

C2 F REQUEST FOR APPROVAL OF ROUTINE RENEWAL OPTIONS, TASK ORDERS,
CHANGE ORDERS, OR CONTRACT AMENDMENTS FOR CITY-AWARDED
CONTRACTS.

Applicable Area:



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025

TITLE: REQUEST FOR APPROVAL OF ROUTINE RENEWAL OPTIONS, TASK ORDERS, CHANGE ORDERS, OR CONTRACT AMENDMENTS FOR CITY-AWARDED CONTRACTS.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission approve the item detailed in Attachment A.

BACKGROUND/HISTORY

This summary item addresses routine adjustments required to City agreements, which may include term extensions or approval of task orders, change orders, or amendments. Contracts included in this item may require one of the following adjustments, as detailed in Attachment A.

Renewals/Extension - As is customary, many agreements resulting from competitive solicitations include renewal clauses that allow for the extension of an Agreement for a certain number of renewal periods beyond the original term, as may be stipulated in the solicitation or resulting agreement. The renewal periods allow the City to continue acquiring the necessary goods and services from reputable contractors at prices established through competitive solicitations. In some cases, the City may require extending agreements, on a month-to-month basis, beyond the terms stated in the solicitation to ensure continuous operations until such time replacement agreements can be executed.

Task/Service Orders - Certain contracts, especially those awarded to pools of contractors, require service/task orders to be approved prior to the commencement of work. The work included in the service/task orders is consistent with the contracts approved by the City Commission.

Change Orders/Contract Amendments - Occasionally, it is necessary to approve minor change orders or amendments to existing contracts.

ANALYSIS

Details on the items for which approval is sought are included in Attachment A.

FISCAL IMPACT STATEMENT

The fiscal impact is included in each item in Attachment A.

Does this Ordinance require a Business Impact Estimate?
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

Financial information is included in each item in Attachment A.

CONCLUSION

The Administration recommends that the Mayor and City Commission approve the renewals/extensions, task/service orders, or change orders/amendments, as detailed in Attachment A.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Procurement

Sponsor(s)

Co-sponsor(s)

Condensed Title

Request Approval of Routine Renewal Options/Task Orders/Change Orders/Contract Amendments. PR

Previous Action (For City Clerk Use Only)

Attachment A

Amendment

ITEM # 1

<u>Agreement No.</u> ITB 2017-049-WG	<u>Title</u> General Building, Engineering, and Specialty Trades			
<u>Contractor</u> Team Contracting, Inc.	<u>Initial Term</u> (Past) 2/5/2018 – 2/4/2021	<u>Renewal No. 1</u> (Past) 2/5/2021 – 2/4/2022	<u>Renewal No. 2</u> (Past) 2/5/2022 – 2/4/2023	<u>Month-to-Month (This Item)</u> 2/5/2023 - present
<u>Brief Scope:</u> <p>The specialty trade Agreements provided various general and specialty trade services to maintain City facilities. The Agreements established a pool of contractors with hourly rates and percentage markups for each Contractor. Under the Agreement with Team Contracting, Inc., the Public Works Department is working on the Terminal Isle project, an infrastructure initiative aimed at addressing structural and aesthetic deficiencies.</p>				
<u>Request:</u> <p>This item seeks approval from the Mayor and City Commission to retroactively amend the Agreement in Amendment No. 2 to incorporate federal compliance provisions into the existing Contract pursuant to Section 5.11 of the Agreement and further delegate authority to the Manager to execute the Amendment. The Amendment will ensure compliance with federal regulations by incorporating key provisions related to HUD-assisted projects. The Amendment does not extend the Contract term or modify its scope but formalizes the Parties' adherence to federal requirements during the Contract period.</p>				
<u>Estimated Fiscal Impact:</u> <p>This Amendment has no fiscal impact.</p>				
<u>Justification:</u> <p>On February 5, 2018, the City and Contractor executed the Contract pursuant to Invitation to Bid (ITB) No. 2017-049-WG building and specialty trade contractors for minor projects (the "ITB").</p> <p>On September 18, 2021, the City and Contractor executed Amendment No. 1 to the Agreement; said Amendment included the omitted "Contract Provisions for Non-Federal Entity Contracts Under the Federal Award," the "Byrd Anti-Lobbying Amendment Certification," the "Suspension and Debarment Certification," and other miscellaneous requirements of the City. Code and Florida law.</p> <p>On June 2, 2023, the City Manager executed Emergency Purchase Authorization (EPA) 2023-489-MP for repairs to the Terminal Isle Water Booster Pump Station, which had received a Department of Economic Opportunity (DEO) grant for hardening improvements. Consequently, Public Works engaged Team Contracting, Inc. to perform the necessary work under the EPA and pursuant to ITB 2017-049-WG for Building Special Trade Contracts for Minor Projects. To date, the Public Works Department has been working with Team Contracting, Inc., under this Agreement, on the Terminal Isle project. The Department is looking to have the project reimbursed by DEO. As such, DEO has asked that the "Agreement" with the vendor be revised to include specific provisions to fund the project.</p> <p>Under this Agreement, the scope of work includes providing temporary shoring support to the roof until permanent repairs are completed, cleaning and repairing corroded steel components using epoxy-based paint, and demolishing and replacing a knee wall with reinforced concrete. Additional improvements involve repairing exterior stucco with integrated flood-proofing measures on the building's southeast elevation, installing new HVHZ-rated louvers and storefront windows, replacing damaged window sealants, and applying new paint to match the existing stucco finish seamlessly.</p> <p>To secure reimbursement through DEO, the grantor has requested revisions to the Agreement with the vendor to include specific provisions aligning with funding requirements. These revisions ensure that the project scope, compliance elements, and performance standards are clearly defined and meet the criteria set forth by the funding agency.</p> <p>Amendment No. 2 to the Agreement will incorporate the federal compliance provisions into the existing Agreement. By incorporating key provisions related to HUD-assisted projects, it will ensure compliance with federal regulations. The Amendment will not extend the</p>				

Agreement term or modify its scope but formalize the parties' adherence to the federal requirements during this project, which was completed before the expiration of the Agreement on August 4, 2023.

The Proposed Amendment will retroactively include:

- Incorporation of the Section 3 Contract Clause, ensuring employment and economic opportunities generated by HUD-assisted projects benefit Section 3-eligible individuals and businesses;
- Inclusion of HUD Form 4010, providing Federal Labor Standards Provisions for HUD-assisted construction work, ensuring compliance with labor laws related to wages, hours, and safety standards; and
- Compliance with applicable building wage rates, specifically General Decision Number FL20230215.

Retroactively applying these provisions is necessary to align the Agreement with federal mandates. The Amendment will acknowledge that the original Agreement expired on August 4, 2023, but will only retroactively integrate the required federal provisions.