

The Town of Cutler Bay will designate a professional engineering firm to insure compliance with the project plans and specifications. Those individual's who will be directly involved in the project shall have demonstrated experience in the areas delineated in the scope of work. At a minimum, one (1) full time consulting engineer will be assigned in responsible charge of the project. For most Town LAP projects, the point of contact will be Rafael Casals, Public Works Director.

- **Warranty Clauses**

The CONTRACTOR will provide a guarantee and warranty as follows:

1. Performance. The CONTRACTOR shall guarantee that the supplied materials shall perform as specified, for a minimum of One (1) year. Replacements or revisions required to meet specified performance shall be at the CONTRACTOR'S expense.
2. The CONTRACTOR shall ensure the availability of labor and materials in the event of warranty failures. Immediate response to failures is essential. If materials fail during the

warranty period, the CONTRACTOR shall provide replacement materials and labor at no cost to the OWNER.

3. The CONTRACTOR shall, in a good and workmanlike manner, perform all Work and furnish all labor and services, except as herein otherwise expressly set forth, necessary to perform and complete all the Work required by this contract, in accordance with the provisions of the Contract documents and any and all supplemental plans and drawings.

4. In the event the contract is awarded to the Bidder, he/she will, within thirty (30) days thereafter, enter into a written contract with the "Local Agency Name", or accept a "Local Agency Name" purchase order. The successful Bidder shall also furnish within ten (10) days; a PUBLIC CONSTRUCTION BOND IN COMPLETE ACCORDANCE WITH SECTION 255.05 OF THE FLORIDA STATUTES in an amount equal to the contract price, as a guarantee of good faith that the Bidder will execute the work in accordance with the terms of the contract and that the Bidder shall make payments for all labor, material and supplies used directly or indirectly for the work. Failure to do so will constitute forfeiture of the bid security as liquidated damages.

5. A Public Construction Bond and Payment Bond shall be secured from and countersigned by an agency of a surety company recognized in good standing, licensed and authorized to do business in the State of Florida and found to be acceptable to the "Local Agency Name".

- **Consultant Selection**

Town staff has years of experience in consultant, but under Florida's competitive Consultant Negotiation Act and in situation when the act did not apply. The Town currently has active contracts with the following firms for services associated with the Public Works Department:

- Kimley-Horn & Associates
- Marlin Engineering
- Corzo Castella Carballo Thompson Salman, P.A.
- The Corradino Group

- **Financial Systems**

The Town of Cutler Bay has a very efficient and effective financial system in place to account for public funds and for project revenues and expenditures. The Town has included in the package the 2008 Comprehensive Financial Report prepared by our independent outside auditor pursuant to State requirements. As can be seen, even in our first year of operation, the Town has a clean financial report and experienced a surplus of revenues over expenditures, both in the Town's General Fund and in the Transportation Fund. The Town books are maintained according the General Accepted Accounting Procedures (GAAP) and the rules of the Governmental Standards and Accounting Board (GASBY).

OVERALL ACCOUNTING CONTROLS AND POLICIES

The Town of Cutler Bay (the "Town") was incorporated, and commenced its existence, in November 2005. The Town has a relatively small staff and, as a result, the level of segregation of duties is minimal. However, the following policies and procedures help mitigate the lack of adequate segregation of duties as well as demonstrate a strong level of management overview of operations:

- The Town's operations are controlled by a legally adopted budget and there is quarterly analysis of operating results versus budget.
- Budgetary controls enable expenditure of funds to the extent authorized by approved budget.
- Significant purchases, while controlled by budget authorization, are also controlled by a purchase order process which requires review and approval of the appropriate department head, the Finance Director, and the Town Manager.
- Contracts/purchases over Town Charter and Ordinance 06-22 specified limits require approval of the Town Council.
- All expenditures require two signatures from among the Council members and the Town Manager. No other Town staff has check signing authority.
- The Finance Director monitors the activity of the Town's bank accounts online each day. Any unusual or unknown activity is immediately brought to the attention of the Town's account manager at the financial institution for follow-up.
- All departments are staffed with extremely experienced, well qualified, department directors who closely monitor their departments' activity.
- **Notwithstanding the following guidance, Town staff have been informed that the Finance Director is to be consulted for the processing of any information/transaction that is not specifically covered by the guidance below, or if there is question as to the application of the guidance below.**

REVENUES AND CASH RECEIPTS

Taxes

The Town receives taxes and other fees in various forms from both the State of Florida and Miami-Dade County. The processing for these revenues and receipts is performed by the Finance Director and follows the process outlined in Exhibit 1.

