

C7 B A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE ARCHITECTURAL AND ENGINEERING (A/E) DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND CALVIN, GIORDANO AND ASSOCIATES (CGA), FOR ADDITIONAL ARCHITECTURAL, ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE NORTH BEACH OCEANSIDE PARK REDEVELOPMENT PROJECT, IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$48,129.25, WITH PREVIOUSLY APPROPRIATED FUNDING.



COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: June 26, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE ARCHITECTURAL AND ENGINEERING (A/E) DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND CALVIN, GIORDANO AND ASSOCIATES (CGA), FOR ADDITIONAL ARCHITECTURAL, ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE NORTH BEACH OCEANSIDE PARK REDEVELOPMENT PROJECT, IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$48,129.25, WITH PREVIOUSLY APPROPRIATED FUNDING.

RECOMMENDATION

The Administration recommends that the City Commission approve the resolution.

BACKGROUND/HISTORY

On December 9, 2015, the Mayor and City Commission (City Commission) adopted Resolution No. 2015-29233, pursuant to Request for Proposals No. 2015-211-KB, authorizing the Mayor and City Clerk to negotiate an agreement with Calvin, Giordano and Associates (CGA), for architectural and design services for the North Beach Oceanside Park (f.k.a. North Shore Open Space Park).

On June 23, 2016, the Mayor and City Clerk executed an agreement with CGA for architectural and design services for the North Beach Oceanside Park in the amount of \$660,220.

On August 19, 2016, Amendment No. 1, in the amount of \$49,330, was executed to include site studies associated with a proposed skate park, and as detailed in CGA's proposal dated July 14, 2016, increasing the total contract amount to \$709,550.

On May 2, 2019, the City issued Invitation to Bid (ITB) No. 2019-210-AY for the construction of the North Beach Oceanside Park and on October 3, 2019, a total of four (4) proposals were received. The lowest bid received exceeded the budgeted construction cost by \$5 million.

On October 10, 2019, the City Manager rejected the bids to allow CGA and city staff to re-evaluate the design and receive feedback from different contractors.

On October 24, 2019, Amendment No. 2, in the amount of \$129,893, was executed to include modification of the pathway widths, the preparation of a required arborist report and the preparation of select renderings, as detailed in CGA's proposal dated August 9, 2019, increasing the total contract amount to \$839,443.

On January 20, 2022, the City Commission adopted Resolution No. 2022-31969 approving Amendment No. 3, in the amount of \$220,625 extending the professional services during construction an additional eighteen (18) months due to construction of the Park project separate

from the Beachwalk project and added park project duration associated to the additional construction phasing, through October 2023, increasing the total contract amount to \$1,060,068.

On January 20, 2022, the City Commission approved the award of a contract to Buslam Company Partners, Inc., the lowest, responsive, responsible bidder to Invitation to Bid (ITB) No. 2021-095-AY for North Beach Oceanside Park and construction of the park started on May 31, 2022.

ANALYSIS

The North Beach Oceanside Park project encountered additional unforeseen issues during construction associated with the existing streetlights along 79th Street which was inappropriately connected to an electrical panel in the park and required additional electrical engineering services. Also, the architect had to provide additional landscape architectural services due to expanded landscape improvements including additional trees as a result of community feedback and expanded ground cover throughout the park. Extended construction administration was necessary as part of the expanded landscape, irrigation and electrical scope, including revisions to permit drawings and final inspections necessary to close the project. The North Beach Oceanside Park project was substantially completed on October 25, 2023, and the final close-out was completed in March 2024.

CGA has provided a proposal for the additional design and construction administration services in the not to exceed amount of \$48,129.25. Staff reviewed the proposal and found it to be fair and reasonable. This Amendment No. 4 will increase the total contract amount to \$1,108,197.25.

FISCAL IMPACT STATEMENT

Not applicable.

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

The Business Impact Estimate (BIE) was published on . See BIE at:
<https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

307-0820-061357-00-410-546-00-00-00-27950

\$48,129.25

CONCLUSION

The Administration recommends that the City Commission approve the resolution.

