



COMMITTEE MEMORANDUM

TO: Members of the CIP Oversight Committee

DATE: May 9, 2011

SUBJECT: **REPORT OF THE CAPITAL IMPROVEMENT PROJECTS OVERSIGHT
COMMITTEE MEETING OF APRIL 11, 2011**

The meeting was called to order at 5:48PM

Please note: These minutes are not a full transcript of the meeting.

Full audio and visual record of this meeting available online on the City's website:

[http:// www.miamibeachfl.gov/video/video.asp](http://www.miamibeachfl.gov/video/video.asp)

Introduction of Tony Trujillo, new committee member and introduction of new Assistant City Manager, Duncan Ballantyne.

5:50 p.m.

1. **ATTENDANCE**

See attendance sheet copy attached.

2. **PUBLIC COMMENT**

5:54 p.m.

Carla Propes, 400 Alton Rd, noted that she wanted to speak regarding the mature oaks that were removed as part of south of 5th CIP project, even though Commission had mandated no greenspace would be removed for bike paths, trees were removed. Chair Gross noted that the Bicycle Master Plan was developed after most of the Basis of Design Reports were completed for the neighborhoods, and the plans and BODRs were never really integrated together.

Chuck Fossler, CIP Acting Assistant Director, clarified the issue. The trees were not removed because of the bike lanes. As part of the stormwater plan the curb and gutter had to be removed and replaced with a different design. In order to do that, the curb had to be moved over about 6" inches. In the process it was noticed that on the existing trees the roots had grown on to the existing curb and gutter. When they went to trim the roots, Parks Dept was brought in to discuss if the trees where viable. Mr. Fossler explained the roots were growing in a narrow swale area and were growing in a north/south direction. Mr. Fossler added that Chris Latt, the City's Urban Forrester, noted that because of the way the roots were oriented, there is a possibility the trees would fall over in a hurricane. Mr. Fossler noted that 30 trees were removed and 6 were relocated and to make up for the lost canopy they will be replacing them with 47 additional oak trees about 24-27 feet tall.

Chair Gross explained that these things need to be anticipated and called out during the plan review stage, additionally letting the residents who are affected by it know What's going to happen. Mr. Fossler added that there is a net increase of 270

canopy trees and 13,315 square feet of greenspace going back in the neighborhood.

Ms. Propes, noted that on the Westside of the Murano Grande and the Icon, the swale was decreased over 2 feet and would like the City to look into this. Additionally, Ms. Propes noted that on 1st and Alton, a crosswalk was lost. Chair Gross, advised Mr. Fossler to look into it and get back to Ms. Propes.

Fernando Vazquez, CIP Director, added that Public Works and CIP are developing new SOP to mitigate as many obstacles as possible when a ROW project conflicts with the Bike Master Plan.

Daniel Veitia, Normandy Isle HOA, advised that the lighting plan for Normandy Isle has been drafted. Funding will be coming from PTP funds. Lights & pavers are moving forward and for all other items on his list, CIP has made budget requests. Update is good and will be reporting back next meeting with more updates.

Dennis Russ, Flamingo Park Neighborhood Association, advised that several items were covered on a meeting held Monday. 7th – 9th Streets area, 1st slice of Flamingo being done, he questioned whether the bump out lanes are longer than necessary. Mr. Russ stated he is concerned with the Stormwater Master Plan and what the impact will be. A request was made to meet with design consultants, Wolfberg/Alvarez, as they begin the next level of design plans. Mr. Russ advised a special policy document with respect to pedestrian orientation in Flamingo has evolved, adopted it in Neighborhood Association meeting and moving along to the City's Administration and Commission for consideration, action and implementation. Mr. Russ noted that he is concerned with slowing traffic in residential areas and creating 4-way stops, and marking it as a special residential zone. Next stage to possibly move forward will be 16th street corridor and 6th street corridor. Mr. Russ has advised he has discussed with Mr. Cano regarding, describing the project in the capital budget.

Jorge Cano, Administration and Business Officer, CIP, advised that active Flamingo bid packs have about \$34 million already programmed in the budget for stormwater improvements. Public Works is currently working on using remaining RDA funding for work on the 6th Street corridor. The balance of drainage work in Flamingo and the West Avenue projects can be funded out of a second series of bonds, pending commission approval.

16 Street has funding available for design and partial funding for the improvements. Design focuses on traffic calming. Denis Russ indicated that the neighborhood was aware of some additional Federal funding available and they hope the City can move forward with the planned improvements on 16 Street.

