



CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA
January 2, 2024
7:00 PM

AGENDA

ANY PERSON DESIRING TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT ANY MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE LAW DOES NOT REQUIRE THE CITY CLERK TO TRANSCRIBE VERBATIM MINUTES; THEREFORE, THE APPLICANT MUST MAKE THE NECESSARY ARRANGEMENTS WITH A PRIVATE REPORTER (OR PRIVATE REPORTING FIRM) AND BEAR THE RESULTING EXPENSE. (F.S.286.0105)

ORDER OF
BUSINESS

1. Call to Order – Roll Call
2. Pledge of Allegiance
3. Moment of Silence
4. Approval of December 19, 2023 Regular Meeting Minutes Page 3
5. Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda
 - a. Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.
6. Consent Agenda
 - a. Purchases/Payments for City Council Approval Page 9
7. Business Items

a.	5319 US Highway 19 – Appeal of Order to Demolish	Page 11
b.	ITB24-003 Bid Award – WWTP Tank No.1 Clarifier Cleaning and Thermoplastic Powder Coating	Page 83
c.	2024 Sims Park Playground Surface Replacement	Page 92
d.	Task Order No. 24-001 - Subsurface Utility Engineering (SUE)	Page 102

8. Communications

9. Adjournment

Agendas may be viewed on the City's website: www.citynpr.org. This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990 and Section 286.26, Florida Statutes, all persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk, 727-853-1021, not later than four days prior to said proceeding.



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Judy Meyers, CMC, City Clerk
DATE: 1/2/2024
RE: Approval of December 19, 2023 Regular Meeting Minutes

REQUEST:

The request is for City Council to approve the minutes from the December 19, 2023 regular meeting.

DISCUSSION:

City Council met for their regularly scheduled meeting on December 19, 2023. The minutes from that meeting are attached for Council's review and approval.

RECOMMENDATION:

Staff recommends that City Council approve the minutes from the December 19, 2023 regular meeting as submitted.

BUDGET/FISCAL IMPACT:

No funding is required for this item.

ATTACHMENTS:

Description	Type
December 19, 2023 Regular Meeting Minutes	Backup Material



MINUTES OF THE CITY COUNCIL REGULAR MEETING
CITY OF NEW PORT RICHEY
NEW PORT RICHEY CITY HALL COUNCIL CHAMBERS
5919 MAIN STREET, NEW PORT RICHEY, FLORIDA
December 19, 2023
7:00 PM

ORDER OF
BUSINESS

1. Call to Order – Roll Call

The meeting was called to order by Mayor Chopper Davis at 7:11 p.m. Those in attendance were Deputy Mayor Matt Murphy, Councilman Peter Altman and Councilman Mike Peters. Councilwoman Kelly Mothershead was excused.

Also in attendance were City Manager Debbie L. Manns, City Attorney Timothy Driscoll, Deputy City Clerk Nadine Ward, Finance Director Crystal Dunn, Fire Chief Chris Fitch, Public Works Director Robert Rivera, Police Chief Bob Kochen, Library Director Andi Figart, and Assistant City Manager Gregory Oravec.

2 Pledge of Allegiance

3 Moment of Silence

4 Approval of December 5, 2023 Special Meeting and Regular Meeting Minutes

Motion was made to approve the minutes as presented.

Motion made by Matt Murphy and seconded by Mike Peters. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

5 Proclamation - The Dan Wright Corp 50th Anniversary

city Attorney Read the proclamation and it was presented by Mayor Davis.

6 Vox Pop for Items Not Listed on the Agenda or Listed on Consent Agenda

Mayor Davis opened the floor for public comment. The following people came forward to speak:

- Doug Jones, Richey Suncoast Theater, 6237 Grand Blvd., NPR spoke about the current improvements that they have made on the Theater.
- Marlowe Jones, 6141 Pine Hill Rd., PR asked Council to reflect on what they have done this

past year.

With no one else coming forward for public comment, Mayor Davis closed Vox Pop.

- a Speakers must identify themselves prior to speaking by stating their name and full address for the record. Speakers shall address the City Council as a whole and refrain from addressing individual members of the City Council or the City staff. Speakers shall afford the utmost courtesy to the City Council, to City employees, and to the public, and shall refrain at all times, from rude and derogatory remarks, reflections as to integrity, abusive comments, and statements as to motives and personalities.

7 Consent Agenda

Motion was made to accept the Consent Agenda.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

- a Purchases/Payments for City Council Approval

8 Business Items

- a 2023 Muscovy Duck Survey Report

City Manager Manns stated this item was deferred to a future Council meeting to be determined.

- b Board Re-Appointment: Joe Fiorentino, Firefighters' Pension Board

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the re-appointment of Joe Fiorentino to the Firefighters' Pension Board. If approved, Mr. Fiorentino's term will be for four years and will be up for renewal on January 21, 2028. Upon opening the floor to public comment, no one came forward Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Matt Murphy and seconded by Mike Peters. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

- c Professional Service Agreement RE: City Engineering Services for 2024

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to authorize the City Manager to enter into a contract with Ayres Associates to provide professional engineering services for the City in an amount not to exceed \$50,000. Ayres Associates has provided city engineering services since 2016. City Manager Manns stated that this is the first time Ayres has requested an increase in their annual fee. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Councilman Altman stated that the city should employ its own City Engineer. Councilman Peters prefers to have a team of engineers versus just one employee. City Manager Manns stated she had provided a cost estimate of what the charge would be if an engineer was in attendance. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Mike Peters. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

- d New Port Richey Rotaract's Beer & Wine Festival Alcohol Special Event

City Manager Manns introduced Parks and Recreation Director Andre Julien who then presented the item to Council. He stated that the purpose of this agenda item was to approve an ABSEP for the NPR Rotaract's Craft Beer & Wine Festival to be held on January 20, 2024, with alcohol sales occurring from 5pm to 8pm. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

e Recreation and Aquatics Annual Membership Drive

City Manager Manns introduced Parks and Recreation Director Andre Julien who then presented the item to Council. He stated that the purpose of this agenda item was to approve a discount of 20% off for residents as well as 10% off for non-residents of the annual membership to the Recreation and Aquatics Center for the Annual Membership Drive. The additional request is to approve this year's annual membership sale dates of January 2, 2024 until January 16, 2024. Upon opening the floor to public comment, the following people came forward to speak:

- Paul Black, 5844 Madison St., NPR spoke regarding a proposed walking track at the RAC.

With no one else coming forward Mayor Davis returned the floor to Council. Councilman Altman stated the City should have an agreement with the County for recreation services which would allow for city residents to not pay membership fees at all. Councilman Peters requested the percentage of memberships that are non-city residents. Motion was made to approve the item as presented.

Motion made by Matt Murphy and seconded by Mike Peters. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

f 2024 Sanitary Sewer Lining Project – Consideration for Approval

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a proposal from Granite Inliner, LLC in the amount not to exceed \$271,952.00 for sanitary sewer gravity main and stormwater pipe rehabilitation. He stated that severe deterioration of several existing gravity mains have been identified in the North River, the Heights, Oak Hill Heights, and Edgewater Gardens neighborhoods and along the US Hwy 19 corridor. For this project 114 linear feet (LF) of six-inch cured-in-place-pipe (CIPP), 2,975 LF of eight-inch CIPP will be installed, and 51 sewer lateral reconnections will be performed. Finally, 200 LF of 15” reinforced concrete pipe RCP and 300 LF of 36” RCP will be lined. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

g Public Works Operations Center (PWOC) – 25-Ton Split System Condensing Unit Replacement

City Manager Manns introduced Public Works Director Robert Rivera who then presented the item to Council. He stated that the purpose of this agenda item was to approve a proposal in the amount of \$85,000 from Air Mechanical and Service Corporation for the replacement of one 25-ton split system HVAC condensing unit at the Public Works Operations Center. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Motion was made to approve the item as presented.

Motion made by Pete Altman and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

h ITB24-004 Bid Award RE: 2022 West Main Street Sidewalk and Drainage Project

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve the lowest bid submitted by SC Signature Construction, Inc. in the amount not to exceed of \$326,561.98 for the 2022 West Main Street Sidewalk and Drainage Project. Mr. Rivera stated that the proposed project includes the construction of approximately 1,200’ of sidewalk along the north side of West Main Street. In addition to the sidewalk construction, drainage improvements will include the replacement and upsizing of the existing stormwater inlet structure and the

replacement and upsizing of the existing drainage pipe located to the west of the Burger King restaurant and the construction of a headwall south of the restaurant, and the construction of drainage swales where permissible to reduce on street flooding during storm events. Upon opening the floor to public comment, no one came forward therefore Mayor Davis returned the floor to Council. Councilman Altman suggested the City work with the County on a joint agreement. Motion was made to approve the item as presented.

Motion made by Mike Peters and seconded by Matt Murphy. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

i 2021/2022 Street Improvements Project – Change Order No. 1

City Manager Manns introduced the item to Council. She stated that the purpose of this agenda item was to approve a change order submitted by Ajax Paving Industries of Florida, LLC. in an amount not to exceed \$1,886,387.97 and subsequent budget amendment in the amount of \$173,430. Mr. Rivera then presented the streets included in this change order:

1. Nebraska Avenue from Madison Street to Main Street
2. Montana Avenue from Lafayette Street to Grand Boulevard
3. Delaware Avenue from Madison Street to Congress Street
4. Louisiana Avenue from Grand Boulevard to Madison Street
5. Lafayette Street from Illinois Avenue to Lincoln Street
6. Lincoln Street from Lafayette Street to Main Street
7. Franklin Street from Illinois Avenue to Montana Avenue
8. Adams Street from Delaware Avenue to Central Avenue
9. Jefferson Street from Delaware Avenue to Missouri Avenue
10. Van Buren Street from Delaware Avenue to Indiana Avenue
11. Monroe Street from Illinois Avenue to Main Street
12. Harrison Street from Illinois Avenue to Main Street
13. Polk Street from Illinois Avenue to Old Main Street
14. Green Key Road from Independence Way to US19
15. Main Street from Old Main Street to Congress Street
16. Old Main Street from Main Street to Congress Street

Mr. Rivera stated that in addition to paving, areas where the existing sidewalk is cracked or damaged will be removed and replaced as part of the change order. Upon opening the floor to public comment, the following people came forward to speak:

- Paul Black, 5844 Madison St., NPR spoke regarding reclaimed water and alleyways.

With no one else coming forward, Mayor Davis returned the floor to Council. Councilman Peters stated he would like to see a sidewalk improvement project that is similar to this program. Motion was made to approve the item and budget amendment as presented.

Motion made by Pete Altman and seconded by Mike Peters. The Motion Passed. 4-0. Ayes: Altman, Davis, Murphy, Peters Absent: Mothershead

9 Communications

Deputy Mayor Murphy thanked Mr. Rivera and his staff for cleaning up the graffiti that was recently done at Grand Blvd. Park. Councilman Peters also thanked Mr. Rivera and his staff for all of their hard work with the recent holiday events and decorations. He also stated that he attended the employee holiday luncheon and received a lot of positive feedback from the employees he spoke with. Councilman Altman suggested that next year it be moved to an employee holiday dinner so that spouses may attend. City Manager Manns asked for the consensus from Council to send a letter of appreciation to Representative Yeager and Senator Hooper for their support of appropriations for the upcoming legislative session. She also wished everyone a Merry Christmas.

10 Adjournment

There being no further business to consider, upon proper motion, the meeting adjourned at 8:17 p.m.

(signed) _____
Nadine Ward, Deputy City Clerk

Approved: _____ (date)

Initialed: _____



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Crystal M. Dunn, Finance Director
DATE: 1/2/2024
RE: Purchases/Payments for City Council Approval

REQUEST:

The City Council is asked to review the attached list of purchases and expenditures and authorize payment.

DISCUSSION:

Section 2-161 of the City's Code of Ordinances requires approval by the City Council for purchases and payments \$25,000 and over.

RECOMMENDATION:

It is recommended that the City Council authorize the payment of the attached list of purchases and expenditures.

BUDGET/FISCAL IMPACT:

The purchases and expenditures presented have already been budgeted for. Expenditures will be included in the fiscal year-end reporting.

ATTACHMENTS:

Description	Type
☐ Purchases/Payments Listing	Backup Material

PURCHASES/PAYMENTS FOR CITY COUNCIL APPROVAL

SC Signature	\$237,471.12
2020 Meadows Park Renovation	

Core & Main	\$46,080.00
Water Meters	

RECURRING EXPENDITURES OVER \$25,000

Tampa Bay Water	\$127,743.40
City of NPR October Usage	

Mauldin & Jenkins	
Fiscal Year End Sept 30, 2022 Financial and	51,000.00
Compliance Audit for the City of New Port Richey and the NPR CRA	



NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Dale Hall
DATE: 1/2/2024
RE: 5319 US Highway 19 – Appeal of Order to Demolish

REQUEST:

An appeal of the Order to Demolish the existing structure at 5319 US Highway 19 has been submitted for consideration by the City Council.

DISCUSSION:

The City issued a notice to the Property Owner (Goodwater Parc, LLC) to demolish the existing structure at 5319 US Highway 19.

As detailed in the attached Staff Report, the deteriorated condition of the existing building has rendered Code compliant renovations not feasible, and the structure should be demolished.

RECOMMENDATION:

The Planning & Development Department recommends the City Council deny the appeal and proceed with the demolition of the structure at the property.

BUDGET/FISCAL IMPACT:

This item has no fiscal impact on the City.

ATTACHMENTS:

Description	Type
▣ Staff Report to City Manager	Cover Memo
▣ Attachments	Backup Material

5919 Main Street
New Port Richey, FL 34652
Phone: (727)853-1047
Fax: (727)853-1052

MEMORANDUM

TO: Debbie Manns, City Manager
FROM: Dale Hall, Planning & Development Director
DATE: December 22, 2023
RE: 5319 US Highway 19 – Appeal of Order to Demolish

Summary

On October 24, 2023, the City issued a notice to the Property Owner (Goodwater Parc, LLC) to demolish the existing structure at 5319 US Highway 19 (Attachment 1; Map).

On November 22, 2023, the Attorney representing the property owner (Older Lundy Koch & Martino), submitted an appeal of the Order to Demolish (Attachment 2 – Appeal).

The Planning & Development Department recommends the City Council deny the appeal and proceed with the demolition of the structure at the property.

Timeline

May 29, 2021

The building was hit by a vehicle causing minor damage to the exterior block wall. The City Building Official (Rob Perry - Consultant) allowed the Property Owner to fix the building without permits (Attachment 3; Photos 3 - 5).

December 18, 2021

The building was hit by a vehicle causing major damage to a large portion of front wall and the support of a structural load bearing beam (Attachment 3; Photos 6 - 10).

January 1, 2022

The City Building Official (Rob Perry - Consultant) writes a letter stating the building is unsafe per City Code (Attachment 4 – CBO Letter).

Plywood was placed over the damaged areas on the exterior of the building (Attachment 3; Photo 6) but no permanent structural improvements to the bowed exterior wall or the interior load bearing wall were completed (Attachment 3; Photo 7 & specifically the dashed area on Photo 8).

The need to repair the damaged interior load bearing wall is acknowledged by the Owner's Project Engineer in his current assessment of the building (Attachment 2 – Appeal; Exhibit F – Criteria #1).

February 7, 2022

The Property Manager (Channing Harrison) informs Code Enforcement that they will have a contract signed for the demolition of the building.

February 25, 2022

The Property Manager advises Code Enforcement that they have retained an Attorney (Boggs Law Group) to represent the Property Owner.

June 3, 2022

The building is hit a third time by a vehicle. The owner gets an estimate to hire a contractor, as an emergency measure, to shore up the building (Attachment 2 – Appeal; Exhibit D).

The City has no record of whether this work has been completed and, if so, would have only been considered as a temporary measure and not a permanent structural solution to the deteriorated stability of the building.

June 15, 2022

City Attorney emails Property Owner's Attorney (Boggs Law Group) and notifies them the structure is currently unsafe and that a permit for demolition or engineered drawings for rehabilitation is required (Attachment 5 – Attorney Correspondence).

June 16, 2022

Property Owner's Attorney (Boggs Law Group) emails City Attorney and acknowledges the need for plans and/or that they may receive a demolition order (Attachment 5 – Attorney Correspondence).

