

CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE
MEETING MINUTES
April 6, 2009

The meeting was called to order at 5:38 p.m.

Mayor Matti Bower explained that she will sit as Chairperson for the CIPOC. Historically, this has been a Mayoral Committee and the Mayor felt she needed to be more involved. She indicated that other commissioners may sit in and chair meetings from time to time. Mayor Bower praised Commissioner Weithorn for her performance as CIPOC Chair. Later on in the meeting, it was further discussed that Mayor Bower had served for 10 years on the Miami-Dade County School Board Capital Construction Committee, having a similar capacity to that of the City of Miami Beach CIPOC.

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

2. **Review and Acceptance of Minutes**

5:41 p.m.

MOTION: Acceptance of Minutes of the March 2, 2009 CIPOC Meeting

MOVED: Fred Karlton 2nd: Stacy Kilroy

PASSED (Unanimous)

Full audio and visual records of the meetings held in the Commission Chambers are available online on the City's website <http://www.miamibeachfl.gov/video/video.asp>

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

3. **Public Comments**

No members of the public came forward.

4. **Consent Agenda: Items for Commission**

- a. **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 2, TO THE PRE-CONSTRUCTION SERVICES AGREEMENT WITH KVC CONSTRUCTORS, INC., DATED DECEMBER 6, 2006, IN ACCORDANCE WITH RESOLUTION NO. 2006-26416 FOR THE SCOTT RAKOW YOUTH CENTER, IN THE NEGOTIATED GUARANTEED MAXIMUM PRICE (GMP) AMOUNT OF \$4,565,666 PLUS AN OWNER'S PROJECT CONTINGENCY OF \$228,283, FUNDING FOR THIS AMENDMENT HAS BEEN PREVIOUSLY APPROPRIATED IN THE AMOUNT OF \$3,550,666 FROM PAY-AS-YOU-GO FUND 302 FOR CONSTRUCTION, \$850,000 FROM COUNTY G.O. BOND FUND 390 FOR CONSTRUCTION AND \$228,283 FROM THE QUALITY OF LIFE RESORT TAX 1% FUND 161 FOR CONTINGENCY FOR THE PHASE II REMODELING AND RENOVATION OF THE FACILITY.**

5:42 p.m.

Fred Beckman, Interim CIP Director explained the scope of the project and gave some background about the negotiations for the Guaranteed Maximum Price.

Dwight Kraai recommended (Motioned) that the City open this project up for competitive bidding in order to get a better price.

Mr. Beckmann explained that the construction manager has a good understanding of the design and additionally understands the process, as they have been working closely with both the designer and the Parks and Recreation Department for the past two years in preparation for this project. The price presented by this contractor takes as many things into consideration as possible. If a new contractor comes in after a re-bid, that contractor will have to come up with a schedule and a price after just thirty days of evaluation, as opposed surveying and working closely with the facility for two years, as KVC has done. There is a concern that going out for bid for another contractor would open the project up to change orders once in construction.

The documents and any submittals to the City in permitting for this project so far include input from the contractor/construction manager, as they have been involved with the design process as part of the CM@Risk contract.

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Fred Karlton indicated that he had concerns about the estimate and would like the City to take the opportunity to obtain a lower bid. He was also concerned about the scheduling of the construction as it is currently planned to take place during summer camp, when the Youth Center is at full occupancy and in full operation.

Vic Crespin (4460 Pine Tree Drive), President of KVC, gave some background on the contract. KVC was awarded the contract through the Best Value Procurement process. He pointed out that KVC did not ask for additional compensation for the 29 months of pre-construction services. As to the scheduling concerns, he explained that they planned the construction with the Parks & Recreation Department so that the facility would only be partially closed this summer in order to have it fully open by next summer.

Recommendation was discussed to retain KVC, but go out for bids to see if better prices came in?

MOTION: To recommend to City Commission that the City send the Scott Rakow Phase II Remodeling and Renovation Project out for re-bid.

MOTION: Dwight Kraai 2nd: Fred Karlton

Before the vote was taken, discussion continued to see if it were possible that if new, lower bids come in, that KVC be afforded the chance to meet the lower price. This would have to be further clarified by Legal. The Committee asked if it would be possible to re-negotiate with KVC.

VOTE:

6:44 p.m.

IN FAVOR: 3 (F. Karlton, E. Agazim, D. Kraai)

OPPOSED: 5 (C. Cuervo, R. Kendle, S. Kilroy, I. Magrisso, M. Bower)

FAILED

- b. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 20, IN A NOT TO EXCEED AMOUNT OF \$803,185, TO AN EXISTING AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CAMP, DRESSER & MCKEE, INC. (CDM), DATED JULY 8, 1992, FOR PROFESSIONAL ENGINEERING SERVICES FOR THE UPGRADE OF SEWER & WATER PUMPING STATIONS AND A NEW PUMPING STATION ON MAC ARTHUR CAUSEWAY, TO PROVIDE PROGRAM MANAGEMENT, CONSTRUCTION ADMINISTRATION, GENERAL ENGINEERING AND ARCHITECTURAL SERVICES DURING CONSTRUCTION, RESIDENT PROJECT REPRESENTATION AND SPECIAL INSPECTOR SERVICES FOR THE SOUTH POINTE BOOSTER PUMP STATION PROJECT.

