

**GENERAL OBLIGATION BOND PROJECT OVERSIGHT COMMITTEE
MEETING MINUTES
APRIL 12, 2004**

1. **Attendance – See Attendance Sheet attachment.**
2. **Review and Acceptance of March 1, 2004 meeting minutes.**

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

3. **Change Orders**

The Administration informed the Committee that two change orders for the Normandy Isle Park and Pool Project were approved in March. Tim Hemstreet, CIP Office Director, explained that the first change order did not involve any additional dollars, only additional time. He explained this was due to a problem with the deck system of the pool a year ago, and that the Contractor had just executed the change order. The second change order involved Florida Power and Light (FP&L) locating the wiring for a transformer six months ago. Mr. Hemstreet added that since the design documents were done several years ago, it was determined that a relocation of the transformer had to be done with additional wiring with a cost of \$12,300. He added that this change order had been with the contractor for four to five months and that the Contractor had just recently returned it signed and approved.

4. **Presentation**

- (A) Recommendation to City Commission

Mr. Hemstreet reported to the Committee that the A/E agreement for the planning phase of the Flamingo Park Project and the Property Management Yard Improvement Project will be linked together since the Property Management Yard is located within Flamingo Park. He continued by saying that the Administration is recommending that an agreement be awarded to EDAW, and that the fee the Administration and EDAW negotiated would cover the planning phase services only. He added that the total amount for potential improvements that have already been identified for both projects is approximately \$6 million, but that the budgeted amount for these projects is approximately \$4 million. He continued by saying that the fees the Administration is recommending for EDAW, the prime consultant, for total planning services and reimbursable expenses is \$149,674. The City staff has concerns for the proposed EDAW sub-consultants named EMBT, a firm from Barcelona Spain, specializing in landscape and urban design, which would do the design for a portion of Flamingo Park in the amount of \$28,797 of which \$10,000 is for travel expenses. The savings between having EDAW do the work themselves, which they have the capability to do in-house, or having the firm from Spain perform the services is approximately \$10,000, as no

travel expenses would be needed. The Administration is recommending that EDAW perform the work, as the project funding is already limited.

Mr. Hemstreet presented Barbara Faga of EDAW who spoke on the issue of having EMBT perform the work. She expressed that the original team selected in November 2002 for this project included EMBT. She added that EDAW believed EMBT would be an important part of the project since they are familiar with the original project scope.

Mr. Frank Del Vecchio wanted to know if the subconsultant from Spain could perform their services without traveling to Miami Beach. Ms. Faga responded that it would be very difficult for the work to be done from Spain without traveling to the project site.

Mr. Jean-Francois LeJeune commented that he was in favor of adding an international flair to this project and that he was familiar with the work of EMBT from visits to Spain. He added that something spectacular should be added to the design effort that has not been added before. Mr. LeJeune commented that EMBT might be able to provide some innovative ideas that might become a good investment with good returns.

Mr. Scott Needelman commented that he believed that fees would probably go up during the design phase, and if the Administration knew the firm from Spain was involved in the project when EDAW was selected, why their fees weren't discussed prior to selecting EDAW. Mr. Hemstreet responded that under the Consultants Competitive Negotiations Act (CCNA), fees are not discussed in the selection process. He added that he felt it is not appropriate for the Administration to tell EDAW to use EMBT, and then not to reimburse the expenses for travel.

Ms. Faga responded that EMBT would be used only for the planning phase of the project, and not in the design phase.

ACTION: *Mr. Frank Del Vecchio moved to deny the Administration's recommendation and recommend that the City Commission award the Agreement to EDAW in the amount of \$159,689, including up to \$10,000 for travel reimbursement for the firm of EMBT. The motion was seconded by Mr. Jean-Francois LeJeune. The motion failed with 4 votes in favor and 7 against.*

Ms. Deede Weithorn commented that the Administration's recommendation in the memorandum to the Committee explains that there is a difference in what can be built within the budget and the wish list for the project is, and that some wish list items may not be able to be done, no matter how beautiful the design, due to limited funding.

Mayor David Dermer wanted to know why it was necessary for a sub-consultant to come from Spain to do this project with EDAW. Mr. Hemstreet responded that EDAW has presented reasons why they want to use a sub-consultant and if they are going to use a sub-consultant, it is

appropriate to pay for their travel. He added that the Administration has recommended against using this sub-consultant due to the travel fees of \$10,000 in reimbursable expenses and that EDAW is capable of doing the job.

Mr. Del Vecchio commented that Ms. Weithorn brought up a question that although project funding is \$4.4 million, up to \$6.5 million in desired improvements have been identified. He added that bringing in a world renowned firm from Spain that is not familiar with City projects may not be cost effective.

Ms. Faga commented that EDAW felt strongly about using EMBT and understood that the City is watching their budget very closely. She added that in lieu of the Committee's discussions, EDAW would go back to try to negotiate some alternative form of funding for EMBT's travel expenses.

