

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE INTERIM CITY MANAGER'S RECOMMENDATION AND AUTHORIZING A MODIFICATION AND REDESIGN OF THE LINCOLN ROAD REDEVELOPMENT PROJECT, REVISING THE SCOPE OF THE PROJECT SO THAT IT CAN BE COMPLETED WITHIN THE ALLOCATED TOTAL BUDGET OF \$52.4 MILLION; AND FURTHER AUTHORIZING THE ADMINISTRATION TO NEGOTIATE AN AMENDMENT TO THE AGREEMENT WITH THE CITY'S CONSULTANT, JAMES CORNER FIELD OPERATIONS, WITH SAID AMENDMENT SUBJECT TO PRIOR APPROVAL BY THE MAYOR AND CITY COMMISSION.**

**WHEREAS**, on March 9, 2016, pursuant to the development and approval of the Lincoln Road Master Plan, the City Commission adopted Resolution No. 2016-29319, awarding the contract for Architectural and Engineering Design Services for the Lincoln Road Redevelopment Project to James Corner Field Operations (JCFO) and on June 8, 2016, pursuant to RFQ 2016-073-KB, the City Commission adopted Resolution No. 2016-29447, awarding a Construction Manager At Risk (CMAR) contract for pre-construction services, to Burkhardt Construction, Inc.; and

**WHEREAS**, on October 28, 2016, following the completion of the Schematic Design Phase and Value Engineering efforts, the project team presented the design and estimated costs to the Finance and Citywide Projects Committee, which gave direction to the project team to forgo the value engineering options and design to the Master Plan recommendations; and

**WHEREAS**, the overall project construction cost for the proposed improvements, as prepared by Burkhardt Construction at 50% Construction Document submittal, included, without limitation, costs of construction, labor, materials and contractor fee, and contingency; and

**WHEREAS**, City staff included in the total project cost, the cost of plans, specifications and surveys, architecture and engineering, legal expenses, permit fees, and owner's contingency and the total project cost for the Lincoln Road Redevelopment Project was projected to be approximately \$77.4 million; and

**WHEREAS**, the proposed project included Lincoln Road, from Lenox Avenue to Washington Avenue; Lincoln Road, from Washington Avenue to Collins Avenue; Meridian Avenue, from Lincoln Road to 17th Street; Pennsylvania Avenue, from Lincoln Road to Lincoln Lane North; and Drexel Avenue, from 16th Street to Lincoln Lane North; and

**WHEREAS**, the types of improvements proposed included enhancement of pedestrian walkways and cafe zones; modifications to the existing planters and water features; new landscape and irrigation; cosmetic repairs to the historic Lapidus structures; drainage improvements; lighting; signalization/wayfinding; performance/multipurpose areas in the 500 and 600 Blocks; outdoor furnishings at selected locations; a gateway trellis feature at the 400 Block; replacement of underground infrastructure; crosswalk enhancements; and milling and resurfacing of asphalt paving; and

**WHEREAS**, on July 3, 2019, the Board of Directors of the Lincoln Road Business Improvement District (LRBID) adopted Resolution No. 18-19-11, in support of the full



implementation of Phase I of the Lincoln Road District Master Plan and the LRBID further expressed its desire to (i) expand the term of the LRBID for an additional five years; (ii) increase the area covered by the LRBID to include, at a minimum, Lincoln Road, from Collins Avenue to West Avenue, and to also include the side streets; and (iii) increase the special assessments to current LRBID members by approximately twenty-five percent (25%); and

**WHEREAS**, on July 31, 2019, the Administration presented the project and budget to the City Commission and the full scope of the project, estimated at approximately \$77.4 million, was approximately \$27 million over budget and during that meeting, the Administration recommended proceeding with the project by reducing the project scope, and augmenting the funding; and

**WHEREAS**, the reduced scope included the omission of the gateway trellis located at the Washington Avenue entrance to Lincoln Road and the recommendation omitted the Washington Avenue to Collins Avenue (Lincoln Road 200-300 Blocks) scope; and

