

CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE
MEETING MINUTES
December 1, 2008

The meeting was called to order at 5:39 p.m.

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

2. **Review and Acceptance of Minutes**

MOTION: Acceptance of Minutes of the November 3, 2008 CIPOC Meeting

MOVED: Christina Cuervo 2nd: Elizabeth Camargo

PASSED

Note: Meeting conducted out of order from published agenda. Please note times alongside each item.

3. **Public Comments**

Taken according to agenda item, no additional items heard.

4. **Old Business**

a. **44th Street and Royal Palm Avenue Drainage** (6:22pm)

Mr. William Goldsmith, 1820 West 25th Street, announced that he had proposed a plan to address the flooding conditions at 44th Street and Royal Palm for 1/3 of the cost "proposed" by the City. (Note: no official proposals were brought to Commission for approval).

Public Works has hired a firm to do modeling studies to see if new drainage work is needed at this intersection. This report will be complete in January, 2009.

Mr. Goldsmith has looked into a cost-effective solution to the spot-flooding problem at this location. He read further from the material he handed out (attached).

Mr. Jeff Gale, 4360 Royal Palm Avenue, stated that he has lived at his address since 1992 and the flooding problem has been consistent since then.

Fred Karlton asked if the information that Mr. Goldsmith provided was useful and could further generate new direction to solve the flooding issues on 44th Street and Royal Palm Avenue.

Jorge Chartrand, CIP Director, responded that the document – an aerial photograph with engineering proposals overlaid to show new outfall piping – could be useful as a starting point, but further investigation and engineering would have to be done to complete the project. The aerial photograph with the overlay would be considered a planning document. It could not be considered an engineering document from which pricing could be determined.

Jorge Chartrand explained that when the modeling report comes back from the City-hired firm it also includes the area in question at 46th Street. (A resident spoke about an incident of flooding on 46th Street at the November 3 CIPOC meeting).

- b. **Sunset Islands I & II** (5:39pm)
Mr. Goldsmith presented a memo he prepared, dated December 1, 2008, which he said addressed two issues: The RFQ and the design-build proposal that Mr. Goldsmith secured for approximately \$3,700,000, which he called an "all-in" proposal.

Copies of the memos distributed by Mr. Goldsmith are attached to these minutes. Much of his comments were read from the memo he distributed.

The RFQ was approved by City Commission and it was scheduled to go to selection as early as January. Mr. Goldsmith requested a date for the evaluation committee because "We've waited ten years for this" on Sunset Islands. He also wants to see which residents of Sunset Island would serve on the evaluation committee. He specifically asked that he and Elizabeth Camargo serve on the committee.

Commissioner Weithorn informed him that the CIPOC does not get involved in the selection process for committee members. The system is handled through the City Manager's Office. She promised to send the request to the Manager that a member of CIPOC and a resident of Sunset Islands sit on the Evaluation Committee.

Mr. Goldsmith read aloud his concerns from the memo he distributed. (attached) Mr. Goldsmith says that the original plans do not resolve the flooding problem in Sunset Islands. He also has additional concerns about the costs associated with the project.

Mr. Karlton asked what the original budget for the project was. Mr. Goldsmith answered that the original budget was approximately \$3 Million but was raised to over \$4 Million. Mr. Goldsmith declared that his re-design would cost the City about \$3.7 Million, and that the City budgeted the project incorrectly. He also declared that he did "twice the work" of the City.

Mr. Karlton asked Mr. Goldsmith to clarify that his proposal is all-inclusive and would save the City millions of dollars.

The City's budget of \$3 million included the design, the engineering fees, the development of the BODR and other soft costs. Com. Weithorn asked if Mr. Goldsmith had looked at the history of what had already been spent on this project.

When Mr. Goldsmith got involved in this project in June, 2008, the budget had been revised, and the current budget for this project is \$4.215 Million. The original budget was \$2.8 Million in construction costs (soft costs additional).

STAFF ACTION: To present data on how much was spent on the Sunset Island I & II ROW project to date and where that money was spent.

