

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2016-166-KB, FOR DESIGN/BUILD SERVICES FOR RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENT PROGRAM FOR NEIGHBORHOOD NO. 5 LAGORCE, AS FOLLOWS: AWARDING THE GROUP 3 – NORTH AREA, TO DAVID MANCINI AND SONS INC., WITH THE TOTAL CONTRACT PRICE IN THE AMOUNT OF \$24,002,128, AND AUTHORIZING A TEN PERCENT (10%) OWNER'S CONTINGENCY FOR THE GROUP 3–NORTH AREA WORK IN THE AMOUNT OF \$2,400,213; FURTHER, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A DESIGN BUILD AGREEMENT WITH DAVID MANCINI AND SONS INC.; AND FURTHER, PROVIDING THAT THE AWARD OF THE RFP FOR THE GROUP 1 – SOUTH AREA AND GROUP 2 – MIDDLE AREA SHALL BE CONSIDERED AT A LATER DATE.

WHEREAS, on July 13, 2016, the City Commission approved the issuance of Request For Proposals (RFP) No. 2016-166-KB Design/Build Services for Right of Way Infrastructure Improvement for Neighborhood No. 5 LaGorce; and

WHEREAS, on July 15, 2016, the RFP was issued; and

WHEREAS, a voluntary pre-proposal conference to provide information to the proposers submitting a response was held on July 27, 2016; and

WHEREAS, the RFP provided for a two-step, phased evaluation process; and

WHEREAS, only those proposers short-listed during Phase I were authorized to proceed to Phase II of the RFP, in which price and detailed technical proposals, based on the approved Design Criteria Package (the "DCP"), would be considered; and

WHEREAS, under Phase I, the City received proposals in response to the RFP from the following six (6) firms: Bergeron Land Development, Inc.; David Mancini and Sons, Inc.; Lanzo Construction Co.; Reynolds Construction LLC (f/k/a Layne Heavy Civil); Ric Man Construction Florida Inc.; and Ric Man International, Inc; and

WHEREAS, on October 4, 2016, via LTC# 409-2016, the City Manager appointed the Evaluation Committee (the "Evaluation Committee") which convened on October 13, 2016, to consider proposals received under Phase I; and

WHEREAS, the Evaluation Committee's Phase I rankings were as follows: 1) David Mancini and Sons, Inc.; 2) Ric-Man Construction Florida, Inc.; 3) Lanzo Construction Co.; 4) Reynolds Construction LLC (f/k/a Layne Heavy Civil); 5) Bergeron Land Development, Inc.; and 5) Ric-Man International, Inc.; and

WHEREAS, on October 27, 2016, after reviewing the proposals and Evaluation Committee's scores and rankings, the City Manager exercised his due diligence and recommended, pursuant to section 0400 (Proposal Evaluation) of the RFP, that all proposers proceed to Phase II of the RFP evaluation Process; and

WHEREAS, upon receipt of the Design Criteria Package (DCP) from Public Works Engineering, on March 30, 2017, the Procurement Department issued Phase II of the RFP process to the short-listed proposers; and

WHEREAS, Bergeron Inc., did not submit a Phase II proposal; and

WHEREAS, in view of the large scope for this Project, with a collective contract value, including contingency, in excess of \$90 million, Phase II of the RFP divided the work into three segments, namely the Group 1 – South Area, Group 2 – Middle Area, and Group 3 – North Area, to provide the City with flexibility to award work to the highest ranked proposer by group, within the available funding for the Project; and

WHEREAS, the Evaluation Committee, appointed by the City Manager via LTC # 011-2018, convened on January 31, 2018 to consider the technical proposals received under Phase II; and

WHEREAS, the Evaluation Committee's rankings for Phase II were as follows:

Group 1 South Area

- 1st Lanzo Construction Co. of FL.
- 2nd Ric Man Construction FL Inc.
- 3rd David Mancini and Sons Inc.
- 4th Reynolds Construction
- 5th Ric Man International Inc.

Group 2 Mid Area

- 1st Lanzo Construction Co. of FL.
- 2nd David Mancini and Sons Inc.
- 3rd Ric Man Construction FL Inc.
- 4th Reynolds Construction
- 4th Ric Man International Inc.

Group 3 North Area

- 1st David Mancini and Sons Inc.
- 2nd Ric Man Construction FL Inc.
- 3rd Lanzo Construction Co. of FL.
- 4th Reynolds Construction
- 4th Ric Man International Inc.