**WHEREAS**, the Administration's recommendation was expressly conditioned on an expanded project budget being made available, upon the successful extension and expansion of the LRBID (as represented by the LRBID in its Resolution), which would generate additional revenue to be used for arts, culture and performance programming, as well as the necessary promotional, marketing and advertising campaigns; and

**WHEREAS**, the City Commission accepted the recommendation of the Administration, subject to the conditions provided, and directed staff to proceed with a version of the Lincoln Road Plan which included a reduced scope and an augmented project budget, for a total project cost of approximately \$67 million; and

**WHEREAS**, to date, the LRBID has not expanded or extended the district (or generated any additional revenue) in accordance with its initial 7/13/2020 Resolution; and

**WHEREAS**, on March 12, 2020, the City of Miami Beach declared a State of Emergency in response to the Coronavirus Disease 2019 (COVID-19) and announced various emergency measures to mitigate the spread of COVID-19, including the immediate closure of non-essential retail businesses which impacted the commercial businesses along the Lincoln Road corridor; and

**WHEREAS**, simultaneously, market conditions and uncertainty within the construction industry resulted in the CMAR advising the City to delay the BID/GMP process, in order to ensure greater participation by potential bidders and the project team agreed that postponing the bid process was in the best interest of the project; and

**WHEREAS**, additionally, in recognition of the impact of the pandemic on Lincoln Road businesses, the Administration felt that continued business interruption generated by a construction project of this magnitude would be excessive and on April 16, 2020, City staff met with representatives of the LRBID to discuss options that would reduce the scope of work, with the intent of minimizing impacts to those businesses; and

**WHEREAS**, the LRBID was supportive of the effort, and made recommendations on which elements could be removed from the scope and the LRBID also informed City staff that as a result of the pandemic, they would not be able to meet the commitment to expand and extend the LRBID, as contemplated under the LRBID's 07/13/2020 Resolution; and

**WHEREAS**, during the Summer, City staff and representatives of the LRBID met numerous times to explore and discuss options; and

**WHEREAS**, in light of the economic impact of the pandemic on the City, the Administration advised the project team and the LRBID that the project budget would be limited to the funding already available to the project; and

**WHEREAS**, this amounted to \$40 million for Lincoln Road, from Lenox Avenue to Washington Avenue; \$10 million for Meridian Avenue, from Lincoln Road to 17th Street; Pennsylvania Avenue, from Lincoln Road to Lincoln Lane North; Drexel Avenue, from 16th Street to Lincoln Lane North; related underground infrastructure; and \$2.4 million for security bollards (GOB); all for a total of \$52.4 million; and

**WHEREAS**, City staff and the LRBID further discussed potential scope reductions. In order to reduce the scope and cost of the project to the available \$52.4 Million budget. City staff proposes elimination or reduction of the following:

- Omit the gateway trellis at Washington Avenue
- Eliminate, to the extent possible, all removal and replacement of concrete paving within the pedestrian areas of Lincoln Road
- Reduced landscaping & irrigation improvements
- Reduced site furnishings
- Eliminate proposed light pole and fixture upgrades
- Eliminate electrical upgrades, specifically at electrical rooms
- Eliminate traffic signalization and crosswalk improvements
- Omit security camera infrastructure
- Omit, to the extent possible, any under-pavement work so as to preserve the existing pavement

City staff proposes maintaining the following within the project scope:

- Infrastructure upgrades and improvements at Meridian and Drexel Avenues (water, sanitary sewer & storm drainage)
- Meridian Avenue improvements
- Pedestrianization of Drexel Avenue
- Restoration/repair of fountains and repair of associated equipment
- Restoration of the Lapidus follies
- Upgrade existing light fixtures at existing locations
- Implementation of the concept for the Euclid Avenue oval
- Refurbishing the seating areas along the Lincoln Road corridor
- Refinish the existing piano keys using a more durable traffic coating
- Restoration of aluminum grates of at existing trench drains
- Lincoln Road directional and informational signage package
- A more significant Lincoln Road gateway sign at Washington Avenue, which also serves as a component of the security barrier system
- A matching Lincoln Road gateway sign at Alton Road, which also serves as a component of the security barrier system (this location and scope falls outside the original limits of the project)
- Design and installation of a playground
- Security barrier system, including planters, bollards, furnishings, etc.; and