January 11, 2023

City Attorney contacts Property Owner's Attorney (Boggs Law Group) to inquire about any property updates.

February 9, 2023

City Staff (Attorney and Planning Director) have a phone conference with Property Owner's Attorney (Boggs Law Group) to discuss options to resolve the site issues and the deteriorated condition of the building.

February 9, 2023

City receives two Concept Sketches illustrating potential site layout designs for an undetermined use (Attachment 6 - Concepts).

September 14, 2023

City Planning & Development Director sends a letter to the Owner's Attorney of Record providing a detailed list of the inadequacies of the submittal, stating that there is not enough detail to evaluate the Concepts and notifying them the City will initiate the demolition process within 30 days if the outlined items are not addressed (see Attachment 7 – City Comments).

October 24, 2023

Upon passage of the stated timeframe, the Code Enforcement Department issued a notice to demolish the existing structure (Attachment 8 – Order to Demolish).

November 22, 2023

Property Owner's Attorney (Older Lundy Koch & Martino) files an appeal of the Order to Demolish (Attachment 2 - Appeal).

Additional Details

Ownership/Business Operations

The property was acquired by the Owner in May of 2019 in an Asset Forfeiture transaction for no cost (see highlighted area near the bottom of the page, Attachment 9 – Pasco County Property Appraiser Information). The investment value of this property is therefore extremely limited.

The deed stipulates that the property is subject to zoning rules, regulations, and ordinances (see highlighted area on Attachment 10 – Special Warranty Deed).

The site at present does not meet current Code requirements. Several of the nonconforming issues include deficiencies in parking, lack of landscaping, excess impervious surface coverage and the failure to meet setbacks on all sides of the existing building.

This building has not been used for any commercial purposes since it was acquired by the owner. A Business Tax Receipt has not been issued to this location as far back as 2019, which is the extent of the City record retention. Additionally, there is no record of water usage at the site dating back to 2019 (Attachment 11 – Water Consumption Record).

As per City Code (Attachment 12 – Land Development Code Excerpt), if a structure ceases to be used and/or the utilities have been disconnected for a period of twelve (12) months, then an abandonment/discontinuance of any nonconforming use occurs.

Therefore, this structure has no legal non-conforming status.

Special Flood Hazard Area

This property resides within the Special Flood Hazard Area (SFHA) and any development must meet all applicable FEMA requirements including the 50% Rule. The 50% Rule is a regulation of the National Flood Insurance Program (NFIP) that prohibits improvements to a structure exceeding 50% of its market value unless the entire structure is brought into full compliance with current flood regulations.

The present value of the building as listed by the Pasco County Property Appraiser is \$84,352 (see highlighted area near the top of the page, Attachment 9 – Pasco County Appraiser Information). The Engineer that has been retained by the property owner to oversee this matter, claims that the cost to repair the existing damage ranges from \$32,580 to \$43,700 (Attachment 2 – Appeal; Exhibit F – Criteria #2). No additional data, details, drawings, or concepts has been submitted to substantiate this estimate. Regardless, this amount exceeds the 50% Rule.

It is important to note that this building has been a shell for over four years and currently remains in this state. Any future use will require additional expenditures for renovations, thus further exceeding the 50% Rule.

Conclusion

Since 2021, the building has been struck by vehicles on three separate occasions and has sustained significant structural damage. The owner has neglected to repair the building, disregarded the concerns of the City and the building's present dilapidated state poses a threat to the safety of anyone that may enter the building and to the general public at large. The building continues to deteriorate, as shown by the sag in the building's roof (Attachment 3; dashed area on Photo 12), and has rendered Code compliant renovations not feasible, and the structure should be demolished.

Legend

- Street (Labels)
- Parcel (Lines)
- Parcels (Clickable Info)
- Lot (Labels)
- Lot (Lines)



Mike Wells
Property Appraiser
 Proudly Serving Pasco County, Florida

Pasco County Property Appraiser



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ATTACHMENT 2 - APPEAL

P. Colin Rice
Attorney

crice@olderlundylaw.com
Tampa (813) 254-8998



November 22, 2023

City of New Port Richey
Attn: Dale Hall
Development Director, Development Department
5919 Main Street
New Port Richey, FL 34652

Re: Appeal of Order to Demolish
Parcel ID: 08-26-16-0010-05300-0020

Via electronic mail and hand delivery

APPEAL OF ORDER TO DEMOLISH

Dear Mr. Hall,

Our law firm represents GOODWATER PARC, LLC, owner of real property associated with Parcel ID: 08-26-16-0010-05300-0020 in the City of New Port Richey, Florida. Pursuant to Sec. 6-190, New Port Richey City Code, the property owner appeals the City's Order to Demolish dated October 24 ("Order"). Enclosed herewith please find:

1. Written basis for appeal;
2. Check for filing fee - \$400;
3. October 24, 2023 Order to Demolish (Exhibit A);
4. Affidavit Authorizing Agent (Exhibit B);
5. Photographs of Subject Property dated 11/21/2023 (Exhibit C);
6. Work order detailing repair work (Exhibit D);
7. Division of Corporation Records identifying ownership (Exhibit E); and
8. Documentation in support of Sec. 6-190(a)(3), City Code ("Exhibit F").

P. Colin Rice
Attorney

crice@olderlundylaw.com
Tampa (813) 254-8998



Summary of Appeal

The structure located at Parcel ID: 08-26-16-0010-05300-0020 was constructed in 1960, according to the Pasco County Property Appraiser. This building exists in a legal non confirming state due to the subsequent adoption of the Highway Commercial Zoning District and expansion of U.S. Highway 19. Current zoning regulations require a 35' front setback from the highway, which this 63-year-old structure does not meet as this requirement was not in place at the time of the building's construction.

Since 2021, on three separate occasions, reckless drivers have caused structural damage to the exterior of the building through no fault of ownership. The incidents occurred on 5/29/21 (Police Report No. 21-01834); 12/18/21 (Police Report No. 21-04453); and 6/3/22 (Police Report No. 22-02070). The City has elected to issue an "Order to Demolish Slum or Blighted Structure" and as bases states four sections of Sec. 6-185 New Port Richey City Code.

The enclosed Affidavit Authorizing Agent is signed by Nouhad Abou-Atallah, who is specifically listed on the Order and serves as the MGRM of VITH1, LLC, authorized person of GOODWATER PARC, LLC. Mr. Abou-Atallah resides in Canada.

Pursuant to Sec. 6-190(a)(1) the structure does not meet the criteria for demolition set out in Sec. 6-185

Appellant contests the City's allegation that the structure meets any of criteria included in the Order. Note that the Order fails to detail a single *factual* allegation; rather, the order merely recites portions of Sec. 6-185 of the City Code. The Order was not accompanied by any sort of engineering opinion or factual basis for the order. Each cited section is addressed below:

"Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant."

Response: The damage in question is the product of reckless motorists striking the structure. These are not natural phenomena. The building is not substantially destroyed, nor does it pose an immediate or manifest danger to the life, health, or safety of the general public or occupant. Engineer Samer Alghafari (FL License No. 56113) has been retained by the property owner to oversee this matter.

"Section 6-185(3) - The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse."

Response: Again, the structural damage is the result of reckless motorists and not decay, deterioration or dilapidation. The damaged areas have been secured and the structure is not at risk of collapse.

"Section 6-185(4) - The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes."

ATTACHMENT 2 - APPEAL

P. Colin Rice
Attorney

crice@olderlundylaw.com
Tampa (813) 254-8998



Response: The damaged portions of the structure have been secured and pose no risk of threat to life or property.

“Section 6-185(7) -The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.”

There is no unusual sagging or leaning nor has the City specifically identified any sagging or leaning. The structure is not manifestly unsafe.

The structure can be reconstructed, repaired, or restored.

As detailed *supra*, the structure does not qualify for demolition under the criteria set out in Sec. 6-185. Sec. 6-190(a)(3) affords the appellant the opportunity to appeal a demolition order on the basis that the structure can be reconstructed, repaired or restored. Included herewith as Exhibit F, please find responses from Engineer Samer Alghafari addressing this section, including:

1. List of proposed work to the structure;
2. Estimated cost;
3. Timetable for obtaining permits; and
4. Timetable for completion of the work.

This structure does not qualify for demolition in the first place. Appellant concedes that the structure has been damaged by the aforementioned reckless motorists, but these repairs are reasonable and feasible to restore the structure to its non-damaged state of integrity.

Legal Nonconforming Structure

The structure's construction in 1960, which predated US HWY 19 in its current state as well as present-day zoning regulations render this a legal nonconforming structure due to a change in the front setback regulations. See Sec. 7.09.04, City Code. If allowed to proceed, the demolition of this structure could serve to eliminate the private property owner's rights to full use and enjoyment of a legally established structure. This would further represent a significant diminution in property value and future earning potential for a viable commercial site and present an inordinate burden on the property owner's reasonable, investment-backed expectations. We are very concerned about preserving the property owner's protections under the United States and Florida Constitutions.

Demand for Records

Pursuant to Chapter 119, Florida Statutes, please accept this correspondence as demand for the following public records:

ATTACHMENT 2 - APPEAL

P. Colin Rice
Attorney

crice@olderlundylaw.com
Tampa (813) 254-8998



1. All documents and photographs associated with the October 24, 2023 Order attached as Exhibit A.
2. All email communications to or from City of New Port Richey employees from November 1, 2021, to the present concerning the property at Parcel ID: 08-26-16-0010-05300-0020.
3. The name and contact information of the City's engineer tasked with evaluating the property at Parcel ID: 08-26-16-0010-05300-0020 along with any written findings connected therewith.

Thank you for your time and consideration, please direct future correspondence to my attention and do not hesitate to reach out to our office should you have questions or require additional information.

Respectfully submitted,



P. Colin Rice, Esq.
Counsel for Appellant
Florida Bar No. 109232
Older, Lundy, Koch & Martino
1000 W. Cass Street
Tampa, FL 33606
(813) 254-8998
crice@olderlundylaw.com

Cc:

Bill Larder, Building Official
Debbie L. Manns, City Manager

ATTACHMENT 2 - APPEAL

Amanda Brewer

From: Colin Rice
Sent: Wednesday, November 22, 2023 9:25 AM
To: Amanda Brewer
Subject: FW: Demolition appeal

Please print

P. Colin Rice
Attorney at Law
crice@olderlundylaw.com

Ph. 813.254.8998



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From: Manns, Debbie <Mannsd@cityofnewportrichey.org>
Sent: Monday, November 20, 2023 9:16 AM
To: Colin Rice <crice@olderlundylaw.com>; Hall, Dale <HallD@CityofNewPortRichey.org>; Amanda Brewer <abrewer@olderlundylaw.com>
Subject: RE: Demolition appeal

Dear Mr. Rice,

Please be advised that the appeal may be submitted in letter form.

Regards,

Debbie L. Manns, City Manager

City of New Port Richey

Phone: 727-853-1021
Email: mannsd@cityofnewportrichey.org
5919 Main Street, New Port Richey, FL 34652

ATTACHMENT 2 - APPEAL

From: Colin Rice <crice@olderlundylaw.com>

Sent: Friday, November 17, 2023 4:17 PM

To: Hall, Dale <halld@cityofnewportrichey.org>; Manns, Debbie <MannsD@cityofnewportrichey.org>; Amanda Brewer <abrewer@olderlundylaw.com>

Subject: Demolition appeal

Good afternoon Mr. Hall and Ms. Manns,

I represent a property owner who intends to submit an appeal of a demolition order pursuant to Sec. 6-190, City Code. The written petition is to be "in a form approved by the City manager or his designee." Can you assist me in getting ahold of the correct form? Many thanks in advance, this is of course time-sensitive so I appreciate your prompt attention to this matter.

Best,

P. Colin Rice

crice@olderlundylaw.com

(813) 254-8998

Attorney at Law

OLDER LUNDY KOCH & MARTINO



This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

ATTACHMENT 2 - APPEAL

PATRICK COLIN RICE
4116 W DE LEON ST
TAMPA, FL 33609-3852

1167
63-4/530 FL
23582

11/19/23
Date

Pay to the City of New Port Richey
Order of \$ 400.⁰⁰
Four hundred _____ Dollars

BANK OF AMERICA

ACH R/T 053100277

Goodwater
For Demo Appeal Parc LLC

Photo
Safe
Deposit
Box en face



MP

ATTACHMENT 2 - APPEAL

EXHIBIT A

October 24, 2023 Order to Demolish



THE CITY OF NEW PORT RICHEY FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

Notice to Owner/Interested Parties Demolish Slum or Blighted Structure Article VI, Chapter 6 of the Code of Ordinances

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 24, 2023

To Owners and Interested Parties:

The structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been determined by the City of New Port Richey Building Official to be a slum or blighted structure that meets the criteria for demolition in accordance with Article VI, Chapter 6, New Port Richey Code. This structure poses an immediate and manifest danger to life, health or safety of the general public or occupant.

Owners of Property and Interested Parties as reflected in the Public Records of Pasco County:

Goodwater Parc LLC
100 S Birch Rd Ste 2701
Fort Lauderdale FL 33316

Goodwater Parc LLC
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Guy D. Sperduto
8963 Stirling Rd
Cooper City FL 3328

VITH LLC
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Nouhad Abou-Atallah
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Boggs Law Group
4554 Central Ave Ste L
St Petersburg FL 33711

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG 19' 38"E 100 FT TH S89DEG 54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG 19' 13"W 112.74 FT TH N78DEG 08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

THE STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED

- Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.



THE CITY OF **NEW PORT RICHEY** FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

- Section 6-185(3) – The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- Section 6-185(4) – The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
- Section 6-185(7) – The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The attached order will be posted on the property on **October 24, 2023**. The owner(s) of this structure shall demolish this structure and clear the entire site by **December 23, 2023 (60 days from posting the order)**. The owner(s) or any other interested party may appeal this finding within **30 days of the date the order is posted (by November 24, 2023)**. The appeal shall be by written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400 filing fee or a sworn financial statement showing inability to pay the filing fee, and include all submittal requirements as provided in Code Section 6-190 (a) – (c). Only completed appeal applications are accepted.

Failure to appeal within 30 days or demolish within 60 days will cause the City of New Port Richey to have this structure demolished and cleared at the owner(s) expense without further notice or hearing. Demolition clearance will include all tangible personal property on the site.

Sincerely,

Bill Larder
Building Official

Copy: Development Department
City Attorney
City Manager
Code Enforcement

Enclosures: Order to Demolish Slum or Blighted Structure



THE CITY OF
NEW PORT RICHEY
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

NOTICE TO DEMOLISH SLUM/BLIGHTED STRUCTURE

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Prepared by and when recorded return to:

City of New Port Richey, Florida
Code Enforcement Department
6739 Adams Street, New Port Richey, FL 34652

INSTR# 2023188388 BK 10906 PG 974
10/24/2023 11:54am Page 1 of 1
Rcpt: 2637049 Rec: 10.00
DS: 0.00 IT: 0.00
Nikki Alvarez-Sowles, Esq.
Pasco County Clerk & Comptroller

October 24, 2023

Name: GOODWATER PARC LLC

Address: 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652

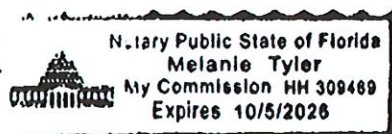
Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

The City of New Port Richey Building Official has determined that one (1) or more structure(s) located on the above referenced property meets the criteria for demolition under Article VI, Chapter 6, Division 5 of the New Port Richey City Code. At the time of filing this notice, the determination of the Building Official is not final and can be appealed. The City of New Port Richey, through its Code Enforcement Department, is following the process outlined in Article VI, Chapter 6, Division 5 of the New Port Richey City Code, to obtain a final order authorizing demolition of the structure(s). Inquiries may be directed to the Code Enforcement Department at 6739 Adams Street, New Port Richey, FL 34652, or by calling 727-232-8946.

Bill Larder, Building Official

The foregoing instrument was acknowledged before me on 10.23.23, by Bill Larder, who is Building Official of the City of New Port Richey, Florida and () who is personally known to me or () who has produced _____ as identification.



