



MIAMI BEACH

OFFICE OF THE CITY MANAGER
NO. LTC # 076-2006

LETTER TO COMMISSION

TO: Mayor David Dermer and Members of the City Commission
FROM: Jorge M. Gonzalez, City Manager 
DATE: March 22, 2006
SUBJECT: 63rd Street Bridge Rehabilitation/Indian Creek Reconstruction/Flyover Demolition.

RECEIVED
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CITY CLERK'S OFFICE

This Letter to the Commission is to provide you with an update on the 63rd Street Bridge Rehabilitation/Indian Creek Reconstruction/ Flyover Demolition.

Project Overview

On May 17, 2006, the Florida Department of Transportation (FDOT) District Six Construction Department will begin construction of two separate but related projects in and around the intersection of State Road A1A/Indian Creek Drive and 63rd Street in the City of Miami Beach. These projects will be under construction concurrently to minimize construction time and related impacts. The combined cost for these projects is approximately \$15 million. The two (2) projects descriptions are as follows:

The 63rd Street Bridge Rehabilitation Project will include: replacement of mechanical, electrical, structural components and aesthetic improvements such as new bridge decking, concrete traffic barriers and new decorative hand railing along the sidewalks, new street lights and navigational lights, and a fresh coat of paint and new windows for the control house.

The Indian Creek Drive Reconstruction Project will include: permanent removal of northbound flyover and reconfiguration of the intersection of 63rd Street and total reconstruction and improvements to Indian Creek Drive from 63rd Street to 67th Street. The improvements include new drainage, sidewalks, roadway, medians, traffic signals, street lights and landscaping.

Construction Schedule

Work is currently scheduled to begin on May 17, 2006 and expected to last 380 calendar days. The Contractor (Gilbert Southern Corp.) will receive an incentive bonus to finish the project early. The incentive bonus breakdown is as follows:

1. Completion of all major roadwork on Indian Creek by December 15, 2006 - \$400,000.
2. Completion of bridge rehabilitation by May 31, 2007 - \$400,000

Time extensions by FDOT will be granted on a day by day basis if: 1) the Contractor is unable to work at least 50% of the normal work day on pre-determined controlled items of work due to adverse weather conditions; or 2) the Contractor must make major repairs to work damaged by weather providing the damage was not attributable to a failure to perform or neglect by the Contractor.

Please note that bad weather or other unforeseen circumstances could impact this schedule.

Maintenance of Traffic Plan

The FDOT Contractor (Gilbert Southern Corp.) has developed the Movement of Traffic (MOT) plan will include the associated construction staging and the reduction of travel lanes to one lane.

Access to area businesses and residences will be maintained. Portions of sidewalk will be closed in work zones and pedestrians will be directed to the other side of the street. The main stages of the MOT are shown below:

1. **Bridge Demolition and Reconstruction:** One lane in each direction will be maintained over the bridge, beginning on May 17th, 2006 and finishing in May, 2007.
2. **Indian Creek Reconstruction:**
 - a. **Phase I and II:** Two lanes southbound, one lane will cross the bridge and the other will go south. The northbound movement is diverted through Collins Avenue. This MOT will begin on May 17th, 2006 and it is scheduled to be finished in September 2006.
 - b. **Phase III:** Two lanes southbound, one lane will cross the bridge and the other will continue south. In this phase the MOT proposes one lane on Indian Creek northbound, although most of the traffic will be diverted to Collins Avenue. This phase is scheduled to be finished in December 15th, 2006.
 - c. **Phase IV and V:** All lanes will be opened on Indian Creek. The roadway work will require moving lane closures during these phases on a temporarily base. This work is schedule to be finished in May 2007.

Community Advisory Committee

The Citizen's Advisory Committee (CAC) for the 63rd Street Reconstruction Project was created by the Miami Beach City Commission on December 8th, 2004 pursuant to Resolution No. 2004-25769.

The first formal presentation by FDOT of this project to the CAC was on January 19, 2006.

Since that first meeting, the CAC has met on a monthly basis with FDOT, the Contractor, The Engineer of Record and City of Miami Beach staff to address, seek consensus and provide input on construction related issues in an attempt to mitigate the impact of this project to the Community.

Among the many concerns and issues brought up by the CAC is the consideration of expanded construction hours in an effort to minimize construction times and reduce subsequent impacts. The CAC has unanimously endorsed the implementation of added hours and has respectfully requested that the City Commission investigate this alternative. (Please refer to attached letter by Mr. Jonathan D. Beloff Chairman of the 63rd Street Flyover CAC – Attachment A.)