**WHEREAS**, the infrastructure upgrades and improvements listed above include water mains, sanitary sewer and storm drainage scope of work and as the Lincoln Road plan includes replacement of paving on Drexel and Meridian Avenues, it is cost effective to undertake these revisions at this time, and will avoid future impacts to newly installed roads; and

**WHEREAS**, the Public Works Department also deems these improvements critical and the approximate total cost of the infrastructure improvements is \$5.2 million (\$3.4M water/sewer and \$1.8M storm drainage); and

**WHEREAS**, the Administration and City Attorney's Office have reviewed the project scope for the Lincoln Road project, as approved in the Interlocal Agreement between the City and Miami-Dade County governing the use of RDA funds (ILA) and based on the project scope for the Lincoln Road project (as approved in the ILA), the concurrence of Miami-Dade County would be required to use RDA funds for the proposed water/sewer and storm drainage improvements, approval which the Administration does not recommend obtaining at this time; and

**WHEREAS**, City staff believes that the current total project budget of \$50 million could absorb the cost of the infrastructure improvements and if these improvements are to be funded by the \$10 million dedicated to the improvements of the connector streets, it would, in all likelihood, prohibit the full implementation of the proposed plan, providing only basic upgrades and repairs to both Meridian and Drexel Avenues; and

**WHEREAS**, alternatively, the City could allocate additional funding to the project through a budget amendment or through the next budget cycle; and

**WHEREAS**, if this is considered as an alternative by the City Commission, the City would propose to fund the \$3.4M water/sewer improvements from the recently approved \$122M Water/Sewer Bond Program, and \$1.8M storm drainage from the Resiliency Fund; and

**WHEREAS**, on August 20, 2020, the LRBID adopted Resolution No. 19-20-10 and this Resolution urged the City of Miami Beach to promptly enter into an agreement with James Comer Field Operations to modify the Lincoln Road Master Plan in a manner that: (1) eliminates the most disruptive element of the plan, the replacement of the sidewalks; (2) retains as many of the other design elements of the Master Plan as possible, including the Gateway Trellis; (3) minimizes the number of modifications to existing plans in order to expedite the permitting and construction process; (4) makes the installation of the designed bollards a paramount priority; and (5) stays within a budget approved by the City Commission; and

**WHEREAS**, additionally, the Resolution urged the City of Miami Beach to authorize construction of a Modified Lincoln Road Master Plan with Burkhardt Construction in the manner described above so that final permitting and construction can commence at the earliest possible date; and

**WHEREAS**, having met with City staff and counsel for the LRBID since the December 9, 2020, City Commission meeting, I concur with the Administration's analysis, as set forth herein; and

**WHEREAS**, it is anticipated that the revised scope of work, as proposed herein by City staff, can be completed within the allocated total budget of approximately \$52.4 million, equating to a construction budget of \$34 million to \$36 million and of this total \$52.4 million project budget, the City has already expended \$5.6 million; and

**WHEREAS**, in order to implement the changes detailed above, and maintain the design character of the project, the City has requested a proposal from James Corner Field Operations to revise the drawings; and

**WHEREAS**, an amendment to JCFO's contract will be brought to the City Commission for approval at a future date; and

**WHEREAS**, the Administration recommends that the City Commission adopts the Resolution.

**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 approve the Interim City Manager's recommendation and authorize a modification and redesign of the Lincoln Road Redevelopment Project, revising the scope of the project so that it can be completed within the allocated total budget of \$52.4 million; and further authorize the Administration to negotiate an amendment to the agreement with the City's consultant, James Corner Field Operations, with said amendment subject to prior approval by the Mayor and City Commission.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Dan Gelber, Mayor

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney *PAZ*      1-6-21  
Date