

C7 K A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING SUPPLEMENTAL NOS. 2 AND 3 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND LEE CONSTRUCTION GROUP, INC., PURSUANT TO CONTRACT NO. 19-257-06 FOR THE COMMISSION CHAMBER RENOVATION PROJECT, INCREASING THE TOTAL CONTRACT AMOUNT TO \$2,405,481.91; AND FURTHER, WAIVING, BY A 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE CITY'S BEST INTEREST, FOR THE PURCHASE, IN THE AMOUNT OF \$262,862.65, FOR THE REMAINDER OF THE NON-CONTRACT ITEMS NECESSARY TO COMPLETE THE PROJECT.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING SUPPLEMENTAL NOS. 2 AND 3 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND LEE CONSTRUCTION GROUP, INC., PURSUANT TO CONTRACT NO. 19-257-06 FOR THE COMMISSION CHAMBER RENOVATION PROJECT, INCREASING THE TOTAL CONTRACT AMOUNT TO \$2,405,481.91; AND FURTHER, WAIVING, BY A 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE CITY'S BEST INTEREST, FOR THE PURCHASE, IN THE AMOUNT OF \$262,862.65, FOR THE REMAINDER OF THE NON-CONTRACT ITEMS NECESSARY TO COMPLETE THE PROJECT.

RECOMMENDATION

It is recommended that the Mayor and City Commission approve the Resolution.

BACKGROUND/HISTORY

Pursuant to Resolution No. 2023-32674, adopted by the Mayor and City Commission on July 26 2023, any task order executed through the Job Order Contracting (JOC) Services Agreement (No. 2023-096-KB) with a value greater than \$2 million; and any task order including items non pre-priced in the construction price catalog for this contract, with an aggregate value in excess of \$300,000.00 must be subject to approval by the Mayor and City Commission. This provision applies uniformly to all JOC Service Agreements.

On July 31, 2023, the City entered into a contract agreement (Contract No. 23-459-01) with Lee Construction Group, Inc. for the renovation of the City Hall Commission Chambers via JOC Master Service Agreement (No. 19-257-06). The original contract between the City and Lee Construction Group, Inc. was \$1,484,786.08, which included non-pre-priced items in the construction price catalog in the amount of \$611,451.00. All non-pre-priced items included complied with the contract, which requires the contractor to obtain three (3) quotes for each non-contract item.

ANALYSIS

In May 2024, the Facilities and Fleet Management Department (the Department) executed Supplemental No. 1 in the amount of \$343,412.71 for the project to accommodate several construction change directives issued by the Architect of Record, increasing the total for Contract No. 23-459-01 to \$1,828,198.79. Subsequently, the Department initiated Supplemental No. 2 in the amount of \$424,196.44 for the project to accommodate the integration of a new owner-requested digital queuing system for the dais and lecterns, requiring additional infrastructure and coordination efforts by multiple subcontractors; and including items not pre-priced in the construction price catalog in the amount of \$200,150.49. Additionally, the Department initiated Supplemental No. 3 in the amount of \$153,086.68 for the purchase and installation of seven

additional lighting fixtures and one additional high-definition camera, which included items not pre-priced in the construction price catalog in the amount of \$62,712.16.

In aggregate, Supplemental Nos. 2 and 3 for the Commission Chamber Renovation Project will increase the total contract sum for Contract No. 23-459-01 to \$2,405,481.91, including items not pre-priced in the construction price catalog in the total amount of \$262,862.65.

The Department has reviewed the cost proposals for both Supplemental Nos. 2 and 3 and determined them to be fair and reasonable. As such, the Administration recommends approval of these contract amendments in order to ratify the Contract for construction associated with the Commission Chamber Renovation project as was previously approved in the budget amendment during the May 15, 2024 Commission meeting.

FISCAL IMPACT STATEMENT

The total contract amount is \$2,405,481.91, including \$874,313.65 in non-contract items necessary to complete the project. On May 15, 2024, the Mayor and City Commission approved Resolution No. 2024-33069, the Sixth Capital Budget Amendment, which provided funding to execute Supplementals Nos. 2 and 3.

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

Funding for this request is budgeted in City Hall Chamber Renovation project (#61621).

CONCLUSION

Based on the foregoing, the Administration recommends the Mayor and City Commission adopt the Resolution approving Administration to execute Supplemental Nos. 2 and 3 to Contract No. 23-459-01 between the City and Lee Construction Group, Inc. for the Commission Chamber Renovation Project, pursuant to Contract No. 19-257-06, increasing the total contract amount to \$2,405,481.91; and further waive, by a 5/7ths vote, the formal competitive bidding requirement for the final \$262,862.65 of non pre-priced items, finding such waiver to be in the City's best interest.

