

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING WORK PERFORMED BY CLARK CONSTRUCTION GROUP, LLC FOR THE MIAMI BEACH CONVENTION CENTER (“MBCC”) RENOVATION AND EXPANSION PROJECT (THE “MBCC PROJECT”) IN THE TOTAL AMOUNT OF \$6,763,509, FOR THE COMPLETION OF WORK RELATED TO THE MBCC PROJECT, INCLUDING THE CONSTRUCTION OF A STORMWATER CULVERT ALONG CONVENTION CENTER DRIVE, BETWEEN 17th STREET AND 19th STREET, AND A PARTIAL ROOF REPLACEMENT OF THE MBCC, WITH PREVIOUSLY APPROVED FUNDING, BUDGETED PURSUANT TO RESOLUTION NO. 2017-29829 (INCLUDING REMAINING BALANCE FROM THE CITY CENTER COMMERCIAL DISTRICT BP9B PROJECT), AND RESOLUTION NO. 2015-29144; AND FURTHER, ALLOCATING THE FOREGOING TOTAL AMOUNT TO THE OWNER’S CONTINGENCY FOR THE MBCC PROJECT.

WHEREAS, on October 21, 2015, the Mayor and City Commission approved Resolution 2015-29188 approving a Construction Manager at Risk Agreement between the City and Clark Construction Group, LLC (“Clark”) for the Miami Beach Convention Center Renovation and Expansion project (“MBCC”) with a Guaranteed Maximum Price (“GMP”) for the project in the amount of \$515,458,058, also establishing a contingency in the amount of \$35,000,000 and delegated, to the City Manager, the authority to use the contingency to execute any project-related agreements or contract amendments as may be necessary for the successful delivery of the project; and

WHEREAS, on September 30, 2015, the Mayor and City Commission approved Resolution 2015-29144, adopting the final capital improvement plan for fiscal years 2015/16 – 2019/20 and adopting the City of Miami Beach final Capital Budget for FY 2015/16, which included a new project for replacement of a section of the Convention Center roof with an estimated cost of \$2,500,000 to be paid from Convention Center Fund 440; and

WHEREAS, the roofing replacement work was performed by Clark during construction of the MBCC project; and

WHEREAS, on April 26, 2017 the Mayor and City Commission approved Resolution 2017-29829, adopting the third amendment to the Capital Budget for fiscal year 2016/17, which included additional funding to the City Center 9B Project in the amount of \$3,381,241 for construction of the stormwater culvert along Convention Center Drive and 19th Street, and raising of the roads to 3.7 NAVD (“the stormwater improvements”); and

WHEREAS, funding in the amount of \$882,268, previously approved for City Center 9B, was also utilized for a total of \$4,263,509 the stormwater culvert work; and

WHEREAS, the stormwater improvements scope of work was performed by Clark during construction of the MBCC project; and

WHEREAS, although the foregoing projects for the stormwater culvert and roof repairs for the MBCC were previously budgeted and appropriated by the City Commission, in an abundance of caution the Administration requests ratification of the contract authority for including such amounts within Clark's contract, thereby replenishing the existing Owner's Contingency for the Project, to be used in accordance with Resolution 2015-29188, with no additional funding required.

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 ratify the work performed by Clark Construction Group, LLC for the Miami Beach Convention Center ("MBCC") renovation and expansion project (the "MBCC project") in the total amount of \$6,763,509, for the completion of work related to the MBCC project, including the construction of a stormwater culvert along Convention Center Drive, between 17th street and 19th street, and a partial roof replacement of the MBCC, with previously approved funding, budgeted pursuant to Resolution No. 2017-29829 (including remaining balance from the City Center Commercial District BP9B project), and Resolution No. 2015-29144; and further, allocating the foregoing total amount to the owner's contingency for the MBCC project.

PASSED and ADOPTED this 12th day of December, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael 11-30-18

City Attorney *RAP* Date