

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND RIBBECK ENGINEERING, INC. FOR THE INDIAN CREEK DRIVE/STATE ROAD (SR) A1A, 26 STREET TO 41 STREET FLOODING MITIGATION PROJECT TO PROVIDE ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF THE INDIAN CREEK PHASE III IMPROVEMENTS FROM 25TH TO 41ST PROJECT, IN AN AMOUNT NOT-TO-EXCEED \$383,670, FOR A TOTAL CONTRACT AMOUNT OF \$3,295,006.55.

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 the Indian Creek Drive from 26th to 41st Streets project (the "Project"); 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. (the "PSA"), to develop the Design Criteria Package ("DCP") and conceptual plans for approximately 0.85 miles of Indian Creek Drive, for a total contract amount of \$407,851; and

WHEREAS, the DFA stipulates that the Project shall be implemented in two (2) construction phases, the "Interim" phase and the "Ultimate" phase; and

WHEREAS, the "Interim" phase construction for the underground drainage component is now substantially complete, which included installation of 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; and

WHEREAS, the "Ultimate" phase includes the roadway reconstruction component, raising the roadway, and harmonization to the final grade; and

WHEREAS, on April 26, 2017, the Mayor and City Commission adopted Resolution 2017-29839, authorizing the City to enter into negotiations for Amendment No. 1 to the PSA with Ribbeck Engineering, Inc., 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, in the amount of \$863,171.92 plus a \$86,317.19 City contingency, increasing the contract amount by \$949,489.11, for a total contract amount of \$1,357,340.11; and

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution 2017-30070, authorizing the City to enter into negotiations for Amendment No. 2 to the PSA with Ribbeck Engineering, Inc., to complete the "Ultimate" phase with final signed and sealed construction plans for the entire Project limits, in the amount of \$1,056,347.77, plus a fifteen percent (15%) City Contingency in the amount of \$158,452.17, increasing the contract amount by \$1,214,799.94, for a total contract amount of \$1,622,650.94; and

WHEREAS, on October 30, 2018, the Mayor and City Commission adopted Resolution 2018-30547, authorizing Amendment No. 3 to the PSA with Ribbeck Engineering, Inc., to perform subsurface exploration to further identify potential utilities conflicts, modifications to roadway and drainage design resulting from requests to modify harmonization plans for the adjacent properties, parking lanes modification to meet FDOT criteria, additional utility coordination, special handrail design to meet City criteria, and additional coordination efforts, in the amount of \$308,364.46,

plus a ten percent (10%) City contingency in the amount of \$30,836.05, increasing the contract amount by \$339,196.50, for a total contract amount of \$1,961,847.44; and

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

WHEREAS, in order to move forward with the construction phase of the Indian Creek Phase III Project with Ric-Man Construction Florida Inc., Ribbeck Engineering Inc. submitted a negotiated cost proposal for Amendment No. 4 to the PSA to provide engineering services during the construction phase of the Indian Creek Phase III Project, in the amount not-to-exceed \$383,670; and

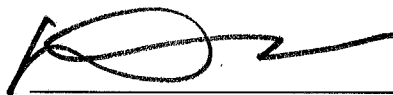
WHEREAS, the services to be performed by Ribbeck Engineering Inc. during construction of the Indian Creek Phase III Project pursuant to Amendment No. 4 to the PSA include, but are not limited to, attending bi-weekly construction meetings, shop drawing reviews, responding to requests for information, post bid revisions, Collins Avenue design revisions, geotechnical surveys, testing, and structural design; and

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

WHEREAS, Ribbeck Engineering Inc.'s cost proposal for Amendment No. 4 was reviewed by the Public Works Department and the Office of Capital Improvements and deemed to be fair and reasonable.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission of the City of Miami Beach, Florida hereby approves and authorizes the Mayor and City Clerk to execute Amendment No. 4 to the Professional Services Agreement between the City of Miami Beach and Ribbeck Engineering, Inc. for the Indian Creek Drive/State Road (SR) A1A, 26 Street to 41 Street Flooding Mitigation Project to provide engineering services for the construction phase of the Indian Creek Phase III Improvements from 25th to 41st Project, in an amount not-to-exceed \$383,670, for a total contract amount of \$3,295,006.55.

PASSED and ADOPTED this _____ day of _____, 2019.



Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney

8/29/19

Date