

**GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE
MEETING MINUTES
SEPTEMBER 14, 2004**

1. **Attendance – See Attendance Sheet attachment.**

2. **Review and Acceptance of Minutes**
 - a. **Review and Acceptance of Revised Minutes on Fire Station No. 4 discussion at June 7, 2004 meeting.**

ACTION: Mr. Frank Del Vecchio motioned to approve the minutes. The motion was seconded by Mr. Roberto Sanchez. The motion passed.

- 2b. **Review and Acceptance of Minutes from July 12, 2004 meeting.**

Mr. Mitch Novick asked that his comments regarding the Fire Station No. 4 discussion include his comment that Fire Chief Floyd Jordan stated several times that there was no compromise in the level of service in terms of Fire Station No. 4 personnel being relocated to trailers.

ACTION: Mr. Frank Del Vecchio motioned to approve the minutes. The motion was seconded by Mr. Roberto Sanchez. The motion passed.

3. **Change Orders**

The Administration informed the Committee that no new change orders were approved since the last meeting.

Mr. Frank Del Vecchio stated that he tried to reconcile the remaining contingencies on the Espanola Way project, a completed project. The Change Order report showed remaining contingency funds as of the execution of the last reported Change Order (number 18). He asked if the project was indeed finished, and if there were any funds left on the project.

Tim Hemstreet, Director of the Capital Improvement Projects (CIP) Office, stated that the project is complete. It is his understanding that no remaining funds were left and that there may be an error in the Change Order report. It would be reviewed and revised as appropriate.

4. **Presentation – Status of RFQ for Baseline Evaluation of Condition of City Facilities**

Mr. Brad Judd, Director of the Property Management Division of the Public Works Department, reported that the Administration had issued a Request for Qualifications (RFQ) for services to determine the condition of the City's facilities.

The services would include the evaluation of all building services (i.e., electrical, plumbing, HVAC, elevators, etc.) as well as roofing, general structure, and other conditions. The Administration would then develop a Capital Plan over various periods of time with life cycle timeframes for the services and structures. As replacements are made, updates will be made to keep the information timely. It will help the Administration provide information regarding the cost to maintain the City's facilities, as well as the costs for deferred maintenance.

The RFQ was issued, a selection committee evaluated the responses, and a recommendation was made to the City Commission on September 8, 2004 to negotiate with the top ranked firm, which was Post Buckley. The City Commission approved that recommendation and negotiations will begin shortly.

Mr. Leonard Wien stated that there were some facilities that needed more attention than others. Mr. Wien wanted to know if citizens would be allowed to participate in the process and that perhaps additional people reviewing this issue would encourage the City to improve maintenance efforts in certain areas.

Ms. Deede Weithorn stated that the purpose of this study was to gather budgetary information so that the Administration could see the condition of the facilities and to look at what the maintenance and Capital requirements would be over time so that the City could adequately fund the maintenance costs. At a meeting earlier in the month, the City Commission tentatively approved a Millage for Replacement and Renewal concept in the Fiscal Year 2004/2005 Budget, which provides funding for some maintenance.

Mr. Wien stated that he was in favor of the concept. He expressed concern regarding the condition of some of the City's lift stations. He felt that public input regarding what the required level of maintenance ought to be was important. Mr. Judd stated that required level of maintenance evaluation is a part of the RFQ.

Mr. Del Vecchio stated that he did not like the tone of the meeting with regard to congratulating the City for conducting a study that should have been done years ago and for a failed maintenance plan. The City has had other priorities and has been distracted in other ways. The City has not given attention to the dilapidation of City properties, until the voters put certain facilities in the General Obligation Bond. There is a new team and a new approach, but the past failures should not be glossed over. He asked if there was an inventory of City owned properties and if a copy of it could be obtained. Mr. Judd stated that he would provide Mr. Del Vecchio with a copy of it.

Mayor Dermer stated that this is the first time the City has taken an organized approach to maintenance of City facilities, and that it was long overdue. The City Commission has gone to a higher level of concern regarding maintenance. However, maintenance of facilities was beyond the scope of the Committee.