As a second issue, the CAC has requested that the City Commission draw its attention to the proposed raising and lowering of the Bridge during "rush hour" traffic. The concern from the Committee is that openings of the bridge *"especially during the morning and evening rush hour, could conceivably bring traffic to a screeching halt for miles in both directions"*

Analysis of Acceleration Proposal:

Responding to a request made by the City of Miami Beach, Gilbert Southern Corp. (the Contractor) proposed several alternatives (Attachment B) for reduction in time for the project.

The Contractor conditioned his different alternative proposals on the following assumptions:

1. No excuse Bonus Days stay per original Contract for both Roadway and Final Project Completion
2. Liquidated Damages per FDOT Standard Specifications
3. No Incentive/Disincentives
4. City of Miami Beach allows additional work hours without any restrictions
5. Bridge Component fabrication is complete for Construction of Bridge
6. United States Coast Guard allows Double Shifting of Bridge Work

The alternatives proposed by the Contractor can be condensed in two options:

Alternative (a) - Indian Creek Reconstruction. The Contractor proposes to accelerate the Indian Creek timeline by 48 calendar days. The bascule bridge MOT however is to remain the same from May 2006 to 2007. From a traffic abatement standpoint, this alternative would only provide an accelerated solution to the Indian Creek northbound and southbound traffic and no solutions to the more critical 63rd Street eastbound and westbound traffic which is where the major bottleneck is anticipated to occur throughout the project duration. This project acceleration would cost the City of Miami Beach \$993,774.

Since the City would have to enter into a separate contract with the Contractor for the time acceleration of the project, the City would have no direct control over the FDOT contract with Gilbert Southern Corp. Therefore, the Contractor and FDOT would negotiate independently any change orders, or time extensions to the contract which in turn would have a direct impact on the time acceleration contract between the City and the Contractor.

Therefore from a cost/benefit analysis this alternative is not recommended.

Alternative (b) - Bridge Rehabilitation. The Contractor proposes to accelerate the project timeline by 60 calendar days.

This alternative could provide a reduction of 60 calendar days to the anticipated completion of the project; however, it is important to underline that the timeline for completion of this proposal is contingent to the bridge component fabrication being complete in time. Therefore, the Contractor shifts all its risks to the sub-contractor and relieves himself from meeting the proposed acceleration timelines based on any delays suffered by the bridge fabricator.

Similar to alternative A, since the City would have to enter into a separate contract with the Contractor for the time acceleration of the project, the City would have no direct

control over the FDOT contract with Gilbert Southern Corp. Therefore, the Contractor and FDOT would negotiate independently any change orders, or time extensions to the contract which in turn would impact the time acceleration contract between the City and the Contractor.

Therefore from a cost/benefit analysis this alternative is certainly not recommended.

There are further uncertainties to the project timelines which are worth mentioning and which introduce increased risk to the City. These are contingencies related to time extensions and/or requests for additional time pursuant to weather, errors and omissions in the plans, field disputes, contractual and or design related provisions, inspection delays and or any other unforeseen conditions which may generate additional delays in the contract timeline, and for which the City will have no control over.

With regards to the raising and lowering of the bridge during peak traffic hours, FDOT has met with the US Coast Guard and the Coast Guard is receptive to the lock-down of the 63rd Street Bascule Bridge during peak traffic hours upon request from the City of Miami Beach. A request will be forwarded to the Coast Guard this week.

Please feel free to contact me if you have any other concerns or questions.

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Citizen's Advisory Committee
Movement of Traffic (MOT) Plans
c/o Jonathan D. Beloff, Chairman
1111 Lincoln Road, Suite 400
Miami Beach, Florida 33139

March 20, 2006

Mayor David Dermer
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jerry Libbin
Vice Mayor/Commissioner Richard Steinberg
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

Re: 63rd Street at Indian Creek Drive Projects

Dear Mayor and Commissioners:

The Citizen's Advisory Committee (CAC) was created by you on December 8, 2004 pursuant to Resolution No. 2004-25769, a copy of which is attached for your reference (the "Resolution"). The CAC has now met several times with FDOT, its Contractors and Engineers and various City Departments. In addition to serving as a public information forum, our goal is to address, seek consensus and resolve construction and related issues in an attempt to mitigate the impact of the 63rd Street Flyover Project (the "Project"). From time to time, to the extent that we are unable to reach a satisfactory consensus with FDOT and its Contractors, we may need your assistance.

