

RESOLUTION: _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING CHANGE ORDER NO. 3 TO THE CONTRACT BETWEEN THE CITY AND BRIGHTVIEW LANDSCAPE DEVELOPMENT, INC, PURSUANT TO ITB 2022-441-DF INDIAN CREEK LANDSCAPE, IRRIGATION, BOLLARD LIGHTING, AND CONCRETE PATH INSTALLATION IN THE AMOUNT OF \$12,433.75, FOR THE POURING OF MIAMI BEACH RED CONCRETE COLOR, IN LIEU OF REGULAR GREY CONCRETE, FOR THE NORTHERN SECTION OF INDIAN CREEK FROM 39TH STREET TO 41ST STREET, AND INCREASING THE TOTAL CONTRACT AMOUNT TO \$3,044,736.97.

WHEREAS, on April 19, 2023, the City entered into a contract agreement with Brightview Landscape Development, Inc. via ITB-2022-441-DF Indian Creek Landscape Irrigation, Bollard, Lighting, and Concrete Path Installation, in the contract amount of \$3,032,303.22 (total base bid + indemnification \$2,756,639.29; permit allowance \$75,000; and total owner's contingency \$275,663.93); and

WHEREAS, on September 20, 2023, the City requested Brightview update the original scope (Change Order No. 1) to include earthwork/grading and fill needed to prepare the landscaping site following the completion of the seawall portion of the project. The additional scope requested was priced at \$264,962.50, and deducted from the contract's owner's contingency, leaving a remaining balance of \$10,701.43; and

WHEREAS, on November 7, 2023, the City requested from Brightview a revision of the landscape plans (Change Order No. 2), to include additional vegetation, priced at \$9,458.45, deducted from the owner's contingency funds, leaving a remaining balance of \$1,242.98. Public Works then proceeded to update its plans from proposed to signed and sealed drawings; and

WHEREAS, on December 4, 2023, the City requested Brightview to add an additional scope of work (Change Order No. 3), to include the pouring of Miami Beach Red concrete color for the northern section of Indian Creek, from 39th Street to 41st Street in lieu of standard grey concrete, priced at \$12,433.75; and

WHEREAS, Public Works has reviewed the cost proposal and determined it to be fair and reasonable. As such, the Administration recommends approving the additional funding request in the amount of \$12,433.75, a copy of which is attached to the City Commission Memorandum, in order to expeditiously complete this work.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby, approve and authorize the Mayor and the City Clerk to execute Change Order No. 3 to the contract between the City and Brightview Landscape Development, Inc, pursuant to ITB 2022-441-DF Indian Creek Landscape, Irrigation, Bollard Lighting, and Concrete Path Installation in the amount of \$12,433.75, for the pouring of Miami Beach red concrete color, in lieu of standard grey concrete, for the northern section of Indian Creek from 39th Street to 41st Street, and increasing the total contract amount to \$3,044,736.97.

PASSED and ADOPTED this _____ day of January, 2024.

ATTEST:

Rafael E. Granado, City Clerk

Steven Meiner, Mayor

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

City Attorney *DA*

1-12-24

Date