Tim Hemstreet was asked to discuss his communication with Mr. Goldsmith on this project and the work that Mr. Goldsmith has done to obtain new pricing for the project. Mr. Hemstreet explained that Mr. Goldsmith had taken the scope of work to an A/E and a contractor and asked them what the value for this work would be, and that is the material that he presented.

The original discussion detailing Mr. Goldsmith's concerns and recommendations for the ROW project at Sunset Islands I & II were first brought to the Finance and Citywide Committee in September. It also went to the Commission. Commissioner Weithorn explained that when the City is presented with an alternate plan that can save the City money, or results in a better investment for the money, it is certainly of interest to the City and Committees look at said plan. A sub-committee has been formed to look at flood mitigation in non-priority basin neighborhoods. This project will be addressed and even looked at as an example for other projects through that sub-committee.

Mr. Karlton asked Mr. Goldsmith his motivation in getting involved in the Sunset Island project. His response is that he is a resident and sees that he can help save the City money on projects such as this.

Commissioner Weithorn asked if the issue with CH2MHill had been resolved. Tim Hemstreet answered that CH2MHill has stated that they do not want to be the EOR for a partial project. If there is a successor engineer hired, the designs for the water lines will have to be done by that new engineer. Responses to the RFQ for a new A/E will be received in mid December, and includes recommendations from Mr. Goldsmith.

Mr. Goldsmith described the new outfall he is building on his property. He expressed a desire to combine this with a design/build project for the overall ROW project on Sunset Islands I & II.

Fred Beckmann, Public Works Director, discussed an application that Mr. Goldsmith applied for a relocation of an existing outfall. Mr. Goldsmith indicated that he never applied for a permit.

Com. Weithorn asked if Mr. Goldsmith is recommending that the RFQ be pulled so that the bid could be re-worked as a design/build project. Once the bids are open, it is too late to rethink it as a design/build project. Right now, solicitation is out for engineering services. The next step is to go out to bid for a contractor.

Mr. Goldsmith replied that he needed to know how any change would affect the timeline. He brought up the Normandy Isle ROW project, which was bid out as a CM@Risk contract. He wants to see if the Sunset Island contract can be handled in a similar manner with a Guaranteed Maximum Price (GMP). He stated that his goal was to clear the air about what he considers to have been "wrong budgets" presented by the original engineer and to let this be a model for other projects on Miami Beach Islands.

Mr. Hemstreet opined that following the competitive process is the best way to expedite this project. In order to go with Mr. Goldsmith's proposal, using the firms he is recommending, the City would have to waive competitive bidding, and Mr. Hemstreet does not recommend waiving competitive bidding. Commissioner Weithorn agreed and stated that "we should have a little faith in the system," adding that it is the job of the CIP Oversight Committee to take a critical look at how projects are bid and if the City is getting its money's worth.

NO ACTION TAKEN ON THIS ITEM.

- c. **South Pointe Phase II Scope of Work** (6:39pm)
Mr. Goldsmith stated that he is concerned that there are still a few items in the bid that have been "done wrong." He recommended that the Commission table the bid and discontinue the add alternates on the bid documents. The recommendation was to include all alternates or none. The CIPOC is to take a closer look at proposals in the future.

After some deliberation, it was decided that the topic be brought up at the December 8, 2008 sub-committee meeting on Unit Pricing, for any further recommendations to Commission.

MOTION: To discuss the topic of the South Pointe Phase II project bid at the December 8, 2008 sub-committee meeting and send a recommendation to the Commission.

MOVED: Fred Karlton 2nd: Erik Agazim
PASSED

5. Sub-Committee Meeting Reports

- a. **South Pointe Master Booster Pump Station**
DEFERRED
- b. **Stillwater Drive**

The sub-committee meeting with residents was successful. New material for the swales has been presented for consideration as the swales will be used primarily for parking.

STAFF ACTION: When a material is chosen, present it to the Stillwater sub-committee.

- 6. **Public Works Presentation on Storm Drain Maintenance** 7:27pm
PowerPoint presentation is attached.

- 7. **Flamingo Neighborhood ROW Oversight and Formation of Sub-committee** 7:36pm
The neighborhood perimeter is 16th Street south to 6th Street and east of Alton Road to Washington Avenue. CIP is likely to include West Avenue in the scope as the outfalls from the neighborhood cross to the Bay.