Two such issues for which we are seeking your consideration were raised at the last CAC meeting on March 16, 2006. The first issue concerns expanded construction hours which you also addressed in your Resolution as a means of minimizing construction time as well as mitigating construction impact. While FDOT and its Contractors said that they would be investigating this issue, it was clearly the Commission's intent in adopting the enclosed Resolution that expanded construction hours would increase efficiency and reduce the impact to our community. The CAC unanimously endorses the implementation of expanded construction hours and would respectfully request that the Commission investigate and enforce its commitment as expressed in the Resolution. We believe that expanded construction hours of 8:00 a.m. to 8:00 p.m. (or longer), seven days per week, would not only substantially reduce the overall construction time for the Project, but would also serve to drastically mitigate the construction impact on our community.

Letter to the Office of the Mayor and Commissioner
March 20, 2006

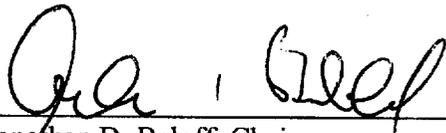
Page 2

The second issue which may require your attention concerns the raising and lowering of the bridge during "rush hour" traffic. As you know, the 63rd Street Bridge opens "on demand". Continued "on demand" openings, especially during the morning and evening rush hour, could conceivably bring local traffic to a screeching halt for miles in both directions. We cannot afford to let that happen. It is our understanding that in order to deviate from the current "on demand" system, the Commission may need to intercede in making a formal request to the Coast Guard. The CAC would request that you exercise that authority in seeking to limit the "on demand" status of this bridge.

On behalf of the CAC, I thank you for your consideration of these issues and for your continued support and guidance in helping to insure that this Project would be commenced and concluded timely and with the least impact to our community.

Very truly yours,

Citizen's Advisory Committee

By: 
Jonathan D. Beloff, Chairman

cc: Mark Weithorn, Vice Chairman – markw@dpi-miami.com
Mr. Fred Beckmann, Public Works Director, City of Miami Beach, fbeckmann@miamibeachfl.gov
Lynn W. Bernstein, City of Miami Beach, lynnbernstein@miamibeachfl.gov
CAC Committee Members

RESOLUTION NO. 2004-25765**A RESOLUTION OF THE MAYOR AND COMMISSION OF THE CITY OF MIAMI BEACH ENCOURAGING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) MITIGATION OF CONSTRUCTION IMPACTS ASSOCIATED WITH THE 63RD STREET FLYOVER PROJECT.**

WHEREAS, FDOT is proceeding with the construction of a project at the intersection of 63rd Street and Indian Creek Drive that will demolish the existing 63rd Street Flyover and replace it with an at grade reconstructed intersection in conjunction with a project to renovate the bascule bridge that crosses the Indian Creek waterway; and

WHEREAS, given the strategic location of the project intersection within the City of Miami Beach a protracted period of construction would have serious adverse impacts on the community; and

WHEREAS, FDOT has recognized that protracted construction at this intersection could result in serious impacts for the community and has incorporated a variety of efforts in order to minimize construction time as well as to mitigate construction impacts which include:

- Expanded construction hours to allow 8:00 a.m. to 8:00 p.m. construction seven days a week in the project area.
- A larger than normal incentive bonus to help assure that construction milestones are reached at the specified time.
- A Maintenance of Traffic Plan (MOT) that maintains the maximum amount of capacity to enable vehicular traffic to travel through the construction zone with the least amount of delay.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the identified FDOT construction time and construction impact mitigation efforts are hereby endorsed. Further, that FDOT is hereby encouraged to identify any and all other measures that will shorten the construction time period and/or reduce the impacts to the community and specifically that FDOT be encouraged to:

- Expand construction hours to 7:00 a.m. in the morning in order to allow a period of time to prepare for and organize work for the day, thereby increasing efficiency.
- Create a Citizen Advisory Committee that will be formed before the construction of the project and to run during the construction of the project to allow for increased public information opportunities and a venue to raise and address issues associated with the project on a timely basis. The Committee

should be direct appointments from the Mayor and City Commission and representatives of the residential and business stake holders in the impact area of the community.