Licenses/Registrations

Business Tax Receipts (i.e. occupational licenses) and burglar alarm and solid waste franchise registrations are processed at Town Hall by the Finance Clerk and the processing for these revenues and receipts follows the process outlined in Exhibit 2.

Parks Fees

Parks fees are charged for programs at the parks or for use of park facilities. Certain of the Parks fees are remitted to the Town by Miami-Dade County and would follow a processing similar to that outlined for taxes in Exhibit 1.

Parks fees are also collected directly at the Park by park personnel. Residents pay for various uses of park facilities. The processing follows that outlined in Exhibit 3.

Parks fees are currently paid by check or cash. No other Town function accepts cash as a form of payment. It is accepted at the Parks as a convenience to residents. All Parks fees collections are stored in a locked safe at the Parks' offices, the combination for which is under the control of the Parks Director. Depending on activity, at least once per week the Parks Director brings the cash and checks collected and stored in the safe to the Finance Department for processing.

Daily type activities:

- Monies collected at pool for pool related activities; main parks office for all other.
- Safe maintained at pool site and main office for holding of cash/checks. Access restricted to specified staff. Only Parks Director knows lock combination of both safes.
- Pre-numbered receipts issued for each collection.
- Generally weekly, or when the pool safe has approx. \$200, the pool supervisor forwards the pool collection monies and the pre-numbered receipts issued at the pool to the Parks Admin Asst for processing.
- Parks Admin Asst enters receipts into computer system (MAIS) and balances out against pre-numbered receipts and cash/checks. Performed once per week, or more frequently during summer season (generally done if the collections in the safe have reached \$500 or so).
- Accounting copy of receipts forwarded to Finance Dept. along with cash/checks. Acctg Clerk reconciles the monies to the receipts and the batch entered in the computer system. Once balanced, the computer batch is posted and the Acctg Clerk prepares the bank deposit.

Parks usage/rental:

- Application filled out and submitted with \$100 refundable deposit. Availability of park for specified day verified. Pre-numbered receipt issued.
- Usage/rental fee can be paid at this time or up to 3 weeks before the event date (if 2 weeks or less before event date, fee must be paid by cash).
- Within 2-3 weeks after event, the deposit is refunded after staff verifies that required cleanup was performed.
- Reservation can be cancelled by written request. If don't notify in advance of reservation, a \$25 fee is assessed and the balance of the deposit is refunded. Refunds are processed within 2-3 weeks after reservation date.

- These receipts are processed in similar manner as discussed above for daily type activities.

Building and Permitting

The Town's building department handles building permits and zoning issues and charges fees for such services. The processing for these revenues and receipts follows the process outlined in Exhibit 4.

PAYABLES AND CASH DISBURSEMENTS

Purchase Orders

Purchases for goods in excess of \$1,000 are required to be processed using a purchase order. For goods less than \$1,000, use of a purchase order is optional. Certain types of purchases do not require a purchase order (i.e. utility bills, contract payments (although original purchase/contract may be subject to purchase order requirements), office supplies purchases, etc.).

The purchase order system has three levels of review/control. The purchase order must be reviewed/approved by the appropriate department head, the Finance Director and the Town Manager before a purchase order can be issued. These levels of approval are noted in the MAIS software Purchase Order module. Once issued, the Finance Director prints out the purchase order and routes to the Accounting Clerk for later matching with the appropriate vendor invoice (see accounts payable/cash disbursements processing procedures outlined in Exhibit 5).

Ordering

If a purchase order is required, the Department head or his assistant will place the order once a copy of the approved purchase order is given to him/her. If a purchase order is not required, the Department head or his assistant places the order for the goods or services (invoices received related to items purchased without a purchase order needs to be approved by the Department head or his designee before Accounting will process for payment).

Payment Processing

Invoices that are received are submitted to the Accounting Clerk for processing. If the purchase was not subject to a purchase order (see above), the Accounting Clerk sends the invoice to the appropriate Department head for review and approval and to verify/confirm receipt of goods/services. Once approved by the Department head, it is returned to the Accounting Clerk for processing. If the purchase was made by purchase order, the Accounting Clerk sends the invoice to the appropriate department head to approve receipt of the goods/services. Once approved, the department head returns document to Accounting Clerk for processing. Once received, the Accounting Clerk matches the

purchase order and invoice in the account payable module of the computer software (MAIS) and processes the payable. The payables are then processed for payment as outlined in Exhibit 5.