3. OLD BUSINESS

CIP Project Status Report - <http://web.miamibeachfl.gov/cip/scroll.aspx?id=3990>

REQUESTED REPORTS

Status Report: Venetian Island Neighborhood Improvement Project

6:21 p.m.

Roberto Rodriguez, Capital Projects Coordinator, advised that plans have been approved by our Public Works Dept on March 21st. Meeting was held with Procurement to discuss issuing an ITB. The issuance of an ITB should be done by the end of April, with the goal of going to commission and having them award it at July's meeting. Schedule from the County puts them in Rivo Alto through July, Dilido running close to August and San Marino well into August. Chair Gross, inquired about legal issues on holding the contractor and advised it should be check with Gus Lopez, Procurement Director, and the Legal Department.

Greg Carney, Venetian Islands, advised that there will be HOA meeting on April 20, 2011 at 6:30pm and asked if someone from the City would give an update to the residents of the island. Mr. Rodriguez advised that he will be attending the meeting and that he has invited the consultant to also join. Additionally, Mr. Rodriguez noted that a notice has been sent to the County stating to add additional warning for the bike lanes. Mr. Rodriguez, added that the county acknowledged his request and forwarded it to their contractor on April 6th, to add additional warning signs.

Status Report: Sunset Islands I & II

6:31 p.m.

Maria Hernandez, Senior Capital Projects Coordinator, reported there have been some changes to the scheduling on outfalls on Sunset Islands I & II. The proposed date of April 20th for delivery of structures to begin to mobilize, and should be completed in 30 days. 100% plans are complete and presently are in Miami Dade Traffic, will have them back by Wednesday with comments which were minor. Working on the ITB, planning to have it out to bid/advertised by April 20th, calling for 12 months for construction.

Status Report: Sunset Islands III & IV

6:34 p.m.

Mattie Reyes, Senior Capital Projects Coordinator, reported design is soon to start, pending on the approval of the amendments from the April 13, 2011 commission meeting. Meeting was held with the Island HOA, FP&L and ABB, where they identified timelines that need to be met. Ms. Reyes explained that the guard house is a separate project not part of Sunset Island III & IV right-of-way improvements.

Fred Beckmann, Public Works Director, advised they have not finalized the discussions on the entrance. Mr. Beckmann noted that there will be a lot of heavy traffic going into the neighborhood during the construction. The structure is still under discussion at the City Managers level and has not yet been decided if it's going to be a guard house or a small portable kiosk.

Terry Bienstock, Sunset III & IV HOA, stated that all the issues brought up are new and have happen in the last 7 days. They were under the impression that it will all be done by this summer. Mr. Bienstock, advised that it was presented by City staff at their HOA meeting. Mr. Bienstock explained when the process started, they asked Miami Beach Police to conduct a security analysis which concluded in placing the guard house in the middle, additionally it went to William Cary and the Planning Department, who advised they recommend tearing it down to build a new structure. Three Architects from the island got together and designed a new structure for the guard house. Mr. Bienstock

noted that these changes had been going on for a while and thought the City Manager's office was aware of them. Mr. Bienstock explained there are no budgetary issues; whatever the budget that got approved last year is the budget and any overage that they (the HOA) will pay for it.

Rick Saltrick, Assistant City Engineer, explained that the Public Works Department is currently working on permitting for the guardhouse project. Public Works will report back when a decision is made on the type of structure selected and how they will proceed.

Status Report: Palm & Hibiscus Island Undergrounding

6:52 p.m.

Grace Escalante, Senior Capital Projects Coordinator, stated that at a vote taken in December, Hibiscus Island was successful in establishing a special taxing district towards utility undergrounding, but Palm Island was not. Next, FPL has to re-submit their drawings (April 24), incorporating revisions that were requested by residents. Once the City and the HOA approves the drawings, the City will request a binding estimate from FPL. Then the City and HOA have 180 days to do the following: HOA pays Miami-Dade County and the City enters into an inter-local agreement with the County. In the interim, CIP will request (at the May Commission Meeting) approval to issue an RFQ to develop a design criteria package so that the project to be issued as a design-build. Eleanor Carney inquired if the undergrounding would be integrated into the right-of-way project. Ms. Escalante replied in the affirmative. (Undergrounding will be entered as an add-alternate).

Mrs. Carney was concerned that the HOA may miss another deadline while the design-criteria package is being developed. The HOA asked the County for the money. FPL requires money in advance at the end of 180-day period. Saul Gross said that perhaps a funding alternative needs to be found to make this happen. Eleanor Carney asked that a status report be provided.

