

C7 AW A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO WORK WITH RIC-MAN CONSTRUCTION FLORIDA, INC., THE DESIGN-BUILDER FOR THE WEST AVENUE PHASE II NEIGHBORHOOD IMPROVEMENT PROJECT, AND MAKE THE DETERMINATION AS TO THE MOST EFFECTIVE AND EFFICIENT MEANS TO MOVE FORWARD, INCLUDING ALTERING THE PROPOSED PROJECT SEQUENCE TO ACCOMMODATE THE COMPLETION OF HARMONIZATION AGREEMENTS AND PERMITTING; AND FURTHER, AMENDING RESOLUTION NO. 2024-33086 TO ENABLE THE CONCURRENT PERFORMANCE OF WORK ON SEGMENTS 2 AND 3 ONLY TO THE EXTENT NECESSARY TO ENSURE THE PROJECT PROCEEDS IN AN EXPEDITIOUS MANNER.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: April 23, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO WORK WITH RIC-MAN CONSTRUCTION FLORIDA, INC., THE DESIGN-BUILDER FOR THE WEST AVENUE PHASE II NEIGHBORHOOD IMPROVEMENT PROJECT, AND MAKE THE DETERMINATION AS TO THE MOST EFFECTIVE AND EFFICIENT MEANS TO MOVE FORWARD, INCLUDING ALTERING THE PROPOSED PROJECT SEQUENCE TO ACCOMMODATE THE COMPLETION OF HARMONIZATION AGREEMENTS AND PERMITTING; AND FURTHER, AMENDING RESOLUTION NO. 2024-33086 TO ENABLE THE CONCURRENT PERFORMANCE OF WORK ON SEGMENTS 2 AND 3 ONLY TO THE EXTENT NECESSARY TO ENSURE THE PROJECT PROCEEDS IN AN EXPEDITIOUS MANNER.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

The attached Resolution was prepared at the request of the sponsor, Commissioner Kristen Rosen Gonzalez.

### **FISCAL IMPACT STATEMENT**

The sponsor of this item requests that the Administration be prepared to address the fiscal impact of this proposed measure, if any, at the City Commission meeting.

### **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-notice/>

### **FINANCIAL INFORMATION**

### **CONCLUSION**

**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**

City Attorney

**Sponsor(s)**

Commissioner Kristen Rosen Gonzalez

**Co-sponsor(s)**

**Condensed Title**

Determine Effective Means to Move Forward, West Ave. Phase II Neighborhood Improvement Project. (Rosen Gonzalez) CA

**Previous Action (For City Clerk Use Only)**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO WORK WITH RIC-MAN CONSTRUCTION FLORIDA, INC., THE DESIGN-BUILDER FOR THE WEST AVENUE PHASE II NEIGHBORHOOD IMPROVEMENT PROJECT, AND MAKE THE DETERMINATION AS TO THE MOST EFFECTIVE AND EFFICIENT MEANS TO MOVE FORWARD, INCLUDING ALTERING THE PROPOSED PROJECT SEQUENCE TO ACCOMMODATE THE COMPLETION OF HARMONIZATION AGREEMENTS AND PERMITTING; AND FURTHER, AMENDING RESOLUTION NO. 2024-33086 TO ENABLE THE CONCURRENT PERFORMANCE OF WORK ON SEGMENTS 2 AND 3 ONLY TO THE EXTENT NECESSARY TO ENSURE THE PROJECT PROCEEDS IN AN EXPEDITIOUS MANNER.**

**WHEREAS**, the West Avenue Phase II Neighborhood Improvements Project ("Project") represents a comprehensively defined neighborhood improvement program, focused on resolving challenges associated with climate impacts and aged infrastructure; and

**WHEREAS**, the proposed improvements within the West Avenue neighborhood include the replacement of existing water distribution and transmission systems and gravity sanitary sewers, the installation of a new robust stormwater drainage collection and pumping system, raising of the paved roadway with harmonization to adjacent properties, new street lighting, pedestrian lighting, signalized intersections with mast arms, new landscaping, irrigation, and construction of a new baywalk segment; and