WHEREAS, the scope of work for each Group includes raising of streets and sidewalks, pump station below ground structures, water service connections and water main relocations, gravity sewer service connections, sanitary sewer pump stations and related work, and includes the basic road and other work necessary to restore streets and sidewalks to a usable condition ("Below Ground Work"); and

WHEREAS, the scope of work for each Group also includes separate neighborhood right-of-way enhancements, including installation of street lighting poles, landscaping, irrigation and related streetscape work ("Above Ground Enhancements"), work which would be most efficient (and least disruptive to the neighborhood) to accomplish as part of the same project for the Below Ground Work; and

WHEREAS, at the time the City issued the RFP, the City recognized that identifying sufficient funding for the Above Ground Enhancements would be a challenge, as the Above Ground Enhancements were not contemplated as part the Stormwater Utility Capital Improvement Program or Water & Sewer Utility Capital Improvement Program, as identified in the Stormwater or Water & Sewer bond offering documents; and

WHEREAS, based on the funding constraints, the RFP required bidders to separately identify their pricing by Group (and to further separate Below Ground Work and Above Ground Enhancements), to permit the City maximum flexibility in awarding work within available budgeted amounts, as required by Section 166.241(3) of the Florida Statutes, including the flexibility to award the RFP by Group; and

WHEREAS, the RFP further specified that bidders are required to hold their bid pricing for the Above Ground Enhancements for a period of six (6) months following contract execution, so that if the City Commission was inclined to award the "Below Ground Work, the "Above Ground Enhancements" may be awarded by Change Order, at the bidder's fixed bid pricing for the Above Ground Enhancements, once sufficient funding is identified; and

WHEREAS, the total cost for the currently unfunded Above Ground Enhancements associated with Groups 1 through 3 for the La Gorce project is \$13,218,188; and

WHEREAS, although the City Commission has not made a final determination about which projects to include in its proposed G.O. Bond program, the Administration anticipates that Above Ground Enhancements for neighborhood-right-of-way projects (including La Gorce) would be included as part of the G.O. Bond program, subject to approval by a majority of voters voting in a City-wide referendum; and if the G.O. Bond Program is not approved, the City Commission has not made any final determinations as to identifying a funding source for the Above Ground Enhancements, such as "Pay-As-You-Go" or other funding; and

WHEREAS, on February 23, 2018, the Finance and Citywide Projects Committee ("Finance Committee") discussed Item No. 23, relating to future appropriations for Above Ground Work associated with neighborhood projects in anticipation of General Obligation bond funding, and based on a concern for identifying \$13 million for the La Gorce project should the G.O. Bond program not be approved by the voters, the Finance Committee recommended that funding be identified for the Above Ground work before proceeding with the La Gorce project; and

WHEREAS, in view of the Finance Committee's February 23, 2018 recommendation, at the April 11, 2018 City Commission meeting, the Administration sought direction with regard to the award of the Below Ground Work for Groups 1 through 3, with the Above Ground Enhancements to be contracted for separately or by Change Order (at each bidder's fixed bid pricing for such work), if sufficient funding is identified at a later date; and

WHEREAS, at the April 11, 2018 City Commission meeting, the Mayor and City Commission discussed the item and ultimately deferred the item to a later date, in view of the ongoing concerns over the unfunded Above Ground Enhancements; and

WHEREAS, the Administration recommends proceeding with the Group 3 – North Area work at this time, as the Group 3 – North Area is the area with the lowest general elevations and the greatest need for drainage improvements, and further, the Administration has identified

sufficient funding for the Above Ground Enhancements for the Group 3 – North Area; and

WHEREAS, the City Manager recommends award of the Group 3 - North Area work, to David Mancini and Sons Inc., the highest ranked proposer for the Group 3 – North Area, with the contract price in the amount of \$24,002,128; and further recommends a ten percent (10%) Owner's Contingency for the Group 3- North Area in the amount of \$2,400,213; and

WHEREAS, in view of the ongoing City Commission discussions regarding identifying additional funding sources for the Above Ground Enhancements, the Administration recommends that the award of Group 1 – South Area and Group 2 – Middle Area be deferred, for further consideration by the City Commission at a later date.

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 accept the recommendation of the City Manager, pursuant to Request for Proposals No. 2016-166-KB, for Design/Build Services for Right-of-Way Infrastructure Improvement Program for Neighborhood No. 5 LaGorce, as follows: award the Group 3 – North Area, to David Mancini and Sons Inc., with the total Contract Price in the amount of \$24,002,128, and authorize a ten percent (10%) Owner's Contingency for the Group 3– North Area work in the amount of \$2,400,213; further, authorize the Mayor and City Clerk to execute a Design Build Agreement with David Mancini and Sons Inc.; and further, provide that the award of the RFP for the Group 1 – South Area and Group 2 – Middle Area shall be considered at a later date.

PASSED AND ADOPTED this _____ day of _____ 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Daniel G. F. 5/14/18
City Attorney *Raf* Date