Applicable Area

North Beach

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

Yes

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

Capital Improvement Projects

Sponsor(s)

Co-sponsor(s)

**AMENDMENT NO. 4
TO THE PROFESSIONAL ARCHITECTURAL
AND
ENGINEERING (A/E) SERVICES AGREEMENT
BETWEEN THE CITY OF MIAMI BEACH, FLORIDA
AND
CALVIN, GIORDANO & ASSOCIATES, INC.
DATED JUNE 23, 2016**

**FOR ADDITIONAL ARCHITECTURAL AND ENGINEERING SERVICES
DURING CONSTRUCTION ASSOCIATED WITH ADDITIONAL
CONSTRUCTION ADMINISTRATION, PROJECT MANAGEMENT AND
DESIGN SERVICES FOR THE NORTH BEACH OCEANSIDE PARK
REDEVELOPMENT PROJECT, IN THE NEGOTIATED NOT-TO-EXCEED
AMOUNT OF \$48,129.25.**

THIS Amendment No. 4 to the Agreement is made and entered this ____ day of _____, 2024, by and between the CITY OF MIAMI BEACH, a municipal corporation existing under the laws of the State of Florida (the "City"), having its principal offices at 1700 Convention Center Drive, Miami Beach, Florida 33139, and Calvin, Giordano and Associates, Inc., having its offices at 1800 Eller Drive, Suite 600, Fort Lauderdale, Florida, 33316 (hereinafter referred to as "CGA").

RECITALS

WHEREAS, on December 9, 2015, the Mayor and City Commission adopted Resolution No. 2015-29233, pursuant to Request for Proposals No. 2015-211-KB, authorizing the Mayor and City Clerk to negotiate an agreement with CGA, Inc. for architectural and design services for the North Shore Open Space Park Project (F.K.A. North Shore Open Space Park) (the "Project"); and

WHEREAS, on June 23, 2016, the Mayor and City Clerk executed an agreement with CGA, Inc., for architectural and design services for the Project in the amount of \$660,220.00; and

WHEREAS, on August 19, 2016, Amendment No. 1, in the amount of \$49,330, was executed to include site studies associated with a proposed skate park, and as detailed in CGA's proposal dated July 14, 2016, increasing the total contract amount to \$709,550; and

WHEREAS, on October 24, 2019, Amendment No. 2, in the amount of \$129,893, was executed to include modification of the pathway widths, the preparation of a required arborist report and the preparation of select renderings, as detailed in CGA's proposal dated August 9, 2019; and

WHEREAS, on January 20, 2022, City Commission adopted Resolution No. 2022-31969 approving Amendment No. 3, in the amount of \$220,625 extending the professional services during construction an additional eighteen (18) months due to construction of the Park Project separate from the Beachwalk project, added park project duration associated to the additional construction phasing, through October 2023, increasing the total contract amount to \$1,060,068; and

WHEREAS, on January 20, 2022, the Mayor and City Commission approved the award of a contract to Buslam Company Partners, Inc., the lowest, responsive, responsible bidder to Invitation to Bidd (ITB) No. 2021-095-AY for North Beach Oceanside Park and construction of the park started on May 31, 2022; and

WHEREAS, the North Beach Oceanside Park project encountered additional unforeseen issues during construction associated to the existing streetlights along 79th Street which was inappropriately connected to an electrical panel in the park which required additional electrical engineering services;

WHEREAS, the architect had to provide additional landscape architectural services due to expanded landscape improvements including additional trees as a result of community feedback and expanded ground cover throughout the park; and

WHEREAS, extended construction administration was necessary as part of the expanded landscape, irrigation and electrical scope, including revisions to permit drawings and final inspections necessary to close the project; and

WHEREAS, the North Beach Oceanside Park project was substantially completed on October 25, 2023, and the final close-out was completed in March 2024; and

WHEREAS, CGA has provided a proposal for the additional design and construction administration services in the not to exceed amount of \$48,129.25;

WHEREAS, staff reviewed the proposal and found it to be fair and reasonable; and

WHEREAS, this Amendment No. 4 will increase the total contract amount to \$1,108,197.25.

NOW, THEREFORE, the parties hereto, and in consideration of the mutual promises, covenants, agreements, terms, and conditions herein contained, and other good and valuable consideration, the respect and adequacy are hereby acknowledged, do agree as follows:

1. **ABOVE RECITALS**

The above recitals are true and correct and are incorporated as a part of this Amendment No. 4.

2. **MODIFICATIONS**

A. The Agreement is amended to incorporate Attachment A – Additional Services Agreement.

3. **RATIFICATION**

The City and Consultant ratify the terms of the Agreement, as amended by this Amendment No. 4.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 4 to be executed in their names by their duly authorized officials as of the date first set forth above.

