

# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 16, 2019

SUBJECT: **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.**

### RECOMMENDATION

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida accept the recommendation of the City Manager to authorize Change Order No. 1, to expand the scope of the current Contract for Design Build Services for the West Avenue Bridge and Pedestrian Bridge over Collins Canal (RFP No. 2016-062-KB) to Bergeron Land Development Inc., in the maximum amount of \$355,142.04 plus a 10% owner contingency in the amount of \$35,514.20.

### BACKGROUND

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 (RFP No. 2016-062-KB) to Bergeron Land Development Inc, in the amount of \$9,930,000. The scope of work also 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.

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.

On January 17, 2018, a capital budget amendment was approved and included an item 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. At the same time, a total of \$90,000.00 was allocated for landscape enhancements along Dade Boulevard using City's inhouse forces as a cost savings measure.

On February 14, 2018, Change Order No. 1 was presented to the Commission for approval. The Commission made a motion to reject the change order and instead instructed City staff to design a simple truss bridge. It was requested that the Sunset Harbor and WAvNA associations' input be taken into consideration before a final design was placed into production. Thomas Mooney, Planning Department Director stated 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 get approved from DRB.

On May 3, 2018, the City conducted a public meeting for the West Avenue Bridge Project. Participants included Public Works staff and Commissioner Mark Samuelian. The purpose of the meeting was to present residents with five (5) pedestrian bridge renderings showing the aesthetic options for the bridge. Option 4A, a bubble architectural side panel had the most votes and was the aesthetic option selected. City staff explained that if Option 4A exceeded the funds the Commission had previously approved, the request would need to go back to Commission for a change order.

On October 2, 2018, City staff presented the Pedestrian Bridge's decorative 'venetian bubble' panels to the DRB, where the Board approved the bridge plans with the recommendation that the panel design shall be further refined and more articulately coordinated with the structural truss system of the bridge. The method of installation of the "Venetian Bubble" panels shall be further developed and installed on the outside of the bridge support systems. Further, the panels shall extend along the ramping and approach walkways, in a manner to be reviewed and approved by staff consistent with the Design Review Criteria and/or the directions from the Board.

Currently, the cost proposal for the re-design fees, powder coated panels and changes to the ramps has been provided by the contractor. City staff is requesting the Commission to authorize the Mayor and City Clerk to execute a Change Order No. 1 in the maximum amount of \$355,142.04 plus a 10% owner contingency in the amount of \$35,514.20. Approval is being requested at this time so final design and fabrication of the bridge can commence as soon as possible.

Since the capital budget was approved approximately one year ago, \$110,000 has been spent on landscaping which is now complete. That leaves \$330,000 available for this change order. \$60,656.24 will be needed in a future capital budget amendment to fund this work

## **CONCLUSION**

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida accept the recommendation of the City Manager to authorize Change Order No. 1, to expand the scope of the current Contract for Design Build Services for the West Avenue Bridge and Pedestrian Bridge over Collins Canal (RFP No. 2016-062-KB) to Bergeron Land Development Inc., in the maximum amount of \$355,142.04 plus a 10% owner contingency in the amount of \$35,514.20.

  
JLM/ETC/ RWC/JJF/NNN

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 16<sup>th</sup> day of January, 2019.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

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

*Rafael E. Granado* 1/16/19  
\_\_\_\_\_  
City Attorney *RAG* Date