Notary Public

EXHIBIT B

Agent Authorization Affidavit

ATTACHMENT 2 - APPEAL

AUTHORIZATION FOR PETITIONER'S REPRESENTATIVE(S):

GOODWATER PARC, LLC

I, P. Colin Rice; Older, Lundy, Koch & Martino, petitioner, hereby authorize to act as my representative(s) in all matters pertaining to the processing of this application. I agree to be bound by all representations and agreements made by the designated representative.

Signature of Petitioner(s): 

Date: Nov 20 2023

Subscribed and sworn to before me this 20th day of November, 2023 who is personally known to me and/or produced City of Mississauga, Province of Ontario as identification.

STATE OF FLORIDA, COUNTY OF PASCO

PROVINCE OF ONTARIO, CANADA, REGION OF PEEL, CITY OF MISSISSAUGA

Notary Public 

My Commission Expires: N/A



PETITIONER'S AFFIDAVIT:

GOODWATER PARC, LLC

I, GOODWATER PARC, LLC, petitioner or authorized representative, certify that I have read and understand the contents of this application. The information contained in this application, attached exhibits and other information submitted is complete and in all aspects true and correct, to the best of my knowledge. (Applications which are filed by corporations must bear the seal of the corporation over the signature of an officer authorized to act on behalf of the corporation.)

Signature of Petitioner or Authorized Representative: 

Date: Nov 20 2023

Subscribed and sworn to before me this 20th day of Nov., 2023 who is personally known to me and/or produced Province of Ontario, City of Mississauga as identification.

STATE OF FLORIDA, COUNTY OF PASCO

HILLSBOROUGH

Notary Public 

My Commission Expires: N/A



EXHIBIT C

Photographs of Subject Property from November 21, 2023











EXHIBIT D

Work orders detailing repair work

ATTACHMENT 2 - APPEAL

Michael Dogali DGA

4311 Marine Parkway, New Port Richey Florida 34652

INVOICE

June 4, 2022

For: 5319 US Hwy 19
New Port Richey, FL

Description	Amount
6/3/2022 <ul style="list-style-type: none">- Emergency 24 hr response to board up and cleanup debris from Car entry into building Opening on the side of building shored up as per fire department instruction. Five 4x4 post and two 2x4 boards were used in shoring	
Board up of opening from crash into building. Cleanup of loose debris on outside of building. Two sheets of plywood and two 2x4 boards were used	
<ul style="list-style-type: none">- Disposal of debris- Final cleanup	
6/1/2022 <ul style="list-style-type: none">- Emergency 24 hr response Secure both rear door	
Payable to: Michael Dogali DGA Funds can also be sent via Zelle to 7014212007	
Total Due	\$1225.00

EXHIBIT E

Division of Corporations Records for Ownership



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
GOODWATER PARC, LLC

Filing Information

Document Number	L14000046392
FEI/EIN Number	82-3401263
Date Filed	03/20/2014
Effective Date	03/19/2014
State	FL
Status	ACTIVE
Last Event	LC AMENDMENT
Event Date Filed	08/29/2014
Event Effective Date	NONE

Principal Address

100 S BIRCH RD, UNIT 2701A
FT. LAUDERDALE, FL 33316

Changed: 08/29/2014

Mailing Address

100 S BIRCH RD, UNIT 2701A
FT. LAUDERDALE, FL 33316

Changed: 08/29/2014

Registered Agent Name & Address

SPERDUTO, GUY D
8963 STIRLING RD.
COOPER CITY, FL 33328

Name Changed: 08/29/2014

Address Changed: 08/29/2014

Authorized Person(s) Detail

Name & Address

Title MGRM

ATTACHMENT 2 - APPEAL

VITH 1, LLC
100 S BIRCH RD, UNIT 2701A
FT. LAUDERDALE, FL 33316

Annual Reports

Report Year	Filed Date
2021	04/13/2021
2022	03/03/2022
2023	03/22/2023

Document Images

03/22/2023 -- ANNUAL REPORT	View image in PDF format
03/03/2022 -- ANNUAL REPORT	View image in PDF format
04/13/2021 -- ANNUAL REPORT	View image in PDF format
03/04/2020 -- ANNUAL REPORT	View image in PDF format
02/10/2019 -- ANNUAL REPORT	View image in PDF format
03/03/2018 -- ANNUAL REPORT	View image in PDF format
02/16/2017 -- ANNUAL REPORT	View image in PDF format
02/19/2016 -- ANNUAL REPORT	View image in PDF format
02/22/2015 -- ANNUAL REPORT	View image in PDF format
08/29/2014 -- LC Amendment	View image in PDF format
08/15/2014 -- CORLCDSMEM	View image in PDF format
03/20/2014 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
VITH 1, LLC

Filing Information

Document Number L11000090330
FEI/EIN Number 38-4099441
Date Filed 08/05/2011
State FL
Status ACTIVE

Principal Address

100 S BIRCH RD
2701A
FORT LAUDERDALE, FL 33316

Changed: 03/04/2020

Mailing Address

100 S BIRCH RD
2701A
FORT LAUDERDALE, FL 33316

Changed: 08/20/2012

Registered Agent Name & Address

SPERDUTO, GUY D
8963 STIRLING ROAD
COOPER CITY, FL 33328

Authorized Person(s) Detail

Name & Address

Title MGRM

ABOU-ATALLAH, NOUHAD
100 S BIRCH RD UNIT 2701A
FORT LAUDERDALE, FL 33316

Annual Reports

Report Year	Filed Date
2021	04/13/2021

ATTACHMENT 2 - APPEAL

2022 03/03/2022
2023 03/22/2023

Document Images

03/22/2023 -- ANNUAL REPORT	View image in PDF format
03/03/2022 -- ANNUAL REPORT	View image in PDF format
04/13/2021 -- ANNUAL REPORT	View image in PDF format
03/04/2020 -- ANNUAL REPORT	View image in PDF format
02/09/2019 -- ANNUAL REPORT	View image in PDF format
03/03/2018 -- ANNUAL REPORT	View image in PDF format
02/16/2017 -- ANNUAL REPORT	View image in PDF format
02/19/2016 -- ANNUAL REPORT	View image in PDF format
02/21/2015 -- ANNUAL REPORT	View image in PDF format
02/22/2014 -- ANNUAL REPORT	View image in PDF format
02/17/2013 -- ANNUAL REPORT	View image in PDF format
08/20/2012 -- ANNUAL REPORT	View image in PDF format
08/05/2011 -- Florida Limited Liability	View image in PDF format

Florida Department of State, Division of Corporations

ATTACHMENT 2 - APPEAL

EXHIBIT F

Documentation in support of Sec. 6-190(a)(3), City Code

ATTACHMENT 2 - APPEAL

Engineer Samer Alghafari (FL License No. 56113) Responses to Sec. 6-190(a)(3) Criteria:

1. List of proposed work to the structure;

*Replace damage ceiling wood frame;
Repair damaged exterior block wall;
Repair damaged interior load bearing wall;
Stucco and paint building exterior;
Remove all debris;
Repair the glazing in front of the building.*

2. Estimated cost;

Between \$32,580 and \$43,700.

3. Timetable for obtaining permits; and

Engineering plans must be prepared and permit must be obtained. The time frame for the permitting portions is 4-6 months.

4. Timetable for completion of the work.

Once the permit is issued we estimate that the work will take 6-9 months.

5319 US Hwy 19



Photo 1 – June 2020



Photo 2 – June 2020

ATTACHMENT 3 - PHOTOS

5319 US Hwy 19



Photo 3 - June 2021



Photo 4 - June 2021

5319 US Hwy 19



Photo 5 - June 2021



Photo 6 - December 2021

5319 US Hwy 19



Photo 7 - December 2021



Photo 8 - December 2021

5319 US Hwy 19



Photo 9 - December 2021



Photo 10 - December 2021

5319 US Hwy 19



Photo 11 – October 2023



Photo 12 – December 2023

1/4/2022

Goodwater Parc LLC
100 S Birch Rd Ste 2701
Fort Lauderdale FL 33316

RE: 5319 Us Highway 19, New Port Richey FL 34652

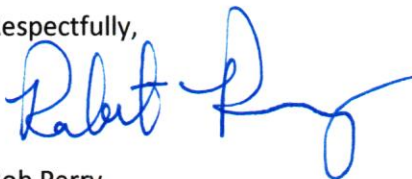
To whom it may concern,

In accordance with City of New Port Richey Code Sec. 6-142, the structure on the referenced property has been deemed unsafe and unfit for human habitation due to following;

- The structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.
- The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- There is a serious and substantial falling away, hanging loose, or loosening of the siding, block, brick, or other building material creating a hazard for occupants or the public.
- There is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The structure must be demolished with an issued demolition permit from the city. With the issued demolition permit, the footer for the pre-existing sign must be removed, all stormwater inlets must be protected during demolition, and the lot must have sod or seed upon completion to prevent erosion and maintain proper drainage. Please make any permit inquiries to the development department at 727-853-1047 or 727-853-1041.

Respectfully,



Rob Perry
Building Official



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ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Hall, Dale

From: Driscoll, Tim
Sent: Tuesday, June 21, 2022 11:25 AM
To: Amy Boggs
Cc: Hall, Dale; Ben Berkowitz; Faith Deruelle
Subject: RE: Goodwater Park Property

Amy,

The roadway is controlled by the Florida Department of Transportation. It appears that due to setbacks, the building could not be rebuilt in its current configuration. Your client's design professional will need to review the City's land development regulations. The lot will probably have some challenges.

Very truly yours,

Timothy P. Driscoll
City Attorney
City of New Port Richey, Florida
727-853-1027
5919 Main Street
New Port Richey, Florida 34652



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If the subject line of this email contains the terms "attorney work product", do not duplicate or release to the public this email or any attachment hereto without consulting with the City Attorney.

From: Amy Boggs [mailto:aboggs@boggslawgroup.com]
Sent: Thursday, June 16, 2022 5:52 PM
To: Driscoll, Tim <DriscollT@CityofNewPortRichey.org>
Cc: Hall, Dale <HallD@CityofNewPortRichey.org>; Ben Berkowitz <bberkowitz@boggslawgroup.com>; Faith Deruelle <fderuelle@boggslawgroup.com>
Subject: RE: Goodwater Park Property
Importance: High

Hi Tim, thank you for the email. I'm including attorney Ben Berkowitz and paralegal Faith Deruelle from my office on this. I heard about the recent accident. It is the 3rd such accident in the past year. Is the City implementing any plans to avoid further incidents? Will my client be required to move the building back from the road when he rebuilds?

Along that line, I wanted to further discuss the City's approval of plans to either – rebuild the building with the same footprint and square footage at the same location on the lot, or to fix/ repair the building. I recognize that the City would need to look at plans. **Mr. Hall**, would you have time either tomorrow (6/17) or Monday (6/20) to discuss?

ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Finally, we will be on the lookout for the demolition order – can you please either provide it to me or at least cc me on the order? Thanks for reaching out to me before sending the order – I appreciate the professional courtesy.

Sincerely, Amy

Amy D. Boggs, Esq.

Attorney at Law

BOGGS LAW GROUP, P.A.

4554 Central Avenue, Suite L

St. Petersburg, FL 33711

Telephone: (727) 954-8833

Facsimile: (727) 954-8836

aboggs@boggslawgroup.com

[https://url2.mailanyone.net/v1/?m=1o1xPd-0002MW-](https://url2.mailanyone.net/v1/?m=1o1xPd-0002MW-3h&i=57e1b682&c=GFi1peJSNAVY84rZLYO4ILcqbM_1u5Tih_AQtCUDKyBFgK1LMvpZx0bXOez4mwSA6sK5kocHd386WJWvugpR9odq8nZKbgQHqjvyIHlQtk7HsFyLaOXtpBR14t4yXLPVSRM3rnzDKRM40u51GLtmP4SDGzM6JpHefKVBW0w5UuT2luJDb_cjDofkcgVbqpWwufxZDKwumWEtCYKfK1M4I)

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g



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Thank you.

From: Driscoll, Tim <DriscollT@CityofNewPortRichey.org>

Sent: Wednesday, June 15, 2022 3:49 PM

To: Amy Boggs <aboggs@boggslawgroup.com>

Cc: Hall, Dale <HalID@CityofNewPortRichey.org>

Subject: Goodwater Park Property

Amy,

I am following up on my email to you last month regarding this property. I have copied the City's Development Director on this email.

I am advising you hereby that the City will be providing your client a deadline to obtain a permit for either the demolition of the structure on the property or for rehabilitation of the structure. Engineered drawings will be required to accompany any rehabilitation permit application.

As you are aware, this structure is located precariously close to a heavily travelled high speed roadway. It is my understanding that it has been struck by yet another automobile. The structure is a safety hazard and meets the criteria for demolition in its current condition.

ATTACHMENT 5 - ATTORNEY CORRESPONDENCE

Since you have previously been in contact with me on this, I wanted to provide you advance notice of the City's next course of action. Please proceed through the City's Development Department moving forward. This matter will proceed through the demolition process if it isn't properly addressed within the time period provided by the City.

Very truly yours,

Timothy P. Driscoll
City Attorney
City of New Port Richey, Florida
727-853-1027
5919 Main Street
New Port Richey, Florida 34652



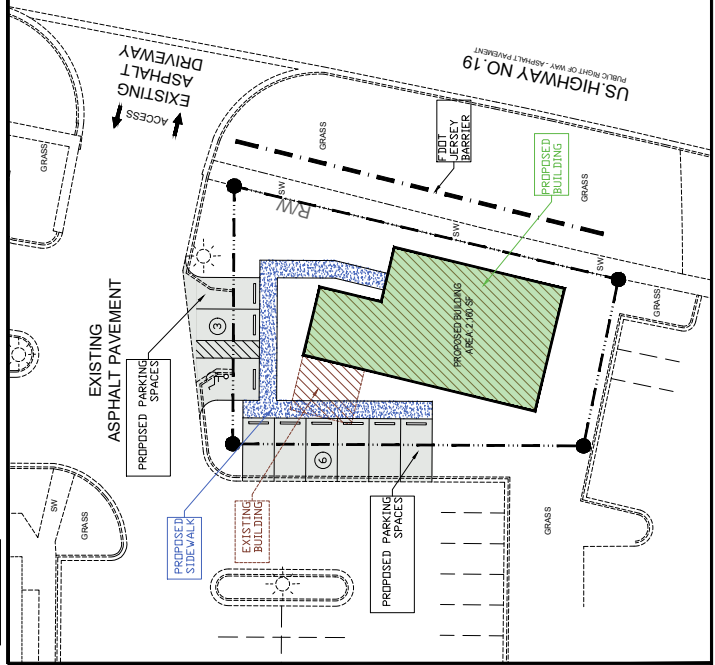
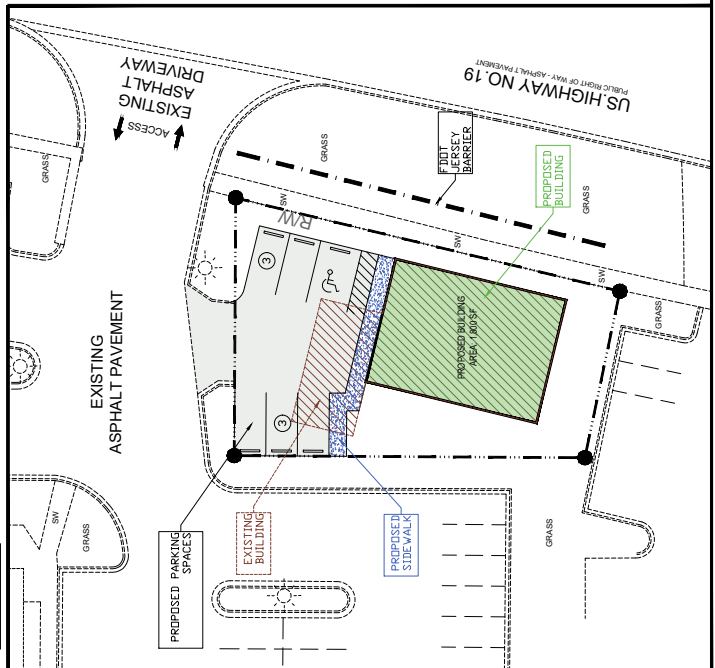
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If the subject line of this email contains the terms "attorney work product", do not duplicate or release to the public this email or any attachment hereto without consulting with the City Attorney.

