

# MIAMI BEACH

## City Commission Meeting

### ADDENDUM MATERIAL 1

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

April 13, 2016

Mayor Philip Levine  
Commissioner John Elizabeth Alemán  
Commissioner Ricky Arriola  
Commissioner Kristen Rosen Gonzalez  
Commissioner Michael Grieco  
Commissioner Joy Malakoff  
Commissioner Micky Steinberg

City Manager Jimmy L. Morales  
City Attorney Raul J. Aguila  
City Clerk Rafael E. Granado

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#### ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

#### ADDENDUM AGENDA

##### C4 - Commission Committee Assignments

C4Q Referral To The Land Use And Development Committee - Discussion On The Transit Hub On The 500 Block Of Alton Road.

(Sponsored by Commissioner Ricky Arriola)

##### R7 - Resolution

R7O A Resolution Accepting The Recommendation Of The City Manager, To Terminate Negotiations, Pursuant To RFP No. 2016-062-KB, The Design-Build Contract For The West Avenue Bridge Over Collins Canal With Bergeron Land Development Inc. (Bergeron); And, To Issue A New RFP For Said Services.

(Procurement/Public Works)

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1 The sponsor of the addendum agenda item deems that such item either constitutes a public emergency affecting life, health, property, or public safety and should be considered immediately; or does not constitute a public emergency, but should be considered immediately. See Miami Beach Code Sec. 2-12 (c)(3).

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# MIAMIBEACH

OFFICE OF THE MAYOR AND COMMISSION

## MEMORANDUM

TO: Jimmy Morales, City Manager  
FROM: Ricky Arriola, Commissioner  
DATE: April 6, 2016  
SUBJECT: **Referral to the Land Use and Development Committee Regarding a Discussion on the Transit Hub on the 500 Block of Alton Road.**

Please add the above subject as a consent agenda item to the April 13, 2016 Commission meeting agenda.

Sincerely,  
Ricky Arriola

# MIAMIBEACH

**Ricky Arriola, Commissioner**

Office of the Mayor and Commission

1700 Convention Center Drive, 4th Floor, Miami Beach, FL 33139

Tel: 305-673-7000 x7107

[www.miamibeachfl.gov](http://www.miamibeachfl.gov)

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**Condensed Title:**

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Requesting To Terminate Negotiations, Pursuant To RFP No. 2016-062-KB, The Design-Build Contract For The West Avenue Bridge Over Collins Canal With Bergeron Land Development Inc. (Bergeron); And, To Issue A New RFP For Said Services.

**Key Intended Outcome Supported:**

Build and Maintain Priority Infrastructure with Full Accountability

**Supporting Data (Surveys, Environmental Scan, etc):** N/A

**Item Summary/Recommendation:**

On December 16, 2015, the City Commission directed the Administration to prepare and issue a RFP seeking proposals for design build services for the West Avenue Bridge over the Collins Canal with an option to include a pedestrian bridge at Lincoln Court over Collins Canal. The scope of the work included design, construction and construction management of the West Avenue Bridge over Collins Canal and the reconstruction of Dade Boulevard with the option of adding the Lincoln Court Pedestrian Bridge as part of this project as a separate proposal. The scope of work also includes street lighting, pedestrian lighting, signage and pavement markings, a new vehicular and pedestrian signal at Dade Boulevard and West Avenue, utility relocation and/or adjustments, and drainage.

On December 29, 2015, the RFP was issued. On March 1, 2016, the City opened the sole proposal received relating to the RFP, which proposal issued from Bergeron Land Development (hereinafter "Bergeron"), in a total amount of \$15,645,372.60 (inclusive of 10% owner's contingency) for three (3) components: West Avenue Bridge \$9,434,700.00; Dade Boulevard Harmonization \$4,880,134.60; and Lincoln Court Pedestrian Bridge \$1,330,538.

