

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 2 TO THE CONTRACT BETWEEN THE CITY AND AZULEJO, INC, ATTACHED TO THE COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, RELATING TO THE REHABILITATION OF THE CITY'S AFFORDABLE HOUSING PROJECT KNOWN AS THE LOTTIE APARTMENTS, LOCATED AT 530 75th STREET; SAID AMENDMENT MODIFYING THE SCOPE OF WORK FOR THE PROJECT BY ADDING THE REPAIR OF UNIT 106, EXCHANGING THE REHABILITATION OF UNIT 109 FOR UNIT 107, AND INCREASING THE PROJECT BUDGET FROM \$669,926 TO \$680,926.00; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED AMENDMENT.**

**WHEREAS**, on February 8, 2017, the Mayor and City Commission approved the award of Invitation to Bid ("ITB") No. 2017-027-ZD for the Lottie Apartments Rehabilitation Project (the Project) in the amount of \$819,585.00; and

**WHEREAS**, on April 24, 2017, the City and Contractor executed a construction contract (the Contract) with respect to the Project, which scope of work included the rehabilitation of the interior and exterior façade of the nine-unit Lottie Apartment Building (the Property), using environmentally friendly materials, as set forth in Article 1 of the Contract; and

**WHEREAS**, on July 26, 2017, the Mayor and City Commission adopted Resolution No. 2017-29930, approving Amendment No. 1 to the Contract, by eliminating five (5) out of the total nine (9) apartment units from the original scope of work, and adding the replacement of the HVAC units for all apartment units at the Property; and

**WHEREAS**, Hurricane Irma adversely impacted the interior of Units 106 and 107 with severe water intrusion, resulting in mold conditions, and making it necessary to replace the damaged interior drywall on each unit's first and second floors; and

**WHEREAS**, the Project is funded by the Department of Housing and Urban Development (HUD); and

**WHEREAS**, in order to comply with HUD's safe, decent and sanitary housing guidelines, these units must be rehabilitated to habitable standards and the required work can be added to the Project's original scope and budget limits; and

**WHEREAS**, the units approved for rehabilitation under the original scope of the Contract were 101, 102, 108 and 109; and

**WHEREAS**, if more than 50% of the Property is rehabilitated, FEMA regulations would require that the habitable first floor level of the Property be raised above the flood elevation level of nine (9) feet (NGVD), which would not be feasible; and

**WHEREAS**, the Administration recommends the exchange of unit 109 for Unit 107 and the repair to Unit 106, in order ensure that the Project stays within the 50% threshold; and

**WHEREAS**, based upon this change in the scope of the Project, the Project's budget of \$669,926 will be increased to \$680,926.00, increasing the rehabilitation costs by \$11,000.00; and

**WHEREAS**, the City has the funds available to cover this additional expense without exceeding the budgeted funds; and

**WHEREAS**, the Administration recommends approving, in substantial form, Amendment No.2 to the Contract, incorporated herein by reference and attached as Exhibit "1" to the Commission Memorandum accompanying this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby approve, in substantial form, Amendment No. 2 to the Contract between the City and Azulejo, Inc., attached to the Commission Memorandum accompanying this Resolution, relating to the rehabilitation of the City's affordable housing Project known as the Lottie Apartments, located at 530 75th Street; said amendment modifying the scope of work for the Project, by adding the repair of Unit 106, exchanging the rehabilitation of Unit 109 for Unit 107, and increasing the Project budget from \$669,926 to \$680,926.00; and further authorize the City Manager and City Clerk to execute the final negotiated amendment.

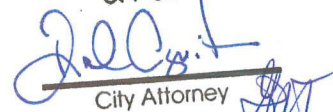
**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**ATTEST:**

\_\_\_\_\_  
**RAFAEL E. GRANADO, CITY CLERK**

\_\_\_\_\_  
**PHILIP LEVINE, MAYOR**

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

9/27/17  
\_\_\_\_\_  
Date