

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. 1 TO THE ARCHITECTURAL AND ENGINEERING (A/E) DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND JAMES CORNER FIELD OPERATIONS, L.L.C., FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE LINCOLN ROAD DISTRICT IMPROVEMENTS PROJECT IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$1,274,000, WITH PREVIOUSLY APPROPRIATED FUNDING.

WHEREAS, in 2014, the City engaged the services of James Corner Field Operations (JCFO) to prepare a Master Plan for the Lincoln Road District; and

WHEREAS, the vision of the Lincoln Road Master Plan is to enhance the aesthetic and social experience of Lincoln Road by creating an integrated district that can effectively accommodate the interests of stakeholders and visitors; and

WHEREAS, the scope of the Lincoln Road Master Plan encompasses the Lincoln Road Pedestrian Mall and adjacent Lincoln Lane North and Lincoln Lane South, from West Avenue to Collins Avenue, as well as all connecting streets that feed into Lincoln Road, from Lincoln Lane South to 17th Street (but not including 17th Street) and 16th Street along Pennsylvania Avenue; and

WHEREAS, on June 23, 2016, the City Commission adopted Resolution No.2016-29319, awarding the contract for Architectural and Engineering Design Services for Lincoln Road District to JCFO (the "Agreement"); and

WHEREAS, the Agreement was executed for a lump sum amount of \$3,861,000; and

WHEREAS, based on the Lincoln Road Master Plan, which was approved by the City Commission in October, 2015, the types of improvements being proposed along the Lincoln Road District include enhancement of pedestrian walkways and café zones; modifications to existing planters and water features; new landscape and irrigation; cosmetic repairs to historic Lapidus structures; new storm and sewer drainage; new lighting and signalization/wayfinding; performance/multipurpose areas in the 500 and 600 Blocks; outdoor furnishings at selected locations; a gateway trellis at the 400 Block; replacement of underground infrastructure; crosswalk enhancements; and milling and resurfacing of pavement surfaces; and

WHEREAS, the total funding for this project, inclusive of design, construction, and other related costs was initially established at \$32 Million; and

WHEREAS, the foregoing amounts were specifically allocated to revitalize the following three components within the Lincoln Road District, as part of the initial phase of implementing the Master Plan improvements:

- Lincoln Road Pedestrian Mall: Renovation and refurbishment of the Lincoln Road Pedestrian Mall, from Washington Avenue to Lenox Avenue, with a budget of \$20 Million;
- Convention Center/Lincoln Road Connectors: Pedestrianizing of Drexel Avenue, from Lincoln Lane South to Lincoln Lane North; Street Improvements on Pennsylvania Avenue, between Lincoln Road and Lincoln Lane North; and Street Improvements on Meridian Avenue, between Lincoln Road and 17th Street, with a budget of \$10 Million;
- 17th Street from Pennsylvania Avenue to Washington Avenue: Sidewalk and landscape improvements, with a budget of \$2 Million (the three components outlined above, collectively referred to as the "Project"); and

WHEREAS, the Administration has determined that it would be more efficient for the 17th Street scope noted above, with a budget of \$2 million, to be incorporated into a separate Public Works improvements project being planned along 17th Street, and therefore the 17th Street portion of the work will be accomplished separately and not as part of the Lincoln Road Project; and

WHEREAS, JCFO prepared a Conceptual Order of Magnitude Construction Cost Estimate for the Project in the amount of \$38,983,962 Million, which indicated a projected budget shortfall of \$19 Million in construction costs, and an additional \$2 Million shortfall for soft costs and fees; and

WHEREAS, on October 28, 2016, the Finance and Citywide Projects Committee directed JCFO to continue the design of the project in accordance with the vision of the Lincoln Road Master Plan and that the additional funding required to mitigate the budget shortfall will have to be identified as the design develops and approaches completion; and

WHEREAS, on November 9, 2016, the City Commission approved the recommendation of the Finance and Citywide Projects Committee; and

WHEREAS, as a result of the direction received from the City Commission on November 9, 2016, JCFO has submitted its proposal to amend the JCFO Agreement to adjust the construction budget and increase compensation for its expanded scope of services, including certain "Add Alternate" items, costs related to value engineering studies, and related travel expenses to attend the Finance and Citywide Projects Committee meeting; and

WHEREAS, Amendment No. 1 includes the requested additional design fees and services, in the lump sum amount of \$799,000, which amount includes a credit for the design services for the 17th Street component that will no longer be performed by JCFO; and

WHEREAS, on January 11, 2017, the City Commission approved the incorporation of security barrier systems, such as safety bollards, at all intersections along the Lincoln Road Pedestrian Mall; and

WHEREAS, Amendment No. 1 also includes a proposal in the lump sum amount of \$75,000, to include the design of these security barrier systems into the Project; and

WHEREAS, the implementation of a security barrier system will have an impact on construction costs, and this impact has yet to be determined; and

WHEREAS, the Administration is further recommending extending the geographical area of the Project to include the portion of Lincoln Road between Washington Avenue and Collins Avenue (as proposed in the approved Master Plan), and as such, JCFO has provided a proposal in the not-to-exceed amount of \$400,000 for the associated scope of services; and

WHEREAS, the foregoing geographic extension of the Project has an additional potential construction cost of \$4 million, and accordingly, the Administration anticipates that the overall construction cost for the Project will be approximately \$43 million (excluding the security barrier system costs); and

WHEREAS, the negotiated professional fees identified in Amendment No. 1 of the Agreement, totaling \$1,274,000, are commensurate with industry standards and the additional scope of work being added to the JCFO Agreement; and

WHEREAS, the total contract amount, including this Amendment No. 1, will be \$5,135,000.

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 of the City of Miami Beach, Florida, hereby approve and authorize the Mayor and City Clerk to execute Amendment No. 1 to the Professional Architectural and Engineering (A/E) Services Agreement between the City of Miami Beach, Florida and James Corner Field Operations, L.L.C., for additional Architectural and Engineering Design Services for the Lincoln Road District Improvements Project, in the negotiated not-to-exceed amount of \$1,274,000, with previously appropriated funding.

PASSED and ADOPTED this _____ day of _____, 2017.

ATTEST:

PHILIP LEVINE, MAYOR

RAFAEL E. GRANADO, CITY CLERK

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

Paul C. Galt 2-1-17

City Attorney *RAP* Date