

**CAPITAL IMPROVEMENT PROJECTS OVERSIGHT COMMITTEE
MEETING MINUTES
August 31, 2009**

The meeting was called to order at 5:56 p.m.

1. **Attendance – See Attendance Sheet attachment.**
2. **Review and Acceptance of Minutes** 5:56 p.m.
PASSED (Accepted by Acclamation)
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** 6:25 p.m.
 - a. **Discussion Item: Proposed Changes to Biscayne Point Neighborhood ROW BODR**

Charlie Carreño, CIP Director, explained that project design is at 90% completion. The BODR had proposed a design to the entryway and the island residents proposed modifying the design, removing the pergolas, leaving the obelisk and building masonry walls.

Biscayne Beach residents request that the community receive a sign announcing the entire neighborhood and sub-neighborhoods. If no resolution is reached, CIP asks that we proceed forward and work out the details of this entryway.

Mr. Carreño was of the impression that the residents have reached resolution.

Ted Berman, President of the Biscayne Point Island HOA, stated that agrees with the BODR, with one exception and that is he favors removal of the obelisk. A sign announcing all three areas will be placed on 77th Street. The City has to work with the school system for the placement.

Maria Koller, 7700 Hawthorne Avenue, stated that Biscayne Beach HOA agrees on condition that the City agrees to put a monument for Biscayne Beach. She asked for a sign similar to that at the entrance to Normandy Shores.

*NOTE: Mrs. Koller had further discussion with Mr. Carreño and **Jorge Cano**, Assistant Director of CIP, after the meeting. She did not hear that the proposal before the Committee included construction of masonry walls adjacent to her property. She indicated that she wanted it on the record that she opposed the inclusion of the masonry walls. This item is before the September 9 City Commission Meeting.

4. **Consent Items for Commission**
 - a. **REQUEST FOR APPROVAL TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR A MANAGEMENT CONSULTANT STUDY OF THE CAPITAL IMPROVEMENT PROJECTS MANAGEMENT AND EXECUTION PROCESSES.** 5:57 p.m.

Gus Lopez presented the item as it was presented to the City Commission on July 15.

Dwight Kraai asked about an estimated fee for this management study. Mr. Lopez explained that the fees would be determined when responses to the RFP came back.

Mr. Kraai suggested traveling other cities and observing how their CIP offices operate. He was also interested in how the community involvement process and the issue of handling encroachments would be examined. A more detailed scope of services would be defined in a Professional Services Agreement.

Further discussion began with **Israel Magrisso**, who questioned why this study was necessary. **Stacy Kilroy** questioned how a management study could effectively analyze processes that were already in place and imposed by outside entities. **Rick Kendle** asked where the funding would come from for this study. Funding has not been identified yet. Mr. Kendle added that he felt that studies such as the proposed management study are simply an avenue of revenue for consultants. He opined that Mr. Carreño should be given a chance to lead the department, without the imposition of a study. **Fred Karlton** agreed with Mr. Kendle, and sees no need for a management study of CIP. He suggested an audit instead.

Mayor Bower spoke on behalf of the Commission, who determined the need for the study because some issues had been identified. The recent study of the Building Department study reinforced that areas identified as problems were, indeed problems. The City spent \$150,000 on that study. Mr. Karlton reiterated that he felt this study was unnecessary and a waste of money.

MOTION: Recommend to City Commission that the RFP for a CIP Management Study **not** be issued.

MOVED: F. Karlton 2nd: E. Agazim

Mayor Bower noted that the Commission, come November, will be made up of mostly new members. A study such as this would bring to light why certain problems occur. A review might help the newer commissioners understand the situation and move forward.

Christina Cuervo added that the Committee cannot see the tangible benefits at this point. If staff can show direct benefits from similar studies, they may be more inclined to recommend moving forward with the study.

PASSED: Mayor Bower voted no. All other members voted in favor.

Mayor Bower acknowledged that **Commissioner Ed Tobin** was present in the gallery.