**WHEREAS**, on March 22, 2017, the Mayor and City Commission adopted Resolution No. 2017-29800, awarding design/build services to Ric-Man Construction Florida, Inc. ("Ric-Man") for the Project; and

**WHEREAS**, the Design Criteria Package for the Project included a requirement that construction be performed in segments, with the additional requirement that each segment attain substantial completion prior to initiating the next segment; and

**WHEREAS**, in the summer of 2019, Ric-Man submitted their proposed project segmentation and sequencing plan; and

**WHEREAS**, in May of 2023, in an effort to mitigate project delays and reduce the overall project duration, Ric-Man proposed working concurrently in more than one segment (but no more than two), with the exception of Segment 1 (the pump station and outfall), which would continue throughout much of the Project; and

**WHEREAS**, this approach was proposed to compress the work schedule and reduce overall duration, at no additional cost to the City; and

**WHEREAS**, the Administration agreed to consider this revised sequencing approach, provided that Ric-Man obtain concurrence from the West Avenue Neighborhood Association (WAvNA) and area residents; and

**WHEREAS**, on August 22, 2023, the City met with neighborhood representatives who expressed concern that conducting construction activities concurrently in Segments 2 and 3 would create excessive disruption, limit access, and negatively impact local traffic; and

**WHEREAS**, Ric-Man, in accordance with the community's input, agreed to revise the sequencing of construction activities so that Segments 2 and 3 would not be performed concurrently; and

**WHEREAS**, on May 15, 2024, the City Commission referred items C4 AQ and R9 AH to the Land Use and Sustainability Committee ("LUSC") for (1) discussion of converting approximately 133 metered on-street parking spaces in Zone 12 into metered 24-hour residential spaces, and (2) consideration of a potential permanent residential parking solution in connection with the West Avenue Phase II Project (Segments 1 and 2); and

**WHEREAS**, on May 28, 2024, the LUSC held a special meeting and unanimously recommended that the City Commission adopt a resolution to proceed with the Project using a multi-segmented approach, thereby shortening the overall duration of construction, provided that segments achieve beneficial occupancy—meaning roads are safe, drivable, and parkable—before proceeding to the next segment, with no more than two segments constructed concurrently (except Segment 1), and that Segments 2 and 3 not be performed concurrently; and

**WHEREAS**, on June 26, 2024, the City Commission adopted Resolution No. 2024-33086, accepting the LUSC's recommendation and directing the Administration to proceed accordingly; and

**WHEREAS**, the City and Ric-Man have been working to obtain harmonization agreements from individual property owners, which are a prerequisite to obtaining final permits and commencing construction in each respective segment; and

**WHEREAS**, although progress has been made in obtaining several agreements in Segment 4, the finalization of pending agreements may require additional time and could delay the commencement of construction in all segments; and

**WHEREAS**, in light of these potential delays, the Administration and Ric-Man may need the flexibility to proceed with Segments 2 and 3—rather than Segments 2 and 4 as originally planned—should it be deemed the most effective and efficient way to advance the Project.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, THAT**, the Mayor and City Commission hereby authorize the Administration to work with Ric-Man Construction Florida, Inc., the design-builder for the West Avenue Phase II Neighborhood Improvement Project, to determine the most effective and efficient means of advancing the Project, including altering the proposed project sequence, as necessary, to accommodate the timely completion of harmonization agreements and permitting requirements; and further, amending Resolution No. 2024-33086 to enable the concurrent performance of work on Segments 2 and 3 only to the extent necessary to ensure the project proceeds in an expeditious manner.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

\_\_\_\_\_  
Steven Meiner, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

(Sponsored by Commissioner Kristen Rosen Gonzalez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

4/15/2025  
\_\_\_\_\_  
Date