

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 6, TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND RIBBECK ENGINEERING, INC, ("RIBBECK") FOR THE INDIAN CREEK DRIVE/STATE ROAD (SR) A1A, 26<sup>TH</sup> STREET TO 41<sup>ST</sup> STREET FLOODING MITIGATION PROJECT ("PROJECT"), IN THE NOT TO EXCEED AMOUNT OF \$125,541.19, FOR A TOTAL PROJECT BUDGET OF \$3,770,818.48, TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE SEAWALL COMPONENT OF THE PROJECT.**

**WHEREAS**, at its June 8, 2016, meeting, the City Commission approved Resolution No. 2016-29456, authorizing the City Manager to negotiate a Professional Services Agreement with Ribbeck Engineering, Inc. ("Ribbeck") in an amount not to exceed \$407,851, for the preparation of a Design Criteria Package (DCP) and conceptual plans, for the City's Indian Creek Drive/State Road (SR) A1A, 26<sup>th</sup> Street to 41<sup>st</sup> Street - Flooding Mitigation Project (the "Project"); and

**WHEREAS**, at its April 26, 2017 meeting, the City Commission approved Resolution No. 2017-29839, authorizing the City Manager or his designee to negotiate Amendment No. 1 to the Professional Services Agreement with Ribbeck, in the amount of \$949,489.11, to provide for the preparation of a set of interim construction plans from 25<sup>th</sup> to 26<sup>th</sup> Street, and the design of the drainage trunk line between 25<sup>th</sup> Street to 32<sup>nd</sup> street, inclusive portion of the stormwater pump station; and

**WHEREAS**, Amendment No. 1 included the limited design and permitting coordination of the seawall within the project limits using the then Public Works seawall standard design; and

**WHEREAS**, at its October 18, 2017 meeting, the City Commission approved Resolution No. 2017-30070, authorizing the City Manager or his designee to negotiate and finalize Amendment No. 2 to the Professional Services Agreement with Ribbeck, in the amount of amount of \$1,214,799.94, to provide for the preparation of the final set of complete signed and sealed construction plans from 25<sup>th</sup> to 26<sup>th</sup> Street, and 26<sup>th</sup> to 41<sup>st</sup> Street, including side streets along the entire Project limits, with the construction plans to include roadway, traffic control plans, seawall, drainage, signing and pavement markings, lighting and signalization components, and related improvements, and The final construction documents were prepared to be used for competitive bid as the City changed between design build method of procurement to design bid build to increase competition; and

**WHEREAS**, at its October 17, 2018 meeting, the City Commission approved Resolution No. 2018-30547, approving and authorizing the Mayor and City Clerk to execute Amendment No. 3 to the Professional Services Agreement between the City and Ribbeck, in the amount of \$339,196.5, for additional engineering services for the Project including subsurface utility engineering and preparation of harmonization plans; and

**WHEREAS**, at its September 11, 2019 meeting, the City Commission approved Resolution No. 2019-30943, approving and authorizing the Mayor and City Clerk to execute Amendment No. 4 to the Professional Services Agreement between the City and Ribbeck in the amount not-to-exceed \$383,670, to include additional construction services and supplement the harmonization efforts required to completion; and

**WHEREAS**, at its June 24, 2020 meeting, the City Commission approved Resolution No. 2020-31292, authorizing the Mayor and City Clerk to execute Amendment No. 5 to the Professional Services Agreement between the City and Ribbeck, in the amount of \$350,270.73, to provide additional engineering services for the project during construction including the relocation of the stormwater pump station generator to the City parking lot located at Indian Creek Drive and 27<sup>th</sup> Street and related public information coordination; and

**WHEREAS**, the design and limited construction inspection services in the proposed Amendment No. 6 supplements the design and permitting efforts included in the previous amendments, and the additional design and permitting services include the new design to be compatible with the current Public Works seawall standards; perform inspection and certify the construction of the newly installed seawall; apply for and obtain building permits for the new installation and the newly installed seawall; perform the necessary construction inspection of the seawall; and certify the installation of the new seawall; and

**WHEREAS**, the current permit status of the seawalls is as follows:

- All environmental permits have been approved. The City's building permit is part of this amendment to be processed.
- DERM requires the Building Department and a mitigation bond payment to formally issue the final permit. Public Works paid the mitigation bond and submitted the DERM approved plans to the Building Department. Building provided comments for Public Works to address with the consultant, which requires an amendment to the contract agreement with Ribbeck Engineering, Inc.; and

**WHEREAS**, Ribbeck Engineering, Inc. has submitted a negotiated cost proposal in the not to exceed amount of \$125,541.19, for engineering services including (but not limited to) developing contract documents for approximately 4,343 linear feet (LF) of concrete pile and panel seawall, including the structural evaluation of 1,612 LF of existing seawall to remain, and approximately 653 LF of existing seawall will be removed and replaced with an 18" maximum offset measured from the new seawall face to the wet face of the old seawall. Provide structural calculations; and

**WHEREAS**, the Public Works Department has reviewed the cost proposal and has determined it to be fair and reasonable, and the Amendment No. 6 will bring Ribbeck's contract in the total amount to \$3,770,818.48.

**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 hereby authorizes the City Manager to execute Amendment No. 6, to the Professional Services Agreement between the City of Miami Beach and Ribbeck Engineering, Inc, ("Ribbeck") for the Indian Creek Drive/State Road (SR) A1A, 26<sup>th</sup> Street to 41<sup>st</sup> Street Flooding Mitigation Project ("Project"), in the not to exceed amount of \$125,541.19, for a total Project budget of \$3,770,818.48, to provide additional engineering services for the seawall component of the Project.

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

**ATTEST:**

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

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

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

\_\_\_\_\_  
City Attorney

*ff* 7-23-21  
Date