

GENERAL OBLIGATION BOND PROJECT OVERSIGHT COMMITTEE  
MEETING MINUTES  
OCTOBER 7, 2002

1. Attendance – See Attendance Sheet attachment.

2. Review and Acceptance of September 9, 2002 meeting minutes.

ACTION: Mr. Leonard Wien reviewed the minutes and asked that the spelling of his name be corrected. A motion to approve the minutes of the September 9, 2002 Committee meeting was made by Mr. Michael Rotbart, and seconded by Mr. Mitch Novick. The motion passed.

3. Project Status Report

Mr. LeJeune wanted to know why he has never been noticed on the West Avenue/Bay Road Community Meetings that have been held in the past 6 months. He commented that he used to receive notices for all the meetings and they stopped. Mr. Hemstreet responded that all meetings are advertised in the various newspapers and City media. All are also sent to all GO Bond Oversight Committee members and all residents in the Property Appraisers' database that live within the affected area.

Mr. Hyman reported that a meeting was held for the North Shore Park and Youth Center Project and that it is moving along on schedule.

(A) 42<sup>nd</sup> Street Streetscape Project Update

Mr. Jorge Chartrand informed the Committee that the 42<sup>nd</sup> Street Streetscape Project documents are completed, in the Procurement Department and ready to be put out to bid. He added that the GO Bond Committee had reviewed and approved the scope and budget of the project in May of 2000. He added that he discussed with Mr. Gordon Loder scheduling a meeting to go over the documents and any issues that Mr. Loder might have, but that the meeting had not yet been held.

Mr. Gordon Loder, a resident and chairperson of the 42<sup>nd</sup> Street Neighborhood Association, expressed concerns that residents did not agree on the amount of landscape screening of the parking garage and the surface parking lot. Mr. Chartrand explained that a meeting with the Parking Department resulted in adding some of the components to the landscaping that Mr. Loder was concerned with.

- (B) Update on Guaranteed Maximum Price for Fire Station No. 2 and Public Works Facility Water Tanks

Mr. Chartrand informed the Committee that a draft Guaranteed Maximum Price (GMP) had been received from Jasco, the Construction Manager at Risk (CM at Risk) for the Fire Station No. 2 project, which includes the water tanks and pump stations at the Public Works Facility. He explained that initial review of the draft showed issues on the scope, pricing and procedures. He said that it would be a long process due to the size of the draft and that the Administration hoped to bring the GMP to the Commission for approval at the November meeting.

- (C) Mr. Tim Hemstreet informed the Committee that a Community meeting was held on September 24, 2002, to discuss the traffic calming measures of the La Gorce Neighborhood Basis of Design Report. The outcome of the meeting was that street closures and one-waying of streets would not be considered for the La Gorce Park area. A second meeting will be held with primarily the La Gorce Park area residents on October 15, 2002 at 6:00 p.m. in the City Manager's Large Conference Room. The purpose of the meeting will be to discuss how to spend approximately \$25,000 in General Obligation Bond funds that were previously allocated to the traffic calming measures. He said that the Administration recommended that the Concurrence Management Division within Public Works do a study on the traffic calming issues raised during the Community Input process.

Mr. Oswaldo Mora, a resident and President of the LaGorce Island Homeowners Association, commented that there was also an objection at the meeting as to no narrowing of the streets and that other recommendations were made and that no consensus was reached with the local residents. He added that meeting notices should be given with adequate time, reaching all the residents that would be impacted by any changes.

Mr. Hemstreet responded that if there was anything that the residents objected to, the City would address those issues at the next community meeting. He added that the community meetings were adequately advertised and that he had personally spoken to Mr. Mora on the phone in reference to this issue.

Mayor David Dermer commented that the issue on meeting notices had been addressed at the last Committee meeting and should not be brought up again.

#### 4. Presentation

The Committee deferred the presentation of the CIP Office Structure, Activities, and Budget to the next GO Bond Oversight Committee meeting on November 4, 2002.

#### 5. Recommendation to City Commission

(A) Normandy Shores Neighborhood ROW Infrastructure Improvement BODR

Mr. Hemstreet informed the Committee that the Basis of Design Report on the Normandy Shores Neighborhood ROW Infrastructure Improvements Project would be presented for the Committee's approval, and then if recommended, the approval of the Commission. He introduced Rick Olson from CH2M Hill, who is the consultant on the project. Mr. Olson presented the proposed improvements for review by the Committee. The improvements were also further described in the Basis of Design Report (BODR) distributed to the Committee.

Mr. Roberto Sanchez commented that at the last community meeting where he was present, a decision had not been made on where to put a sidewalk on the north side of Biarritz Drive, near the golf course.

