

RESOLUTION No. 2009-09-954

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF A CHANGE ORDER IN THE AMOUNT OF SEVENTY-SEVEN THOUSAND ONE HUNDRED TWELVE DOLLARS (\$77,112.00) TO R.E. CHISHOLM ARCHITECTS, INC., FOR CONSTRUCTION AND ADMINISTRATION SERVICES FOR THE MIAMI CAROL CITY PARK RECREATIONAL BUILDING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 26, 2001, Miami-Dade County contracted with R.E. Chisholm Architects, Inc., to perform architectural and engineering services for the design and construction of the recreation center for Miami Carol City Park, and

WHEREAS, Miami Carol City Park was transferred to the City of Miami Gardens in July 2004, and the City took over the existing contract with R.E. Chisholm Architects, Inc., and

WHEREAS, City staff is recommending an amendment to the original purchase order due to increase in costs for the services rendered,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby authorizes the City Manager to issue a change order in the amount of Seventy-Seven Thousand One Hundred Twelve Dollars (\$77,112.00) to R.E. Chisholm Architects, Inc., relating to the Miami Carol City Park Project.

Section 3. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON JANUARY 14, 2009.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECOND BY: Councilman Campbell

VOTE: 6-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin Bratton, Sr.	<u> </u> (Yes)	<u> </u> (No) (not present)
Councilman Aaron Campbell, Jr.	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert III	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

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City of Miami Gardens Agenda Cover Memo

Council Meeting Date:	<i>January 14, 2009</i>		Item Type:	Resolution	Ordinance	Other		
			<i>(Enter X in box)</i>	X				
Fiscal Impact: <i>(Enter X in box)</i>	Yes	No	Ordinance Reading: <i>(Enter X in box)</i>		1st Reading		2nd Reading	
	X		Public Hearing: <i>(Enter X in box)</i>		Yes	No	Yes	No
					X		X	
Funding Source:	<i>CIP- Miami Carol City Park (GOB)</i>		Advertising Requirement: <i>(Enter X in box)</i>	Yes		No		
					X			
Contract/P.O. Required: <i>(Enter X in box)</i>	Yes	No	RFP/RFQ/Bid #:	<i>N/A</i>				
	X							
Sponsor Name	<i>Danny O. Crew, City Manager</i>		Department:	<i>Capital Projects</i>				

Short Title:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AUTHORIZING THE ISSUANCE OF A CHANGE ORDER IN THE AMOUNT OF SEVENTY-SEVEN THOUSAND ONE HUNDRED TWELVE DOLLARS (\$77,112.00) TO R.E. CHISHOLM ARCHITECTS, INC., FOR CONSTRUCTION AND ADMINISTRATION SERVICES FOR THE MIAMI CAROL CITY PARK RECREATIONAL BUILDING; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary:

On September 26, 2001, Miami Dade County (County) commissioned R.E. Chisholm Architects, Inc. to perform architectural and engineering services in order to design and administer the construction of a recreation center for Miami Carol City Park, located at 3201 NW 185 Street Miami Gardens, FL. The plans were completed and permitted through the County. However, in July 2004, via County Resolution No. R-982-04, the County transferred several parks, including the Miami Carol City Park, to the City of Miami Gardens (City). The County Parks and Recreation Department subsequently transferred the plans to the City, along with the remaining balances of various grant funding sources. On January 12, 2005, via City Resolution No. R-2005-02-179 the City contracted with R.E. Chisholm for certain consulting and professional services for this project with the requirement that a permit from the City's Building Department was obtained. The plans were approved by the City Building department on June 21, 2007. However, prior to beginning construction, the project was placed on hold as the

remainder design plan for overall park improvements were pending completion by another architect firm assigned to the park as part of the Parks Master Plan.

As R.E. Chisholm, Inc. provided the architectural and engineering services on the project for earlier design phases, the agreement for consulting and professional services between the City and R.E. Chisholm, Inc. included phases IV and V (bid assistance and construction administration). A change order to the existing purchase order is required as the original fee proposal provided to the County, adopted by the City, in October 2001 is no longer reflective of the costs for services rendered. Therefore, a change order for an additional \$28,600 for a total purchase order amount of \$77,112 (Exhibit A & B attached) is required.

R.E. Chisholm has provided bid assistance during the evaluation process of potential bidders for the recreational center.