PAYROLL

Human Resources Requirements

An Executive Assistant to the Town Manager has been designated by the Town Manager as the person responsible for human resource and benefits administration matters and she maintains all employee related documents in locked file cabinets in her office. The Town of Cutler Bay human resource issues are discussed more fully in the "Employee Policies and Procedures Manual."

Payroll Processing

Initial payroll related information, including salary, deductions and withholding information, as well as changes to the initial information, is provided by the Executive Assistant to the Accounting Clerk. Payroll is processed bi-weekly using Ceridian's web based payroll system, generally on Tuesday with a pay date of Friday (payroll can be processed no later than 4pm Wednesday in order to meet the Friday pay date requirement). Access to this system is limited to the Town Manager, the Finance Director and the Accounting Clerk.

Staff generally submits signed time sheets to the Accounting Clerk on Monday for the previous bi-weekly pay period ended on Sunday. Time sheets should be signed by the staff person and by his/her supervisor or their designee. The Accounting Clerk enters the data into the Ceridian web based payroll system. Once the data is entered, a preliminary payroll register is run and provided to the Finance Director for review and approval. Once approved by the Finance Director, the Finance Director "submits" the payroll via the Ceridian web based payroll system.

The payroll is delivered the next day via Fed Ex and is handed, unopened, to the Finance Director for processing (see Payroll recording below).

Payroll Recording

The Finance Director opens the delivered payroll and compares the payroll register to the preliminary payroll register. If any problems are noted, the Finance Director contacts Ceridian Customer Service to resolve (and re-process if necessary). If no problems are noted, the Finance Director processes the payroll and gives the pay checks to the Accounting Clerk for distribution. The Finance Director then shreds the preliminary payroll register.

Processing of the payroll by the Finance Director includes summarizing the payroll in an Excel spreadsheet from the payroll reports (the payroll register and the department

payroll summary reports). The totals from this Excel spreadsheet support the journal entry processed by the Finance Director to journalize the payroll into the general ledger (in the MAIS software package). Journal entries are only processed by the Finance Director, as discussed in the General Ledger Processing section below.

PROPERTY AND EQUIPMENT (CAPITAL ASSETS)

Capitalization Policy

Capital assets, which include furniture, equipment, computer equipment and improvements, are reported in the government wide financial statements. Such items, excluding infrastructure assets, are defined as assets with an initial, individual cost of more than \$1,000 and an estimated useful life in excess of one year. Infrastructure assets are recorded as capital assets if they have an initial, individual cost in excess of \$10,000 and an estimated useful life in excess of one year. Capital assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Capital assets, which are reported in the government wide financial statements, are depreciated using the straight line method over the following estimated useful lives:

<u>Category</u>	<u>Years</u>
Buildings	20
Furniture, equipment and software	3-5
Improvements other than buildings	5-10

CASH

General Policy

Cash balances are maintained in a local financial institution that is a qualified public depository for local governments. Signers on all accounts are the Council members and the Town Manager and all checks issued (or wire transfers requested) require two signatures from among that group. Correspondence from financial institutions is routed to the Finance Director or Town Manager unopened. Bank accounts are reconciled by the Finance Director (who does not have check signing authority).

The Town of Cutler Bay also established an investment account with the SBA, an investment vehicle authorized for local governments by Florida Statute. The signers on this account are the same as those for the bank accounts and are required to transact business.

Petty Cash

With the exception of the Parks, the Town of Cutler Bay does not maintain a petty cash fund. The Parks department maintains a \$350 petty cash fund on an impress basis. The petty cash is stored in the Parks locked safe and is controlled by the Parks Director who provides reconciliation and receipts to the Finance Department.

GENERAL LEDGER PROCESSING

Journal Entries

All journal entries are to be processed by the Finance Director.

Period Closing

The Finance Director is responsible for processing the period end closing, including the processing of closing journal entries and the preparation of financial reports.

FINANCIAL REPORTING

In accordance with the Town Charter, the Finance Director prepares, on a quarterly basis, a financial report showing the results of the Town as compared with the budget on a quarterly and year-to-date basis. This report is posted on the Town's web site.

