

**AMENDMENT No. 4
TO THE PROFESSIONAL
ENGINEERING SERVICES AGREEMENT
BETWEEN
THE CITY OF MIAMI BEACH, FLORIDA
AND
RIBBECK ENGINEERING, INC.
DATED July 26, 2016**

**FOR THE PROVISION OF ADDITIONAL ENGINEERING SERVICES FOR
THE INDIAN CREEK DRIVE /STATE ROAD (SR) A1A, 26 STREET TO
41 STREET- FLOOD MITIGATION PROJECT IN THE AMOUNT OF
\$383,670.**

This Amendment No. 4 to the Agreement is made and entered this ____ day of _____, 2019, by and between the CITY OF MIAMI BEACH, a municipal corporation existing under the laws of the State of Florida (the "City"), having its principal offices at 1700 Convention Center Drive, Miami Beach, Florida 33139, and Ribbeck Engineering Inc., a Florida Corporation having its principal office at 14335 SW 120 St. #205, Miami, Florida 33146 (the "Consultant").

RECITALS

WHEREAS, On March 9, 2016, the Mayor and City Commission adopted Resolution 2016-29332 approving a Department Funded Agreement (DFA) between the City and the Florida Department of Transportation (FDOT) for the cost sharing of a construction project on Indian Creek Drive from 26th to 41st Streets; and

WHEREAS, On June 8, 2016, the Mayor and City Commission adopted Resolution 2016-29456, approving the award of a professional services agreement to Ribbeck Engineering, Inc., in the total amount of \$407,851, to develop the Design Criteria Package (DCP) and conceptual plans for approximately 0.85 miles of Indian Creek Drive; and

WHEREAS, the "Interim" Phase construction for the underground drainage component, including drainage pipes ranging in size up to 72 inches in diameter, drainage structures, 24-inch diameter storm drainage pipes along the side streets, the pump station structure and roadway drainage system is now substantially completed; and

WHEREAS, on April 26, 2017, the Mayor and City Commission adopted Resolution 2017-29839, authorizing the negotiation of Amendment No. 1 to the Professional Services Agreement with Ribbeck Engineering, Inc., in the amount of \$863,171.92 plus a \$86,317.19 contingency, for a total amount of \$949,489.11, to prepare a set of "Interim" construction plans from 25th to 26th Streets, and 26th to 41st Streets, including side streets along the entire project limits; and

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution 2017-30070, authorizing the negotiation of Amendment No. 2 to the Professional Services Agreement with Ribbeck Engineering, Inc., in the amount of \$1,056,347.77, plus a \$158,452.17 owner's contingency of fifteen percent (15%), for a total amount of \$1,214,799.94, to complete the "Ultimate" Phase final signed and sealed construction plans for the entire project limits; and

WHEREAS, On October 30, 2018, the Mayor and City Commission adopted Resolution 2018-30547, authorizing Amendment No.3 to the Professional Services Agreement with Ribbeck Engineering, Inc., in the amount of \$308,364.46, plus a ten percent (10%) owners contingency in

the amount of \$30,836.05, for a total of \$339,196.50; and

WHEREAS, the scope of work for Amendment No. 3, included subsurface exploration to further identify potential utilities conflicts, modifications to roadway and drainage design resulting from owners requests to modify harmonization plans for the adjacent properties, parking lanes modification to meet FDOT criteria, additional utility coordination, special handrail design to meet new city criteria and additional coordination efforts; and

WHEREAS, on November 26, 2018, pursuant Invitation to Bid (ITB) 2018-054-ZD three (3) bids were received and rejected by the City as they exceeded the project's budget; and

WHEREAS, on July 31, 2019, pursuant to ITB No. 2019-231-KB, the City awarded a contract to Ric-Man Construction Florida in an amount not to exceed \$13,636,984, for the Indian Creek Phase III Improvements from 25th to 41st Street (the Project); and

WHEREAS, the City is preparing to enter the construction phase of the project, and additional services are required during construction; and

WHEREAS, the services during construction include, but are not limited to, attending and participation in bi-weekly construction meetings, responding to requests for information (RFI's), post bid revisions, Collins Avenue design revisions, geotechnical surveys, testing and structural design; and

WHEREAS, Ribbeck Engineering Inc. submitted a negotiated cost proposal for Amendment No. 4 to the Agreement in the amount of \$383,670, to provide engineering services for the Project during construction; and

WHEREAS, this cost proposal was reviewed by Public Works Department and Office of Capital Improvements Projects staff and found to be fair and reasonable.