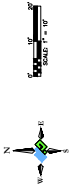
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TOTAL SITE AREA: 6,407 SF
TOTAL EXISTING BUILDING AREA: 2,448 SF
TOTAL NUMBER OF EXISTING PARKING: 5

CONCEPT 2



SHEET NO. 1 OF 1	SCALE 1" = 40'	PROJECT NAME GOODWATER PARK/LC	PROJECT ADDRESS 5519 IS HIGHWAY 19 NEWPORT RICHEY, FL 34653	PROJECT NUMBER 5519 IS HIGHWAY 19, NEWPORT RICHEY, FL 34653	PREPARED BY JEFFREY L. BROWN DATE 08/01/2013	CHECKED BY JEFFREY L. BROWN DATE 08/01/2013	CONCEPT SKETCH 	SHEET SIZE 11" x 17"	DRAWING NO. 5519 IS HIGHWAY 19, NEWPORT RICHEY, FL 34653	REVIEW 08/01/2013



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ATTACHMENT 7 - CITY COMMENTS

5919 Main Street
New Port Richey, FL 34652
Phone: (727)853-1047
Fax: (727)853-1052

September 14, 2023

Benjamin L. Berkowitz, Esq.
Attorney at Law
Boggs Law Group, P.A.
4554 Central Avenue, Suite L
St. Petersburg, FL 33711

RE: 5319 US Highway 19 - Goodwater Parc, LLC parcel

Mr. Berkowitz,

The City has been engaged in discussions with representatives of the property owner since January 2022 for the purpose of determining whether the existing structure could be rehabilitated. This letter will address the submittals made on behalf of the owner in that regard. The City will be initiating the demolition process as a slum and blight property, if the items identified in this letter are not addressed within the next thirty (30) days.

The Concept Sketch completed by Ghafari for the Goodwater Parc, LLC parcel, ID# 08-26-16-0010, located at 5319 US Hwy 19, does not provide enough information to adequately evaluate.

A summary of the inadequacies of the Concept Sketches are as follows:

Concept 1

- A full set of building renovation plans, with a detailed cost estimate, is required. Pasco County Tax Assessor currently values the building at \$87,401. Total renovation costs for building cannot exceed 50% this value as the building is in the Special Flood Hazard Area (SFHA).
- The proposed building configuration would require, at a minimum, nine (9) parking spaces, however only six (6) are proposed. A variance would be required.
- The ingress/egress into the site is through a private parcel. Provide access easement/agreements.
- Plan does not meet Landscape requirements.
- Placement of the proposed FDOT Jersey Barrier would require approvals of the Florida Department of Transportation.

Concept 2

- A full set of building renovation plans, with a detailed cost estimate, is required. Pasco County Tax Assessor currently values the building at \$87,401. Total renovation costs for building cannot exceed 50% this value as the building is in the Special Flood Hazard Area (SFHA).

- The proposed building configuration would require, at a minimum, eleven (11) parking spaces, however only nine (9) are proposed. A variance would be required.
- The parking is proposed on property not owned by the applicant. Provide access easement/agreements.
- Plan does not meet Landscape requirements.
- Placement of proposed FDOT Jersey Barrier would require approvals of the Florida Department of Transportation.

The property owner shall be required to submit full site plans for redevelopment of the site, construction plans for building rehabilitation, and all associated variance applications.

At a minimum, the following plan submittals are required:

1. Survey prepared by registered Land Surveyor according to Code, including but not limited to:
 - a. Signed and sealed.
 - b. Footprint of all existing buildings and structures.
 - c. Legal description including all instruments creating property rights, such as deeds, easements etc.
 - d. Location of all public and private easements and streets within and immediately adjacent to the site.
 - e. Location of existing above ground utilities including fire hydrants.
 - f. Site data must be gathered and prepared within the last twelve months.
2. Site Plan prepared by registered professional according to Code, including but not limited to:
 - a. Signed and sealed.
 - b. All proposed buildings and structures.
 - i. Impervious Surface Ratio calculations.
 - c. All required setbacks including dimensions between buildings and roadways.
 - d. All existing and proposed points of access.
 - e. All required sight triangles/free vision zones.
 - f. All parking spaces, driveways, loading areas and vehicular use areas.
 - i. Parking shall be contained on site and not extend past the property line.
 - g. The type and location of all refuse collection facilities including the proposed screening to be provided.
 - h. Location of all onsite stormwater management facilities.
 - i. Location of all outdoor light fixtures.
 - j. Location of all existing and proposed sidewalks.
3. Landscape Plan prepared by registered Landscape Architect according to Code, including but not limited to:
 - a. Signed and sealed.
 - b. Detailing location of all plant materials.

5319 US Highway 19
Conceptual Sketch Comments
September 14, 2023

Page 3

- c. Required perimeter landscaping.
 - d. Required buffer landscaping.
 - e. Required interior landscaping.
 - f. Comprehensive Plant List, Planting details and appropriate notes.
4. Irrigation Plan
- a. Include all details and appropriate notes on the plan.

Should you have any questions pertaining to this matter, do not hesitate to contact my office.

Sincerely,



Dale Hall, AICP
Planning & Development Director

cc: Debbie Manns, City Manager (via email)
Tim Driscoll, City Attorney (via email)
Erik Jay, Code Enforcement Supervisor (via email)

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DEMOLITION OF SLUM OR BLIGHTED STRUCTURES INVESTIGATION FORM

City of New Port Richey
Development Department
City Hall, 5919 Main Street, 1st Floor
New Port Richey, FL 34652
Phone (727) 853-1016 Fax (727) 853-1052

SITE DETAILS

Parcel ID No: **08-26-16-0010-05300-0020**

Address: **5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652**

Owner Name **GOODWATER PARC LLC**

Structure Type: ☐ Residential ☐ Mobile ☒ Commercial ☐ Historical

Electric Meter and Wires Active/Inactive/Pulled: **TBD**

Meter No. _____

Water Service Active/Discontinued/Meter Pulled: **TBD**

Gas: **NO**

CRITERIA

NPR Code of Ordinances Chapter 6 - Article VI – Div. 5 – Sec 6-185: In determining whether a slum or blighted structure should be demolished, the building official or licensed building inspector working under the supervision of the building official must find the existence of one or more of the following criteria:

1. ☒ The structure or a portion thereof has been extensively damaged by fire, flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.
2. ☐ The structure is so unsanitary or so utterly fails to provide the amenities essential to decent living that it is manifestly unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, or safety of the general public or occupant "Amenities essential to decent living" include, but are not limited to, the availability of potable water, at least one working toilet, and protection from exposure to the elements.
3. ☒ The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
4. ☒ The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
5. ☐ The site to be cleared by demolition consists of the remains, debris, wall, chimney, or floors of or left from a building or structure that has partially or completely collapsed, fallen, or been torn down.
6. ☐ There is a serious and substantial falling away, hanging loose; or loosening of the siding, block, brick, or other building material creating a hazard for occupants or the public.
7. ☒ The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

COMMENTS / FINDING

Inspector Comments (including description of the state of the structure as well as other hazardous structures located on this site):

Inspector: _____
Signature

Date: _____

As the Building Official for the City of New Port Richey it is my opinion that the above findings constitutes the condition of a slum or blighted structure, and therefore declare the structure condemned. It is additionally my recommendation that this case be further processed toward voluntary or involuntary demolition of the structure.

Building Official: _____
Signature

Date: **10.24.23**



THE CITY OF
NEW PORT RICHEY
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

**Notice to Owner/Interested Parties
Demolish Slum or Blighted Structure
Article VI, Chapter 6 of the Code of Ordinances**

SENT VIA CERTIFIED MAIL – RETURN RECEIPT REQUESTED

October 24, 2023

To Owners and Interested Parties:

The structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been determined by the City of New Port Richey Building Official to be a slum or blighted structure that meets the criteria for demolition in accordance with Article VI, Chapter 6, New Port Richey Code. This structure poses an immediate and manifest danger to life, health or safety of the general public or occupant.

Owners of Property and Interested Parties as reflected in the Public Records of Pasco County:

Goodwater Parc LLC
100 S Birch Rd Ste 2701
Fort Lauderdale FL 33316

VITH LLC
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Goodwater Parc LLC
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Nouhad Abou-Atallah
100 S Birch Rd Unit 2701A
Fort Lauderdale FL 33316

Guy D. Sperduto
8963 Stirling Rd
Cooper City FL 3328

Boggs Law Group
4554 Central Ave Ste L
St Petersburg FL 33711

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

THE STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED

- Section 6-185(1) - The structure, or a portion thereof has been extensively damaged by fire flood, wind, or other natural phenomena such that the building or structure is substantially destroyed or poses an immediate and manifest danger to the life, health, or safety of the general public or occupant.



THE CITY OF
NEW PORT RICHEY
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

- Section 6-185(3) – The structure, or a portion thereof, as a result of decay, deterioration, or dilapidation is likely to fully or partially collapse.
- Section 6-185(4) – The condition of the structure, or a portion thereof, poses an immediate threat to life or property by fire or other causes.
- Section 6-185(7) – The structural parts have become so dilapidated, decayed, or deteriorated, or there is an unusual sagging or leaning out of plumb of the building or any part thereof caused by deterioration or over-stressing of the structure or structural parts, that the structure is manifestly unsafe.

The attached order will be posted on the property on **October 24, 2023**. The owner(s) of this structure shall demolish this structure and clear the entire site by **December 23, 2023 (60 days from posting the order)**. The owner(s) or any other interested party may appeal this finding within **30 days of the date the order is posted (by November 24, 2023)**. The appeal shall be by written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400 filing fee or a sworn financial statement showing inability to pay the filing fee, and include all submittal requirements as provided in Code Section 6-190 (a) – (c). Only completed appeal applications are accepted.

Failure to appeal within 30 days or demolish within 60 days will cause the City of New Port Richey to have this structure demolished and cleared at the owner(s) expense without further notice or hearing. Demolition clearance will include all tangible personal property on the site.

Sincerely,

Bill Larder
Building Official

Copy: Development Department
City Attorney
City Manager
Code Enforcement

Enclosures: Order to Demolish Slum or Blighted Structure



THE CITY OF
NEW PORT RICHEY
FLORIDA

5919 MAIN STREET | NEW PORT RICHEY, FL 34652 | (727) 853-1016

NOTICE TO DEMOLISH SLUM/BLIGHTED STRUCTURE

TO BE FILED IN THE PUBLIC RECORDS IN AND FOR PASCO COUNTY, FL

Prepared by and when recorded return to:

City of New Port Richey, Florida
Code Enforcement Department
6739 Adams Street, New Port Richey, FL 34652

INSTR# 2023188388 BK 10906 PG 974
10/24/2023 11:54am Page 1 of 1
Rcpt: 2837049 Rec: 10.00
DS: 0.00 IT: 0.00
Nikki Alvarez-Sowles, Esq.
Pasco County Clerk & Comptroller

October 24, 2023

Name: GOODWATER PARC LLC

Address: 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652

Parcel ID: 08-26-16-0010-05300-0020

Legal Description: TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E 100 FT TH S89DEG54' 00"E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19' 13"W 112.74 FT TH N78DEG08' 16"W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333

The City of New Port Richey Building Official has determined that one (1) or more structure(s) located on the above referenced property meets the criteria for demolition under Article VI, Chapter 6, Division 5 of the New Port Richey City Code. At the time of filing this notice, the determination of the Building Official is not final and can be appealed. The City of New Port Richey, through its Code Enforcement Department, is following the process outlined in Article VI, Chapter 6, Division 5 of the New Port Richey City Code, to obtain a final order authorizing demolition of the structure(s). Inquiries may be directed to the Code Enforcement Department at 6739 Adams Street, New Port Richey, FL 34652, or by calling 727-232-8946.

Bill Larder, Building Official

The foregoing instrument was acknowledged before me on 10.24.23, by Bill Larder, who is Building Official of the City of New Port Richey, Florida and (☒) who is personally known to me or (☐) who has produced _____ as identification.



Notary Public

ORDER TO DEMOLISH SLUM OR BLIGHTED STRUCTURE

This structure located at 5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652 has been found by the City of New Port Richey to be a slum or blighted structure that shall be demolished pursuant to Article VI, Division 5 of the of the City of New Port Richey Code of Ordinances. THIS STRUCTURE SHALL BE VACATED AND SHALL NOT BE OCCUPIED. The owner(s) of this structure shall demolish this structure and clear the entire site within 60 days of date of this order or the City of New Port Richey will cause the structure to be demolished and cleared at the owner(s) expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. THE OWNER OR ANY OTHER INTERESTED PARTY MAY APPEAL THIS FINDING WITHIN 30 DAYS OF THE DATE INDICATED BELOW BY SUBMITTING A WRITTEN PETITION TO: Development Director, 5919 Main Street, New Port Richey, FL 34652, Telephone 727-232-8946. CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS WILL RESULT IN THE DEMOLITION OF THIS STRUCTURE WITHOUT FURTHER NOTICE OR HEARING. IT IS UNLAWFUL TO REMOVE OR TO MUTILATE THIS NOTICE UNTIL THE DEMOLITION ORDER IS COMPLIED WITH. FAILURE OF THE OWNER OR AN INTERESTED PARTY TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THIS STRUCTURE WITHIN 60 DAYS IS A VIOLATION OF THE CITY OF NEW PORT RICHEY'S ORDINANCES.



Bill Larder
Building Official

Oct 24, 2023

Date

- Ad Proof -

10/25/2023

Ad Order Number

0000314172

Sales Rep.

dbonett

EMail

dboneti@tampabay.com

Order Taker

dbonett

Order Source

Customer

CITY OF NEW PORT RICHEY

Customer Account

100944

Customer Address

5919 MAIN ST
NEW PORT RICHEY FL 34652 USA

Customer Phone

7278531044

Payer Customer

CITY OF NEW PORT RICHEY

Payer Account

100944

Payer Address

5919 MAIN ST
NEW PORT RICHEY FL 34652 USA

Payer Phone

7278531044

PO Number

Ordered By

Alec

Customer Fax

7278531052

Customer EMail

Meyers.J@cityofnewportrichey.org

Special Pricing

Tear Sheets

0

Proofs

0

Affidavits

2

Blind Box

Promo Type

Materials

Invoice Text

NOTICE TO DEMOLISH

Ad Order Notes

Net Amount

\$322.24

Tax Amount

\$0.00

Total Amount

\$322.24

Payment Method

Invoice

Payment Amount

\$0.00

Amount Due

\$322.24



- Ad Proof -

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0000314172-01	CLS Legal Liner	AdBooker	
<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