Funding for this contract will be provided by the Building Better Communities General Obligation Bond.

Proposed Action:

It is recommended that the City Council adopt the attached resolution authorizing the issuance of a change order to the existing purchase order with R.E. Chisholm, Inc. for the construction administration services of the Miami Carol City Park recreational building.

Attachment:

EXHIBIT A – R.E. CHISHOLM Proposal

EXHIBIT B – Subconsultant Proposal

Exhibit 'A'

BASIC SERVICES	
Bidding / Award of Contract Services	\$ 7,200.00
Construction Administration	
Architectural	\$ 36,360.00
Engineering	\$ 10,952.00
Structural (allowance)	\$ 12,000.00
ADDITIONAL SERVICES	
TOTAL	Hourly \$ 66,512.00

Bidding and Contract Award			
<u>TITLE</u>	<u>RATE</u>	<u>HOURS</u>	<u>Fee</u>
Principal	\$ 200.00	\$ 3.60	\$ 720.00
Project Director	\$ 115.00	\$ 18.78	\$ 2,160.00
Project Manager	\$ 105.00	\$ 24.00	\$ 2,520.00
Project Architect	\$ 85.00		\$ -
Staff Architect	\$ 75.00	\$ 19.20	\$ 1,440.00
Technical/CADD	\$ 65.00		\$ -
Clerical	\$ 45.00	\$ 8.00	\$ 360.00
			\$ 7,200.00

Bidding and Contract Award			
<u>TITLE</u>	<u>RATE</u>	<u>HOURS</u>	<u>Fee</u>
Principal	\$ 200.00	\$ 7.27	\$ 1,454.40
Project Director	\$ 115.00	\$ 25.29	\$ 2,908.80
Project Manager	\$ 105.00	\$ 103.89	\$ 10,908.00
Project Architect	\$ 85.00	\$ 128.33	\$ 10,908.00
Staff Architect	\$ 75.00		\$ -
Technical/CADD	\$ 65.00	\$ 89.50	\$ 5,817.60
Clerical	\$ 45.00	\$ 96.96	\$ 4,363.20
			\$ 36,360.00

Milian, Swain & Associates (MSA)

ENGINEERING PROPOSAL

The original water and sewer plans prepared by MSA involved the installation of approximately 150 linear feet of a 2-inch water service connecting to an existing onsite water line and extension of approximately 165 linear feet of 8-inch gravity sewer main connecting to an existing MDWASD manhole on NW 185th Street near the intersection with NW 32nd Avenue plus 100 linear feet of sanitary sewer lateral connected to the new building sewer service. The approvals/permits for the proposed original water and sewer systems have expired and must be resubmitted for review and approval before construction can commence. As a result, MSA would be pleased to participate in the project per the following scope of services:

SCOPE OF SERVICES

I. DESIGN & PERMITTING

A. Preliminary Engineering

1. Using the original water and sewer plans prepared by MSA, we will conduct a walkthrough of the project area to observe any changes to the existing conditions within and outside the park that may have occurred in the past five years and could potentially impact the water and sewer design originally considered by MSA. After the site visit, MSA will inform the Client on the need of additional topographic information. If required, the Client will retain the services of a licensed surveyor to perform the required additional/updated survey and submit final survey (Signed & sealed hardcopy and electronic AutoCAD 2004 copy) to MSA for preparation of final civil infrastructure design drawings.
2. Given that more than five years have elapsed since the original design was completed, MSA will request utility record data through "Sunshine One Call of Florida" from the utility companies listed as having under/aboveground utilities within and adjacent to the project site; including requesting applicable water and sewer as-built from MDWASD.
3. MSA will assist the Client in requesting reactivation of the original Water & Sewer Agreement (Agreement) from the MDWASD. Services.

B. Water Service and Sanitary Sewer Design

1. Incorporate any updated utility information and updated above-ground existing conditions into the design drawings, update the general water and sewer specifications/notes as applicable to comply with current MDWASD standards, update civil drawing title blocks to reflect current project owner/developer information, modify (if needed) the horizontal/vertical alignment of the offsite sewer main extension considering updated existing utility data and existing above ground conditions.

NOTE: THIS PROPOSAL ASSUMES THAT NEW WATERMAIN EXTENSIONS WILL NOT BE REQUIRED BY THE REGULATORY AGENCIES FOR THIS PROJECT.

