

RESOLUTION NUMBER 25-82

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA RATIFYING THE AUTHORIZATION OF STA #7 IN THE AMOUNT OF \$24,000.00 WITH DRMP, INC. FOR VALUE ENGINEERING UNDER RFQ-22-25-AD FOR BAY OAKS RECREATIONAL CAMPUS REDEVELOPMENT PROJECT, WHICH WHEN COMBINED WITH PREVIOUS STA #5 FOR \$55,650.00 AND STA #6 FOR \$6,650.00 FOR THE SAME PROJECT TOTAL \$86,300.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town currently has a consulting agreement with DRMP, Inc. through Town solicitation RFQ-22-25-AD; and

WHEREAS, the Town has utilized DRMP, Inc for the initial design of the Bay Oaks Recreational Campus Redevelopment Project; and

WHEREAS, project funding is limited to a \$1 million grant from FDEP having a deliverable deadline of August 31, 2025, with a required match of \$1 million that will be matched with insurance proceeds; and

WHEREAS, the bids that were received in response to the initial solicitation (ITB-25-01-PR) came in between \$4 and \$6 million dollars, resulting in the cancelation of ITB-25-01-PR; and

WHEREAS, it is in the best interest of the Town to utilize the \$1 million grant for the Bay Oaks Recreational Campus Redevelopment project, which therefore will require a licensed engineer to revise the plans and specifications through value engineering to enable the cost of project to fit within the available funding; and

WHEREAS, the cost for DRMP, Inc. to revise the plans through value engineering is \$24,000.00 (STA #7); and

WHEREAS, the Town has executed previous Supplemental Task Authorizations with DRMP, Inc. under RFQ-22-25-AD for the design of the Bay Oaks Recreational Campus Redevelopment Project for \$55,650.00 (STA #5) and \$6,650.00 (STA #6), which when combined with this third STA request for \$24,000.00 (STA #7) totals \$86,300.00, thereby exceeding the \$75,000.00 threshold that requires approval by the Town Council; and

WHEREAS, the Town of Fort Myers Beach Code Sec. 2-480 (d) provides the basis for

emergency purchase, which allows the Town Manager or designee to make, or authorize others to make, emergency purchases of supplies, services or construction items when there exists a threat to public health, welfare or safety; provided that such emergency purchases are made with such competition as is practicable under the circumstances and is brought to Town Council for approval as soon as practicable.

WHEREAS, on February 20, 2025 the Town Manager exercised his emergency powers to authorize STA #7 with DRMP, Inc. under RFQ-22-25-AD for #24,000.00 to avoid any further delays in issuing the invitation to bid for the Bay Oaks Recreational Campus Redevelopment project, which would risk losing the \$1 million grant; and

WHEREAS, the ratification of this emergency purchase by the Town Council is necessary and is in the best interest of the Town and its residents.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and adopted as the legislative and administrative findings of the Town Council.

Section 2. This Resolution ratifies the Town Manager’s authorization of STA #7 with DRMP, Inc. under RFQ-22-25-AD for \$24,000 to value engineer the plans and specifications of the Bay Oaks Recreational Campus Redevelopment project so as to fit within the \$2 million funding source, which when combined with STA #5 (\$55,650.00) and STA #6 (\$6,650.00) also under RFQ-22-25-AD totals \$86,300.00, which exceeds the \$75,000.00 threshold requiring Town Council approval.

Section 3. This resolution will take effect immediately.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Woodson and seconded by Vice Mayor Atterholt and upon being put to a roll call vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Scott Safford, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 17th day of March 2025, the Town Council of the Town of Fort Myers Beach, Florida.

FORT MYERS BEACH TOWN COUNCIL

Dan Allers
Dan Allers (Mar 22, 2025 15:28 EDT)

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker, Town Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:**

[Signature]
[Mar 24, 2025 08:15 EDT]

Vose Law Firm, LLP, Town Attorney

This Resolution was filed in the Office of the Town Clerk on this 21st day of March 2025.