7:35 p.m.

Fred Beckmann explained that the amendment provides all construction services for the South Pointe Master Booster Pump Station and the refurbishment of all pump stations in the City. Construction on the Master Booster Pump Station is expected to last 20 months.

MOTION: To recommend to City Commission that they approve the item

7:36 p.m.

MOVED: Rick Kendle 2nd: Fred Karlton

PASSED

5. Old Business

a. **CIP Project Status Report**

Included in agenda packet, but not discussed.

b. **Construction update: Normandy Shores Neighborhood Improvement Project**

Included in agenda packet, but not discussed.

- c. **Status Report: Venetian Island Neighborhood Improvement Project** 6:46 p.m.
Fred Beckmann, Interim CIP Director, gave some background, scope and history. HOA meetings have been a forum for discussion and HOA representatives came to speak about the desire of the residents to re-design the project.

Eleanor Carney, (440 West DiLido Drive), Acting President of the Venetian Islands HOA, spoke about the HOA's desire to address drainage problems on Rivo Alto, DiLido and San Marino Islands. She provided a packet (attached) and asked that the requests be added to the plans, with proposed cost for the changes to carry out the additional work.

William Goldsmith (1829 West 25th Street) spoke about the fact that he met with the homeowners to discuss this project. He feels that the budget available for this project could bring in more scope than originally proposed. Part of the proposal includes working with FPL to schedule utility undergrounding construction to coincide with the CIP project. The entire proposal from Mr. Goldsmith comes with an estimate of nearly \$800,000 above the City's existing project, but includes additional water lines and drainage, not included in the original BODR or project plans.

CLARIFICATION: Mayor Bower asked if there is a Sub-Committee for the Venetian Islands. A CIPOC member responded in the negative. There is a Venetian Islands Sub-Committee, scheduled to meet next on April 21, 2009 at 9:00 a.m.

Tim Hemstreet pointed out that this is the second neighborhood to request changes to the BODR after it was approved, asking for the addition of a drainage component where it had not been included before. He asked CIPOC to work on establishing a recommendation to Commission for establishment of a policy for addressing motions to entertain BODR changes in non-priority basins. The top 34 drainage basins in the City (out of over 160 basins) were identified for funding to receive drainage improvements. Recently, Sunset Islands I & II were added, and with Venetian Islands, there are several other neighborhoods asking for additional drainage as well. The only funding sources for these improvements are the water and stormwater bonds. Currently, the effort to issue additional bonds has been placed on hold. Although additions in this particular project would not constitute a significant financial obligation, it would still likely have to be part of a larger bond issue.

Mayor Bower asked that the schedule be handled by the City, and the schedule presented by the HOA and Mr. Goldsmith (included in the attached packet) would just be a guide.

SUB-COMMITTEE ACTION:

The Flood Mitigation Sub-Committee will take on the task of working on the recommendation to establish a policy for adding drainage components in non-priority basin neighborhoods.

MOTION: Recommend to City Commission to amend the BODR for the Venetian Islands Neighborhood Improvement Project to reflect the suggestions presented by the HOA (to utilize the funding already allocated and to supplement for additional work to include revisions.

MOVED: Fred Karlton 2nd: Erik Agazim

(The addition of water lines will have to be brought before Commission to see if the policy for replacement needs to be revised).

Commissioner Ed Tobin spoke before the vote was taken. He suggested asking the Commission to approve the motion and sending out to bid without going to Finance. **Mr. Karlton** agreed.

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MOTION RE-ITERATED: Direct staff to prepare the item authorizing the issuance of an RFQ that would be consistent with the wishes of the Venetian Island HOA, to go to City Commission. City Commission is to decide if the item is to be referred to Finance and Citywide Projects Committee.

Tim Hemstreet clarified that staff will prepare the item authorizing staff to prepare an RFQ for Commission to hear April 22, 2009. Staff will not prepare the RFQ before direction from Commission.

MOVED: Fred Karlton 2nd: Rick Kendle 7:35 p.m.
PASSED

- d. **Status Report: Sunset Islands I & II**
Included in agenda packet, but not discussed.

- e. **Status Report: 44th Street & Royal Palm Avenue Drainage Improvements** 8:05 p.m.
Fernando Vazquez, City Engineer, stated that the City is developing a design criteria package (80% complete at the time of the meeting). The item will be taken to the Finance Committee (April 14). If deemed a viable project by Finance and referred to Commission, then approved by Commission, the City would then issue and ITB for a design/build project.

- f. **Status Report: Normandy Shores Golf Course Clubhouse**
Included in agenda packet, but not discussed.

- g. **I & I Report** 8:08 p.m.
Robert Middaugh, Acting Director of Public Works, said that he was prepared to present a verbal report, but will provide a summary memo for review by CIPOC and would come back to answer any questions at the next meeting on May 4.