- b. **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 AN AGREEMENT WITH SCHWEBKE – SHISKIN & ASSOCIATES, INC. FOR RE-DESIGN, BID AND AWARD, AND CONSTRUCTION MANAGEMENT SERVICES, IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$530,160, (PLUS AN ADDITIONAL AMOUNT OF \$55,500 FOR APPROVED REIMBURSABLES), FOR THE VENETIAN ISLANDS BID PACKAGE 13C NEIGHBORHOOD RIGHT-OF-WAY IMPROVEMENT PROJECT, PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 42-08/09; PROVIDED, HOWEVER, THAT THE AFORESTATED APPROVAL AND EXECUTION OF AGREEMENT IS SUBJECT TO THE CITY'S TERMINATION OF AN EXISTING A/E AGREEMENT WITH EDWARDS & KELCEY, DATED NOVEMBER 13, 2002; AND FURTHER APPROVING PREVIOUSLY APPROPRIATED FUNDING.** 6:36 p.m.

Israel Magrisso asked about the not-to-exceed amount, should there be changes in the scope of work. Mr. Carreño explained that if the change is justifiable on the construction administration side, a value is negotiated. If the contractor is late, it will cost the not-to-exceed amount. If early, the price is negotiated – as long as the scope remains the same.

STAFF ACTION: Mayor Bower suggested that the results from the evaluation committee, including the names of the residents and staff on the evaluation committee and scores, be included with items like this when brought to CIPOC.

Stacy Kilroy asked about funding for the construction of the project. Funds for design come out of the Gulf Breeze loan, part of the funding allocated for the project. The cost for the A/E is a reasonable percentage of the overall budget for the project.

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MOTION: Recommend approval and authorization to execute the agreement with Schwebke Shiskin for the Venetian Islands Bid-Package.

MOVED: R. Kendle 2nd: D. Kraai

PASSED: Unanimous

- c. **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. 7, TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CHEN & ASSOCIATES, INC. (CHEN), DATED SEPTEMBER 8, 2004, FOR THE CITY CENTER RIGHT-OF-WAY NEIGHBORHOOD IMPROVEMENT PROJECT BID PACKAGES 9A AND 9B; IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$413,754, PLUS AN ADDITIONAL AMOUNT OF \$19,500 FOR APPROVED REIMBURSABLES; TO PROVIDE CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT REPRESENTATION DURING CONSTRUCTION OF THE PROJECT; WITH PREVIOUSLY APPROPRIATED FUNDING FOR DESIGN FROM THE CITY CENTER RDA FUND 365.** 6:46 p.m.

Mr. Carreño pointed out that the billing rate for the RPR is the lowest rate negotiated to date, and is the same as the price negotiated for Venetian Islands. RPR services were not a part of the original contract.

A side discussion: suggestion made that the clock stops on projects in construction when the delays are caused by the A/E (poor soil conditions not detected early, design conflict).

MOTION: Recommend approval and authorization of Amendment 7 to the existing PSA between the City and Chen & Associates for the City Center Right of Way project.

MOVED: C. Cuervo 2nd: R. Kendle

PASSED; Unanimous

- d. **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. 4, IN A NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$103,865, TO AN EXISTING AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND PERKINS + WILL, INC.; DATED APRIL 14, 2004, FOR EXTENDED PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE MULTIPURPOSE MUNICIPAL PARKING FACILITY PROJECT; WITH PREVIOUSLY APPROPRIATED FUNDING FROM PARKING OPERATING BOND, FUND 480 FOR DESIGN.** 5:57 p.m.

MOTION: Recommend authorization to execute amendment #4 to an existing agreement between the City and Perkins + Will for extended professional services for the MPPF.

MOVED: D. Kraai 2nd: I. Magrisso

PASSED: Unanimous

- e. **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 THE AGREEMENT BETWEEN THE CITY AND CHEN AND ASSOCIATES, INC., DATED MAY 18, 2005, IN THE NEGOTIATED AMOUNT OF \$94,320, PLUS AN ADDITIONAL AMOUNT OF \$13,000, FOR APPROVED REIMBURSABLES, FOR THE PROVISION OF ADDITIONAL DESIGN SERVICES FOR THE RECONSTRUCTION OF ROADWAYS AND ALLEYWAYS, PROVISION OF STORMWATER COLLECTION AND DISPOSAL SYSTEM AT ALLEYWAYS AND DRAINAGE "HOT SPOTS", AND ADDITIONAL WATER MAIN REPLACEMENTS, FOR THE SOUTH POINTE PHASE III, IV, AND V RIGHT-OF-WAY NEIGHBORHOOD IMPROVEMENT PROJECT; WITH PREVIOUSLY APPROPRIATED FUNDING FROM SOUTH POINTE CAPITAL FUND 389.** 6:59 p.m.