On March 9, 2016, the City Commission authorized the Administration to negotiate with Bergeron in order to get the three (3) price proposals closer to the City's estimates and concurrently prepare a new RFP for reissuance in the event that negotiations were unsuccessful. The City staff met with Bergeron three times during the month of March in an attempt to negotiate lower costs for the project. During the course of the meetings, Bergeron presented several iterations of the proposed design and described in detail the challenges and constraints that this project presents such as the existing substandard geometry of the 17<sup>th</sup> Street Bridge over Collins Canal at the Dade Boulevard approach and the existing profile constraints along Dade Boulevard near Bay Road. In addition, due to the presence of two (2) existing underground FPL high voltage transmission lines located near the north side bridge support and in an effort to avoid impacts to the existing Collins Canal seawalls, Bergeron recommends to increase the length of the West Avenue Bridge by 10 feet from the length specified in the DCP due to the need for clearance for the high voltage transmission lines.

After analyzing Bergeron's concerns and existing constraints, as well as a close review of the proposed design iterations, City staff recommends the following to bring the project closer to the City's cost estimate: To modify the DCP so that the design would be more in line with the existing conditions described above; Increase the length of the West Avenue Bridge to address the FPL transmission line issues; Remove from the scope of work the reconstruction of the seawall along Dade Boulevard between the Venetian Causeway Bridge and the 17<sup>th</sup> Street Bridge; Revise the schedule so the completion of Dade Boulevard is 135 calendar days after all permits are issued as opposed to 75 calendar days after issuance of notice to proceed specified in the Design Criteria Package for the overall project.

Because the proposed modifications constitute material modifications to the project DCP, staff believes it is in the City's best interest to issue a new RFP that incorporates the revised project requirements.

After considering the direction of the City Commission at its March 9, 2016, meeting and the results of the negotiations with Bergeron, which have revealed that material modifications will be required to the project specifications in order to achieve desired cost reductions, the City Manager recommends the termination of negotiations with Bergeron and the issuance of a new RFP for the West Avenue Bridge over Collins Canal. Upon approval by the City Commission of this recommendation, the Administration will work to incorporate the aforementioned modifications to the Design Criteria Package (DCP) for the project and issue a new RFP. The new RFP will be provided to the City Commission via a Letter to Commission.

**RECOMMENDATION**

**Approve the Resolution**

**Advisory Board Recommendation:**

N/A

**Financial Information:**

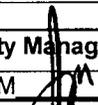
Source of Funds:	Amount	Account
1	NA	NA
<b>OBPI</b>	<b>Total</b>	

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Alex Denis – Procurement Director, Bruce Mowry, P.E. – City Engineer

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
JJF 	ETC 	JLM 

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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: April 13, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, REQUESTING TO TERMINATE NEGOTIATIONS, PURSUANT TO RFP NO. 2016-062-KB, THE DESIGN-BUILD CONTRACT FOR THE WEST AVENUE BRIDGE OVER COLLINS CANAL WITH BERGERON LAND DEVELOPMENT INC. (BERGERON); AND, TO ISSUE A NEW RFP FOR SAID SERVICES.**

### ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

### BACKGROUND

The West Avenue Bridge Project is expected to improve traffic safety, transit, bicycle and pedestrian mobility and general safety in the area.

The Department of Public Works (DPW) desires to expedite the construction of the West Avenue Bridge Project while the Sunset Harbour Project is currently on-going. In order to save time, DPW determined that the design build procurement method would be suited for this project. As a result, DPW prepared a Design Criteria Package (DCP), as required by Florida Statutes, for the project that served to define the design and construction requirements for development of construction documents by Design Build Firms and for submission of their price proposals.

On December 16, 2015, the City Commission directed the Administration to prepare and issue a RFP seeking proposals for design build services for the West Avenue Bridge over the Collins Canal with an option to include a pedestrian bridge at Lincoln Court over Collins Canal. The City Commission also directed the Administration to provide a copy of the RFP once it was released. The RFP was released on December 29, 2015 and City Commission was notified via LTC No. 491-2015 on December 31, 2015.

Proposals were requested from design build firms for the design, construction and construction management of the West Avenue Bridge over Collins Canal and the reconstruction of Dade Boulevard with the option of adding the Lincoln Court Pedestrian Bridge as part of this project as a separate proposal. The scope of work also includes street lighting, pedestrian lighting, signage and pavement markings, a new vehicular and pedestrian signal at Dade Boulevard and West Avenue, utility relocation and/or adjustments, and drainage.

