

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 CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE CITY AND BERGERON LAND DEVELOPMENT INC. FOR DESIGN BUILD SERVICES FOR THE WEST AVENUE BRIDGE AND PEDESTRIAN BRIDGE OVER COLLINS CANAL (RFP NO. 2016-062-KB) (THE "AGREEMENT"), WITH SUCH CHANGE ORDER NO. 1 IN THE NOT-TO - EXCEED AMOUNT OF \$355,142.04, PLUS A 10% OWNER'S CONTINGENCY IN THE AMOUNT OF \$35,514.20, TO PROVIDE FOR ACCESSIBILITY IMPROVEMENTS AND ADDITIONAL ENHANCEMENTS TO THE AESTHETICS OF THE PEDESTRIAN BRIDGE, INCLUDING ARCHITECTURAL PANELS, RAMPS AND STEPS, TO BE FUNDED WITH \$330,000 IN PREVIOUSLY APPROPRIATED FUNDS, AND SUBJECT TO A CAPITAL BUDGET AMENDMENT FOR THE \$60,657 REMAINING BALANCE REQUIRED TO FUND CHANGE ORDER NO. 1.

WHEREAS, on April 27, 2016, the City Commission awarded the contract for design build services for the West Avenue Bridge and Pedestrian Bridge over Collins Canal Project (RFP No. 2016-062-KB) ("the Project") to Bergeron Land Development Inc., in the amount of \$9,930,000; and

WHEREAS, the scope of work for the Project included street lighting, pedestrian lighting, signage and pavement markings, new vehicular and pedestrian signals on Dade Boulevard and West Avenue, utility relocation and/or adjustments, and drainage; and

WHEREAS, after several meetings, members of the community requested that the overall aesthetics of the pedestrian bridge be enhanced. The enhancements included aluminum paneling, powder coating, and LED lighting; and

WHEREAS, on January 17, 2018, the Mayor and City Commission approved a capital budget amendment that included for \$440,000 to the Project, from which \$350,000 was allocated for the requested aesthetic improvements of architectural panels, powder coating and decorative lighting for an enclosed aluminum pedestrian bridge, and \$90,000.00 was allocated for landscape enhancements along Dade Boulevard; and

WHEREAS, on February 14, 2018, the Mayor and City Commission rejected a proposed change order with respect to the pedestrian bridge enhancements, and instead directed City staff to design a simple truss bridge, and the Planning Director noted that a simple bridge like the one over the Indian Creek Waterway (which is a sidewalk with handrails) would most likely not have to go to the Design Review Board ("DRB") unless the City Commission directed staff to obtain approval from the DRB; and

WHEREAS, on February 14, 2018, the City Commission also requested that the Sunset Harbour and WAVNA associations be afforded the opportunity to provide input before a final design is approved; and

WHEREAS, on May 3, 2018, the City conducted a public meeting for the Project, with the participation of Public Works staff and Commissioner Mark Samuelian, to to present residents with five (5) pedestrian bridge renderings showing the aesthetic options for the proposed bridge; and

WHEREAS, Option 4A, a “Venetian Bubble” architectural side panel, had the most votes and was the aesthetic option selected. City staff explained that if the cost of Option 4A exceeded the funds previously approved by the City Commission, the request for additional funds would require City Commission approval; and

WHEREAS, on October 2, 2018, the DRB approved the proposed decorative “Venetian Bubble” panels for the pedestrian bridge, with the recommendation that the panel design be further refined and more articulately coordinated with the structural truss system of the bridge; and

WHEREAS, the method of installation of the “Venetian Bubble” panels would be further developed and would be installed on the outside of the bridge support systems. Further, the panels would extend along the ramping and approach walkways, subject to City approval;

WHEREAS, the Design-Builder for the Project, Bergeron Land Development, Inc., has submitted a cost proposal to implement the foregoing enhancements, including costs for the re-design fees, powder coated panels and changes to the ramps; and

WHEREAS, City staff has reviewed the cost proposal and finds it to be fair and reasonable, and is therefore requesting approval of Change Order No. 1, in the maximum amount of \$355,142.04, plus a 10% Owner’s Contingency in the amount of \$35,514.20, to permit final design and fabrication of the bridge to commence as soon as possible; and

WHEREAS, of the \$440,000 previously appropriated on January 17, 2018 for enhancements and landscaping for the Project, \$110,000 has been spent on landscaping; accordingly, Change Order No. 1 would be funded with \$330,000 in previously appropriated funds, and shall be subject to a capital budget amendment in the amount of \$60,657 for the remaining balance required to fund Change Order No. 1.

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 approve and authorize the Mayor and City Clerk to execute Change Order No. 1 to the Agreement between the City and Bergeron Land Development Inc. for Design Build Services for the West Avenue Bridge and Pedestrian Bridge Over Collins Canal (RFP No. 2016-062-KB), with such Change Order No. 1 in the not to exceed amount of \$355,142.04, plus a 10% Owner’s Contingency in the amount of \$35,514.20, to provide for accessibility improvements and additional enhancements to the aesthetics of the pedestrian bridge, including architectural panels, ramps and steps, to be funded with \$330,000 in previously appropriated funds, and subject to a Capital Budget Amendment for the \$60,657 remaining balance required to fund Change Order No. 1.

PASSED and ADOPTED this 16th day of January, 2019.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

Rafael E. Granado *1/11/19*

City Attorney *RAG* Date