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LTC # 228-2009

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 1, 2009

SUBJECT: South Pointe Park Landscaping

The purpose of this Letter to Commission is to provide a report on the current condition of the landscaping at South Pointe Park. There have been a number of recent inquiries particularly regarding the turf grass as the grass in many areas is in obvious distress.

The "Seashore" paspalum turf grass that was specified to be used as the ground cover throughout the Park is in a distressed state due to the lack of proper maintenance and the ability for the turf grass to uptake nutrients. This distressed state is causing the paspalum turf grass to appear dead or dying, and also lends itself for the proliferation of nuisance species / weeds contributing to the unsightliness of the turf.

The Agreement with MCM Corporation (MCM) requires that they maintain the landscaping, which includes the turf grass and ground cover, until the Project is finally accepted by the City. There are various items that are precluding the City from accepting the project as complete as the result of Contractor deficiencies, such as the paspalum turf. MCM recently completed a maintenance sweep of the planter beds and removed large amounts of nuisance species / weeds, by mechanical as well as chemical means. It is important to note that the turf areas continue to contain nuisance species / weeds. This is a planned activity since the Contractor has elected to allow these species to grow so that complete root removal occurs. If the roots of the nuisance species are not removed then they will continue to proliferate at a later date.

Prior to the July 4th weekend, MCM's subcontractor, Vila and Sons, proceeded to replace the dead or dying turf grasses (sod) at its own expense and based upon their own judgment. This work was completed on or about July 7, 2009. The City did not agree with this approach because MCM had not identified the cause of the turf grass decline and the City expressed concern that the approach taken was not addressing the underlying problems. The newly installed sod ultimately declined to its current state.

MCM retained the services of various experts such as the following:

- Turf Ecosystems, LLC, a company with expertise with paspalum turf grass applications
- Tom Burrows, with International Turfgrass Soils / Irrigation Water Consulting Services, with expertise in turf grasses, irrigation water, and soils
- Brookside Laboratory, Inc., used in the analysis of soils samples taken from the park.

Tim Hiers, Senior Agronomist, with Turf Ecosystems, LLC performed a site visit on July 29, 2009 to evaluate the condition of the lawn areas, maintenance practices and obtain tissue (turf grass)

and soil samples for further laboratory analysis. On August 8, 2009, Turf Ecosystems, LLC completed its investigations and submitted its report (Turf Restoration Plan of Action) to MCM on August 11, 2009. The City received a hard copy of the Turf Restoration Plan of Action on August 21, 2009 and promptly forwarded same to the Landscape Architect of Record – Hargreaves Associates.

The "Turf Restoration Plan of Action" is the latest analysis provided by the Contractor regarding the deficiencies on the turf. Previous analysis performed by the Contractor indicated that the paspalum turf was not properly maintained and that the maintenance of the turf had caused the grass to go into decline. While these previous analysis provided an indication of what was wrong with the turf, the previous efforts did not identify a solution. MCM then hired Turf Ecosystems, LLC to provide recommendations as to how address this problem. It is important to note that thus far these efforts have been performed at the discretion of the Contractor. The City staff is of the opinion that these efforts represent contractually required remedial action that to date are not compensable. Hargreaves Associates is currently reviewing the contents of the Turf Restoration Plan of Action and needs to provide a response to MCM advising of the steps to take or to accept the plan of action recommendations.

The Turf Restoration Plan of Action identifies concerns with the compaction of the underlying soils since they are so densely compacted that oxygen and nutrients do not work their way into the soil matrix. This condition does not promote the proliferation of the paspalum turf grass due to less than ideal root zone health which is necessary to promote turf grass establishment. Essentially, nutrients from fertilizers, oxygen and water do not work their way into the soil matrix, thereby starving the turf from its basic elements to promote growth. When the root zone is compromised, other pests thrive such as sod web worm. The presence of sod worms is evidenced with the occasional sighting of birds that feed in the lawn areas in the morning.

The Turf Restoration Plan of Action recommends two (2) options to correct the densely compacted soils underneath the turf grass areas, as follows:

- Removal of the top 12-inches of the soil, soil disposal and turf grass replacement
- Soil aeration via the use of a technique referred to as "drill and fill"

The removal of the top 12-inches of the soil and replacement with a less dense material will be an extreme hardship to the Park's facilities and operations. Therefore, a second less obtrusive option was recommended by Turf Ecosystems, LLC consisting of the "drill and fill" approach. This approach essentially "drills" a series of holes (less than 1-inch in diameter) approximately 8-12-inches deep. The soil in the hole is displaced during the drilling operation, disposed of properly and filled with coarse sand. This process is performed on a grid with a spacing of 7.5 feet and can be performed throughout the park or only in those areas that are experiencing deterioration.

Another concern raised in the Turf Restoration Plan of Action is the irrigation system design / operation. Concerns have been raised that the side slopes of the berm areas are receiving insufficient amounts of water and that the lawn areas may be receiving too much irrigation water. The landscaping contractor is actively managing this effort to get the right amount of water in the various areas. At this time, we await the Landscape Architect of Record's review of the Turf Restoration Plan of Action. Retainage in the amount of 5% (over \$1million) is being held from payment until the various deficiencies in the Park are resolved and accepted by the City.

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In conclusion, staff will continue to actively manage the resolution of this critical issue with both the designer of record and the general contractor. Both parties have been informed that the City expects them to honor their agreements with the City and to address this problem accordingly. Please let me know if you would like additional detail or if you have any questions.

A handwritten signature in black ink, appearing to be 'JMG/TH/COC/MGP', written over the typed name.

JMG/TH/COC/MGP

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