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MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: February 12, 2020

Subject: **DISCUSSION REGARDING THE ISSUANCE OF THE SECOND NOTICE TO PROCEED TO RIC-MAN CONSTRUCTION FLORIDA, INC., FOR THE COMMENCEMENT OF THE CONSTRUCTION OF INDIAN CREEK PHASE III IMPROVEMENTS FROM 25 STREET TO 41 STREET.**

BACKGROUND

On October 11, 2019, pursuant to Invitation to Bid (ITB) 2019-231-KB and the executed Agreement between the City of Miami Beach (City) and Ric-Man Construction Florida, Inc. (Contractor), for the Construction of the Indian Creek (SR AIA) Phase III Improvements From 25th to 41st Street. The Contractor was issued the First Notice to Proceed (NTP 1) to commence scheduling activities, permit applications, and other pre-construction work.

On October 21, 2019, the Contractor was authorized to perform certain preconstruction activities including installation of the jobsite trailer and temporary utilities, perform sub-surface investigations, utility relocations and adjustments, site preparation, surveying, testing and shop drawing submittals. These activities are currently complete or ongoing.

Among other items, the receipt of all the necessary permits is a condition precedent to the issuance of the Second Notice to Proceed (NTP 2) with construction and signifies the start of the contract time.

On January 31, 2020, the City obtained the Class II Permit for the installation of the stormwater drainage system associated with the project. The contractor is now completing an application for a Class V permit to be submitted later this week. The Class V permit for dewatering activities is the responsibility of the Contractor and is necessary only if required by the contractor's means and methods.

The Maintenance of Traffic (MOT) plans for temporarily converting Collins Avenue to two-way traffic was presented to the Traffic Signalization Division of Miami-Dade County's Public Works and Transportation Department (County), on February 5th. During that pre-submittal conference, the County reviewed the plans and requested additional information for the temporary signalization. The contractor is providing the requested information.

City Staff, as well as the City's Consultants, have worked diligently on the negotiations and execution of the required license agreements between the City and the Property Owners affected by the project. These license agreements allow the City to access, harmonize and transition the improvements between the public right-of-way and private properties. Twenty-nine (29) properties along Indian Creek Drive will be impacted by the project. Of the twenty-nine (29) properties,

twenty-four (24) license agreements have been executed and five (5) are pending. The remaining license agreements pose their own unique challenges and will require more time to resolve pending issues with the property owners. It is likely that agreements with some of these properties may not be reached. In that case, the harmonization will be completed within the public right-of-way.

The Administration is preparing to move forward with construction activities as soon as possible, as is being requested by the residents for this long-awaited work. We expect the Contractor to commence construction activities within 30 days of receipt of the NTP 2.

CONCLUSION

The Administration recommends issuing the Second Notice to Proceed.