Mr. Olson responded that it was determined that the sidewalk would be put on the west side of the Biarritz bridge. He added that a decision on the sidewalk connectors between North Shore Drive and Fairway Drive had not been made since most of the residents did not want them.

Mr. Jerry Libbin, a resident and President of the Homeowners Association, wanted to clarify that the residents did not want sidewalks on the three connector streets (between North Shore Drive and Fairway Drive).

Mr. Michael Rotbart wanted to know why asphalt removal was priced at \$9 with CH2M Hill and on another neighborhood it was done for \$3.50. He also asked if there were any standards that are followed for estimating costs.

Mr. Hemstreet explained that the issue of determining costs is estimated by the designer of the project. The estimate is supposed to meet the budget that may include GO Bond, and Stormwater and Water/Sewer Bond funds. He added that the acceptable range for the estimate is from 15% above of what actual costs may be to 30% below what actual costs may be. He also stated that the project is at a planning level, and that no survey or construction drawings have been done. He said that contingencies are added in to planning level estimates for unforeseen things that could show up after the project is further developed.

A lengthy discussion ensued between Mr. Olson, Mr. Hemstreet, Mr. Bert Vidal of Hazen & Sawyer and the Committee on the different ways of estimating costs on items and how there could be standards set up for every project. Mr. Vidal explained that there is no way of estimating how much a project will exactly cost at this point in the process and that an in depth study is done on all the projects. He continued explaining that when the project gets to the design level, the price will change and as will the breakdown of costs as the project components become better defined. He also stated that the Architect/Engineer (A/E) is responsible for staying within the budget for construction given to the A/E firm, as stated in the agreement with the firm. To have the A/E firm conform to certain

amounts for items within the cost estimate would negate the accountability in the agreement.

Mr. Steven Hertz, a resident, said that the cost estimate issue should have been brought up at the Community Design Workshop where residents are better informed in order to make a decision on what is needed in their neighborhoods. He added that the homeowners are tired of having so many delays and false promises on when the project is going to start.

Mayor Dermer agreed that projects have many delays and that issues should be worked on as expeditiously as possible.

Mr. Dick Yousoufian, a resident of the neighborhood, commented that he had been present at the first GO Bond meeting where he asked the question "Would the streets be paved with GO Bond funds". The response he was given at that time was that they would not be. He continued by saying that now the GO Bond funds are being used for street paving and that the neighborhood is losing control of what is designed and bid out. He added that other approved Basis of Design Reports (BODRs) have not been scrutinized as to the differences in price per units in the cost estimates. Mr. Yousoufian passed out a sample of different cost estimates from previously approved BODRs and the Normandy Shores BODR. He explained that he compared costs and found that there were big differences between similar items in each neighborhood. He added that he would like the Administration to compare the Normandy Shores BODR with other BODRs and report back to the residents and the Committee on why there is such a big difference in unit costs. He also stated that he would like to have approval of the BODR delayed so the neighborhood could sit down with the Administration to work out the cost estimate issue.

Mr. Frank Del Vecchio explained that a comparison with the other BODR being considered by the Committee at this meeting (Nautilus Neighborhood) and the Normandy Shores BODR showed a different way of explaining unit costs. He added that it would be an error to dictate how the consultant should estimate a construction package, and that it would delay the process.

Mr. Jerry Libbin commented that overall, the neighborhood has been pleased with CH2M Hill and the Administration, and that he would not be upset if the BODR were passed by the Committee. He continued by saying that the neighborhood would like the Committee to find out how there can be inconsistencies with prices and that maybe savings could be found. He added that sidewalks were not requested on side streets, and that mature landscaping was of the highest priority with trees that measure 5 to 6 inches in diameter and 15 feet tall, as opposed to the 10 feet tall, 3 to 4 inches in diameter trees described in the BODR. He added that he could not understand why there was such a difference in landscaping from one neighborhood to another.

**ACTION:** Mr. Roberto Sanchez made a motion to delay the Committee's recommendation

for approval of the BODR for 30 days until a meeting is held between the Administration and the neighborhood representatives to see if issues relative to the unit costs could be resolved. Mr. Larry Herrup seconded the motion. The motion passed.

Mr. Jean-Francois LeJeune commented that there should be a way to standardize a list of tasks for every BODR with a caveat in case there are additional tasks in a particular neighborhood according to the needs of the neighborhood.

Mayor Dermer requested that Mr. Vidal explain if the disparities that are being discussed are common. He added that he was unaware, until now, that this was an issue on projects.