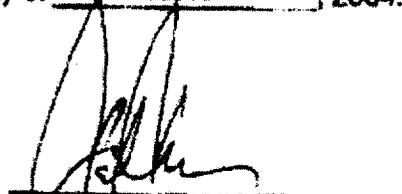
- Increase the amount of incentive available to the contractor for early project completion.
- During negotiations with the FDOT contractor explore if other hours of construction would shorten the construction time and report any construction time alternatives to the City for comment.

Further, that FDOT schedule the construction of the 63rd Street Flyover Project to coincide with the construction of the FDOT Harding Avenue Safety Project from 87th Terrace to 75th Street.

PASSED and ADOPTED this 8th day of December, 2004.

ATTEST:


CITY CLERK


MAYOR

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

 12-7-04
City Attorney Date



Gilbert Southern Corp

A KIEWIT COMPANY
13630 NW 8th Street Sunrise, FL. 33325
Phone (954) 835-2228, Fax (954) 835-2335

February 7, 2006

GSC/FDOT-017

Delta Consulting Engineers
4870 SW 72nd Avenue
Miami, Florida 33155

Attn: Sixto Labiste, P.E.

RE: 63rd Street Bascule Bridge and Indian Creek Drive (SR A1A)
Financial Project Nos. 407935-1-52-01 and 249940-1-52-01 & 249940-1-52-02

Subject: Response to City of Miami Beach Request for Schedule Acceleration Costs

Mr. Labiste,

This letter is in response to The City of Miami Beach's request for additional scenarios for reduction in time for the construction of the 63rd Street and Indian creek drive project.

The following costs are based on the following assumptions:

- o No excuse Bonus Days stay per original Contract for both Roadway and Final Project Completion
- o Liquidated Damages per FDOT Standard Specifications
- o No Incentive / Disincentives
- o City of Miami Beach allows additional work hours without any restrictions
- o Bridge Component fabrication is complete for Construction of Bridge
- o United States Coast Guard allows Double Shifting of Bridge Work

Below is Gilbert Southern Corp.'s cost for reduction in time as requested in Email on 12-19-05.

- 1) Contractor to prepare two (2) different scenarios as follows:
 - a) One (1) added shift of 9 hours and work on Saturdays (selected crews):
 1. Time reduction in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Construction

Time Reduction.....	48 (cd)
Additional cost.....	\$993,774.00
 - Original Contract Time to Complete : 230 (cd)
New Contract Time to Complete: 182 (cd)
 2. Time reduction in completion date and breakdown for added costs and incentives resulting from completing project (Bridge Construction)

Time Reduction.....	60 (cd)
Additional Costs.....	\$863,264.00
 - Original Contract Time to Complete : 380 (cd)
New Contract Time to Complete : 320 (cd)

b) Working 24 Hours per Day

1. Time reduction for Indian creek Construction

We are unable to price this scenario due to the following reasons

- I. Our shifts are set up to run 9 hrs per day. This allows fueling and maintenance of equipment between shifts.
- II. Would be difficult to man the job with the required qualified pipe layers, mill wrights and steel workers.
- III. Productivity decreases and supervision increases sharply.

2. Time Reduction for Project completion (Bridge Construction)

Same reasons as listed above in Item 1.

2) Contractor prepare three (3) different Cost Scenarios as follows:

a) Reduction of Project Timeline by 30 Days

1. Time reduction in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Construction

Time reduction.....30 (cd)
Additional Cost.....\$858,774.00

2. Time reduction in completion date and breakdown for added costs and incentives resulting from completing project (Bridge Construction)

Time reduction.....30 (cd)
Additional Cost.....\$394,612.00

b) Reduction in Project Timeline by 60 days

1. Time reduction in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Construction

Time reduction (Maximum).....48 (cd)
Additional Cost.....\$993,774.00

2. Time reduction in completion date and breakdown for added costs and incentives resulting from completing project (Bridge Construction)

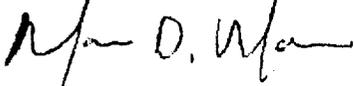
Time Reduction.....60 (cd)
Additional Cost.....\$863,264.00

c) Reduction in Project Timeline by 90 days

This project was originally bid with an aggressive schedule of 380 (cd). Our competitors were at 450 (cd) and 500 (cd). We are unable to confidently construct this project by reducing the schedule by 90 days.

Please let me if you have any questions regarding this matter. I can be contacted through E-mail or by phone (954-835-2228).

Sincerely,
GILBERT SOUTHERN CORP.