<u>Ad Size</u>	<u>Color</u>
2 X 78 li	
<u>WYSIWYG Content</u>	

- Ad Proof -

NOTICE TO DEMOLISH SLUM OR BLIGHTED STRUCTURE ARTICLE VI, CHAPTER 6 OF THE CODE OF ORDINANCES	
<p>The structures located at the addresses cited below have been determined by the City of New Port Richey Building Official to be slum or blighted in accordance with Chapter 6, Article VI, New Port Richey Code. These structures pose an immediate and manifest danger to life, health or safety of the general public or occupant. Pursuant to the City of New Port Richey Code, the owners of these structures shall demolish said structures and clear the sites within 60 days (December 23, 2023) of this order or the City of New Port Richey will cause the structures to be demolished and cleared at the owner's expense. Demolition and clearance will include all tangible personal property on the site, such as vehicles, appliances, etc. The owner or any other interested party may appeal this finding within 30 days (November 24, 2023) by submitting a written petition to: Development Director, 5919 Main Street, New Port Richey, FL 34652 (727-232-8946) and must be accompanied by the required \$400.00 filing fee or a sworn financial statement showing inability to pay the filing fee. CAUTION: FAILURE TO APPEAL WITHIN 30 DAYS OR TO DEMOLISH THE STRUCTURE(S) WITHIN 60 DAYS WILL CAUSE THE CITY OF NEW PORT RICHEY TO HAVE THE STRUCTURE(S) DEMOLISHED AND CLEARED AT THE OWNER(S) EXPENSE WITHOUT FURTHER NOTICE OR HEARING. DEMOLITION CLEARANCE WILL INCLUDE ALL TANGIBLE PERSONAL PROPERTY ON THE SITE.</p>	
Address:	5208 US HIGHWAY 19, NEW PORT RICHEY, FL 34652
Recorded Owner:	New Port Richey Car Wash LLC
Interested Parties:	New Port Richey Car Wash LLC, Amberstone LLC, Timothy C Schuler, Edward O'Hanrahan
Slum & Blight Case #:	SB2023-4104
Parcel ID:	08-26-16-0010-06400-0030
Legal Description:	WLY 200 FT MEASURED FROM ELY LN LN HWY NO 19 R/W OF NLY 100 FT OF FOLL DESC PROP COM MOST ELY COR LOT 181 OF JASMINE HEIGHTS UNIT 5 PB 7 PG 14 TH ALG NLY EXTENSION OF ELY LN LOT 181 N24DG 03° 05'E 119.11 FT FOR POB TH N55DG 56° 55'W 330.73 FT TO ELY LN US HWY NO 19 R/W TH ALG ELY LN R/W N24DG 03° 05'E 81.30 FT TH CONT ALG ELY LN R/W 210.34 FT ALG ARC OF CV L RAD 3887.72 FT CHD N22DG 30° 05'E 210.32 FT TH 569DG 02° 55'E 487.13 FT TH S24DG 03° 05'W 317.89 FT TH N65DG 56° 55'W 150 FT TO POB SAID WLY 200 FT OF NLY 100 FT OF SAID PROP MORE PARTICULARLY DESC AS COMMOSTELYCORLOT181TH N24DG 03° 05' E 119.11FT THN 65 DG 56' 55" W 330.73 FT THN 24 DG 03' 05" E 81.30 FT TH 110.33 FT ALGARC OF CVL RAD 3887.72 FT CHDN 23 DG 14° 1' 8" E 110.33FTFORPOBTHCONT100.01FT ALGARC OF CVL RAD3887.72 FT CHD N21 DG 41° 18" E 100.01 FT THS 69 DG 02° 55'E200FTTHS20DG57°05"W100FTTH N69DG02°55"W201.29FTTOPOB OR 3344 PG 51
Address:	5319 US HIGHWAY 19, NEW PORT RICHEY, FL 34652
Recorded Owner:	Goodwater Parc LLC
Interested Parties:	Goodwater Parc LLC, Guy D. Spurduto, VITH LLC, Nouhad Abou-Atallah, Boggs Law Group
Slum & Blight Case #:	SB2023-4105
Parcel ID:	08-26-16-0010-05300-0020
Legal Description:	TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1 PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS COM AT A POINT N00DEG 19° 38'E 96.55 FT FROM SW COR OF EAST 1/2 OF TRACT 53 TH N00DEG19° 38'E 100 FT TH S89DEG54° 00'E 73.48 FT TO WLY R/W LN OF US HWY 19 TH ALG SAID WLY R/W LN S13DEG19° 13'W 112.74 FT TH N78DEG08° 16'W 48.54 FT TO POB SUBJECT TO A SIGN EASEMENT PER OR 1807 PG 30 OR 9718 PG 1333
Address:	5204 KAPOK DRIVE, NEW PORT RICHEY, FL 34652
Recorded Owner:	Estella Wright
Interested Parties:	Estella Wright, Iman McKay
Slum & Blight Case #:	SB2023-3987

- Ad Proof -

Parcel ID:	17-26-16-0290-00000-0810
Legal Description:	JASMINE HEIGHTS UNIT 2 PB 6 PG 100 LOT 81 OR 3220 PG 1321
November 1, 2023 & November 8, 2023	0000314172

Run Date	Product	Placement	Position	Zone
11/01/2023	Tampa Bay Times	Legals - CLS	Legal	BL-Pasco
11/08/2023	Tampa Bay Times	Legals - CLS	Legal	BL-Pasco

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ATTACHMENT 9 - PASCO COUNTY APPRAISER INFORMATION

Parcel ID		08-26-16-0010-05300-0020 (Card: 1 of 1)							
Classification		01700-Office 1 Story							
Mailing Address		Just Value		Property Value					
GOODWATER PARC LLC		\$191,695							
100 S BIRCH RD STE 2701		Ag Land		\$0					
FORT LAUDERDALE, FL 33316-1539		Land		\$106,749					
Physical Address		Building		\$84,352					
5319 US HIGHWAY 19 , NEW PORT RICHEY, FL 34652		Extra Features		\$594					
Legal Description (First 200 characters)									
See Plat for this Subdivision									
TAMPA TARPON SPRINGS LAND COMPANY SUB PB 1		Assessed		Non-School		School			
PGS 68-70 POR OF EAST 1/2 OF TRACT 53 DESC AS		Homestead Exemption		\$185,800		\$191,695			
COM AT A POINT N00DEG 19' 38"E 96.55 FT FROM SW		Additional Exemptions		-\$0		-\$0			
COR OF EAST 1/2 OF TRACT 53 TH N00DEG19' 38"E				-\$0		-\$0			
100 FT TH S89DEG5[...]									
Jurisdiction		Taxable Value		\$185,800		\$191,695			
CITY OF New PORT RICHEY				Warning: A significant taxable value increase may occur when sold.					
Community Dev District				Click here for details and info. regarding the posting of exemptions.					
N/A									

Land Detail (Card: 1 of 1)									
Line	Use	Description	Code	Zoning	Units	Type	Price	Condition	Value
1	1700C	Office 1 Story	OPARA-1	000C	6432.640	SF	\$13.80	1.00	\$88,770
2	1700C	Office 1 Story	O-OV	000C	1.000	UN	\$17,979.00	1.00	\$17,979

Additional Land Information				
Acres	Tax Area	FEMA Code	Subsidence Activity	Neighborhood Code(s)
0.15	6ONP	AE	None Reported	OPAR

View Sketch Building Information - Use 1700-Offices (One Story) (Card: 1 of 1)				
Year Built	1960	Stories	1.0	
Exterior Wall 1	Concrete Block Stucco	Exterior Wall 2	None	
Roof Structure	Flat	Roof Cover	Built-Up Tar and Gravel	
Interior Wall 1	Drywall	Interior Wall 2	None	
Flooring 1	Ceramic Clay Tile	Flooring 2	Carpet	
Fuel	Electric	Heat	Forced Air - Ducted	
A/C	Central	Baths	2.0	

Line	Code	Description	Sq. Feet	Value
1	AOF01	AVERAGE OFFICE	2,448	\$84,352

Extra Features (Card: 1 of 1)					
Line	Code	Description	Year	Units	Value
1	CPAVCON	PAVING CONCRETE	1974	1,200	\$594

Sales History					
Previous Owner:		UNITED STATES OF AMERICA			
Month/Year	Book/Page	Type	DOR Code	Condition	Amount
5/2019	9915 / 3616	Warranty Deed	11	I	\$0
4/2018	9718 / 1333	Final Judgment	18	I	\$0
11/2013	8956 / 3177	Warranty Deed	01	I	\$220,000
11/2005	6706 / 1924	Warranty Deed		I	\$420,000
9/1993	3199 / 0670	Quit Claim Deed		I	\$0
6/1993	3163 / 1078	Quit Claim Deed		I	\$0
5/1993	3156 / 0799	Quit Claim Deed		I	\$0
12/1992	3096 / 0649	Warranty Deed		I	\$145,000

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ATTACHMENT 10 - SPECIAL WARRANTY DEED

16-FBI-004570

Record & Return To:

London & Thurber, LLC
3340 Peachtree Rd., N.E. Suite 2570
Atlanta, GA 30326
Attn: Post Closing/USMS

Cross Reference:

OR Book 8956, Page 3177,
Pasco County, FL records

SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the **UNITED STATES OF AMERICA**, whose address is: c/o United States Marshals Service, Asset Forfeiture Division, 1215 S. Clark Street, Arlington Virginia 22202, appearing herein through the United States Marshals Service, the Grantor, declares and acknowledges that for the price hereinafter expressed, it has sold, conveyed and delivered, and by these presents does grant, bargain, sell, transfer, assign, set over and deliver without general warranties of title, the property herein conveyed, unto:

GOODWATER PARC, LLC, a Florida limited liability company, the Grantee ("Grantee"), whose tax mailing address is 100 S. Birch Road, Fort Lauderdale, FL 33316,

and Grantor does hereby for and consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said Grantor in hand and paid by the Grantee, the receipt whereof is hereby acknowledged, grant, bargain and sell to the said Grantee, its successors and or assigns, the following described property, together with improvements and appurtenances thereunto belonging, to-wit:

**SEE ATTACHED EXHIBIT "A" FOR THE LEGAL DESCRIPTION
OF THE SUBJECT PREMISES BEING CONVEYED**

ADDRESS: 5319 US Highway 19, New Port Richey, FL 34652

Being the same property forfeited to the United States of America pursuant to 21 U.S.C. §§ 853(a) by Final Order of Forfeiture for Certain Assets, filed April 27, 2018 in in the United States District Court for the Middle District of Florida, Case 8:16-cr-00353-JSM-JSS, in the matter of *United States of America vs. Nicholas A. Borgesano, Jr.*, a copy of which is recorded in OR Book 9718, Page 1333, Pasco County, Florida public records.

SUBJECT TO:

1. Zoning and other governmental rules, regulations and ordinances.

ATTACHMENT 10 - SPECIAL WARRANTY DEED

2. Restrictions, covenants, conditions, easements and other matters of record.

The Grantor covenants to specially warrant the title, with limited warranty covenants only, to the Property hereby conveyed to the Grantee, its, successors and assigns, that the granted premises are free from all encumbrances made by the Grantor, and that it does warrant and defend the same to the Grantee and its successors and assigns, forever, against the lawful claims and demands of all persons claiming by, through or under the Grantor, but against none other.

TO HAVE AND TO HOLD the above described property unto Grantee, its successors and assigns forever.

Executed by said Grantor on this 7th day of May, 2019.

UNITED STATES OF AMERICA,
by the United States Marshals Service

Martinette Jennifer
1st Witness
Printed Name: Martinette Jennifer

By Ramy Sinick (Seal)

Printed Name: Ramy Sinick

Title: msm & program analyst

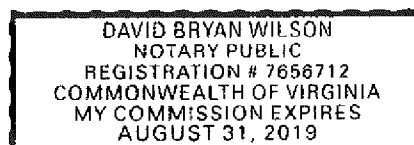
Staci Carter
2nd Witness
Printed Name: STACI CARTER

STATE OF Virginia
COUNTY OF Arlington

Before me, a Notary Public in and for said County and State, personally appeared the above named **UNITED STATES OF AMERICA**, by Ramy Sinick its management & program analyst, of the United States Marshals Service, who acknowledged that he/she did sign the foregoing instrument and the same as the free act and deed of said United States of America and of him/her personally and as such officer of said United States Marshals Service. He/she (check one) ☒ is personally known to me or _____ produced _____ as proof of identification.

David Bryan Wilson
Notary Public
State of Virginia
My commission expires: 8-31-19

[Notary Seal]



Page 2 of 3

ATTACHMENT 10 - SPECIAL WARRANTY DEED**EXHIBIT "A"**

A portion of the East 1/2 of Lot 53, TAMPA AND TARPON SPRINGS LAND COMPANY SUBDIVISION, located within Section 8, Township 26 South, Range 16 East, Pasco County, Florida, being further described as follows:

Beginning at a point North 00°19'38" East a distance of 96.55 feet from the Southwest corner of the East 1/2 of Lot 53, TAMPA AND TARPON SPRINGS LAND COMPANY SUBDIVISION, as per plat thereof recorded in Plat Book 1, Pages 68-70, Public Records of Pasco County, Florida; run thence North 00°19'38" East, a distance of 100 feet; thence South 89°54'00" East, a distance of 73.48 feet to the Westerly line of U.S. Highway 19; thence along the said Westerly line, South 13°19'13" West, 112.74 feet; thence North 78°08'16" West, a distance of 48.54 feet to the Point of Beginning.

TAX ID NO.: 08-26-16-0010-05300-0020

ADDRESS: 5319 US Highway 19, New Port Richey, FL 34652

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ATTACHMENT 11 - WATER CONSUMPTION RECORD

Read Date	Read Time	Bill #	Pay Plan	Read Code	Current	Usage	Repl Usage	Bill Usage	Bill Amt	Charge Amt	Adj Bill Amt	Avg Cons	Use Days	Banked Usage	Meter #	Meter Mfr
10/26/2023		559204		A		0	0	0	28.34	0.00	28.34	0.000	30		0 78235094	S
09/26/2023		547696		A		0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
08/26/2023		536292		A		0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
07/26/2023		524807		A		0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
06/26/2023		513351		A		0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
05/26/2023		501895		A		0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
04/26/2023		490479		A		0	0	0	27.33	0.00	32.33	0.000	31		0 78235094	S
03/26/2023		479022		A		0	0	0	27.33	0.00	32.33	0.000	28		0 78235094	S
02/26/2023		467638		A		0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
01/26/2023		456240		A		0	0	0	27.33	0.00	32.33	0.000	31		0 78235094	S
12/26/2022		444783		A		0	0	0	27.33	0.00	32.33	0.000	30		0 78235094	S
11/26/2022		433428		A		0	0	0	27.33	0.00	27.33	0.000	31		0 78235094	S
10/26/2022		421999		A		0	0	0	27.33	0.00	27.33	0.000	30		0 78235094	S
09/26/2022		410564		A		0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
08/26/2022		399240		A		0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
07/26/2022		387739		A		0	0	0	26.36	0.00	31.36	0.000	30		0 78235094	S
06/26/2022		376333		A		0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
05/26/2022		364956		A		0	0	0	26.36	0.00	26.36	0.000	30		0 78235094	S
04/26/2022		353485		A		0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
03/26/2022		342118		A		0	0	0	26.36	0.00	31.36	0.000	28		0 78235094	S
02/26/2022		330631		A		0	0	0	26.36	0.00	31.36	0.000	31		0 78235094	S
01/26/2022		319233		A		0	0	0	26.36	0.00	26.36	0.000	31		0 78235094	S
12/26/2021		307834		A		0	0	0	26.36	0.00	32.81	0.000	30		0 78235094	S
11/26/2021		296484		A		0	0	0	26.36	0.00	31.50	0.000	31		0 78235094	S
10/26/2021		285021		A		0	0	0	26.36	0.00	31.36	0.000	30		0 78235094	S
09/26/2021		273664		A		0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
08/26/2021		262303		A		0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
07/26/2021		250860		A		0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
06/26/2021		239489		A		0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
05/26/2021		228039		A		0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
04/26/2021		216688		A		0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
03/26/2021		205272		A		0	0	0	25.43	0.00	30.43	0.000	28		0 78235094	S
02/26/2021		193708		A		0	0	0	25.43	0.00	30.43	0.000	31		0 78235094	S
01/26/2021		182358		A		0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
12/26/2020		170945		A		0	0	0	25.43	0.00	25.43	0.000	30		0 78235094	S
11/26/2020		159465		A		0	0	0	25.43	0.00	25.43	0.000	31		0 78235094	S
10/26/2020		148105		A		0	0	0	25.43	0.00	30.43	0.000	30		0 78235094	S
09/26/2020		136719		A		0	0	0	24.54	0.00	29.54	0.000	31		0 78235094	S
08/26/2020		125255		A		0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
07/26/2020		113891		A		0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
06/26/2020		102487		A		0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
05/26/2020		91107		A		0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
04/26/2020		79737		A		0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
03/26/2020		68369		A		0	0	0	24.54	0.00	24.54	0.000	29		0 78235094	S
02/26/2020		56972		A		0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
01/26/2020		45620		A		0	0	0	24.54	0.00	24.54	0.000	31		0 78235094	S
12/26/2019		34315		A		0	0	0	24.54	0.00	24.54	0.000	30		0 78235094	S
11/26/2019 12:00:00		15510		A		0	0	0	24.54	0.00	24.54	0.000	21		78235094	S
11/05/2019 12:00:00		10278933		A		0	0	0	0.00	0.00	0.00	0.000	32		78235094	S
10/04/2019 12:00:00		10278932		A		0	0	0	0.00	0.00	0.00	0.000	29		78235094	S
09/05/2019 12:00:00		10278931		A		0	0	0	0.00	0.00	0.00	0.000	31		78235094	S
08/05/2019 12:00:00		10278930		A		0	0	0	0.00	0.00	0.00	0.000	0		78235094	S

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ATTACHMENT 12 – LAND DEVELOPMENT CODE EXCERPT

14.04.00. Abandonment/discontinuance of nonconforming uses

If a nonconforming use of a structure or land ceases to be used for a period of twelve (12) consecutive months, or whenever public and/or private utilities serving the facility have been disconnected for a period of twelve (12) consecutive months, or a local business tax receipt for the use has not been issued for a period of twelve (12) consecutive months, use of the structure and land shall thereafter conform to the regulations of the district in which it is located and to the other regulations of this district.