Mr. Vidal explained that at a planning level, these costs estimates differences are common. When the project goes into the design phase, the numbers will change.

ACTION: Mr. Roberto Sanchez amended the motion to recommend that the City Commission approve the BODR if, after a meeting between the Administration and the neighborhood representatives, the unit cost issues were resolved. If the neighborhood representatives were not satisfied that the unit cost issues were resolved by October 22, 2002, the BODR would not proceed for approval by the City Commission on October 23, 2002, and would return to the Committee for further consideration on November 4, 2002. Mr. LeJeune seconded the amended motion. The amended motion passed by a vote of 6 in favor to 4 against. Mayor Dermer, Mr. Del Vecchio, Mr. Herrup and Mr. Marty Hyman voted against the motion.

(B) Nautilus Neighborhood ROW Infrastructure Improvement BODR

Mr. Hemstreet informed the Committee that the Basis of Design Report on the Nautilus Neighborhood ROW Infrastructure Improvements Project would be presented for the Committee's approval, and then if recommended, the approval of the Commission. He introduced Joe Gomez, Vice President of Reynolds, Smith & Hills, Inc., who is the consultant for planning phase services on the project. Mr. Gomez presented the proposed improvements for review by the Committee. The improvements were also further described in the Basis of Design Report distributed to the Committee.

Mr. Roberto Sanchez brought up concerns regarding the removal and replacement of some cobra head lights and if they would be reused in other places. Mr. Gomez explained that the existing lights at Orchard Park would be replaced and used elsewhere if possible. Mr. Sanchez wanted to know if the proposed cul-de-sac had been approved by the County. Mr. Gomez explained that this closure is subject to the approval of Miami-Dade County.

Mr. LeJeune expressed his approval of the proposed plan and hoped that the Committee is kept informed as to the status of the discussions with the County regarding the cul-de-sac.

Mr. Herrup was concerned that stormwater improvements made in the Orchard Park area where flooding is common (hot spots) would affect GO Bond improvements after all the work has been done and ruin the project after it is finished. Mr. Gomez explained that drainage improvements are currently unfunded and work that would be done on hot spots would have to be timed by the City.

Mr. Wien commented that when he received the GO Bond Agenda package, he received two copies of the Normandy Shores BODR and the ones that were delivered were dated September 6, 2002. He suggested that it would be helpful to have the Agenda and its attachments delivered with more time to study the issues that would be presented at the Committee meeting.

Mr. Marty Hyman wanted to know if the proposed street closures had been approved in writing by various departments such as the Fire Department. Mr. Gomez answered that before the project goes any further the appropriate departments and County agencies are notified and approval received.

Ms. Amy Rabin commented on the speeding tables on 47<sup>th</sup> Street and Meridian Avenue and appropriate signage at the streets. Mr. Gomez responded that the traffic speed tables and signage would be reviewed.

Mr. Rotbart had concerns on an increase of 20% for stormwater improvements and where the funds had come from. Mr. Gomez responded that the City had reviewed all storm water needs for all neighborhoods and allocated funds for Nautilus due to the needs of the drainage basins in the area. He added that the funds come from Stormwater Improvement Bonds, which are separate from the GO Bond funds.

Mr. Mark Gelman, a resident and Vice President Orchard Park Neighborhood Association, expressed that he did not remember having a consensus on the lighting in this area. He added that the residents wanted the maximum amount of lighting possible in the Orchard Park area. Mr. Gomez responded that the issue on lighting could be reviewed and the wattage adjusted.

Mr. Derek Cohen, a resident and President of Orchard Park Neighborhood Association, stated that the priority for the residents was the lighting. He added that flooding was another problem. He added that speed tables were desired to reduce speeding and that street closures at Chase Avenue would not be a problem.

Mr. Hyman commented that a subcommittee on speed tables showed that FDOT did not allow them on Alton Road. Mr. Gomez explained that a speed table on Meridian Avenue would have a high probability of approval by the County. Alton Road was not a desirable location for them, as it is an emergency evacuation route.

Mr. Ira Giller, a resident commented that he approved of speed tables on Meridian Avenue and that the stormwater issue needed solving.

Mr. Bill Plat, a resident, was concerned that Sheridan Avenue was being called a thoroughfare, that it is really a shortcut and it should be narrowed.

Mr. Gary Hunt, a resident of Bayshore Neighborhood, expressed his concern about Sheridan Avenue being narrowed with speed tables.

Mr. Gordon Loder, a resident of Orchard Park, expressed concerns that Sheridan Avenue should be narrowed and additional trees should be added to Orchard Park. He added that swales should be replaced. Mr. Gomez responded that the swale re-grading will be done.