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The fee in the item is to compensate Chen and Associates for additional scope that was added when it was determined that the project came in under budget. Additional drainage and water mains were added. Chen performed the additional design work and permitting work.

MOTION: To recommend approval of amendment #2 to the agreement between the City and Chen and Associates for the South Point Streetscape Phase II project.

MOVED: F. Karlton 2nd: E. Camargo

PASSED: Unanimous

- f. **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 THE AGREEMENT WITH THE SECOND-RANKED FIRM BERMELO AJAMIL & PARTNERS, INC. FOR PROFESSIONAL CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) WORK INCLUDED IN THE WATER MAINS AND SANITARY SEWER MAINS, AND MILLING AND RESURFACING IMPROVEMENTS ALONG INDIAN CREEK DRIVE BETWEEN 26TH AND 41ST STREETS; PURSUANT TO REQUEST FOR QUALIFICATIONS 03-08/09 IN THE AMOUNT OF \$129,942.74 BE APPORTIONED FROM FDOT FUNDING PURSUANT TO A JOINT PARTICIPATION AGREEMENT (JPA) BETWEEN THE CITY OF MIAMI BEACH AND FDOT AND SUBSEQUENTLY EXECUTED PER RESOLUTION 2007-26694.**

7:01 p.m.

Fernando Vazquez, City Engineer presented. CEI Services are mandated through the agreement with FDOT. The second highest-ranked firm, Bermello and Ajamil, was chosen because the City was able to negotiate with them for a price that is within the FDOT allotted price.

A copy of the contract was distributed. Fred Karlton expressed displeasure at having received it so late and not be able to review.

The contract includes \$1,300 per day liquidated damages. Stacy Kilroy pointed out that the distributed contract is standard.

DIRECTION TO COMMITTEE: Any comments on the item are to be emailed to Charlie Carreño and Fernando Vazquez.

MOTION: Staff Recommend approval and authorization to execute the agreement between the City and Bermello & Ajamil Partners for CEI Services for the Indian Creek Improvements.

MOVED: S. Kilroy 2nd: E. Agazim

PASSED: Unanimous

5. **Status Report: Design-Criteria Package for Flamingo/West Ave Neighborhood ROW**

7:09 p.m.

Charlie Carreno presented. Public Works is bringing to Commission in October a proposal for a new comprehensive stormwater master plan for the City. Rather than hire two separate engineers, the thought in Administration is to allow the engineer working on the new master plan to begin with the Flamingo and West Avenue neighborhoods and incorporate it in the overall plan. With the Flamingo and West Avenue plan ready, the project in the neighborhood can then move forward. The A/E is to model the area and provide schematic designs. This may allow construction to begin in a year.

Denis Russ, (1004 10th Street), expressed his concerns and asked that City Administration, CIPOC and the City Commission all agree that this is the best way to move forward.

Alton Road / FDOT work, including the addition of pump stations, is currently in design at the State.

Commissioner Ed Tobin spoke

7:33 p.m.

He stated that he appreciated the work of the CIP Oversight Committee and commended Charlie Carreno, Jorge Cano and Emanuel Mayer for moving projects along. He asked for administration to indicate the difference, cost-wise, between designing for a 5-year, one-day storm as opposed to designing for a 10-year, one day storm. Mr. Carreno answered that the question will be included in the scope of the master plan design. Commissioner Tobin called District Six FDOT and was told that the Alton Road project "will not even be on their radar" until 2012. Fernando Vazquez offered to have a discussion with FDOT to see if they can advance the funds.

6. **Lessons Learned**

7:40 p.m.

Deferred to October meeting. Mayor Bower asked for Committee to review the material and bring comments to the October meeting.

7. **Discussion Item: Sub-Committee Functions and Organization**

7:41 p.m.

No sub-committees are scheduled through the end of the calendar year. There will be a Flood Mitigation Sub-Committee in December.

8. **Old Business**

7:43 p.m.

- a. CIP Project Status Reports
 - i. CIP Projects
 - ii. Public Works-Managed Capital-Funded Projects
- b. Construction Update Normandy Shores Neighborhood Improvement Project
- c. Status Report: Venetian Island Neighborhood Improvement Project
- d. Status Report: Sunset Islands I & II
- e. Status Report: Sunset Islands III & IV
- f. Status Report Royal Palm Avenue and 44th Street Flooding Mitigation

9. **Staff Action Report**

10. **Calendar**

11. **Adjournment:**

7:47p.m.

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