ATTEST:

CITY OF MIAMI BEACH, FLORIDA

Rafael E. Granado,
City Clerk

Rickelle Williams
Interim City Manager

ATTEST:

CONSULTANT:
Calvin, Giordano and Associates, Inc

Secretary

President

Print Name

Print Name

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *DR* 06/14/24
Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AMENDMENT NO. 4 TO THE ARCHITECTURAL AND ENGINEERING (A/E) DESIGN SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH, FLORIDA AND CALVIN, GIORDANO AND ASSOCIATES, (CGA) FOR ADDITIONAL ARCHITECTURAL, ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE NORTH BEACH OCEANSIDE PARK REDEVELOPMENT PROJECT, IN THE NEGOTIATED NOT-TO-EXCEED AMOUNT OF \$48,129.25, WITH PREVIOUSLY APPROPRIATED FUNDING.

WHEREAS, on December 9, 2015, the Mayor and City Commission adopted Resolution No. 2015-29233, pursuant to Request for Proposals No. 2015-211-KB, authorizing the Mayor and City Clerk to negotiate an agreement with Calvin, Giordano and Associates (CGA), for architectural and design services for the North Beach Oceanside Park (f.k.a. North Shore Open Space Park); and

WHEREAS, on June 23, 2016, the Mayor and City Clerk executed an agreement with CGA for architectural and design services for the North Beach Oceanside Park in the amount of \$660,220; and

WHEREAS, on August 19, 2016, Amendment No. 1, in the amount of \$49,330, was executed to include site studies associated with a proposed skate park, and as detailed in CGA's proposal dated July 14, 2016, increasing the total contract amount to \$709,550; and

WHEREAS, on May 2, 2019, the City issued Invitation to Bid (ITB) No. 2019-210-AY for the construction of the North Beach Oceanside Park and on October 3, 2019, a total of four (4) proposals were received. The lowest bid received exceeded the budgeted construction cost by \$5 million; and

WHEREAS, on October 10, 2019, the City Manager rejected the bids to allow CGA and city staff to re-evaluate the design and receive feedback from different contractors; and

WHEREAS, on October 24, 2019, Amendment No. 2, in the amount of \$129,893, was executed to include modification of the pathway widths, the preparation of a required arborist report and the preparation of select renderings, as detailed in CGA's proposal dated August 9, 2019, increasing the total contract amount to \$839,443; and

WHEREAS, on January 20, 2022, City Commission adopted Resolution No. 2022-31969 approving Amendment No. 3, in the amount of \$220,625 extending the

professional services during construction an additional eighteen (18) months due to added park project duration associated to the additional construction phasing, through October 2023, increasing the total contract amount to \$1,060,068; and

WHEREAS, on January 20, 2022, the Mayor and City Commission approved the award of a contract to Buslam Company Partners, Inc., the lowest, responsive, responsible bidder to Invitation to Bid (ITB) No. 2021-095-AY for North Beach Oceanside Park and construction of the park started on May 31, 2022; and

WHEREAS, the North Beach Oceanside Park project encountered additional unforeseen issues with the existing streetlights along 79th Street, which were inappropriately connected to an electrical panel in the park and required additional electrical engineering services; and

WHEREAS, the architect had to provide additional landscape architectural services due to expanded landscape improvements including additional trees as a result of community feedback and expanded ground cover throughout the park; and

WHEREAS, extended construction administration was necessary as part of the expanded landscape, irrigation and electrical scope, including revisions to permit drawings and final inspections necessary to close the project; and

WHEREAS, the North Beach Oceanside Park project was substantially completed on October 25, 2023, and the final close-out was completed in March 2024; and

WHEREAS, CGA has provided a proposal for the additional design and construction administration services in the not to exceed amount of \$48,129.25; and

WHEREAS, staff reviewed the proposal and found it to be fair and reasonable; and

WHEREAS, this Amendment No. 4 will increase the total contract amount to \$1,108,197.25; and

WHEREAS, the Administration recommends that the City Commission approve and authorize the City Manager and City Clerk to execute amendment no. 4 to the Architectural and Engineering (a/e) Design Services agreement between the City of Miami Beach, and Calvin, Giordano and Associates, (CGA) for additional architectural, engineering and construction administration services for the North Beach Oceanside Park Redevelopment project, in the negotiated not-to-exceed amount of \$48,129.25, with previously appropriated funding.

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 approve and authorize the City Manager and City Clerk to execute Amendment No. 4 to the Architectural and Engineering (A/E) Design Services Agreement between the City of Miami Beach, and Calvin, Giordano and Associates, (CGA) for additional architectural, engineering and construction administration services for the North Beach Oceanside Park Redevelopment project, in the negotiated not-to-exceed amount of \$48,129.25, with previously appropriated funding.

PASSED and **ADOPTED** this _____ day of _____, 2024.

Rickelle Williams, Interim City Manager

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney



6/17/2024

Date