Mark D. Mabec
Job Superintendent

Attachments : Email Dated 12/19/05 3:44 PM From Ivan Hay to Bob McMonagle

Cc: Contract File
Bob McMonagle (GSC)
Darren Spence (FDOT)
Ivan Hay (FDOT)

Robert.Mcmonagle

From: ivan.hay@dot.state.fl.us
Sent: Monday, December 19, 2005 3:44 PM
To: To: 'Bob McMonagle'; mark.mabee@gsc.kiewit.com;
"cc: Mark_Croft/D6/FDOT.FDOT@dot.state.fl.us; gus.graupera@dot.state.fl.us;
slabiste@dceinc.net; darren.spence@dot.state.fl.us"
Subject: Fw: RE: 63rd Street Flyover- Construction Scenario evaluation Request

Bob/Mark, please see attached revised request.

Ivan.

-----Forwarded by Ivan Hay/D6/FDOT on 12/19/2005 03:42PM -----

To: <ivan.hay@dot.state.fl.us>
From: "Beckmann, Fred" <FredBeckmann@miamibeachfl.gov>
Date: 12/16/2005 07:46PM
cc: "Echeverry, Maria" <MariaEcheverry@miamibeachfl.gov>, "Vazquez, Fernando" <FernandoVazquez@miamibeachfl.gov>
Subject: RE: 63rd Street Flyover- Construction Scenario evaluation Request

Ivan.

A few modifications for clarity shown in red. Option 2) c) may not be even possible to accomplish. Of course the agreed bonus will only be paid if the contractor completes the agreed contract work items on or before the agreed bonus completions date. The bonus completion date will not be adjusted for any reason, cause or circumstance whatsoever, regardless of fault, save and except in the instance of a catastrophic event (i.e., hurricane or a declared state of emergency). The clause 8-13.1 "Bonus" Payment and Waiver of Contractor Claims in the FDOT contract would be applicable to nay bonus paid by the City. I'll call you on Monday to have some further discussion before you engage the contractor. Thanks.

MIAMI BEACH

Fred H. Beckmann, Director of Public Works
PUBLIC WORKS AND OPERATIONS DEPARTMENT
1700 Convention Center Drive, Miami Beach, FL 33139
Tel: (305) 673-7080 ext 6012/Fax: (305) 673-7080/ www.miamibeachfl.gov
We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.

From: Vazquez, Fernando
Sent: Friday, December 16, 2005 5:20 PM
To: ivan.hay@dot.state.fl.us
Cc: Beckmann, Fred; Echeverry, Maria
Subject: 63rd Street Flyover- Construction Scenarion evaluation Request

Ivan

As discussed, the city is requesting additional scenarios for reduction in time of this contract.

As a follow up to my original request, I would like to add the following

- 1) That the contractor prepare two (2) different time scenarios as follows:
 - a) One (1) added shift of 9 hours not to exceed Midnight from Monday to Saturday- This added shift should include :
 - (1) Time reduction in completion date and b reakdown for added costs and incentives

1/6/2006

resulting from completing Indian Creek Reconstruction.

- (2) Time reduction in completion date and breakdown for added costs and incentives for the remainder of the work.
- b) Working 24 hours per day from Monday to Saturday- This added shift should include :
- (1) Time reduction in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Reconstruction.
 - (2) Time reduction in completion date and breakdown for added costs and incentives for the remainder of the work.

2) That the contractor prepare three (3) different Cost scenarios as follows:

- a) Reduction of the Project Timeline by 30 days
 - (1) Time reduction (30 days) in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Reconstruction.
 - (2) Time reduction (30 days) in completion date and breakdown for added costs and incentives for the remainder of the work.
- b) Reduction of the Project Timeline by 60 days
 - (1) Time reduction (60 days) in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Reconstruction.
 - (2) Time reduction (60 days) in completion date and breakdown for added costs and incentives for the remainder of the work.
- c) Reduction of the Project Timeline by 90 days
 - (1) Time reduction (90 days) in completion date and breakdown for added costs and incentives resulting from completing Indian Creek Reconstruction.
 - (2) Time reduction (90 days) in completion date and breakdown for added costs and incentives for the remainder of the work.

Thanks

MIAMI BEACH

Fernando A. Vazquez, P.E., City Engineer

PUBLIC WORKS AND OPERATIONS DEPARTMENT

1700 Convention Center Drive, Miami Beach, FL 33139

Tel: 305-673-7000 / Fax: 305-673-7028 / www.miamibeachfl.gov

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