Applicable Area

South 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

Facilities and Fleet Management

Sponsor(s)

Co-sponsor(s)

Condensed Title

Commission Chamber Renovation Contract Ratification. FF 5/7

RESOLUTION NO. ____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING SUPPLEMENTAL NOS. 2 AND 3 TO THE CONSTRUCTION CONTRACT BETWEEN THE CITY AND LEE CONSTRUCTION GROUP, INC., PURSUANT TO CONTRACT NO. 19-257-06 FOR THE COMMISSION CHAMBER RENOVATION PROJECT, INCREASING THE TOTAL CONTRACT AMOUNT TO \$2,405,481.91; AND FURTHER, WAIVING, BY A 5/7THS VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE CITY'S BEST INTEREST, FOR THE PURCHASE, IN THE AMOUNT OF \$262,862.65, FOR THE REMAINDER OF THE NON-CONTRACT ITEMS NECESSARY TO COMPLETE THE PROJECT.

WHEREAS, pursuant to Resolution No. 2023-32674, adopted by the Mayor and City Commission on July 26 2023, any task order executed through the Job Order Contracting (JOC) Services Agreement (No. 2023-096-KB) with a value greater than \$2 million; and any task order including items non pre-priced in the construction price catalog for this contract, with an aggregate value in excess of \$300,000.00 must be subject to approval by the Mayor and City Commission; and

WHEREAS, on July 31, 2023, the City entered into a contract agreement (JOC 23-459-01) with Lee Construction Group, Inc. for the renovation of the City Hall Commission Chambers via ITB No. 2019-257-KB Job Order Contracting Services- Various Trades; and

WHEREAS, the Price Proposal for the base contract between the City and Lee Construction Group, Inc. was \$1,484,786.08, including items non pre-priced in the construction price catalog in the amount of \$611,451.00. All none pre-priced items included complied with the contract, which requires the contractor to obtain three (3) quotes for each none pre-priced item; and

WHEREAS, on May 22, 2024, the Facilities and Fleet Management Department executed Supplemental No. 1 in the amount of \$343,412.71 for the project to accommodate several Construction Change Directives issued by the Architect of Record, increasing the Total Contract Sum for Contract No. 23-459-01 to \$1,828,198.79; and

WHEREAS, the Facilities and Fleet Management Department initiated Supplemental No. 2 in the amount of \$424,196.44 for the project to accommodate the integration of a new owner-requested digital queuing system for the dais, requiring additional infrastructure and coordination efforts by multiple subcontractors; and including items not pre-priced in the construction price catalog in the amount of \$200,150.49; and wherein all none pre-priced items included were additions to the scope of the project's original specialty audio visual (A/V) equipment vendor; and

WHEREAS, the selection of the project's specialty A/V equipment vendor (SoloTech Sales and Integration USA, Inc.) complied with the original contract, which required the contractor to obtain three (3) quotes for each none pre-priced item; and

WHEREAS, once posted, Supplemental No. 2 (23-459-01.02) will increase the Total Contract Sum for Contract No. 23-459-0 to \$2,252,395.23; and

WHEREAS, the Facilities and Fleet Management Department initiated Supplemental No. 3 in the amount of \$153,086.68 for the purchase and installation of seven additional lighting fixtures and one additional high definition camera requested by the Production Team at the City's Communications Department, which included items not pre-priced in the construction price catalog in the amount of \$62,712.16; and wherein all none pre-priced items included were additions to the scope of the project's original specialty audio visual (A/V) equipment vendor; and

WHEREAS, the selection of the project's specialty A/V equipment vendor (SoloTech Sales and Integration USA, Inc.) complied with the original contract, which required the contractor to obtain three (3) quotes for each none pre-priced item; and

WHEREAS, once posted, Supplemental No. 3 (23-459-01.03) will increase the Total Contract Sum for Contract No. 23-459-01 to \$ 2,405,481.91; and

WHEREAS, all required funding to execute Supplemental Nos. 2 and 3 for the Contract were requested via the Sixth Amendment to the Capital Budget for Fiscal Year 2024 and adopted by the Mayor and City Commission via Resolution No. 2024-33069 on May 15, 2024; and

WHEREAS, the Facilities and Fleet Management Department has reviewed the cost proposals for both Supplemental Nos. 2 and 3 and determined them to be fair and reasonable.

WHEREAS, the Administration recommends approval of these contract amendments in order to ratify the Contract for Construction associated with the Commission Chamber Renovation project.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby approve and authorize the Administration to execute Supplemental Nos. 2 and 3 to Contract No. 19-257-06 between the City and Lee Construction Group, Inc. for the Commission Chamber Renovation Project, increasing the total contract amount to \$2,405,481.91; and further waive, by a 5/7ths vote, the formal competitive bidding requirement, finding such waiver to be in the City's best interest, for the purchase, in the amount of \$262,862.65, for the remainder of the non-contract items necessary to complete the project.

PASSED AND ADOPTED this _____ day of _____ 2024.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

STEVEN MEINER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

7/15/2024

Date