Mr. Del Vecchio stated that he was interested in reviewing the list of properties to see if unutilized contingencies on General Obligation Bond projects could be used on other projects not included in the General Obligation Bond.

Mr. Roberto Sanchez stated that he felt looking at funding additional projects from contingencies may be premature, as there may not be sufficient funding for existing projects. Perhaps this may be an appropriate issue to consider in a few years.

A discussion was held regarding the Lincoln Road fountain improvements and funding. Mr. Jean-Francios LeJeune stated that there is a problem when it takes as long as it has to repair a fountain. He stated that the Committee has some control regarding budgets, but no control regarding the time it takes to construct a project, and that it was extremely frustrating.

Mayor Dermer stated that there would be projects with delays, as it is the nature of the business. However, as a whole, there are pretty efficient mechanisms in place to address time. The contracts have been reviewed and revised, resulting in improvements. He suggested that the Administration coordinate site visits to the active projects for the Committee to help them better visualize the progression of construction. The Capital Improvement Projects (CIP) Office will coordinate a day of site visits separate from a regular Committee meeting.

Ms. Wiethorn stated that the two goals of on time and within budget might conflict with one another. It is very hard to stay in budget and on time. The only way to build things faster is to put more money toward them. As the General Obligation Bond is limited in funding, the only thing that can give is time.

Mayor Dermer requested an update on the status of the Regional Library project, which is not a General Obligation Bond project. Mr. Hemstreet stated that a Temporary Certificate of Occupancy (TCO) has been issued for the building. While the issuance of the TCO allows the building to be occupied, the County has insisted that they would not take occupancy of the building until a Final Certificate of Occupancy (CO) is issued.

Mayor Dermer stated that the 42nd Street Streetscape project appears to have been completed and looks good. Tim Hemstreet stated that striping of the street still needed to occur.

5. **Project Status Report**

a. Fire Station No. 2

Mr. Mauro Burgio, Senior Capital Projects Coordinator for the Fire Station No. 2 project, informed the Committee that the contractor, Jasco, was backfilling the site where the old tank had been located. He added that there was an unforeseen drainage condition that was going to delay the construction of the new station for approximately 120 days. Unforeseen conditions were included in the Guaranteed Maximum Price (GMP), so no additional costs would be incurred.

Mr. Del Vecchio asked if the contractor had built in contingencies to address unforeseen conditions in their price. Mr. Burgio responded that in

a GMP Contract, with a Construction Manager at Risk, it is likely that a contingency was built into the contract price to address these kinds of situations. It is part of the Risk accepted by the contractor in providing a GMP.

b. Fire Station No. 4

Mr. Hemstreet informed the Committee that construction of the seawall portion of the Fire Station No. 4 project was to begin the week of August 23, 2004, but due to recent hurricane threats, it was delayed. Staging and construction activities will start shortly. The groundbreaking ceremony was also delayed and will be rescheduled. The fire station portion will begin construction after the completion of the seawall, which is estimated to take approximately 90 to 120 days.

c. Normandy Isle Park and Pool

Mr. Tim Hemstreet informed the Committee that the Administration asked the Architect of Record (A/E) to proceed with reconciling the work already in place at the Normandy Isle Pool project site that can remain, as opposed to what has to be re-built and what is still to be constructed. This is as a result of the default of Regosa Engineering, the contractor for the project. This report will allow a new contractor to come in to complete the project and assist the City in its claim with the surety. This report was just delivered to the City and hasn't been evaluated yet. Until the discussions with the surety progress, no further construction can take place. The regulatory and contractual processes need to be exhausted.

Mr. Mike Rotbart asked if the A/E was involved in any litigation on this project. Mr. Hemstreet responded that he was not aware of any litigation on this project. Mr. Rotbart stated that the A/E was the same on this project as was on the Biscayne Point Neighborhood Right-of-Way Infrastructure Improvement project until the A/E withdrew from that project. He asked if there was any relationship between the two projects. Mr. Hemstreet stated that there was no relationship between the two projects, as they were under separate contracts, and were two different types of projects. Mr. Rotbart asked for an accounting of how much the A/E had been paid on each project.

