

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. 13 TO THE PROFESSIONAL ARCHITECTURAL AND ENGINEERING (A/E) SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND WOLFBERG ALVAREZ AND PARTNERS, INC., FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING PROFESSIONAL SERVICES ASSOCIATED WITH THE FLAMINGO PARK MASTER PLAN TO INCLUDE MODIFICATIONS TO THE SCOPE OF THE SOFTBALL FIELD, AND REMOVAL OF ARCHITECTURAL AND ENGINEERING PROFESSIONAL SERVICES ASSOCIATED WITH THE REDEVELOPMENT OF THE BASEBALL FIELD RESULTING IN A NET CREDIT OF \$158,305.**

**WHEREAS**, on September 5, 2007, pursuant to Request for Qualifications (RFQ) No. 15-06/07, the Mayor and City Commission adopted Resolution No. 2007-26609 approving and authorizing the Mayor and City Clerk to execute an A/E Agreement with Wolfberg Alvarez and Partners, Inc. (WA), for the Flamingo Park Project, in the amount of \$443,000 and the scope included architectural, engineering, master planning, landscape architecture and surveying services, for the development of the Master Plan, as well as the design, bidding, award services, and construction administration of the Tennis Center; and

**WHEREAS**, on September 9, 2009 the City Commission approved option "L" of the Flamingo Park Master Plan through the adoption of Resolution No. 2009-27190; and

**WHEREAS**, the Basis of Design Report (BODR) was subsequently issued based upon this approval; and

**WHEREAS**, on November 9, 2010, the Flamingo Park Master Plan was approved by the Historic Preservation Board (HPB); and

**WHEREAS**, on July 14, 2010, the Commission adopted Resolution No. 2010-27427 approving and authorizing the Mayor and City Clerk to execute Amendment No. 1 for a total amount of \$77,720, for additional architectural and engineering services associated with revisions to the Master Plan and Tennis Center; and

**WHEREAS**, Amendments No.'s 2 through 4 were administratively approved by the City Manager, for a total amount of \$6,446, for additional architectural and engineering services associated with changes to the scope and the design of the Tennis Center; and

**WHEREAS**, on January 15, 2014, the City Commission adopted Resolution No. 2014-28449, approving and authorizing the Mayor and City Clerk to execute Amendment No. 5 for a total amount of \$403,261; and

**WHEREAS**, this Amendment provided for the planning, design, bidding, and construction phase services of the following park improvements, which consist of a community garden, baseball field renovation, historic lodge renovation, new park entrance, enhanced pedestrian/bike paths, new interactive water feature, teenage activity, lighting enhancement, signage, drainage, landscaping and irrigation; and

**WHEREAS**, on April 23, 2015, Amendment No. 6 was approved administratively by the City Manager for a total amount of \$14,732; and

**WHEREAS**, this amendment provided for scope modifications to the Master Plan concept that included an outdoor fitness cluster, the replacement of the community garden with a butterfly garden, the relocation of the new restroom facility and upgrades to the baseball, softball and soccer fields, inclusive of sod, drainage and irrigation; and

**WHEREAS**, on July 14, 2015, Amendment No. 7 was approved by the City Manager for a total amount of \$15,090 for additional design services associated with the renovation of the existing soccer field, including replacing existing sod with synthetic turf and site drainage in and around the field; and

**WHEREAS**, on December 14, 2016, the City Commission adopted Resolution No. 2016-29672, approving Amendment No. 8 in the amount of \$231,269, for the provision of additional architectural and engineering services that include updated phases for construction completion, revised construction cost estimates; the design, bidding and construction administration of the renovation of the Robert C. Hass and Joe Rubin Handball Court Buildings, the eight (8) existing outdoor courts and additional scope identified for the softball field with new lighting, new benches, dug out, and a synthetic turf playing field with associated site drainage; and

**WHEREAS**, on September 12, 2018, the City Commission adopted Resolution No. 2018-30478, approving Amendment No. 9 in the amount of \$71,200, for the provision of additional architectural and engineering services that included revisions necessary for the relocation of the existing IT Room (currently located inside the historic lodge), plan revisions to park-wide landscaping and concrete pathways (due to Hurricane Irma tree damages), relocation of baseball field guy wires (due to the unforeseen conflict with the renovation of ADA ramps), preparation of construction documents for the softball field as a "stand-alone" project and preparation of a new specific purpose and topographic survey for Flamingo Park; and

**WHEREAS**, on November 6, 2018, the electorate of the City of Miami Beach approved the issuance of a \$439,000,000 General Obligation Bond, including \$169,000,000 for parks, recreational facilities, and cultural facilities. Funding for the Flamingo Park Master Plan was included; and

**WHEREAS**, on March 13, 2019, the City Commission adopted Resolution No. 2019-30754, approving the GOB implementation plan, which included the necessary funding to complete the improvements of the Flamingo Park Master Plan in the third tranche bond issuance; and