ACTION: *Ms. Deede Weithorn motioned to approve the Administration's recommendation and recommend that the City Commission award the Agreement to EDAW in the amount of \$149,674. Mr. Scott Needelman seconded the motion. The motion passed with 7 votes in favor and 4 against.*

5. Project Status Report

(A) Fire Station #2

Jorge Chartrand, CIP Office Assistant Director, informed the Committee that the water tank portion of the Fire Station No. 2 project continues to be on schedule. He added that the electrical service has been finished, and that FP & L is waiting for the emergency generator, which was scheduled for delivery. It is anticipated that the second phase of the project which includes the construction of the Fire Station, should begin immediately after the tanks are completed, which is estimated for May.

(B) Fire Station #4

Mr. Hemstreet informed the Committee that DERM's approval on construction documents has been received and the documents resubmitted to the Building Department for approval. He added that since the documents have already been reviewed by the Building Department three times before they went to DERM, it should not take as long to get to the project out to bid. He continued by saying that in order to demolish the old building, a permit for the new building has to be issued and the project is waiting on that item. The documents should be out to bid on the project in late April with a construction award date in late June, and construction start in July.

Mr. Del Vecchio commented that the new Fire Station will be built closer to the seawall and that it would be economical if both could be bid and constructed together.

Mr. Hemstreet explained that the projects are separate and 100% design completion has been reached at the same time. He added that since they are in such close proximity to each other, it would be difficult to build the Fire Station and not build the seawall. He continued by saying that the seawall construction will begin before the Fire Station. He added that the seawall construction cost would rise if it had to be built after the Fire Station because it would have to be built from the water.

Mr. Sanchez wanted to know if there are any problems foreseen on construction of the Fire Station. Mr. Hemstreet responded that they did not see any problems with the drawings and are waiting on the permit approval process.

(C) Normandy Isle Park and Pool

Mr. Chartrand informed the Committee that the City is continuing to work with the contractor and that progress has been made in the last month. The contractor has submitted a recovery schedule that has been accepted for discussion. He added that issues on corrections on construction matters that are still open have been discussed. He said that credit from the contractor should be received from portions of the scope that will be removed from the construction contract and given to another contractor, in order to expedite the park portion of the project.

Mr. Mike Rotbart wanted to know who is in charge of this project and what the role and responsibilities are of the program manager. Mr. Hemstreet explained that URS is the program manager for the project and that they act as an extension of City staff. He added that the primary reason for the delays on the project is due to the contractor problems onsite with improper construction work that conflicted with a deviation from the construction drawings. He continued by saying that URS is onsite and records and documents the issues to the consultant, Corradino Group, or to Regosa, the contractor. He added that the responsibility of URS is the same as the City staff and that includes deferring financial liability from the City. This means neither the City, nor URS, has the right to direct the actions of the contractor. If the work completed by the contractor is not correct, the City will reject it.

Ms. Amy Rabin wanted to know if the Beach Front Restrooms would be installed sooner than 2005 and the status of the project. Mr. Hemstreet responded that the management of the project was transferred to CIP from the Public Works Department only four weeks ago. He added that the project was bid to a contractor as a design build contract. He said the City is in the process of putting together a contract and as soon as that is done, the City can go ahead with a Notice to Proceed to Tran Construction. He continued by saying that construction on the restrooms on 21st, 46th, 53rd and 64th Streets should begin by the Fall 2004. He added that there are no plans at the present time for any restrooms between 21st and 46th Streets.

Mr. LeJeune wanted to know the status of the Collins Park project and what the reason was for terminating the agreement with Robert A.M. Stern. Mr. Hemstreet responded that the reason for termination was primarily the fees for the Collins Park scope of work. These fees were never previously negotiated, and when the City and Robert A.M. Stern finally did negotiate, an agreement on the appropriate amount could not be reached. He added that the master plan that was created by Robert A.M. Stern will serve as the basis for the recent RFQ for a new design firm that was issued. He said that the new designer will have to plan and design the project based on the Robert A.M. Stern master plan.

Mr. LeJeune wanted to know when the Regional Library would be opening. Mr. Chartrand reported that the Library still has some issues regarding ADA Compliance and Fire Alarm issues that are being worked on and should be finished by the end of May. He said that the County Library staff would then have to move in and prepare the building prior to opening.

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) South Pointe Park A/E Rejection

A Commission item rejecting the responses to the South Pointe Park A/E RFQ was presented to the Committee. Mr. Del Vecchio reported that in November 2002 the City of Miami Beach placed a Request for Qualification for the design of South Pointe Park. Since that time, an agreement had been negotiated for the settlement of the Alaska Parcel litigation, which will produce up to an acre of additional public land at Government Cut and Biscayne Bay. This was not included in the original scope of work. He added that the budget for the project will probably have to be increased due to the added land. He said that when final settlement is agreed upon and the concept plan for the park which includes the settlement, it will be appropriate to plan and design the improvements for the park. He added that the GO Bond part of the budget will not be increased.

The Meeting adjourned at 7:05 p.m.

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