Mr. Hemstreet reminded the Committee that the A/E firm only had a contract for the planning phases of the Biscayne Point Neighborhood Right-of-Way Infrastructure Improvement project, and that negotiations for the Design, Bid/Award and Construction Administration phases failed. The fee being requested by the A/E was out of line with the City's standard amount for such services.

Mr. Sanchez asked if the remaining portion of the Normandy Isle Park and Pool project, which included renovation of the Park, could be constructed while the issues with the surety on the Pool portion were being worked out. Mr. Hemstreet stated that the Administration is in the process of

making that happen. There is a drainage issue between the two phases that needs to be worked out, and once it is, the Park phase will be priced and constructed. It is the City's intention to have the Park phases in construction at the same time as the remainder of the Pool.

Mr. Del Vecchio stated that Lummus Park project was estimated to begin in August or September. Construction would be scheduled to end around Thanksgiving, be suspended for the tourist season, and reactivate in the spring. He asked if construction had begun. Ms. Diana Trettin, Senior Capital Project Coordinator for the project, stated that the project construction start was delayed due to the hurricane activity, but would be starting shortly. There was discussion regarding the scope of the project with regard to the reconstruction of the curb and gutter, and expansion of the sidewalk.

6. **Informational Items**

a. Updated Calendar of Scheduled Community Meetings.

The calendar of scheduled community meetings was provided to the Committee, but not reviewed during the meeting.

b. Biscayne Point RFQ for Design, Bid/Award, Construction Administration

The Administration provided the Committee with a City Commission item wherein the Administration sought authorization to issue a Request for Qualifications (RFQ) for Design, Bid/Award, Construction Administration services on the Biscayne Point Neighborhood Right-of-Way Infrastructure Improvement project. On September 8, 2004, the City Commission deferred this item to its next meeting.

c. North Shore RFQ for Design, Bid/Award, Construction Administration

The Administration provided the Committee with a City Commission item that authorized the Administration to issue a Request for Qualifications (RFQ) for Design, Bid/Award, Construction Administration services on the North Shore Neighborhood Right-of-Way Infrastructure Improvement project, as approved by the Commission on September 8, 2004.

d. Amendment to A/E Agreement for Normandy Shores Golf Course Project

The Administration provided the Committee with a City Commission item that amended the Architectural/Engineering Agreement with Arthur Hills and Associates on the Normandy Shores Golf Course project that the Commission approved on September 8, 2004.

e. Amendment to URS' Agreement for Program Management Services

The Administration provided the Committee with a City Commission item that amended the Program Management Services Agreement with URS that the Commission approved on September 8, 2004.

The Committee agreed to revise its regular meeting date to the first Tuesday of the month instead of the first Monday of the month for the remainder of the year.

Ms. Sherri Krassner asked for an update on the Alton Road Corridor Enhancements project. Mr. Hemstreet stated that the project was not managed by the CIP Office, but that an update would be provided to her by the Public Works Department.

Ms. Krassner also asked for an update on the Oceanfront Neighborhood Right-of-Way Infrastructure Improvement project. Mr. Hemstreet stated that the 60% Community Design Review meeting had been held. The project is proceeding to the 90% design level. Historic Preservation Board issues have been resolved.

Ms. Krassner requested an update on the Beachfront Restrooms projects. Mr. Hemstreet stated that the contracts were being updated to allow the Design/Build Contractor to complete the design of the project. When the project was assigned to the CIP Office, there was litigation with the original design consultant. That issue was finally worked out and the Design/Build Contractor will be able to proceed. There is a funding issue with the expiration of the County Safe Neighborhood Parks Bond funds. While seeking an extension on the funds, the contract will have to go back to the City Commission once it is finally negotiated.

The Meeting adjourned at approximately 7:15 p.m.

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