



City of Indian Harbour Beach Staff Report

City Council Agenda Item

First Reading of Ordinance No. 2023-01: Amending Beach Regulations

Meeting Date: January 14, 2023

Attachments:

Ordinance No. 2023-01

Staff Recommendation:

Approve Ordinance No. 2023-01 on first reading.

Background Information:

This agenda item was originally considered on January 10, 2023 but was tabled due to a procedural error on the agenda.

Historically fishing and surfing have been prohibited by City Code east of the two beach parks. However, enforcement is problematic as currently the only two recourses for Police Officers are arresting the person for a Code violation which is a misdemeanor and/or trespassing the person.

Recently an individual was witnessed shark fishing, landing an approximately five feet long shark onto the beach, blundering it to death and then tossing the carcass back into the surf. The incident was reported to the Florida Fish and Wildlife Conservation Commission and the State Attorney's Office. Both agencies declined to take action (State Attorney told staff that he would need an eyewitness and the carcass of the dead shark to proceed with a misdemeanor prosecution). To give the Police Department a better enforcement tool and to decrease the likelihood of a repeat incident, Ordinance No. 2023-01 was drafted. Said ordinance includes the following amended elements:

- Definition for fishing
- Expansion of the no fishing area 150 feet north and south of the beach area directly east of Bicentennial Park and 150 feet north of Millennium Park
- Prohibition of cleaning fish or other marine life
 - Removal of definition of gun (there is not any other reference to guns Chapter 12 plus the regulation of firearms and ammunition is preempted by the state and City has no authority to regulate guns)
- Citation process
- Revocation of surfing ban

Hence, staff recommends the City Council approve on first reading Ordinance No. 2023-01, amending beach and beach park regulations.



City of Indian Harbour Beach Staff Report

City Council Agenda Item

Award of Contract to Heard Construction, Inc. to replace the Millennium Beach Park Boardwalk and Pavilions for a Guaranteed Maximum Price of \$444,703.03.

Meeting Date: January 24, 2023

Cost: \$444,703.03 (FY23 Budget of \$432,000.00)

Attachments:

Draft Contract with Exhibits and miscellaneous old agenda material documenting RFQ design-build selection and use of Heard Construction, Inc.

Staff Recommendation:

Due to Heard Construction, Inc. having been previously competitively selected via a request for qualifications process as a design-build vendor for the Bicentennial and Millennium Beach Park projects, award of contract to replace the Millennium Beach Park Boardwalk and Pavilions for a Guaranteed Maximum Price of \$444,703.03, using \$12,704.00 in City Manager's Contingency to fund the overage.

Background Information:

In 2021 the City issued a request for qualifications for a design-build vendor to design and ultimately rebuild the boardwalks and pavilions at the two beach parks. Heard Construction, Inc. was the successful respondent. Last year, the Bicentennial Beach Park boardwalk and pavilions were rebuilt by Heard Construction, Inc. based on their previously designed construction plans.

The replacement of the Millennium Beach Park Boardwalk and Pavilions was originally budgeted in FY22 but was not executed, therefore project was re-budgeted in FY23 (per the custom of IHB). The guaranteed maximum price includes \$12,500.00 in contingency so it is possible some if not the majority of City Manager's Contingency needed to fund the project will not be spent.

Due to this project being part of a design-build project, a second bid and the Charter mandated advertising are not required. Hence, staff recommends the City Council award a contract to Heard Construction, Inc. to replace the Millennium Beach Park Boardwalk and Pavilions for a Guaranteed Maximum Price of \$444,703.03 using \$12,704.00 in City Manager's Contingency to fund the overage.



City of Indian Harbour Beach Staff Report

City Council Agenda Item

Award of Contract for the Replacement of Doors at City Hall and the Recreation Center as part of Security Upgrades using ARPA Funds

Meeting Date: January 24, 2023

Attachments:

Bids and excerpt from December 13, 2022 City Council Meeting Minutes

Staff Recommendation:

Award of contract not to exceed \$56,000.00 to Superior Hardware Products for the replacement of doors at City Hall and the Recreation Center using ARPA funding.

Background Information:

On December 13, 2022, the City Council authorized staff to proceed with the City Hall and Recreation Center security improvement project using ARPA funding. A component of the project is the replacement of doors to enable the new security features. Staff advertised the project in accordance with the City Charter, and solicited the following bids:

\$45,000.00 Atlantic Glass
\$53,237.00 Brooks Glass Company
\$53,430.59 Superior Hardware Products

The following analysis is provided by IT Director Hamilton who is the manager of this project:

- Atlantic Glass' bid is lower due to their use of lower grade products on the door hardware. Because of the nature of the project (the system needing to work with access control features), this bid is not recommended.
- While the bids from Brook's Glass and Superior Hardware Products are similar in cost, Superior Hardware Products' inclusion of a center mullion (locking mechanism in between recreation center doors) at the Recreation Center main entrance provides better security at the same cost.
- Brook's Glass is a long standing business located in Melbourne and has provided exemplary service to prior clients. The vendor specializes in glass and uses a sub-contractor for the hardware.

- Superior Hardware Products is based in Longwood, FL and has performed work for FIT, and Blue Origin regularly. The vendor specializes in hardware and uses a sub-contractor for glass.

Due to the additional security measure at the Recreation Center and specialization in the hardware, staff recommends the City Council award a contract not to exceed \$56,000.00 to Superior Hardware Products for the replacement of doors at City Hall and the Recreation Center using ARPA funding.