

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE ADMINISTRATION TO (1) PRIORITIZE THE EXECUTION OF PHASE II AND PHASE III OF THE LINCOLN ROAD DISTRICT IMPROVEMENT PROJECT AND (2) IDENTIFY AND QUANTIFY FUNDING NEEDS FOR BOTH PHASES SO THESE MAY BE ADDRESSED DURING THE FISCAL YEAR 2025 BUDGETING PROCESS.

WHEREAS, on September 10, 2014, the City Commission adopted Resolution No. 2014-28714 to enter into negotiations with James Corner Field Operations, L.L.C. ("JCFO") and on February 9, 2015 they commenced work on the development of the "Lincoln Road District Master Plan, to serve as the basis for future improvements on Lincoln Road, from Lincoln Lane North to Lincoln Lane South, and from West Avenue to Collins Avenue, as well as the connecting side streets for the Lincoln Road Redevelopment Project; and

WHEREAS, the Lincoln Road District Master Plan provides a conceptual land use plan, design guidelines, and illustrative details that incorporate key elements and features, which includes refurbishments and enhancements to lighting, pedestrian surfaces, street furnishings, healthy tree fertilization systems, and crosswalks, along with recommendations for additional operational changes to loading times, the City's sidewalk café ordinance, and trash collection; and

WHEREAS, on September 8, 2015, JCFO presented the Lincoln Road District Master Plan to the Historic Preservation Board, where the Board provided favorable comments to the Lincoln Road District Master Plan that will be incorporated into the final design; and

WHEREAS, on October 14, 2015, the City Commission adopted Resolution No. 2015-29183, adopting the Master Plan for the Lincoln Road District in concept; and

WHEREAS, the Lincoln Road District Master Plan design aims to become a catalyst for economic development with inviting spaces that will engage the community, attract residents, visitors, and resonate as a world-class destination; and

WHEREAS, on March 9, 2016, the City Commission adopted Resolution No. 2016-29319, awarding the contract for Architectural and Engineering Design Services for the Lincoln Road District Improvements Project (the "Lincoln Road Improvements Project" or the "Project") to JCFO; and

WHEREAS, on June 8, 2016, the City Commission, pursuant to RFQ 2016-073-KB, adopted Resolution 2016-29447 awarding a Construction Manager at Risk contract for pre-construction services, to Burkhardt Construction, Inc. (the "CMR Agreement"); and

WHEREAS, from August 2016 to March 2017 the pre-construction services were performed in coordination with the designer, James Corner Field Operations (JCFO), The Lincoln Road Business Improvement District (LRBID) and City staff, and in March 2017 Burkhardt finalized the Schematic Design Probable Construction Estimate; 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, in January 2018, the City Commission approved Amendment No. 1 to the CMR Agreement to include additional preconstruction phase services for the Lincoln Road Improvements Project in the lump sum amount of \$49,220, to extend the geographic area of the Project by adding the area of Lincoln Road from Washington Avenue to Collins Avenue (200-300 Block), as contemplated in the Lincoln Road Master Plan; and

WHEREAS, construction cost estimates prepared using the 50% construction documents indicated a projected construction cost of \$65M, resulting in the total project cost being approximately \$27M over budget and as a result of the shortfall and extensive discussions, the Lincoln Road Business Improvement District (LRBID) made a commitment to expand the limits of the business improvement district and provide additional funding for programming; and

WHEREAS, on July 31, 2019, pursuant to the Administration's recommendation and contingent on the commitment from the LRBID, the Mayor and City Commission approved and authorized proceeding with the bidding and construction phases of the Project, including a reduction in scope and appropriation of additional funding, bringing the total project budget to \$67.6M; and

WHEREAS, the reduction of scope was associated with the elimination of the gateway trellis that was to be located at the Washington Avenue entrance to Lincoln Road and of the Washington Avenue to Collins Avenue (Lincoln Road 200-300 Block) scope; and

WHEREAS, in February 2020, the 90% construction documents were issued by JCFO and the CMR commenced the preparation of the GMP bid packages and finalization of the construction schedule; and

WHEREAS, on March 12, 2020, the City of Miami Beach declared a State of Emergency in response to the Coronavirus 2019 Pandemic (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, in light of overall market conditions and uncertainty within the construction industry, Burkhardt advised the City to delay the Guarantee Maximum Price (GMP) process, in order to ensure greater participation by potential bidders; and