Additionally, the Town will undergo an annual audit by a qualified, independent CPA firm, also as provided for by the Town Charter. The Finance Director will act as the Town's liaison with such CPA firm and ensure that the audit is carried out in a timely manner. The audited financial statements shall be posted on the Town's web site within 30 days of receipt of the CPA firm's report.

Upon completion of the annual audit, the Finance Director shall ensure that the required reporting to the Office of the Auditor General and the State of Florida Department of Financial Services is completed, generally within 45 days of receipt of the independent auditor's report.

GRANTS

When a new grant is received or renewed, a copy of the executed grant must be forwarded to the Finance Director and Town Clerk. The Executive Assistant to the Town Manager shall set up a permanent file for the grant and maintain contact information along with any other financial correspondence regarding the grant (copy of financial correspondence to be provided to the Finance Director). The Finance Director shall review the grant contract and extract any pertinent fiscal items for compliance purposes.

It is a policy of the Town to adhere to any restrictions imposed by grantors, both governmental and private. Therefore, Town employees are expected to bring to the attention of management any instances of non-compliance.

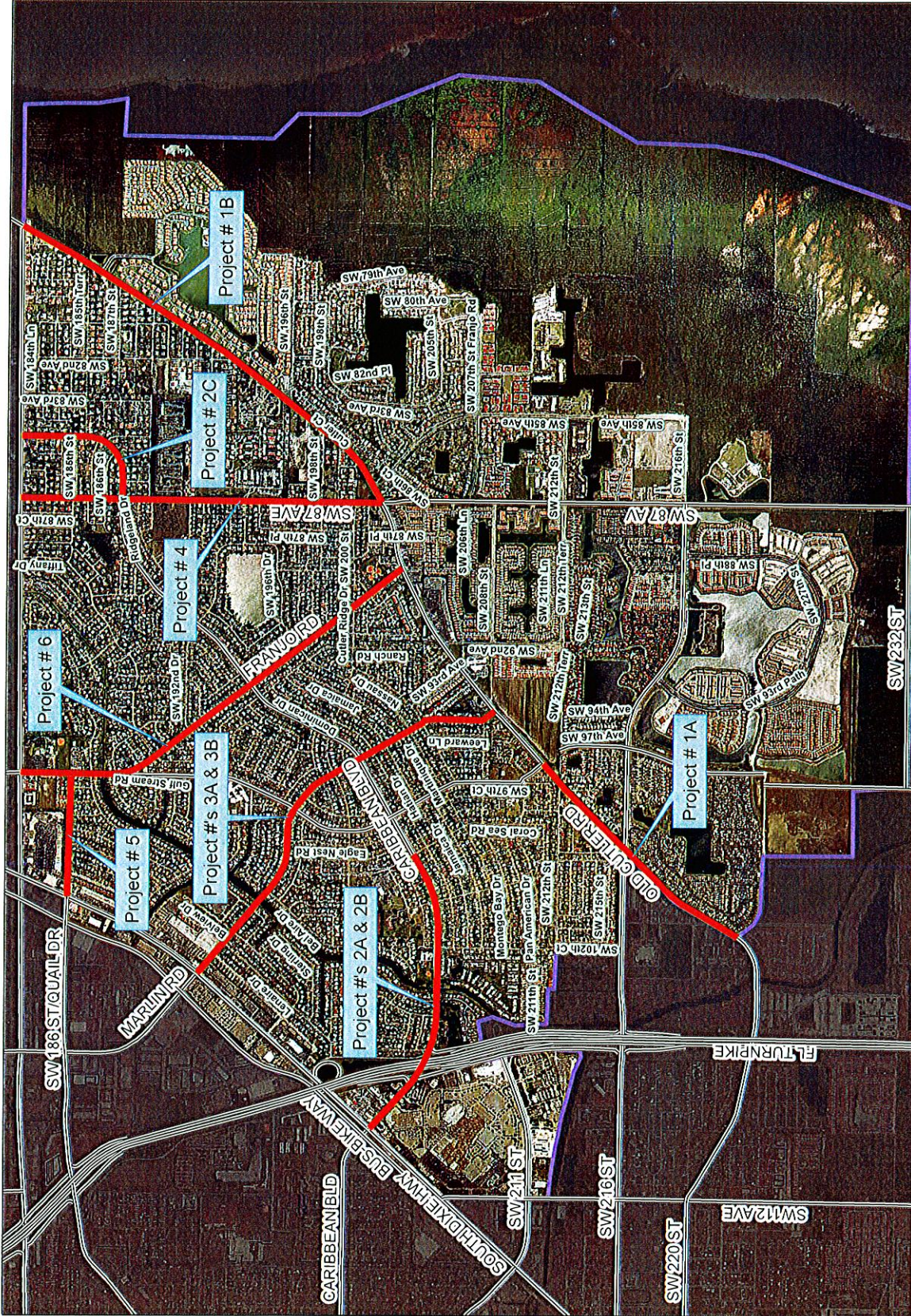
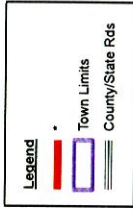
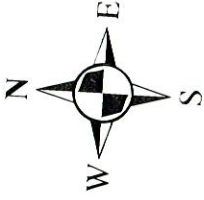
The Town will never request federal or state funds to pay for the following costs:

- a. bad debts
- b. contingencies
- c. travel and entertainment expenses
- d. fines and penalties
- e. interest or other financial costs

COMPUTER BACKUP

It is the policy of the Town to backup its computer system on a daily basis. The current week's backup tapes are stored in a locked cabinet in the computer room at Town Hall. Tapes are rotated off site on a weekly basis. Friday of each week the prior week's tapes are taken to the safe box and the off site tapes are returned.

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*Roadway Asphalt Resurfacing/
Federal Aid Eligible Roads



Federal Stimulus LAP Eligible Projects Roadway Asphalt Resurfacing/Federal Aid Eligible Roads

Town of Cutler Bay





Town of Cutler Bay Florida
Federal Stimulus LAP Eligible Projects
Roadway Asphalt Resurfacing – Federal Aid Eligible Roads
February 2009



ROADWAY	Length (Miles)	Width (Ft)	Square Yards
<u>Project # 1: Old Cutler Road</u>			
(A) SW 224 Street to SW 97 Avenue	1.00	24	14,080
(B) SW 87 Avenue to SW 184 Street	1.70	24	23,936
<u>Project # 2: Caribbean Blvd.</u>			
(A) US-1 to Fla. Turnpike	0.35	48	9,856
(B) Fla. Turnpike to Coral Sea Road	0.70	24	9,856
(C) SW 87 Avenue to SW 184 Street	0.55	24	7,744
<u>Project # 3: Marlin Road</u>			
(A) US-1 to Sterling Drive	0.30	48	8,448
(B) Sterling Drive to Old Cutler Road	1.25	24	17,600
<u>Project # 4: SW 87 Avenue</u>			
SW 184 Street to Old Cutler Road	1.35	24	19,008
<u>Project # 5: Quail Roost Drive (SW 186 Street)</u>			
US-1 to Franjo Road	0.45	24	6,336
<u>Project # 6: Franjo Road (SW 97 Avenue)</u>			
SW 184 Street to Old Cutler Road	1.65	24	23,232
TOTAL			140,096

Project Cost: 140,096 Square Yards x \$7.14 / SY= \$1,000,285

(Note: Square foot unit price for asphalt overlay includes construction inspections and administration, contractor's general conditions, & overhead)



Town of Cutler Bay Florida
MPO/Miami-Dade County – District 6
American Recovery & Reinvestment Plan



Resurfacing Improvements

Projects 1 & 2 (Old Cutler Road & Caribbean Blvd)

Pay Item #	Pay Item	Unit	Quantity	Unit Cost	Cost
101-1	Mobilization	LS	1	\$15,000	\$15,000
102-1	Maintenance of Traffic	LS	1	\$18,000	\$18,000
334-1-12	Superpave Asph Conc - Traffic B	TN	3600	\$86.65	\$311,940
711-11111	Standard Thermoplastic 6" White	NM	8.6	\$3,370	\$28,982
711-11211	Standard Thermoplastic 6" Yellow	NM	4.3	\$3,635	\$15,631
Sub-Total					\$389,553
Contingency 10%					\$38,955
Construction Engineering & Inspection 10%					\$38,955
Total					\$467,463

Project 3 (Marlin Road)