(Ord. No. 1330, § 1, 11-30-93; Ord. No. 1861, § 7, 3-20-2007)

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NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council

FROM: Robert M Rivera – Public Works Director

DATE: 1/2/2024

RE: ITB24-003 Bid Award – WWTP Tank No.1 Clarifier Cleaning and Thermoplastic Powder Coating

REQUEST:

Attached for City Council review and consideration is a memorandum from Wastewater Treatment Plant (WWTP) Operations Manager regarding a bid award recommendation for the scheduled rehabilitation of clarifier tank No. 1 at the WWTP. Eight (8) sealed bids were opened by the City on December 8, 2023 with the low bid being submitted by Premier Coating Solutions, LLC of Tampa, Florida in the amount of \$71,745. The review by City staff has indicated the bid by Premier Coating Solutions, LLC meets all City specifications.

DISCUSSION:

The planned clarifier rehabilitation project is part of the ongoing preventative maintenance program at the WWTP. The clarifiers at the plant are an integral part of the treatment process and the internal mechanisms must be renewed or refurbished as necessary, or the equipment will be subject to failure. Failure of the clarifier mechanisms and process will result in exceedances of the WWTP Department of Environmental Protection Operating Permit parameters and subject the City (and County) to a possible Consent Order and/or daily fines.

RECOMMENDATION:

Approval of the low bid and project award are recommended.

BUDGET/FISCAL IMPACT:

Funding is identified as Water Pollution Control Capital Equipment/Improvement Program Account No. 401112.46399. Additionally, as members of the City Council will recall, Pasco County funds 42% of the capital expenditures for the City Wastewater Treatment Facility and Reclaimed Water Facility by Interlocal Agreement.

ATTACHMENTS:

Description	Type
❑ Bid Recommendation Memorandum	Backup Material
❑ Bid Tabulation	Backup Material
❑ Photos	Backup Material



NEW PORT RICHEY PUBLIC WORKS

COMMITTED TO SERVICE

OUR MISSION: TO PROVIDE RESPONSIVE, PROFESSIONAL, AND COURTEOUS SERVICE TO THE PUBLIC

6 1 3 2 P I N E H I L L R O A D • P O R T R I C H E Y , F L 3 4 6 6 8 • 7 2 7 . 8 4 1 . 4 5 3 6

TO: Robert M Rivera, Public Works Director

FROM: Joe Palazzolo, W.W.T.F Manager

DATE: 12-8-23

RE: ITB24-003 Clarifier #1 Steel Recoating

REQUEST:

The staff request for the City Council is to review and consider the approval of the lowest bid from Premier Coating Solutions, LLC, for \$71,745.

DISCUSSION:

- The budget price was \$106,000
- The process of steel recoating is to remove all rust, dirt, and grease from bare steel and apply several coats of industrial epoxy for protection for ten years or more on all the Clarifier plow structures.
- Eight total bids ranged from \$493,000 to the second lowest at \$74,860.
- Premier Coating Solutions, LLC has supplied us with five references that we verified. The cities and counties called were satisfied with their work and would hire them again for future work. We have also worked with their sister company in the past with good outcomes.

RECOMMENDATION:

Recommend awarding the Bid ITB24-003 Premier Coating Solutions, LLC.

BUDGET / FISCAL IMPACT:

This is a capital and budgeted Item. As outlined in our inter-local agreement, Pasco County will contribute about 42% of the cost.

ATTACHMENTS:

ITB24-003 Clarifier No. 1 Steel Recoating Bid Tabulation and Minute, ITB24-003 Clarifier #1 Steel Recoating bid package.



TO: Debbie L. Manns, City Manager
FROM: Judy Meyers, City Clerk
CC: Robert Rivera, Public Works Director
Kate Wendt, Sr. Administrative Assistant
DATE: December 8, 2023
RE: Bid Opening: ITB24-003 Clarifier No. 1 Steel Recoating

Bids for ITB24-003 Clarifier No. 1 Steel Recoating were received by 2:00 p.m. on Thursday, December 7, 2023. The bid opening took place on Friday, December 8, 2023 at 2:00 p.m. in City Hall Council Chambers. Present were Sr. Administrative Assistant Kate Wendt, WWTP/Reclaimed Water Facilities Operation Manager Joseph Palazzolo and City Clerk Judy Meyers.

Bids were announced and opened from the following entities:

BIDDERS	BID
Andres Sanchez 9862 S. Orange Blossom Trail, Suite 109 Orlando, FL 32837	\$87,000
Lenard Bell Painting 4022 Lake Bluff Drive Mascotte, FL 34753	\$140,892
Premier Coating Solutions 609 N. 19 th St. Tampa, FL 33605	\$71,745
Razorback LLC 177 Anclote Road Tarpon Springs, FL 34689	\$74,860
Rebuild-It Services Group 4188 West Nike Drive West Jordan, UT 84088	\$99,988
Shamrock Restoration Services, Inc. 27091 Osage St.	\$118,517

Brooksville, FL 34601	
Southern Road & Bridge, LLC 715 Wesley Avenue Tarpon Springs, FL 34689	\$493,000
Tank Pro Inc. 5500 Watermelon Road Northport, AL 35473	\$94,875

The apparent low bidder was Premier Coating Solutions with a bid of \$71,745. It should be noted that Rebuild-It Services Group did not submit any bid documents with their price proposal. The bid opening concluded at 2:09 p.m.



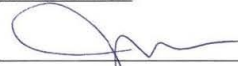


BID ITEM: Clarifier No. 1 Steel Recoating
BID NUMBER: ITB24-003 Clarifier No. 1 Steel Recoating
BID OPENING: December 8, 2023 at 2:00 p.m., City Council Chambers
DEPARTMENT: Public Works

NUMBER OF BIDS: 8

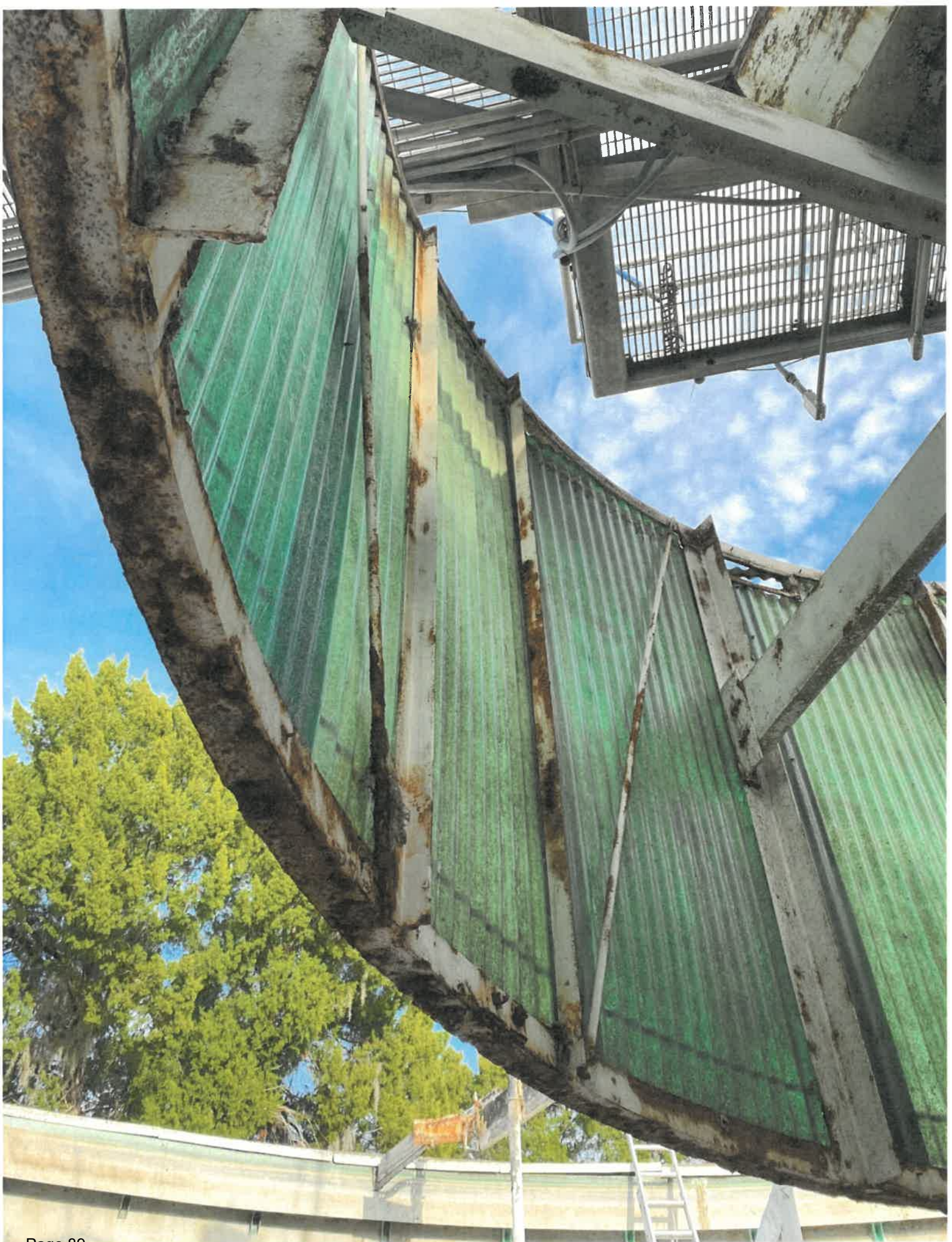
BIDDERS	BID	NON-COLLUSION	PUBLIC ENTITY	DRUG FREE
Andres Sanchez 9862 S. Orange Blossom Trail, Suite 109 Orlando, FL 32837	\$87,000	✓	✓	✓
Lenard Bell Painting 4022 Lake Bluff Drive Mascotte, FL 34753	\$140,892	✓	✓	✓
Premier Coating Solutions 609 N. 19 th St. Tampa, FL 33605	\$71,745	✓	✓	✓
Razorback LLC 177 Anclote Road Tarpon Springs, FL 34689	\$74,860	✓	✓	✓
Rebuild-It Services Group 4188 West Nike Drive West Jordan, UT 84088	\$99,988	No bid docs submitted	No bid docs submitted	No bid docs submitted
Shamrock Restoration Services, Inc. 27091 Osage St. Brooksville, FL 34601	\$118,517	✓	✓	✓
Southern Road & Bridge, LLC 715 Wesley Avenue Tarpon Springs, FL 34689	\$493,000	✓	✓	✓
Tank Pro Inc. 5500 Watermelon Road Northport, AL 35473	\$94,875	✓	✓	✓

WITNESSED BY:

Only offers received timely as of the deadline for receipt of bid are accepted. All others submitted in response to this solicitation, if any, are hereby rejected as late.











NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Robert M Rivera – Public Works Director
DATE: 1/2/2024
RE: 2024 Sims Park Playground Surface Replacement

REQUEST:

The action requested of City Council is to review and consider the approval of the attached proposal from Top Line Recreation Inc., in the amount not to exceed \$119,152.83. The proposal contains pricing in accordance with the current Clay County Contract RFP No. 18/19-2.

DISCUSSION:

As the City Council is aware, improvements to Sims Park were completed in 2016. Included in the improvements was the relocation and expansion of the existing playground. Existing playground equipment was replaced with modern equipment containing up to date safety features. Finally, the existing playground surface containing wood chips was replaced with a Poured-in-Place (PIP) playground surfacing. The typical life span for this type of surfacing is seven to ten years depending on usage. The existing surface is eight years old and contains several major repairs and is in need of replacement due to safety concerns and maintenance costs.

RECOMMENDATION:

Approval of the attached proposal is recommended.

BUDGET/FISCAL IMPACT:

This project is included in the City's 2023-2024 Capital Improvement Program account number 301301.46326.

ATTACHMENTS:

Description	Type
☐ Piggybacking Check List	Backup Material
☐ Proposal	Backup Material
☐ Terms and Conditions	Backup Material
☐ Product Brochure	Backup Material

CITY OF NEW PORT RICHEY

FINANCE DEPARTMENT

PIGGYBACKING

CHECKLIST

Instructions: This form is to be completed for any purchase of goods or contract for services where the City will utilize a contract competitively bid by another governmental agency (i.e. "Piggyback"). Where the purchase requires approval by the City Council because it exceeds applicable thresholds or is an unbudgeted expense, a copy of this completed form should be attached to the agenda memo.

Department/Division: _____ Date: _____

Item/Service	
Vendor/Service Provider	

☐ State Contract # _____ ☐ Other Governmental Agency

1.	Specify why a procurement by RFP or formal quotes are not practical (FS 287.057):	
		<div style="display: flex; justify-content: space-around; font-weight: bold; font-size: small;"> Yes No </div>
2.	Was Item/Service bid out in compliance with the City's purchasing policy?	<input type="checkbox"/> <input type="checkbox"/>
3.	Has the original contract been competitively procured within the last 12 months and is not expired?	<input type="checkbox"/> <input type="checkbox"/>
4.	Is documentation of the bid process attached to this form? (solicitation, tabulation, award, contract)	<input type="checkbox"/> <input type="checkbox"/>
5.	Does the original contract contain a clause that allows for piggybacking?	<input type="checkbox"/> <input type="checkbox"/>
6.	Is the item/service that the City needs identical to the item/service in the original contract? (specifications of item/service in the original contract match what the City needs)	<input type="checkbox"/> <input type="checkbox"/>
7.	Has the Vendor/Service Provider confirmed that the City may piggyback on the original contract? Provide documentation to support confirmation.	<input type="checkbox"/> <input type="checkbox"/>
8.	Is a copy of the original contract/agreement attached to this form?	<input type="checkbox"/> <input type="checkbox"/>

Attach this form with documentation required by #4, #7 and #8.

QUOTE



Top Line Recreation Inc.
2922 Howland Blvd, Suite 3, Deltona, FL 32725
386-575-8359

QUOTE #	TLRQ5430
PROJECT NAME	Sims Park

Bill to:

Mike Mancini
New Port Richey
6132 Pine Hill Road
Port Richey, FL 34668
727-229-0381
mancinim@cityofnewportrichey.org

Ship to:

New Port Richey
Sims Park
Grand Blvd & Bank Street
Port Richey, FL 34652
727-229-0381
mancinim@cityofnewportrichey.org

SALESPERSON	PAYMENT TERMS	QUOTE CREATED	QUOTE EXPIRES
Kelly Woods	Net 30	Dec 21, 2023	Jan 19, 2024

QTY	PART NUMBER	DESCRIPTION	UNIT PRICE	TOTAL PRICE
Clay County Contract RFP 18/19-2				
1	SAFETY1ST	10,491 SF Child Safe Safety Surface Area to be surfaced: Playground: 8,706 SF Fitness Equipment area: 1,345 SF Tot swing area: 440 SF Work to include: 1. Clean the existing PIP surface 2. Repair any holes in the existing surface 3. Apply a polyurethane primer over the existing PIP 4. Install a new ½" thick polyurethane/EPDM rubber top layer Color: 67% Color/33% Black as selected by the owner **The City will be responsible to close and secure the work sites.	\$121,213.51	\$121,213.51
		5.0% Discount per Clay County		-\$6,060.68
1	REQUEST	Additional Contingency	\$4,000.00	\$4,000.00
			SUBTOTAL	\$119,152.83
			TAX RATE	
			SALES TAX	\$0.00
			TOTAL	\$119,152.83

Please contact me if I can be of further assistance.
KELLY WOODS 407-883-8619



2922 Howland Blvd, Suite 3
Deltona, FL 32725
386-789-4508 / 888-909-0549 Fax
800-921-4509 Toll Free
info@toplinerec.com

Client:

General Terms:

Please note that this order is non-cancelable once placed, and deposit is non-refundable. If shipment is refused when delivery is attempted, carrier will return the shipment to the manufacturer and all resulting charges will be applied to your account.