4. COMMISSION ITEMS

a. **Biscayne Point Neighborhood Right-of-way Improvements**

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AMENDMENT NO. 9 TO THE AGREEMENT BETWEEN THE CITY AND EAC CONSULTING, INC., DATED JULY 27, 2005, FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 42-03/04 FOR THE BISCAYNE POINT NEIGHBORHOOD RIGHT-OF-WAY IMPROVEMENT PROJECT; SAID AMENDMENT FOR VALUE ENGINEERING SERVICES, ADDITIONAL CONSTRUCTION ADMINISTRATION SERVICES, AND RESIDENT PROJECT REPRESENTATION (RPR) SERVICES (FOR A PERIOD OF UP TO TWENTY-FOUR MONTHS), IN THE NEGOTIATED LUMP SUM AMOUNT OF \$358,684, PLUS AN ADDITIONAL NOT-TO-EXCEED AMOUNT OF \$9,246 FOR REIMBURSABLE EXPENSES, FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$367,930; WITH PREVIOUSLY APPROPRIATED FUNDING IN THE AMOUNT OF \$97,362, FROM FUND 376, AND FUNDING, IN THE AMOUNT OF \$90,648, FROM FUND 420; AND FURTHER APPROPRIATING FUNDING, IN THE AMOUNT OF \$179,920 FROM FUND 429, STORM WATER PROJECTS LINE OF CREDIT, WITH SUCH FUNDS TO BE REPAID FROM PROPOSED FUTURE STORM WATER BONDS.

This item is a follow-up to the last Commission item, where commission approved Biscayne Point Neighborhood right-of-way improvement project. This component provides for inclusion of a Resident Project Representative. This component was missing from the original contract. The inclusion of an RPR is important for construction oversight, design clarifications, inspection services, quality control etc. Saul Gross asked for examples of various models of oversight used on projects. Mr. Vazquez responded that there is not a "cookie-cutter" approach for all projects. In this case, the RPR (from EAC Consultants) provides an on-sight individual that can make sure that the construction is done according to plans, because the engineer of record is supervising their own design. Mr. Gross pointed out that the City used RPR services for Normandy Shores and Normandy Sud and the results were not ideal. Mr. Vazquez explained that he is trying to establish a standard operating model for all projects. It could be the RPR model, or the hiring of a Certified Independent Engineer or a City-hired inspector. Mr. Gross posed the hypothetical question: "What if the engineer's drawings are wrong? Would having the RPR review them be a conflict of interest?" Mr. Vazquez replied that it would not. Anyone who is a member of the Board of Engineers and is tasked with inspections has an ethical obligation to ensure the best and most appropriate design. Fred Karlton asked how Mr. Vazquez thought the City should address projects in order to ensure that they are first designed well, citing a project where it was found that design was faulty. Mr. Vazquez responded that he felt it is important not to push projects into construction until design is evaluated for proper level of service.

Discussion continued about using a third-party consultant to review the work of the A/Es on the projects. In the case of projects that have already been awarded, it would make sense to have a party reviewing design documents from a standpoint of value engineering, rather than regulatory oversight. Going forward, Mr. Vazquez pointed out that the City is changing the way Public Works reviews drawings and is also working on ways to catch problems in design before construction begins. In the case of the Biscayne Point project, Mr. Vazquez recommends the use of third party to review the plans, looking at pricing, and other items prior to construction.

Michael Adiefe, of EAC Consulting, introduced himself as Engineer of Record. Mr. Vazquez said that the City conducted a peer review of the design of the Biscayne Point project. They continue to work with EAC and the contractor and are performing value engineering in order to streamline the process and adequately review while keeping the project moving. Part of the reason the RPR component is being requested is because the City recognized some issues that need to be addressed (including design improvements) and can be done without delay to the project.

Eleanor Carney announced that she is glad to see that the City retained the engineer of record for construction administration services, citing other projects that ended up in litigation because the City did not keep the engineer on board for construction. She added that she thought the City had not allocated enough funding for this portion. Construction Administration is usually 10% of a contract, and in this case, it is 3%. Stacy Kilroy pointed out that the City does not provide more than 3-5% for construction administration services.

Saul Gross clarified that the percentage does not come from the contract total, but from the total A/E fee. Typically, said Mr. Adiefe, the CA cost is 5-8%.

Janette Arencibia, Capital Project Coordinator for the Biscayne Point project, clarified that this RPR services amendment adds having a representative on board and on site at all times. The RPR is a supplemental service to regular construction administration services.

