RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2 TO THE DESIGN/BUILD AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA, AND RIC-MAN CONSTRUCTION, INC. FOR THE STORMWATER PUMP STATION ON 19TH STREET BETWEEN CONVENTION CENTER DRIVE AND MERIDIAN AVENUE PROJECT; SAID AMENDMENT NO. 2 PROVIDING FOR THE DESIGN AND CONSTRUCTION OF AN EXTENSION TO THE MIAMI BEACH BOTANICAL GARDEN ALONG THE COLLINS CANAL AS PART OF THE STORMWATER PUMP STATION IMPROVEMENTS, IN AN AMOUNT NOT TO EXCEED $387,124, PLUS OWNER'S CONTINGENCY IN THE AMOUNT OF $38,712, FOR A TOTAL AMOUNT OF $425,836; WITH PREVIOUSLY APPROPRIATED FUNDING.

WHEREAS, on January 17, 2017, the City entered into a Design/Build Agreement with Ric-Man Construction, Inc. (Ric-Man) to develop, design, and construct the Stormwater Pump Station on 19th Street between Convention Center Drive and Meridian Avenue, in the amount of $6,332,389.80; and

WHEREAS, as part of the scope of the Project, Ric-Man is to replace the existing seawall along the south perimeter of Collins Canal, abutting the Miami Beach Botanical Garden (Botanical Garden) property and the Holocaust Memorial; and

WHEREAS, in order to gain access to the seawall and complete its replacement, some of the surrounding landscaping and portions of the existing walkway bordering Collins Canal in the vicinity of the Botanical Garden will be affected; and

WHEREAS, on April 26, 2017, the City Commission referred an item to the Neighborhood/Community Affairs Committee (NCAC) to discuss the vision of the Botanical Garden's expansion to the northern swale and landscaped area along Collins Canal; and

WHEREAS, the NCAC requested the City Commission refer this item to the Finance and Citywide Projects Committee (FCWPC); and

WHEREAS, at the June 16, 2017 FCWPC meeting, the item was presented and the FCWPC favorably recommended to the City Commission to proceed with the design and construction of the improvements north of the Botanical Garden; and

WHEREAS, staff recommended that a Change Order to the current Design/Build Agreement between Ric-Man and the City be issued to incorporate the proposed extension of the Botanical Garden as part of Ric-Man's seawall reconstruction, because adding the scope under this contract will be more efficient and expedient; and

WHEREAS, on September 13, 2017, the Mayor and City Commission adopted Resolution No. 2017-30010, accepting the recommendation of the FCWPC, and approving the extension of the Botanical Garden to the Collins Canal, with previously appropriated funding in the current fiscal year budget; and

WHEREAS, on January 5, 2018, Ric-Man presented a negotiated Cost Proposal for $387,123.61, for the extension of the Botanical Gardens to the Collins Canal; and

WHEREAS, on February 9, 2018, Amendment No. 1 to the Design/Build Agreement was executed in the amount of $630,013.00, as approved by the City Commission pursuant to

Resolution No. 2017-30020, to incorporate a permanent emergency generator as part of the Project; and

WHEREAS, this Amendment No. 1 revised the total contract amount to $6,962,402.80; and

WHEREAS, this Amendment No. 2, in the amount of $387,124.00, plus $38,712.00 for Owner's Contingency, will revise the total contract amount to a not-to-exceed total of $7,388,238.80.

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 approve and authorize the City Manager to execute Amendment No. 2 to the Design/Build agreement between the City of Miami Beach, Florida, and Ric-Man Construction, Inc., for the Stormwater Pump Station on 19th Street between Convention Center Drive and Meridian Avenue Project; said Amendment No. 2 providing for the design and construction of an extension to the Miami Beach Botanical Garden along the Collins Canal as part of the stormwater pump station improvements, in an amount not to exceed $387,124, plus owner's contingency in the amount of $38,712, for a total amount of $425,836; with previously appropriated funding.

PASSED and ADOPTED this _____day of _____, 2018.

_____
DAN GELBER, MAYOR

ATTEST:

_____
RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney RAP 2-27-18
Date