Acceptance by either a signature or a purchase order based on this proposal indicates that you are in full agreement with all terms and conditions of this proposal including the following:

Prices are valid for 30 days. After 30 days, prices are subject to change without notice. Sales tax will be charged unless a copy of a valid Sales tax exemption certificate is presented with order. Specify all color selections in writing. Any discrepancies that arise due to oral color selections will be the responsibility of the customer. If customer is installing equipment, all equipment is to be installed per manufacturer's instructions and appropriate guidelines such as ASTM and CPSC.

Installation, site work, building permits, engineered drawings, etc. are not included unless noted.

Installation Terms:

Standard Services Include:

- | | |
|--|---|
| - Shipping Notification/Receiving Instructions | - Layout of Equipment |
| - Pre-Installation On-Site Meeting | - Installation of Equipment and Materials Per Manufacturer's Instructions |
| - Underground Utility Check (Sunshine State One Call) | - Trash Clean Up (Dumpsters and Off-Site Trash Disposal not Standard) |
| - Accept Delivery and Unload Equipment
(If site is ready) | - Post-Installation Walk Through |
| - Moving New Equipment to Job Site | - Maintenance Explanation |

Customer Responsibilities (Applicable if Top Line Recreation, Inc is NOT installing):

- Trash Disposal - Dumpsters or Off Site Disposal.
- Accept Delivery and Unload Equipment (If site is not ready.) \$500.00 Charge will Apply if Customer Wants Installers to Unload.
- Provide Area for Storage and Staging.
- Secure Site and Equipment.
- Provide Access as Outlined below.

Some Optional Responsibilities (Must be clearly outlined in the applicable quotation/contract):

- Removal of Existing Equipment.
- Site Preparation and Grading, Drainage Systems, etc.
- Engineered Drawings for Purchased Equipment.
- Other Permits or Engineered Drawings (i.e. zoning permits, environmental permits, site surveys, etc.)

*Any other responsibilities must be clearly outlined in the applicable quotation/contract.

Building permits

Building permits are the responsibility of the owner. If a building permit is required for your project, there will be an administrative, expeditor, and application fee included on project quote. This fee does not include the cost of the actual permit. Customer will be charged "actual permit" cost on last invoice.

NOTE - All zoning, planning, environmental, etc. permits and approvals are the responsibility of others.

Other Notes:

Access/Utilities. Access must be provided to the installation area for heavy trucks and equipment. Access of equipment and personnel is the obligation of the customer to provide until the project is fully completed. We will take every precaution to avoid damage, however any damage caused by the normal installation of our product, such as sod, concrete sidewalks, private underground utilities, etc., will be the responsibility of the customer, as will any additional costs associated with limiting damage such as providing plywood over sod for access. If access is not reasonably close to the jobsite, any additional costs incurred due to having to transport materials and/or supplies will be the responsibility of the customer.

Rock/Foreign Object Clause. Most installations require digging of holes and footing equipment in concrete below finished grade. Removal of existing ground covers such as asphalt, concrete, tan bark, sand, pea gravel, wood fiber, rubber matting, poured-in-place rubber surfacing, or any other material that interferes or delays the digging of holes, is the responsibility of others, unless otherwise noted. If excessive underground obstructions such as rock, coral, asphalt, concrete, pipes, drainage systems, root systems, water, or any other unknown obstructions are discovered, charges will be added to the original proposal.

Playground Surfacing. All playground equipment is to be installed over safety surfacing per CPSC guidelines and ASTM standards. If the customer contracts for something contrary to the guidelines, they are accepting all responsibility for any liability and future litigation that may arise.

If a special inspection is required, an additional fee of \$700.00 will be added to the final invoice.

Acceptance Signature _____ Date _____ P.O. # _____

Tax Exempt No. _____



2922 Howland Blvd, Suite 3
Deltona, FL 32725
386-789-4508 / 888-909-0549 Fax
800-921-4509 Toll Free
info@toplinerec.com

Client:

General Terms:

Please note that this order is non-cancelable once placed, and deposit is non-refundable. If shipment is refused when delivery is attempted, carrier will return the shipment to the manufacturer and all resulting charges will be applied to your account.

Acceptance by either a signature or a purchase order based on this proposal indicates that you are in full agreement with all terms and conditions of this proposal including the following:

Prices are valid for 30 days. After 30 days, prices are subject to change without notice. Sales tax will be charged unless a copy of a valid Sales tax exemption certificate is presented with order. Specify all color selections in writing. Any discrepancies that arise due to oral color selections will be the responsibility of the customer. If customer is installing equipment, all equipment is to be installed per manufacturer's instructions and appropriate guidelines such as ASTM and CPSC.

Installation, site work, building permits, engineered drawings, etc. are not included unless noted.

Installation Terms:

Standard Services Include:

- Shipping Notification/Receiving Instructions
- Pre-Installation On-Site Meeting
- Underground Utility Check (Sunshine State One Call)
- Accept Delivery and Unload Equipment (If site is ready)
- Moving New Equipment to Job Site
- Layout of Equipment
- Installation of Equipment and Materials Per Manufacturer's Instructions
- Trash Clean Up (Dumpsters and Off-Site Trash Disposal not Standard)
- Post-Installation Walk Through
- Maintenance Explanation

Customer Responsibilities (Applicable if Top Line Recreation, Inc is NOT installing):

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- Accept Delivery and Unload Equipment (If site is not ready:) \$500.00 Charge will Apply if Customer Wants Installers to Unload.
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Some Optional Responsibilities (Must be clearly outlined in the applicable quotation/contract):

- Removal of Existing Equipment.
- Site Preparation and Grading, Drainage Systems, etc.
- Engineered Drawings for Purchased Equipment.
- Other Permits or Engineered Drawings (i.e. zoning permits, environmental permits, site surveys, etc.)

*Any other responsibilities must be clearly outlined in the applicable quotation/contract.

Building permits

Building permits are the responsibility of the owner. If a building permit is required for your project, there will be an administrative, expeditor, and application fee included on project quote. This fee does not include the cost of the actual permit. Customer will be charged "actual permit" cost on last invoice.

NOTE - All zoning, planning, environmental, etc. permits and approvals are the responsibility of others.

Other Notes:

Access/Utilities. Access must be provided to the installation area for heavy trucks and equipment. Access of equipment and personnel is the obligation of the customer to provide until the project is fully completed. We will take every precaution to avoid damage, however any damage caused by the normal installation of our product, such as sod, concrete sidewalks, private underground utilities, etc., will be the responsibility of the customer, as will any additional costs associated with limiting damage such as providing plywood over sod for access. If access is not reasonably close to the jobsite, any additional costs incurred due to having to transport materials and/or supplies will be the responsibility of the customer.

Rock/Foreign Object Clause. Most installations require digging of holes and footing equipment in concrete below finished grade. Removal of existing ground covers such as asphalt, concrete, tan bark, sand, pea gravel, wood fiber, rubber matting, poured-in-place rubber surfacing, or any other material that interferes or delays the digging of holes, is the responsibility of others, unless otherwise noted. If excessive underground obstructions such as rock, coral, asphalt, concrete, pipes, drainage systems, root systems, water, or any other unknown obstructions are discovered, charges will be added to the original proposal.

Playground Surfacing. All playground equipment is to be installed over safety surfacing per CPSC guidelines and ASTM standards. If the customer contracts for something contrary to the guidelines, they are accepting all responsibility for any liability and future litigation that may arise.

If a special inspection is required, an additional fee of \$700.00 will be added to the final invoice.

Acceptance Signature _____ Date _____ P.O. # _____

Tax Exempt No. _____

Safety 1st Playgrounds
4700 N Australian Ave. #5
West Palm Beach FL. 33407

PIP Warranty

Safety 1st Playgrounds (hereafter known as SF) warrants the Polyurethane/EPDM PIP Safety Surface Resurfacing (hereafter known as EPDM PIP) installed under this contract agreement located at Sims Park, New Port Richey for a period of Five (5) years commencing from the date of substantial completion. This limited warranty shall provide for 100% of the cost for necessary repairs caused by the failure of the EPDM PIP.

This limited warranty includes only SF obligation to repair and/or replace any defective materials or workmanship in the surface area or surface areas that have failed during the warranty period. A failed area or failed areas include raveling, delaminating, peeling, cracking, and loss of integrity as a result of the EPDM PIP degradation. SF is under no obligation or responsibility to repair and/or replace the EPDM PIP surface if damaged by vandalism (including cuts, burns, gouges, etc.), product misuse, abuse or alteration, improper slab or base or sub-base design or construction, improper drainage, improper maintenance, or any form of consequential damages. NOTE: The following chemicals can cause potential damage to the EPDM PIP surface and should be avoided: disinfectants, concentrated bleach, gasoline, diesel, hydraulic and lubricating oils, weak acids and organic solvents.

If the contract price is not paid as per the terms and conditions of the agreed contract, the limited warranty is automatically voided. SF will be responsible for security of the newly installed EPDM PIP during the installation times and the Owner will be responsible for protection of the surface after working hours. Any damages to the surface during nonworking hours of the curing period will be repaired or paid for at the Owner's expense. This limited warranty does not lessen or eliminate any other contractual obligation of Owner to SF

Safety 1st Playgrounds, Inc.
Guy DiGennaro

Date of Issue:

Client: City of New Port Richey
Contractor: Top Line Recreation, Inc.

Located at: **Sims Park**
Certificate Number:

Authorized Signature
Title: Project Manager

SAFETY PLAYGROUNDS



Presents

SAFETY 1ST POURED IN PLACE

SAFETY SURFACING

Safety isn't just part of our name, it is our commitment to the recreation industry and our customers. Our poured in place safety surface offers a seamless and colorful play area for all to enjoy.

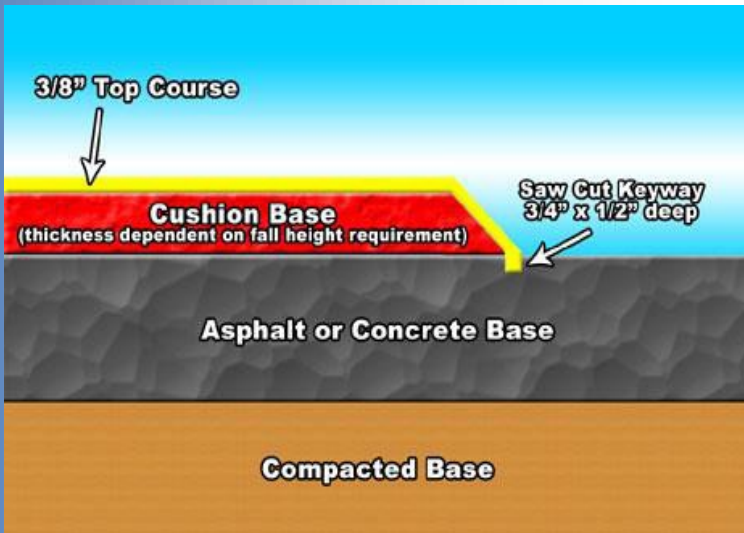


**Every color in the Rainbow
and then some !!!**

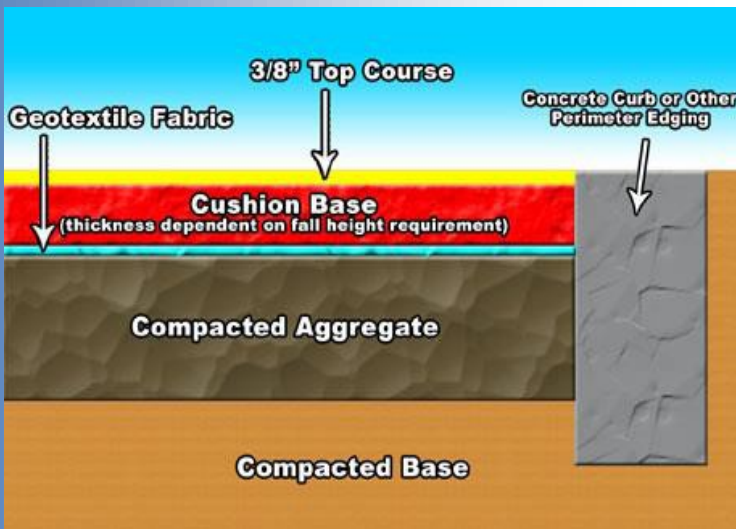
**We work with a variety of
raw material suppliers to
enhance our color selection
and provide the correct
material for different
applications**

The possibilities are endless!!

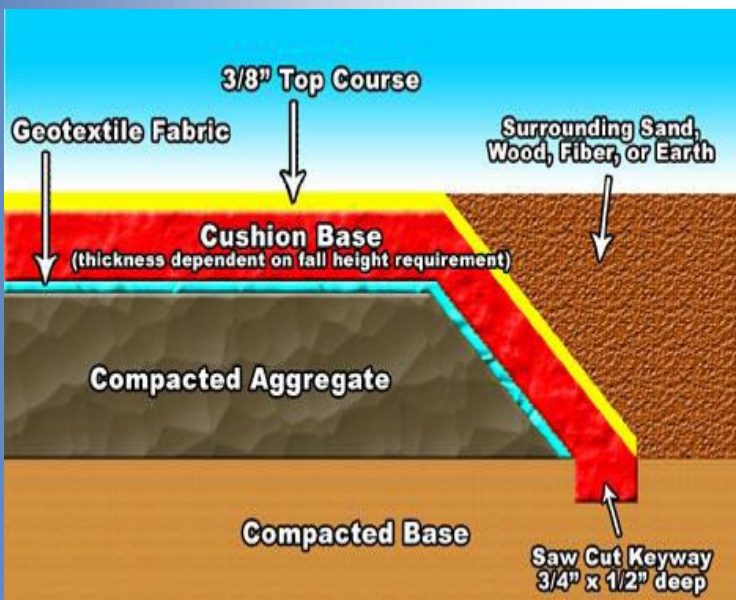




Key Way Cut on Asphalt or Concrete



Concrete Curb or Similar Edging



Rolled Edge for Surrounding Loose Fill

**Dual Layer Application For Fall Protection and
Aesthetic Durability**



**Single Layer Application for Waterplay and
Fun In The Sun**





**Keep It Simple
Or
Add A Design**

**Anything is
possible , just
open your mind**





NEW PORT RICHEY

5919 MAIN STREET • NEW PORT RICHEY, FL 34652 • 727.853.1016

TO: City of New Port Richey City Council
FROM: Robert M Rivera – Public Works Director
DATE: 1/2/2024
RE: Task Order No. 24-001 - Subsurface Utility Engineering (SUE)

REQUEST:

The request of staff for Council is to review and consider for approval Task Order No. 24-001 from Colliers Engineering and Design, Inc. for the Subsurface Utility Engineering (**SUE**) Project in an amount not to exceed \$40,000.

DISCUSSION:

As Council may be aware, construction projects within the Tampa Bay area have been a constant activity for many years that are expected to continue. The City of New Port Richey is not excluded from these activities which include State, County, City, and Private construction projects in right of ways. During design phases, utility information is gathered by engineers. Part of this information gathering is identified as **Subsurface Utility Engineering or SUE**. This practice is an effort to avoid unnecessary utility relocations, unexpected conflicts with utilities during construction, delays in projects caused by damaging unidentified existing utilities, as well as delay claims by contractors resulting from the unidentified conflict. As the City existing utility systems ages, it becomes more difficult to keep updating existing utility facilities on a proactive basis; this proposed program is expected to facilitate that process. If approved by City Council, contractual services will be used to identify utilities in two areas. These two areas were purchase by the city in 2016 and were formally known as the Orangewood Lakes and Lakewood Villas utility systems. Upon completion, staff will review the results, determine what adjustments need to be made with the program, update Council on the results, and request that the **SUE project** become an annual program in older areas of the City's existing utility system where facility locations are deficient.

RECOMMENDATION:

Approval of the task order is recommended.

BUDGET/FISCAL IMPACT:

Funds are available and allocated in the Water & Reclaimed Water Distribution Operating Budget line item 401107-43199 Professional Services-Misc. for this project.