The overall design cost was \$1.5 including design and construction administration. The added cost for the RPR services is \$368,000. This includes salary and overhead for over 24 months.

Stacy Kilroy asked who will serve as the RPR. Mike Adiefe answered that the RPR will be a certified inspector in the field with much experience with neighborhood projects. Mr. Vazquez added that the Biscayne Point project will be the RPR's only project.

Chuck Fossler, Acting Assistant Director, CIP, explained that having an RPR from the Engineering firm of record makes for a better project. If plans need modification and has to be re-submitted to the EOR, there is likelihood of delay.

Mr. Vazquez explained that hiring an RPR helps in the reduction of backlog of work. The CIP Staff is more than capable of handling the tasks, but there is such a huge amount of work that there is need for assistance in completing it.

MOTION: Recommend to the Mayor and City Commission approval of award but peer review done before the execution of the contract.

MOVED: Christina Cuero 1st, Stacy Kilroy 2nd

PASSED: Unanimous

b. **Bayshore Amendment No. 20 & 21**

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 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA, AND CH2M HILL FOR THE PROFESSIONAL LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENTS PROGRAM FOR NEIGHBORHOOD NO. 8 BAYSHORE AND SUNSET ISLANDS, DATED MAY 16, 2001, REALLOCATING FUNDS IN THE AMOUNT OF \$340,069.99, FROM CONSTRUCTION ADMINISTRATION TO BIDDING AND AWARD SERVICES FOR THE BAYSHORE NEIGHBORHOODS NO. 8A, 8B, 8C, AND 8D PACKAGES.

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. 21 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA, AND CH2M HILL FOR THE PROFESSIONAL LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RIGHT-OF-WAY INFRASTRUCTURE IMPROVEMENTS PROGRAM FOR NEIGHBORHOOD NO. 8 BAYSHORE AND SUNSET ISLANDS, DATED MAY 16, 2001, TO PROVIDE ADDITIONAL DESIGN DOCUMENTS AND PERMITTING SERVICES TO PROCURE THE DERM TREE REMOVAL PERMITS FOR THE BAYSHORE AND SUNSET ISLAND NEIGHBORHOODS

NO. 8A, 8B, 8C, AND 8D PROJECTS, TO PARTICIPATE IN VALUE ENGINEERING, PROVIDE DESIGN MODIFICATIONS AND ASSOCIATED RE-PERMITTING SERVICES TO INCORPORATE THE

LEVEL OF SERVICE REVIEW COMMENTS REQUESTED BY THE CITY COMMISSION, FOR A NOT-TO-EXCEED AMOUNT OF \$135,112.97, AND \$63,605.00, FOR REIMBURSABLE EXPENSES; WITH PREVIOUSLY APPROPRIATED FUNDING IN THE AMOUNT OF \$113,297.18; APPROPRIATING \$85,420.79 FROM FUND 429, STORMWATER PROJECTS LINE OF CREDIT, WITH SUCH FUNDS TO BE REPAID FROM PROPOSED FUTURE STORMWATER BONDS.

Amendment 20: During the design process, City Staff met with DERM and were told that there are more stringent requirements for de-watering. In order to plan for the appropriate and sufficient dewatering, the decision was made to bring in the engineer early to redesign the plans. The first amendment shifts some funds (\$340,000) for extended engineering design services.

Walt Schwartz, from CH2MHill, explained that the engineer of record worked to put as much de-watering information on the plans so that the contractor knew what they were bidding on.

Amendment 21: Additional services from the EOR based on items that were determined needed addressing under per review process (as spearheaded by Mr. Bill Goldsmith).

MOTION: Recommend to the Mayor and City Commission approval to execute amendment 20 and 21.

MOVED: Eleanor Carney 1st, Stacy Kilroy 2nd

PASSED: Unanimous

DISCUSSION: The City is now looking into private sector input, making the CIP operation more efficient. Last FCWPC, CIPOC was asked to come back with recommendations for owners' rep model. Every project is being looked at for where it best merits adding this component. CIP will bring a list of all the projects and what methods were used to date as well as a list of future projects and the recommendations for how the new models can be used as projects move forward. CIP is also looking at bringing in an expert in estimating.

5. REVIEW AND ACCEPTANCE OF MINUTES

The following revisions were requested to the March 7, 2011 Meeting Minutes:

Christina Cuervo's name to be corrected.

MOTION: Approve minutes as amended

MOVED: Christina Cuervo 1st, Elizabeth Camargo 2nd

PASSED: Unanimous

Meeting Adjourned: 8:30 pm