

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE (FERC) TO PROVIDE ADDITIONAL FUNDING FROM THE CITY'S RESILIENCY FUND FOR CITY STORMWATER PROJECTS AND THE INDIAN CREEK DRIVE FLOODING MITIGATION PROJECT, AS FOLLOWS: \$8,150,000 FOR THE INDIAN CREEK DRIVE FLOODING MITIGATION PROJECT, PHASE III; \$15,000,000 FOR THE NORTH AND SOUTH WEST AVENUE PHASE II IMPROVEMENTS PROJECT; AND \$5,000,000 FOR THE FIRST STREET PROJECT, FOR A TOTAL ADDITIONAL FUNDING OF \$28,150,000.

WHEREAS, the City of Miami Beach is committed to preserving the welfare and safety of its residents, visitors, and businesses and one way that the City meets this goal is by adapting its infrastructure to sea level rise and climate change; and

WHEREAS, on July 31, 2019, the City Commission awarded the Indian Creek Drive Flooding Mitigation Project, Phase III (the "Indian Creek Phase III Project") to Ric-Man Construction Florida, Inc. via Resolution #2019-30915, and the Indian Creek Drive Flooding Mitigation Project is currently in the construction phase; and

WHEREAS, construction for the Indian Creek Phase III Project commenced during the week of March 2, 2020, and the Indian Creek Phase III Project is approximately 30 percent complete and is expected to be completed in Fall 2022; and

WHEREAS, as construction has progressed, the Indian Creek Phase III Project has experienced changes as a result of unforeseen field conditions and requests from residents and portions of the old seawall along Indian Creek Drive are deteriorated and the sheet pile wall that supports the road structure is damaged or nonexistent, requiring the installation of new sheet pile walls; and

WHEREAS, the lack of seawall along Indian Creek is causing changes in the design of the improvements such as additional rip-rap, new pump station support system, aluminum railings around the bus bays to ensure the safety of the pedestrians, new modified barrier wall, and light pole foundation modifications; and

WHEREAS, subsequent to requests from residents, on June 6, 2020, the City Commission accepted the recommendation of the Land Use and Sustainability Committee to relocate the Indian Creek Phase III Project's auxiliary power generator and provide screening and the current estimated cost for all the additional changes in the project is approximately \$8.15 million; and

WHEREAS, on March 22, 2017, the City Commission awarded the North and South West Avenue Phase II Improvements project (the "West Ave Phase II Project") to Ric-Man Construction Florida, Inc. via Resolutions #2017-29799 (South) and #2017-29800 (North); and the West Ave Phase II Project is currently in the design phase; and

WHEREAS, the design phase for the West Ave Phase II Project is expected to continue through Spring 2021, followed by the permitting phase; and

WHEREAS, the current anticipated start of construction for the West Ave Phase II Project is toward the end of 2021; and

WHEREAS, the West Ave Phase II Project budget has been impacted by regulatory requirements, design storm upgrades, and the relocation of the proposed storm water treatment system and Miami-Dade County's Department of Regulatory and Economic Resources ("DRER") has made a request to include additional water quality treatment to address the first inch and a half of run-off from the stormwater system prior to discharging; and

WHEREAS, the West Ave Phase II Project, as a result of the 10-year storm drainage model, has increased pipe and structure sizes to accommodate the new water flow design levels; and

WHEREAS, finally, subsequent to requests from residents, on October 28, 2020, the City Commission, via Resolution #2020-31472, approved the relocation of the West Ave Phase II Project storm water treatment system including all above ground components to 1671 West Avenue (City Parking Lot P24), with the discharge outfall at 17th Street and Collins Canal and the potential budget increases required for this project could exceed \$15 million; and

WHEREAS, the South Pointe Neighborhood Improvements along First Street project ("First Street Project"), is currently in the planning phase, has been presented to the community for review and input, and feedback received included requests to change the intended location of the storm water treatment system; and

WHEREAS, additionally, as a result of feedback from DRER on other projects, it is anticipated that additional water quality treatment will be required and the potential budget increases required for the First Street Project could exceed \$5 million; and

WHEREAS, the total additional funding potentially required for the three projects is: \$8.15 M for the Indian Creek Phase III Project; \$15.0 M for the West Ave Phase II Project; and \$5.0 M First Street Project, for a total additional funding of \$28.15 M; and

WHEREAS, staff is working on change orders to the contractors in order to ensure timely completion of the projects, and these change orders will be presented to the City Commission for approval; and

WHEREAS, the Administration recommends funding these projects utilizing the Resiliency fund, where there is approximately \$56.8 million available for resiliency projects; and

WHEREAS, on January 22, 2021, the item was presented at the FERC meeting and was favorably recommended to be presented to the City Commission for their consideration and approval; 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 accept the recommendation from the Finance and Economic Resiliency Committee (FERC) to provide additional funding to stormwater projects from the City's resiliency fund, and to allocate

an additional \$8,150,000 for the Indian Creek Drive Flooding Mitigation Project, Phase III; \$15,000,000 for the North and South West Avenue Phase II Improvements Project; and \$5,000,000 for the First Street Project, for a total additional funding of \$28,150,000.

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 Date 2-3-21