Flamingo is the largest neighborhood in the City. There are several geographic issues with which to deal, including Flamingo Park access and the only fire station for South Beach. The box culverts in the neighborhood were once thought to be in bad condition, but recent investigation reveals that they are in very good condition and the project can work around these existing conditions. Logistics will be somewhat difficult, because of the transient nature of the population. CIPOC is to look at developing a plan of how to handle this project. The goal is to make the project a model for other projects. The new subcommittee will address all the issues facing a project of this size. There will be an introductory meeting December 16th in the CIP Conference room at 4:00pm.

Jack Johnson, 831 10th Street, of the Flamingo Neighborhood Association spoke about the project. The HOA meeting will be held December 8 at 6:00pm at the Seymour Hotel (945 Pennsylvania Avenue) and CIPOC members are invited to attend.

Mr. Johnson asked for some history of how the project was developed, and for further information on how to proceed from this point.

Some history of the project was presented. The original engineer (EDAW, who was terminated for convenience) suggested replacing the old culverts. The City performed an existing conditions survey and found the culverts to be in very good condition and the project can work with what is already in place, which results in a significant cost saving.

Mr. Johnson indicated that flooding in the Flamingo neighborhood has gotten worse, not just with rain events, but also with the occurrence of high tides.

More in-depth discussion will continue at the sub-committee meeting on this topic.

8. **Report on Installation of Pump Stations in Nautilus Neighborhood** 7:53pm
CIP and Public Works met with the resident affected by the location of the drainage pump station. The electrical panel will be placed across the street.

9. **Status Report: Normandy Shores Golf Course**
A written report was included in agenda packet. All three areas of drainage issues have been successfully addressed.
ITEM CLOSED

10. **Construction Update: Normandy Shores Neighborhood Improvement Project** 6:58pm
An HOA meeting held November 24, 2008 went very well. The residents have noted that they are seeing significant improvement. The contractor has held to commitments made towards dates and completion. Structures and piping have been installed, with just a few areas left to complete. Fairway Drive is paved, pending the 2nd lift of asphalt. Work has begun on North Shore Drive. North Shore does not have the traffic restrictions that South Shore had, because Fairway Drive is complete and allows for better maintenance of traffic. The first lift of asphalt on South Shore Drive is expected to be completed by the end of the year. Commissioner Weithorn thanked the administration and the Teen Job Corp. for providing the free car wash for residents in the neighborhood. Mr. Chartrand commended Jorge Cano and Olivia Almagro for developing the car wash program.

It was also noted that the project coordinator, Carey Osbourne, is on site in the construction trailer, to address issues as quickly as possible.

David Alschuler, 955 South Shore Drive, brought photos to show the elevation variance of the swale, valley gutter and pavement. It was explained that these conditions will be remedied when the sod is placed and the final lift of asphalt is done. The contractor is placing barricades and tape to caution residents of the elevation variance.

Alfredo Rey, 610 South Shore, said he has seen that the work is accelerated, but now worries that there is a "rush to finish" which will result in a lack of quality work. The Committee assured him that this is not the case.

11. Discussion: Standing Dates for Sub-committee Meetings 6:54pm

The Sub-committees are now broken down into three categories:

- Structural (issues of process, procedures and methods, changing contracts, etc.)
- In-depth Neighborhood or Project Review (Looking closely at issues pertaining to specific neighborhood projects as they come up)
- Pilot Project Program (Flamingo Neighborhood ROW)

The sub-committee meetings are now pre-scheduled for times and dates, subjects will be determined at regular CIPOC meetings. The sub-committees are scheduled for the 2nd and 3rd Tuesdays of the month, alternating times between 9:00am and 4:00pm to accommodate schedules.

12. **Calendar of Meetings 2009**

MOTION: To accept calendar of regular CIPOC meetings, as included in agenda packet.

MOVED: Fred Karlton 2nd: Erik Agazim

PASSED

13. **Staff Action Report**

Written report included in agenda packet.

14. **Adjournment:** 8:01pm

The next meeting of the Capital Improvement Projects Oversight Committee will be held at 5:30pm, Monday, January 12, 2009.

JMG/TH/FHB/shl

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