WHEREAS, this Amendment No. 4, will bring the total Ribbeck contract amount to \$3,295,006.55; and

NOW, THEREFORE, the parties hereto, and in consideration of the mutual promises, covenants, agreements, terms, and conditions herein contained, and other good and valuable consideration, the respect and adequacy are hereby acknowledged, do agree as follows:

1. ABOVE RECITALS

The above recitals are true and correct and are incorporated as a part of this Amendment No. 4.

2. MODIFICATIONS

- (a) The Agreement is amended, as provided herein and in Schedule "A" attached hereto.
- (b) In consideration for the services to be performed under this Amendment No. 4, City shall pay Consultant the not-to-exceed amount of \$383,670, as provided in schedule "A", attached hereto.

3. OTHER PROVISIONS.

All other provisions of the Agreement, as amended, are unchanged and shall remain in full force and effect.

4. RATIFICATION.

The City and Consultant ratify the terms of the Agreement, as amended by this Amendment No. 4.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 4 to be executed in their names by their duly authorized officials as of the date first set forth above.

ATTEST:

CITY OF MIAMI BEACH, FLORIDA

Rafael E.
Granado, City
Clerk

Dan Gelber
Mayor

ATTEST:

CONSULTANT:
RIBBECK ENGINEERING, INC.

Secretary

Principal

Print Name

Print Name

August 13, 2019

Mina Samadi, PE LEED AP
Senior Capital Projects Coordinator
City of Miami Beach
CIP Department
1700 Convention Center Drive
Miami Beach, FL 33139

Re: **Change Order #4**
SR A1A/Indian Creek Drive from 25 Street to 41 Street Improvements
Flood Mitigation Project - Contract Resolution No. 2016-29456



CA# 27592
E.I.No. 26-0460404
14335 SW 120th St., Suite 205,
Miami, FL 33186
cribbeck@gmail.com
Cel: 305-319-1397
Phone: 305-383-5909
Fax: 305-383-5979

Dear Mina:

Enclosed for your approval, please find our revised Change Order #4 for a value of \$383,670.33. Please note that we are running out of funds and would appreciate expediting the approval of this change order.

Should you have any questions regarding this invoice payment or require additional information, please contact me at 305-319-1397.

Thanks again for the opportunity.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Ribbeck'.

Carlos F. Ribbeck, P.E.
President

INDIAN CREEK DRIVE
DRAINAGE MITIGATION PROJECT FROM 25 ST TO 41 ST
POST DESIGN SERVICES - CHANGE ORDER 4

ITEM		
PDS (6/01 to 7/12)	21	Hours
Meetings (6/01 to 7/12)	93	Hours
Shop Drawings	398	Hours
RFI	460	Hours
Revisions	388	Hours
Additional Scope	236	Hours
Meetings	311.5	Hours
Revise Collins	53	Hours
Total =	1,960.50	Hours
Avg Hourly Rate	\$53.50	
Overhead	163.76%	
Operating Margin	38.50%	
Facilities Capital Cost Money	0.767%	
Cost (Hrs x Loaded Rate)	\$317,835.17	
Contingency (10%)	\$31,783.52	
Total =	\$349,618.69	
Subs		
Geotech (Pile and Mast Arm)	\$3,104.00	
Survey (Collins)	\$10,000.00	
Structural (Redesign of Concrete Pads)	\$16,355.38	
Structural (PDS support requested not invoiced)	\$4,592.26	
Total =	\$34,051.64	
Grand Total =	\$383,670.33	

ONGOING PDS				
Item	QTY	Hrs/unit	Hours	Remarks
Meetings			21	These are hours already spent from 6/01 to 7/12
PDS			93	These are hours already spent from 6/01 to 7/12
		Total =	114	