## **RFP PROCESS**

On December 29, 2015, the RFP was issued. On March 1, 2016, the City opened the sole proposal received relating to the RFP, which proposal issued from Bergeron Land Development (hereinafter "Bergeron"), in a total amount of \$15,645,372.60 (inclusive of 10% owner's contingency) for three (3) components: West Avenue Bridge \$9,434,700.00; Dade Boulevard Harmonization \$4,880,134.60; and Lincoln Court Pedestrian Bridge \$1,330,538.

On March 9, 2016, the City Commission authorized the Administration to negotiate with Bergeron in order to get the three (3) price proposals closer to the City's estimates and concurrently prepare a new RFP for reissuance in the event that negotiations were unsuccessful. The City staff met with Bergeron three times during the month of March in an attempt to negotiate lower costs for the project. During the course of the meetings, Bergeron presented several iterations of the proposed design and described in detail the challenges and constraints that this project presents such as the existing substandard geometry of the 17<sup>th</sup> Street Bridge over Collins Canal at the Dade Boulevard approach and the existing profile constraints along Dade Boulevard near Bay Road. In addition, due to the presence of two (2) existing underground FPL high voltage transmission lines located near the north side bridge support and in an effort to avoid impacts to the existing Collins Canal seawalls, Bergeron recommends to increase the length of the West Avenue Bridge by 10 feet from the length specified in the DCP due to the need for clearance for the high voltage transmission lines.

After analyzing Bergeron's concerns and existing constraints, as well as a close review of the proposed design iterations, City staff recommends the following to bring the project closer to the City's cost estimate:

1. To modify the DCP so that the design would be more in line with the existing conditions described above;
2. Increase the length of the West Avenue Bridge to address the FPL transmission line issues;
3. Remove from the scope of work the reconstruction of the seawall along Dade Boulevard between the Venetian Causeway Bridge and the 17<sup>th</sup> Street Bridge;
4. Revise the schedule so the completion of Dade Boulevard is 135 calendar days after all permits are issued as opposed to 75 calendar days after issuance of notice to proceed specified in the Design Criteria Package for the overall project.

Because the proposed modifications constitute material modifications to the project DCP, staff believes it is in the City's best interest to issue a new RFP that incorporates the revised project requirements.

## **CITY MANAGER'S RECOMMENDATION**

After considering the direction of the City Commission at its March 9, 2016, meeting and the results of the negotiations with Bergeron, which have revealed that material modifications will be required to the project specifications in order to achieve desired cost reductions, I recommend the termination of negotiations with Bergeron and the issuance of a new RFP for the West Avenue Bridge over Collins Canal. Upon approval by the City Commission of this recommendation, the Administration will work to incorporate the aforementioned modifications to the Design Criteria Package (DCP) for the project and issue a new RFP. The new RFP will be provided to the City Commission via a Letter to Commission.

JLM/ETC/AD/BAM/TRB/LJS

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, TO TERMINATE NEGOTIATIONS, PURSUANT TO RFP NO. 2016-062-KB, THE DESIGN-BUILD CONTRACT FOR THE WEST AVENUE BRIDGE OVER COLLINS CANAL WITH BERGERON LAND DEVELOPMENT INC. (BERGERON); AND, TO ISSUE A NEW RFP FOR SAID SERVICES.**

**WHEREAS**, on December 16, 2015, the City Commission directed the Administration to prepare and issue an RFP seeking proposals for design build services for the West Avenue Bridge over the Collins Canal with an option to include a pedestrian bridge at Lincoln Court over Collins Canal; and

**WHEREAS**, on December 29, 2015, the City Administration issued Request for Proposals No. 2016-062-KB (the "RFP"), with a proposal opening date of March 1, 2016; and

**WHEREAS**, a voluntary pre-proposal meeting was held on January 7, 2016; and

**WHEREAS**, the City received solely one (1) proposal in response to the RFP; and

**WHEREAS**, on January 25, 2016, the City Manager, via Letter to Commission (LTC) No. 035-2016, appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

- Josiel Ferrer, Transportation Manager, Transportation Department, City of Miami Beach
- Sabrina Baglieri, Senior Capital Projects Coordinator, Capital Improvement Program, City of Miami Beach
- Luis Soto, Civil Engineer III, Public Works Department, Engineering Division, City of Miami Beach

The City Manager also considered the following individuals as alternates:

- Roger Buell, Assistant City Engineer, Public Works Department, Engineering Division, City of Miami Beach
- Milos Majstorovic, Transportation Analyst, Transportation Department City of Miami Beach; and

**WHEREAS**, on March 1, 2016, the City opened the sole proposal received relating to the RFP, which proposal issued from Bergeron Land Development (hereinafter "Bergeron"), in a total amount of \$15,645,372.60 (inclusive of 10% owner's contingency) for three (3) components: West Avenue Bridge \$9,434,700.00; Dade Boulevard Harmonization \$4,880,134.60; and Lincoln Court Pedestrian Bridge \$1,330,538; and

**WHEREAS**, the Evaluation Committee convened on March 2, 2016 to consider proposals received; Mr. Josiel Ferrer, Ms. Sabrina Baglieri, and Mr. Luis Soto participated as committee members; and

**WHEREAS**, the Committee was instructed to score the proposal pursuant to the evaluation criteria established in the RFP; and

**WHEREAS**, after reviewing the submission and the results of the evaluation process, the Administration has determined that the prices provided by Bergeron are significantly higher than what the City believes is reasonable for this type of project and require significant negotiation; and

**WHEREAS**, on March 9, 2016, the City Commission authorized management to negotiate with Bergeron in order to get the three (3) price proposals closer to the City's estimates and concurrently prepare a new RFP for reissuance; and

**WHEREAS**, the City staff met with Bergeron three (3) times during the month of March 2016; and

**WHEREAS**, during the course of the meetings, Bergeron presented several iterations of the proposed design and described in detail the challenges and constraints that this project presents, such as the existing substandard geometry of the 17<sup>th</sup> Street bridge over Collins Canal at Dade Boulevard approach and the existing profile constraints along Dade Boulevard near Bay Road; and

**WHEREAS**, due to the presence of two (2) existing underground FPL high voltage transmission lines, located near the north side bridge support, and in an effort to avoid impacts to the existing Collins Canal seawalls, Bergeron recommends to increase the length of the West Avenue Bridge by 10 feet from the length specified in the Design Criteria Package due to the need for clearance for the high voltage transmission lines; and

**WHEREAS**, Bergeron is requesting additional time to finalize this project than the time than the time specified in the original RFP to account for permitting delays; weather events, and traffic related concerns over the Venetian Causeway; and

**WHEREAS**, after a close review of the proposed design iterations and existing constraints, the City staff, after analyzing Bergeron's concerns, recommends the following to bring the project closer to the City's cost estimate: (1) to modify the DCP so that the design would be more in line with the existing conditions described above; (2) increase the length of the West Avenue Bridge to address the FPL transmission line issues; (3) remove from the scope of work the reconstruction of the seawall along Dade Boulevard between the Venetian Causeway Bridge and the 17<sup>th</sup> Street Bridge; and (4) revise the schedule so the completion of Dade Boulevard is 135 calendar days after all permits are issued as opposed to 75 calendar days after issuance of notice to proceed specified in the Design Criteria Package for the overall project; and

**WHEREAS**, the negotiations substantially and materially changed the terms and conditions of the underlying RFP and it would be in the best interest of the City to competitively bid out a new scope of work containing the revised negotiated terms, in order to obtain the best price and services for the City; and

**WHEREAS**, the City Administration requests that the City Commission accept the recommendation of the City Manager not to award Bergeron Land Development, pursuant to RFP No. 2016-062-KB, the Design Build Contract for the West Avenue Bridge over Collins Canal and further authorize the Administration to revise and issue a RFP.

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 accept the recommendation of the City Manager not to award, pursuant to RFP No. 2016-062-KB, the design build contract for the West Avenue Bridge over Collins Canal with Bergeron Land Development Inc. (Bergeron); and, to issue a new RFP for said services.

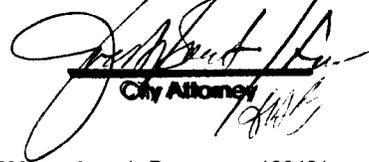
PASSED AND ADOPTED this \_\_\_\_\_ day of April 2016.

\_\_\_\_\_  
Philip Levine, Mayor

ATTEST:

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

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

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

4-8-2016  
Date

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