Pay Item #	Pay Item	Unit	Quantity	Unit Cost	Cost
101-1	Mobilization	LS	1	\$7,000	\$7,000
102-1	Maintenance of Traffic	LS	1	\$7,500	\$7,500
334-1-12	Superpave Asph Conc - Traffic B	TN	1433	\$86.80	\$124,384
711-11111	Standard Thermoplastic 6" White	NM	3.1	\$3,370	\$10,447
711-11211	Standard Thermoplastic 6" Yellow	NM	1.55	\$3,635	\$5,634
Sub-Total					\$154,966
Contingency 10%					\$15,497
Construction Engineering & Inspection 10%					\$15,497
Total					\$185,959



Town of Cutler Bay Florida
MPO/Miami-Dade County – District 6
American Recovery & Reinvestment Plan



Resurfacing Improvements

Projects 4 & 5 (SW 87 Ave & Quail Roost Dr)

Pay Item #	Pay Item	Unit	Quantity	Unit Cost	Cost		
101-1	Mobilization		LS	1	\$5,300	\$5,300	
102-1	Maintenance of Traffic		LS	1	\$5,800	\$5,800	
334-1-12	Superpave Asph Conc - Traffic B		TN	1394	\$86.80	\$120,999	
711-11111	Standard Thermoplastic 6" White		NM	3.6	\$3,370	\$12,132	
711-11211	Standard Thermoplastic 6" Yellow		NM	1.8	\$3,635	\$6,543	
						Sub-Total	\$150,774
Contingency 10%							\$15,077
Construction Engineering & Inspection 10%							\$15,077
						Total	\$180,929

Project 6 (Franjo Road)

Pay Item #	Pay Item	Unit	Quantity	Unit Cost	Cost		
101-1	Mobilization		LS	1	\$4,700	\$4,700	
102-1	Maintenance of Traffic		LS	1	\$5,450	\$5,450	
334-1-12	Superpave Asph Conc - Traffic B		TN	1278	\$86.80	\$110,930	
711-11111	Standard Thermoplastic 6" White		NM	3.3	\$3,370	\$11,121	
711-11211	Standard Thermoplastic 6" Yellow		NM	1.65	\$3,635	\$5,998	
						Sub-Total	\$138,199
Contingency 10%							\$13,820
Construction Engineering & Inspection 10%							\$13,820
						Total	\$165,839

Population Estimates: Municipalities and Unincorporated.			
	April 1, 2008 Estimate	Percent of Total	Allocation based on Population
MIAMI-DADE	2,503,468	100.0%	
Aventura	31,306	1.3%	\$702,788
Bal Harbour	3,327	0.1%	\$74,684
Bay Harbor Island	5,178	0.2%	\$116,249
Biscayne Park	3,300	0.1%	\$74,073
Coral Gables	46,185	1.8%	\$1,036,796
Cutler Bay	41,930	1.7%	\$941,285
Doral	34,612	1.4%	\$776,997
El Portal	2,523	0.1%	\$56,641
Florida City	10,279	0.4%	\$230,754
Golden Beach	955	0.0%	\$21,439
Hialeah	230,084	9.2%	\$5,165,124
Hialeah Gardens	21,116	0.8%	\$474,027
Homestead	59,917	2.4%	\$1,345,064
Indian Creek Village	58	0.0%	\$1,313
Islandia	6	0.0%	\$136
Key Biscayne	11,653	0.5%	\$261,587
Medley	1,136	0.0%	\$25,491
Miami	409,673	16.4%	\$9,196,694
Miami Beach	94,834	3.8%	\$2,128,921
Miami Gardens	112,110	4.5%	\$2,516,740
Miami Lakes	27,259	1.1%	\$611,940
Miami Shores	10,744	0.4%	\$241,190
Miami Springs	13,672	0.5%	\$306,910
North Bay	6,872	0.3%	\$154,258
North Miami	60,192	2.4%	\$1,351,245
North Miami Beach	41,224	1.6%	\$925,438
Opa-locka	15,274	0.6%	\$342,882
Palmetto Bay	25,383	1.0%	\$569,810
Pinecrest	19,618	0.8%	\$440,409
South Miami	11,277	0.5%	\$253,166
Sunny Isles Beach	20,341	0.8%	\$456,640
Surfside	5,838	0.2%	\$131,054
Sweetwater	14,371	0.6%	\$322,621
Virginia Gardens	2,317	0.1%	\$52,023
West Miami	5,738	0.2%	\$128,813
Unincorporated	1,103,165	44%	\$24,764,798
Incorporated	1,400,303	56%	\$31,435,202
Source: Miami-Dade Planning & Zoning Research Secion			\$56,200,000