SHOP DRAWINGS				
Item	QTY	Hrs/unit	Hours	Remarks
Roadway				
Hand Rails	20	2	40	Bundled by location, 16 locations, 3 @ concrete pads and 1@ pump outfall
TMS	1	8	8	Traffic Monitoring Site @ 40th Street
		Total =	48	
Drainage				
Drainage Structures	140	1	140	SRPE
Pipes	24	1	24	72" SRPE
Drainage Structures	178			RCP, Equivalent to SRPE to be procured plus the structures in the yard
Pipes	24			RCP, Assume 24 elbows/special manholes
Pumps	3	1	3	
Pump Station	5	2	10	Pumps, hatch, Discharge pipes, floats, sluice gate
Yard Drains	1	1	1	
Trench Drains	42	1	42	
		Total =	220	
Signing				
Sign Panels	12	1	12	
		Total =	12	
Signals				
Conduit	2	1	2	
signal Cable	1	1	1	
Pull Box	2	1	2	
Service Disconnect	2	1	2	
Servicd Wire	1	1	1	
Pole	2	1	2	
Signal Head	5	1	5	
Vehicle Signal (Detector)	2	1	2	
Pedestrian Signal	2	1	2	
Countdown	1	1	1	
Controller	2	1	2	
Sign	6	1	6	4@26, 1@29, 1@39
Mas Arms	6	2	12	
Flashing beacons	2	1	2	1 for beacons and 1 for structural bracket
		Total =	42	
Lighting				
Load Centers	2	2	4	
Light Pole	1	2	2	
Conduit	1	1	1	
Conductor	2	1	2	
Pull Box	1	1	1	
		Total =	10	
Structures (Mast Arms)				
Drilled Shafts	6	2	12	4@26, 1@29, 1@39
Anchor Bolts	6	2	12	4@26, 1@29, 1@39
Mast Arms	6	2	12	4@26, 1@29, 1@40
		Total =	36	
Electrical				
Cabinets	12	2	24	
Generator	1	4	4	
VFD	1	2	2	
		Total =	30	
		SD Total =	398	

RFI				
Item	QTY	Hrs/unit	Hours	Remarks
Roadway	80	1.5	120	Estimate 4 per month @ 20 months
Drainage	80	1.5	120	Estimate 4 per month @ 20 months
Signing	10	1	10	
Signals	20	1	20	
Lighting	10	1	10	
Structures	30	2	60	
Electrical	60	2	120	
		RFI Total =	460	

REVISIONS				
Item	QTY	Hrs/unit	Hours	Remarks
Roadway	8	16	128	
Drainage	8	16	128	Revise Roadway plan, Drainge plan, Drainage structure
Signing	3	8	24	
Signals	3	12	36	
Lighting	3	8	24	
Structures	3	8	24	
Electrical	3	8	24	
		Rev Total =	388	

ADDITIONAL SCOPE				
Item	QTY	Hrs/unit	Hours	Remarks
Roadway	10	8	80	Revise Harmonization to Owner's satisfaction; Assume 10 @ 8 hrs
Utility Plans and Redesign	33	4/8	144	Update utility design file-8 hrs upon pending Soft Digs, update XS - 8 hrs, Utility Work Schedules - 8 hrs, Assume 20 drainage struct @ 4 hrs (Drainage XS, Drainage Plan, Roadway Plan) and 10 Rdwy @4 hrs = 8+8+8+20x4+10x4= 144
Structural	1	12	12	Review letter/calculations for sheet pile elimination
		Total =	236	

MEETINGS				
Item	QTY	Hrs/unit	Hours	Remarks
Bi Weekly Meetings	40	3	180	Assume 20 months/biweekly and half meetings for drainage engineer = 20 mths x 2 wk x 3hrs x 1.5 engineers
Utility Coordination	7	3	31.5	Assume 2 FPL (Signal & Lighting Power Source), 4 Teco (conflicts), 1 ATT (Signals)=7 mtgs x 3 hrs x 1.5 engineers
Property Owners	5	2	10	Assume 5 property owners @ 2 hrs each
Field Reviews	20	3	90	Estimate 20 field reviews (1 every months) x 1.5 person
		Total =	311.5	

REVISION TO COLLINS

Item	QTY	Hrs/unit	Hours	Remarks
Typical Section	1	4	4	1 sheet
Pavement Design	1	16	16	Revise Pavement Design and submit for FDOT approval
Plan Sheets	2	2	4	2 Sheets
Profile	1	2	2	
Cross Sections	14	0.5	7	14 Cross Sections
Field Reviews	1	4	8	1 Field Review 4 hrs x 2 Engineers
Quantities	1	8	8	
		Total =	49	
QC	5%		2	
Supervision	5%		2	
		Total =	53	