ATTACHMENTS:

Description	Type
❏ Task Order No. 24-001	Backup Material

TASK ORDER NO. 24-001
SCOPE OF SERVICES AND FEE PROPOSAL

SUE Designation, Location, and Survey of Water, Wastewater and Reclaimed systems in Order to
Fortify and Supplement the Data in the Current GIS
CITY OF NEW PORT RICHEY, FLORIDA CITY
PROJECT

This Task Order will focus on the Water Distribution Lines and
Sanitary Sewer Mains

City Project No. _____ between Colliers Engineering & Design., hereinafter referred to as
CONSULTANT, and the City of New Port Richey hereinafter referred to as CITY.

The City of New Port Richey owns and maintains a robust Geographic Information System (GIS) that acts as a point of access and repository for a great deal of data pertaining to CITY facilities as well as important reference data created and maintained by other sources. Particularly pertinent to the proposed work contained herein is the potable water distribution and transmission system. The CITY has compiled a great deal of data related to both water system surface features such as hydrants and valves as well as subsurface data related to pipes. The quality of this data varies greatly. Portions of the data have been located in the field, surveyed, and updated in the GIS to a high level of accuracy that includes the location, depth, size, and type of pipes. However, most of the lines in the GIS have been sketched based on record drawings obtained from a variety of sources with varying levels of detail and reliability. As the CITY has responded to Sunshine811 requests and has performed maintenance on their water system they have learned that there are many areas of weakness in the GIS line work and accompanying data. The CITY has begun investigating these areas of concern but do not have the manpower to undertake a comprehensive update to the system. The staff that has done this work to date has primary responsibilities to respond to Sunshine811 requests and maintain the physical assets in the field. The CITY has made a significant investment in their GIS system and recognizes the value of creating a more accurate and robust potable water GIS data set. Due to this need and the lack of available resources they have elected to work with a consultant to expedite the data collection process.

The CONSULTANT shall, with the cooperation and assistance of the CITY, designate (SUE Level B) a portion the existing water pipes using standard electromagnetic locators and ground penetrating radar (GPR), perform vacuum excavation (SUE Level A) on these pipes at agreed locations, and survey the designated and located water pipes and associated surface features. The consultant will collect pipe inverts and determine connectivity of the city owned gravity sewer mains and survey the manhole locations. The CONSULTANT shall deliver the data to the CITY in a CITY specified data format for incorporation by the CITY into their GIS.

LEVELS OF SUE SERVICE

Level-D consists of an inventory of existing facilities, typically requested by the Federal Highway Administration as a preliminary analysis in its study phase before rebuilding a highway. Information such as “Are there any known existing utilities?” and “Are there existing utility maps?” is gathered.

Level-C is a survey and plot of 2-D visible objects and above-ground utility features that correlates the survey with as-built records and adjusts the line work produced from Level-D research to coincide with the above ground appurtenances.

Level-B involves trained SUE technicians locating utilities using electromagnetic, magnetic, sonar and other non-invasive methods, and a survey plot of the designated utilities and all information obtained during Level-C/D investigations. This level is the most common request, often provided to design engineers to identify possible conflicts. Horizontal conflicts with the proposed design are identified and avoided by using SUE Level-B information.

Level-A exposes and provides visual confirmation of subsurface utilities at selected positions to identify their precise locations and depths and obtain 3-D information. These locations are based on a detailed analysis and are specific to a potential vertical conflict. The result is a highly accurate survey and plot on composite drawing that effectively manages the risk associated with underground utilities.

SCOPE OF WORK

The CONSULTANT will provide SUE, Survey, and Data Processing services to investigate the CITY water and sewer system within the limits shown in Exhibit-1. The CONSULTANT will collect the findings of the investigations and provide this collected data to the CITY, in formats as listed under Deliverables. The purpose of this first phase of SUE work is the develop standards, systems, and expected production rates to be used for additional SUE services related to the GIS in the future. As this is a pilot project the total linear footage of water pipes investigated and surveyed, as well as the number of surface features surveyed, will be controlled strictly by the project budget and will not be detailed at this time. The anticipated work plan follows but may be revised as the CONSULTANT and CITY work to refine their processes.

Task 1. Subsurface Utility Engineering Services

1. The CONSULTANT will work with CITY to establish access to the GIS system and the associated data.
2. The CONSULTANT will systematically designate underground water pipes within the chosen geographic area. This is Level-B SUE work which includes the use of both electromagnetic locators and GPR.
3. The CONSULTANT will collect inverts and identify connectivity of the gravity sanitary sewer system.
4. CONSULTANT will determine locations needed to verify the location of the unlocatable buried water lines using vacuum excavation equipment as appropriate and in accordance with criteria established by the City. CONSULTANT shall provide 24-hour notification of its intent to use vacuum excavation to assist with locating the water lines. These findings will be documented on test hole data sheets. The CONSULTANT will initiate a Florida One-Call Ticket (811) for the proposed work areas in a timely manner and in accordance with the State of Florida Regulations.
5. The CONSULTANT will use GPS to survey the designated underground water pipes, the vacuum excavation locations, water system surface features and sanitary sewer manholes associated with the underground pipes. This data will be compiled, checked, and formatted for digital delivery to the CITY.
6. Buried lines located under asphalt or concrete shall be marked with a pink paint stripe. The CONSULTANT shall not perform subsurface verification activities but shall install a permanent marker to identify the location of the buried line by installing a PK nail with a 5/8-inch galvanized washer. These permanent markers shall be used by the CITY to locate buried lines in the future.
7. The Consultant will meet with the CITY to review and discuss the CONSULTANTS project report. The CONSULTANT will modify reports as necessary and deliver to the CITY.

STANDARD OF CARE

1. The standard of care applicable to the CONSULTANT's services will be the degree of skill and diligence normally employed by similar personnel engaged in the same or similar services at the time said services are performed. The CONSULTANT warrants that it will perform its services in accordance with and comply with applicable Federal, State, and local laws, City ordinances, standard operating procedures, and regulations, as amended at the time said services are performed. The CONSULTANT will re-perform any services not meeting this standard without additional compensation.
2. The CONSULTANT shall notify the CITY prior to working in their Right-of-Way.
3. The CITY shall notify residents and owners of commercial property about facility survey sites located on private property and in easements. Notification shall be made by submitting a flyer to the affected locations that describes the proposed work and duration.

DELIVERABLES

1. Electronic digital data file (.DWG)
2. PDF test hole data reports created by CONSULTANT at each vacuum excavation site.
3. Shapefiles
4. KMZ (Google Earth File)

COORDINATION

Work performed as part of this Work Order will be coordinated through the designated CITY REPRESENTATIVE. Correspondence to the CONSULTANT will be directed to Nicholas Fewell.

CITY'S RESPONSIBILITIES

The CITY will provide the CONSULTANT with online access to the GIS and all associated data sets as well as any CITY developed software systems required to access the data.

The CITY will work with the CONSULTANT to determine the work areas to be included in this Task Order.

The CITY will ensure that the CONSULTANT has access to the planned work locations.


The CITY will provide advanced warning to residents within the scope of work notifying residents that the CONSULTANT will be performing work in the area and may need to access the easements adjacent to their properties.

The CITY will provide the CONSULTANT with a letter authorizing the work to be performed to be presented to any residents questioning CONSULTANTS intent.

For the above-described Scope of Work in the Task Order No. 1, the CITY will compensate the CONSULTANT at the rates shown below. Compensation to the CONSULTANT for rendering of the above identified services and products shall not exceed the following: \$40,000.00.

Technical Staff Rates 2023	
Billing Titles	Hourly Rates
Executive Principal	305.00
Senior Principal	260.00
Principal	235.00
Senior Technical Director	220.00
Senior Project Manager	215.00
Technical Director	195.00
Project Manager	185.00
Senior Project Specialist	175.00
Project Specialist	165.00
Technical Professional	155.00
Technical Specialist	145.00
Specialist	135.00
Senior Data Technician	125.00
Senior Technical Assistant	115.00
Technical Assistant	105.00
Field Technician	95.00
Data Technician	90.00
Survey Crew – 2 Person w/Robotic Equipment	190.00
Additional Survey Crew Member	50.00
SUE Crew (designating) – 2 Person	195.00
Additional (designating) Member	75.00
SUE Crew (locating) – 2 Person	195.00
Additional (locating) Member	75.00
Reimbursable Expenses	
General Expenses	Cost + 15%
Travel (Hotel, Airfare, Meals)	Cost + 15%
Sub-Consultants/Sub-Contractors	Cost + 20%
Plotting	4.25 / Each
Computer Mylars / Color Plots	100.00 / Each
Photocopies	0.19 / Each
Color Photocopies	2.00 / Each
Document Binding	4.00 / Each
Portable Media	100.00 / Each
Exhibit Lamination (24" x 36" or larger)	85.00 / Each
Initial Digital Signature	300.00
Additional Digital Signatures	75.00 / Each
Vacuum Excavation Truck Operational Costs (Vactor)	85.00 / Hour
Vacuum Excavation Truck Operational Costs (Tellus)	65.00 / Hour
Ground Penetrating Radar	75.00 / Day
Specialty Equipment (Rodder, Sonde, PCM)	65.00 / Day
Consumable Supplies (Paint, flags, lath)	50.00 / Day/Crew
Mileage Reimbursement*	0.655 / Per Mile
	Field Vehicle 0.70 / Per Mile

*Mileage reimbursement subject to change based upon IRS standard mileage rate.

		New Port Richey Task 001									
LABOR COST DETAIL		Designates	Locates	SUE Survey	CAD Drafting	QA/QC	Total Hours	Labor Cost	Estimate Rates	EM with Tampa Staff	Percent Profit
TITLE	Standard Rates										
Principal	\$ 235.00	1.0					1.0	\$ 235.00	\$ 235.00	3.00	10.00%
Senior Technical Director	\$ 220.00	6.0					6.0	\$ 1,320.00	\$ 220.00	3.33	8.16%
Technical Director	\$ 195.00							\$ -	\$ 195.00	3.59	28.00%
Project Specialist	\$ 165.00							\$ -	\$ 165.00	3.47	21.74%
Technical Professional	\$ 155.00	25.0					25.0	\$ 3,875.00	\$ 155.00	3.52	35.71%
Specialist	\$ 135.00							\$ -	\$ 135.00	4.52	40.27%
Sr. Data Technician	\$ 125.00							\$ -	\$ 125.00	3.52	33.17%
Technical Assistant	\$ 105.00							\$ -	\$ 105.00	3.41	36.47%
Data Technician	\$ 90.00	23.0					23.0	\$ 2,070.00	\$ 90.00	3.41	48.57%
Survey Crew – 3 Man	\$ 240.00							\$ -	\$ 240.00	3.28	27.81%
Survey Crew – 2 Man	\$ 190.00							\$ -	\$ 190.00	3.33	25.62%
SUE Locate - 4 man	\$ 300.00							\$ -	\$ 300.00	3.33	25.00%
SUE Locate - 3 man	\$ 250.00							\$ -	\$ 250.00	3.33	25.00%
SUE Locate - 2 man	\$ 195.00	50.0					50.0	\$ 9,750.00	\$ 195.00	3.33	25.00%
SUE Des - 2 man	\$ 180.00	50.0					50.0	\$ 9,750.00	\$ 195.00	3.33	33.36%
SUE Des - 1 man	\$ 130.00	100.0					100.0	\$ 13,000.00	\$ 130.00	3.33	27.81%
Hours by Task		255.0					255.0	\$ 40,000.00	Projected Performance Based on Estimate=		
Labor by Task		\$ 40,000.00	\$ -	\$ -	\$ -	\$ -					19.54%
Direct Costs		Designates	Locates	SUE Survey	CAD Drafting	QA/QC	Total Directs				
Per diem											
Hotel											
Total Direct Expenses		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
Loaded Labor and Direct Expenses		\$ 40,000.00	\$ -	\$ -	\$ -	\$ -	Total Cost=	\$ 40,000.00			

ADDITIONAL SERVICES REQUIRING AUTHORIZATION IN ADVANCE

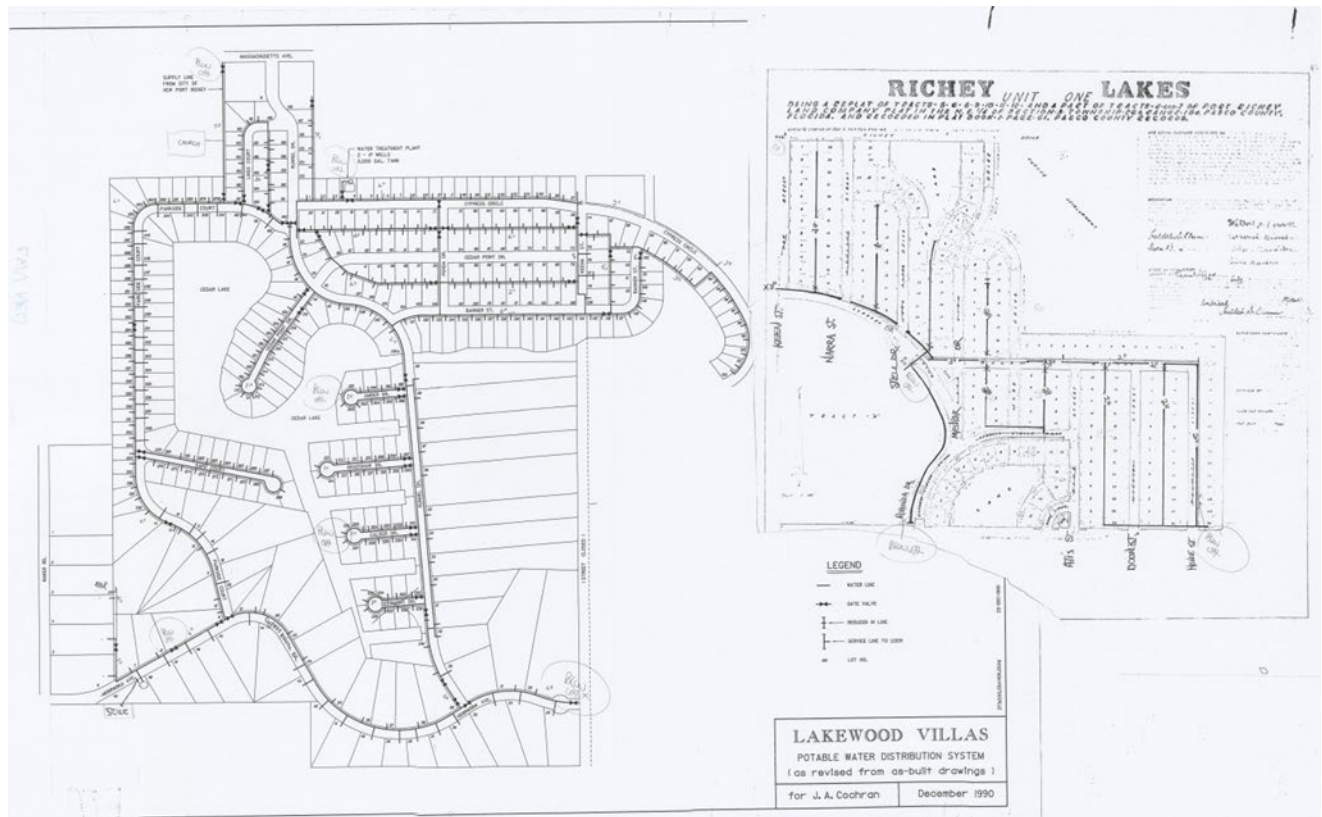
If required by the CONSULTANT and authorized by the CITY, additional services related to this Task Order shall be provided by the CONSULTANT for additional professional fees negotiated with and agreed to by the CITY.

SCHEDULE

This schedule assumes CONSULTANT would have received all data requested on or before the Notice to Proceed (NTP).

Milestone	Week from NTP
Preliminary Delivery of Data	6
Final Delivery of Data	8

Exhibit:



Signature

Date

Printed Name

Title

We very much appreciate the opportunity of submitting this proposal and look forward to performing these services for you.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)

Michael Kriegel

Michael Kriegel
Geographic Discipline Leader, Subsurface Utility Engineering