Mr. Sanchez was concerned that the community did not reach a consensus on the acorn lighting and that the costs did not add up. Mr. Bert Vidal of Hazen and Sawyer explained that there was a consensus reached and acorn lighting would be used. Mr. Vidal added that the costs would be reviewed and that the budget would not be exceeded.

ACTION: Mr. Roberto Sanchez made a motion to recommend that the City Commission approve the Nautilus Neighborhood ROW Improvement Project BODR. Mr. LeJeune seconded the motion. The motion passed.

(C) Amendment to A/E Agreement with Reynolds, Smith & Hills for the La Gorce Neighborhood for Design, Bid and Construction Administration Services

Mr. Hemstreet explained that the amendment to the A/E Agreement with Reynolds, Smith & Hills for the La Gorce Neighborhood for Design, Bid, and Construction Administration Services was needed in order to have Reynolds, Smith & Hills continue as the A/E for the La Gorce Neighborhood Right-of-Way Infrastructure Improvement project. Originally, the agreement with Reynolds, Smith & Hills for the La Gorce Neighborhood was only for Planning services.

ACTION: Mr. Rotbart made a motion to recommend that the City Commission approve an Amendment to the A/E Agreement with Reynolds, Smith & Hills for the La Gorce Neighborhood for Design, Bid, and Construction Administration Services for the project, with a General Obligation Bond fund fee of \$17,938. Mr. Del Vecchio seconded the motion. The motion passed.

- (D) Reallocation of GO Bond Funds allocated to Streetscape Projects in the South Pointe RDA Area

Mr. Del Vecchio explained that \$300,000 in GO Bond funds had been allocated for street improvements for Meridian Avenue (\$200,000) and the Washington & 3<sup>rd</sup> Street Plaza (\$100,000 for Art in Public Places). He recommended that the GO Bond fees be supplanted by RDA funds in an effort to maximize the use of the GO Bond funds. He further recommended that the funds be set aside in a contingency to be used for the South Beach area neighborhood streetscape improvement projects if insufficient funds exist later in the development of the projects. An opinion from Bond Council would be needed to see if this is feasible.

**ACTION:** Mr. Del Vecchio made a motion to recommend that the City Commission approve that a contingency account made up of \$300,000 of GO Bond Funds currently allocated to Streetscape Projects (Meridian Avenue; Washington Avenue and Third Street Public Plaza projects) in the South Pointe RDA area be established, and that the GO Bond funds be replaced by South Pointe RDA funds. Mr. Larry Herrup seconded the motion. Motion passed.

6. Informational Items

- (A) The Updated Calendar of Scheduled Community Design Workshops was provided to the Committee.

- (B) Amendment to EDAW Flamingo/Lummas A/E Agreement for funding/scope

This item was included in the agenda but not reviewed during the meeting.

- (C) Status of REG Debarment Proceedings

Mr. Hemstreet explained that the REG Debarment Investigation Report by the independent investigator had been completed. The Debarment Committee is scheduled to consider the matter on October 16, 2002 at 2:00 p.m. in the Commission Chambers.

- (D) Biscayne Point Neighborhood Community Design Workshop #1 Report

Mr. Hemstreet reported that the workshop was held and a report is included in the agenda package.

- (E) Lummas Park Community Meeting Report

This item was included in the agenda but not reviewed during the meeting.



7. Change Orders

The Change Order Report was presented and reviewed.

Mr. Hyman commented that the Change Order Report showed that the Administration approved several change orders with a time extension of 89 days for the Scott Rakow Youth Center and he wanted know what was going on with this project.

Mr. Chartrand explained that negotiations were held with the contractor regarding who had control of the contingency amount. The negotiations ended with the Administration agreeing that the Contingency funds were indeed part of the contractor's contract amount. He added that an additional \$250,000 from Middle Beach Quality of Life funds was approved by the City Commission for use as additional contingency money.

Mr. Hyman wanted to know why the contract had a mistake in the wording allowing the contractor to have the contingency as a part of the contract amount. Mr. Chartrand explained that many individuals and bodies missed the error. Mr. Hyman asked if there were any additional Change Orders looming in the future. Mr. Chartrand explained that he was aware of one that is pending discussion with the contractor for \$30,000 worth of sand for the ice rink piping insulation. It was under review and not yet approved.

Mr. Sanchez wanted to know why it had taken 84 days to relocate the transformer at the Normandy Isle Park and Pool Project. Mr. Hemstreet explained it was due to FDOT delays. He added that the contractor believes he can make up some time on the project at no additional cost.

The Meeting adjourned at 9:36 p.m.

JMG/RM/TH/KLM/IG

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