WHEREAS, the project team agreed that postponing the bid process was in the best interest of the Lincoln Road Improvements Project and during the Summer of 2020, 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 \$52.4 million in funding previously approved for the Project; and

WHEREAS, on January 13, 2021, the City Commission directed the Administration to further reduce the scope of work and keep the Project within the originally approved total budget of approximately \$52.4 million, of which approximately \$34 million to \$36 million would be available for construction, with \$5.2 million for water/sewer and drainage infrastructure work to be funded from alternate funding sources; and

WHEREAS, the reduced scope of work includes the following:

- 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.

WHEREAS, on December 8, 2021, the City Commission discussed the Project and directed the Administration to include \$5.2M of RDA funding, previously set aside, allowing the Project to utilize the full, available budget of \$57.6M, and to pursue an amendment to the agreement for architectural and engineering design services with JCFO (the "JCFO Agreement") to revise the design to reflect the project budget constraints; and

WHEREAS, from February 2021 to May 2022, the City Administration and City staff met numerous times with JCFO to finalize the scope and terms of the amendment to the JCFO Agreement; and

WHEREAS, on June 22, 2022, the City Commission adopted Resolution 2022-32181 approving Amendment No. 3 to the JCFO Agreement for the revision of the design for the Project; and

WHEREAS, the revised design required that Burkhardt provide additional pre-construction services for cost estimates at various stages, project scheduling, preparation of bid packages, constructability reviews, and the preparation of a GMP; and

WHEREAS, City staff requested a proposal from Burkhardt for additional pre-construction services for the revised design for the Project, and after numerous discussions, received a proposal from Burkhardt reflecting a negotiated, not-to-exceed amount of \$399,520.00 as the fee for the additional pre-construction services; and

WHEREAS, on September 14, 2022, the City Commission adopted Resolution 2022-32272 approving Amendment No. 2 to the CMR Agreement to provide for additional pre-construction services for the revised design for the Project and to reflect a credit associated with the removal of bidding, project phasing, scheduling and other tasks and the elimination of the 200-300 block from the Project; and

WHEREAS, the Lincoln Road District Improvements Project has three planned phases described as follows:

Phase 1: Lighting upgrades throughout the corridor from Washington Avenue to Lenox

Phase 2: Infrastructure upgrades and improvements at Meridian Avenue and Drexel Avenue:

- Meridian Avenue improvements from Lincoln Lane South north to 17th St include infrastructure upgrades – e.g. water main installation, force main installation and storm sewer installation, streetscape improvement, paving, stripping, pavers, landscaping, hardscape, irrigation, and lighting.
- Drexel Avenue improvements include streetscape improvements from 16th St. north to Lincoln Lane South and the pedestrianization of Drexel Avenue from Lincoln Lane South north to Lincoln Lane North. Scope of work includes storm drainage installation, paving, stripping, pavers, landscaping, hardscape, irrigation, and lighting.

Phase 3: Improvements along the Lincoln Road corridor from Lennox Avenue to Washington which includes remaining project scope and the security barriers (bollards) at Washington Avenue & Alton Road:

- Restoration/repair of fountains and repair of associated equipment, restoration of the Lapidus follies, 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, landscaping and irrigation, improvements to the 400 Block near Washington Ave, Lincoln Road gateway signs at Washington Avenue and Alton Road, which also serves as a component of the security barrier system, and furnishings

WHEREAS, Phase 1 of the Project has been completed; and

WHEREAS, Lincoln Road is a popular shopping and dining promenade comprised of a myriad of shops, sidewalk cafes, businesses and entertainment venues, making it one of the City's most frequented attractions for residents and visitors alike; and

WHEREAS, the City Commission desires to improve the pedestrian experience for residents and visitors on Lincoln Road and to enhance the economic vitality and social vibrancy of Lincoln Road; and

WHEREAS, the completion of Phases II and III of the Project would further these goals.

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 direct the Administration to (1) prioritize the execution of Phase II and Phase III of the Lincoln Road District Improvement Project and (2) identify and quantify funding needs for both phases so these may be addressed during the fiscal year 2025 budgeting process.

PASSED AND ADOPTED this ____ day of _____, 2024.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

(Sponsored by Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/8/2024

Date