**WHEREAS**, on July 17, 2019, the City Commission adopted Resolution No. 2019-30874 approving Amendment No. 10 in the amount of \$35,216, for the provision of additional architectural and engineering services as a result of a community request and direction from the City Commission to revisit the Flamingo Park Master Plan regarding tree retention and mitigation, and for the extension of construction administration services for the renovation of the Joe Rubin and Robert Haas handball courts for added scope of work associated to the restoration of stucco and project phasing; and

**WHEREAS**, on April 21, 2021 Commission adopted Resolution No. 2021-31693 advancing the GOB funding for the Flamingo Park Master Plan from tranche 3 to the current tranche 1; and

**WHEREAS**, on September 17, 2021, The City Commission adopted Resolution No. 2021-31837, approving Amendment No. 11 in the amount of \$365,800, for the provision of additional architectural and engineering professional services for the Flamingo Park Master Plan that included the implementation of resiliency strategies within the baseball field and softball field renovation projects, including an underground storm water retention system to assist in the collection, treatment, and disposal of storm water run-off from the Flamingo Park Neighborhood, and solar panels for the pedestrian lighting within the park; and

**WHEREAS**, on October 26, 2022, the City Commission adopted Resolution No. 2022-32346, approving Amendment No. 12 in the amount of \$194,361, for the provision of additional architectural and engineering professional services for the Flamingo Park Master Plan that included the redesign of the drainage system for the baseball and softball fields, the design of corrective scope of work for unforeseen conditions at the baseball stadium, and design allowance; and

**WHEREAS**, WA commenced the redesign of the softball field storm water collection and drainage systems and, as part of the design development process, submitted 60% design drawings in late December 2023, which were shared with City departments for internal review; and

**WHEREAS**, in January 2023, City of Miami Beach departments provided plan review comments that included substantial additional scope of work and improvements to the softball field as follows:

- Incorporate CCTV security system infrastructure, to accommodate the installation of future CCTV cameras
- Widen concrete pathways to a minimum of 10 feet wide and 6 inches thick
- Include 12 feet wide double gate with removable bollards at Meridian Avenue
- Increase size of field maintenance gates a minimum of 12 feet wide and include concrete aprons
- Increase softball field perimeter fencing height
- Add a new bull pen/batting cage
- Provide new concrete slab aprons at field maintenance gates
- Add concrete pads and benches along pathways outside the outfield
- Modify the outfield dimensions and fencing
- Adjust north pathway to accommodate revised outfield dimensions
- Additional mounting points for bases and pitching rubbers to accommodate multiple age groups
- Modify backstop and netting around the softball field
- Revisions to the selected plant material
- Include striping of soccer field in the outfield
- Replace existing pedestrian light poles along central plaza

**WHEREAS**, in order to revise the drawings, incorporating the added design scope and project improvements noted above, City staff has prepared Amendment No. 13 to the Agreement and as part of this Amendment No. 13, the City requested and received a proposal from WA for the provision of additional professional services associated with the additional scope of work and improvements to the softball field; and

**WHEREAS**, the City also requested that WA include a \$25,000 design allowance for unforeseen conditions which would require their services, the fee proposal for additional

professional services has been reviewed and negotiated by staff in the not-to-exceed amount of \$82,853, inclusive of the requested allowance, the negotiated fees are commensurate with the level of work contemplated for the additional scope of work required for this project; and

**WHEREAS**, simultaneously, this Amendment No. 13 shall credit the City for design and engineering services not yet completed, associated with the re-development of the Flamingo Park baseball field, in the amount of \$241,158, and in order to expedite the design and construction of the improvements to the baseball field, given the current workload of the consultant and the need to expedite revisions to the construction documents for the softball field, the City will pursue implementing the improvements to the baseball field through expedited delivery methods; and

**WHEREAS**, City staff will identify specific scope which can be implemented with minimal or no interruption to the use of the field, such as the upgrade and replacement of sports lighting, or structural repairs to the stadium; and

**WHEREAS**, staff will also coordinate the remaining scope to take place in a manner which minimizes, to the extent possible, interruptions to the use of the baseball field; and

**WHEREAS**, CIP will work closely with the Parks and Recreation Department on the advancement of the baseball field improvements; and

**WHEREAS**, City staff has negotiated the proposal and found that the fees are fair and reasonable; and

**WHEREAS**, this Amendment No. 13 shall provide a net credit to the City in the amount of \$158,305 305 (i.e., credit of \$241,158 for services not yet rendered less proposed fees for additional services in the not-to-exceed amount of \$82,853) resulting in a revised total contract amount to \$1,699,789; and


**WHEREAS**, The Administration recommends that the Mayor and City Commission approve Amendment No. 13.

**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 Amendment No. 13 to the Professional Architectural and Engineering (A/E) Services Agreement between the City of Miami Beach, Florida and Wolfberg Alvarez and Partners, Inc., for additional Architectural and Engineering Professional Services associated with the Flamingo Park Master Plan to include modifications to the scope of the softball field, and removal of architectural and engineering professional services associated with the redevelopment of the baseball field resulting in a net credit of \$158,305.

**PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney *AD*

*6-15-23*  
\_\_\_\_\_  
Date

**ATTEST:**

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