6. Sub-Committee Meeting Reports

- a. **Stillwater Drive Sub-Committee**
See Item 7

- b. **ITB Minimum Qualifications Sub-Committee**
Summary included in agenda packet, but not discussed.

- c. **Flamingo Neighborhood Sub-Committee** 7:37 p.m.
Rick Kendle, Sub-Committee Chair, explained that the sub-committee has decided that design-build would be the best construction model for this project.
He reminded Fred Beckmann that the sub-committee had asked for a list of contractors that would meet the surety bond for a project the size of Flamingo.
STAFF ACTION: Gus Lopez will bring a list of those contractors identified as able to meet the bond for this project.
Mayor Bower asked for confirmation about the work being done to mitigate flooding in this neighborhood. Flamingo has been identified as a priority basin and drainage components have been included from the beginning. Mayor Bower asked if Mr. Goldsmith could look at the drainage component of this project as well, providing the same oversight he has for other neighborhoods.

Denis Russ, (945 Pennsylvania Avenue) of the Flamingo Neighborhood Association, stated that he understands that the staff is creating a draft RFP, and asked that if the CIPOC identifies any needed changes, to please bring that up soon so that this project can progress.

Fred Karlton asked about the possibility of splitting the project and having multiple contractors carry out the work in parcels, but it was explained that coordination of multiple contractors would not fit the design/build model, which is what was recommended by the sub-committee.

The designs for streetscape are at 60%, but there is a need for re-design of the water/stormwater system. Mr. Hemstreet went over the priorities that were established for the Flamingo Neighborhood. The City tests water lines and sees which lines are in need of replacement, based on established criteria. When the City Commission authorized the water bonds, the bond documents in the Commission Resolutions set the criteria by which replacement of water lines is determined. The first priority was to replace all water lines in the City which were undersized for fire-flow reasons (adequate service for hydrants). 100% of the undersized lines are being replaced. The second priority is to replace old water lines made of galvanized material, and 100% of those lines will be replaced. The third priority was to replace any tuberculated lines. Testing was done through pulling "coupons" or sample sections and those that were filled with gunk would be replaced. Those that were found to be clean are not slated for replacement. There is not enough funding to replace all of the lines in the system. These priorities and testing have been applied to all 14 neighborhoods in the City.

If CIPOC wants to make a recommendation to add lineal feet of water line, it is a decision that has to be made by Commission. The policy is Citywide, not on a neighborhood ad-hoc basis. (Note how this applies to the request from Venetian Islands).

Copies of the plans, as they exist, have been provided to the Flamingo Sub-Committee. Mr. Karlton asked if the other members of CIPOC could also see the plans.

STAFF ACTION: Provide a set of the Flamingo Neighborhood plans to those CIPOC members who wish to see them.

The Sub-Committee will continue to look at the development of pursuing this project as design-build, of including West Avenue in the plans, and eventually, the project phasing.

7. **Proposed BODR Changes: Biscayne Point Neighborhood Improvement Project** 8:00p.m.
Two parts of the project, in two sub-neighborhoods were re-visited because residents asked for changes to the proposed BODR.

The residents on Stillwater Drive, through a process facilitated by the Stillwater Sub-Committee, have asked to eliminate the inclusion of full swales. The new proposal now includes smaller bulb-outs and a strip of pavers along a curb. This new design will not result in additional cost to the City.

The Biscayne Point Island HOA has asked for the obelisk to remain, and the owners on either side of the entrance to the bridge oppose the inclusion of walls and pergolas, which is against the approved design in the BODR. This needs to be taken back to the HOAs for a decision.

STAFF ACTION: Come to an agreement with the residents in Biscayne Beach who are directly affected, and bring back to CIPOC for recommendation of action to Commission.

MOTION: To accept the Stillwater Drive Changes and bring it to Commission for approval of the change to the Biscayne Point Neighborhood Project BODR.

MOVED: Fred Karlton 2nd: Rick Kendle

PASSED

8. **Staff Action Report**
Included in agenda packet, but not discussed.

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ADDITIONAL QUESTIONS:

Stacy Kilroy asked about the possibility of a new bond issue to address additional stormwater and water main needs. She added the suggestion that perhaps if new bonds are issued, the addition of water mains and additional drainage could be considered as add-alternatives should the funding from a future bond issue become available. Mr. Hemstreet explained that miscellaneous items could be added to the bond documents so that if there is money available it could be supplied under the criteria. Staff will look closer into this matter.

William Goldsmith asked if a bridge loan existed within the City that could take care of matters such as the additional water main request on Venetian Islands.

Mr. Hemstreet clarified that the Commission asked the City to seek a line of credit, but no financial institution has provided that loan yet.

9. **Calendar**

10. **Adjournment:**

8:12pm

The next meeting of the Capital Improvement Projects Oversight Committee will be held at 5:30pm, Monday, May 4, 2009.

ATTACHMENTS

JMG/TH/FHB/shl

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