C. Regulatory Process Assistance

MSA will assist the Client in obtaining approvals/permits from the regulatory agencies having jurisdiction over the water service and sanitary sewer main extension for the project as follows:

1. Submit DRY RUN Water and Sewer plans to MDWASD, City of Miami Gardens Public Work Dept and Miami Dade County Public Works Department for review and approval.
2. Retrieve approved DRY RUN plans, revise if needed per agency comments, prepare FDEP – Sewer main extension application(s), obtain required signatures and permit /review fees from the Owner/developer and submit FINAL signed and sealed water and sewer plans to MDWASD for review and approval.
3. Retrieve approved plans and FDEP applications from MDWASD and submit to Miami Dade County DERM-Wastewater Section for review and approval.
4. Receive final approved plans and wastewater system permit from DERM-Wastewater Section and submit to the Client.

II. CONSTRUCTION PHASE SERVICES

Milian, Swain & Associates (MSA) will assist the Client during the Construction phase of the project as follows:

1. Attend Pre-Construction meeting with the Client, the City and Water & Sewer Contractor.
2. Review and approve water and sewer shop drawings.
3. Perform limited construction observations of the water and sewer work at critical stages of construction (i.e. Witness sewer main lamping test and witness sewer system exfiltration test.)
4. Perform a Substantial Completion Construction observation of the proposed water service and sewer improvements, including preparation of a Punch List of any defects and discrepancies in the water and sewer work.
5. Perform a Final Construction Observation of the water service and sewer improvements to ensure satisfactory completion of all items in the Punch List.
6. Review water and sewer as-built drawings prepared, signed and sealed by contractor's surveying consultant for compliance with the approved construction documents.
7. Prepare and submit the Sanitary Sewer System Completion of Construction Certification to Dade County DERM - Wastewater Section.

COMPENSATION

I. DESIGN & PERMITTING	\$ 3,700.00
II. CONSTRUCTION PHASE SERVICES	\$ 1,900.00
GRAND TOTAL: (Lump Sum Basis)	\$ 5,600.00

Any additional services requested will be performed, upon written authorization by **CHISHOLM Architects (Client)**, based on additional Scope and Fees mutually agreed to between Client and Milian, Swain and Associates, Inc. (**MSA**). **MSA** will submit invoices to the Client on a monthly basis, for the percentage of the work completed (for Lump Sum Tasks). Invoices are due within thirty (30) days. If **CLIENT** fails to make any payment due to **MSA** for services and expenses within thirty (30) days after receipt of **MSA's** invoice, **MSA** may, after giving seven (7) days written notice to **CLIENT**, suspend services under this Agreement until **CLIENT** has paid in full all amounts due to **MSA** for services rendered and expenses incurred.

GENERAL:

- a. All applicable fees, including but not limited to, permit fees, approval fees, processing fees, mitigation fees, impact fees and outside consultant fees (i.e. soil and drainage testing, surveying, platting, landscaping and irrigation, environmental, etc.) are to be paid directly by the CLIENT. Costs of document reproduction required for regulatory agencies submittal is included in the Lump Sum Fees. Additional document reproduction requested will be charged, in addition to the Lump Sum fee, based on actual cost to MSA and supported by vendor receipt(s). All construction drawings will be prepared in Size D (24"x36") sheets and using AutoCAD 2000 format and MSA's drafting standards.
- b. This proposal is based on the design & permitting of the civil infrastructure improvements for this development as ONE single project. MSA reserves the right to renegotiate fees if the Owner or Client phases the project's civil infrastructure requiring multiple design packages and multiple permit submittals and approvals.
- c. Preparation of Pollution Remediation plans, Environmental/Contamination/Wetlands site assessments and related environmental permitting (NPDES, SWPPP, E.R.P), if applicable to this project are not part of this proposal.
- d. If applicable, all effort that may be required for platting, R/W acquisition/dedication, property zoning change and attendance to related public hearings is not included in this proposal.

ON-SITE AND OFFSITE CIVIL INFRASTRUCTURE DESIGN:

- a. MSA does not provide Structural Engineering Services. The design of reinforced concrete pavements subject to static/dynamic loads (whether inside or outside of the buildings), concrete walls/fences are to be designed by a structural engineer retained directly by the Client.
- b. This proposal includes the design and permitting assistance for the water distribution and gravity sewer systems as limited in the Scope of Services. Design of regional public/private sewage pump/lift stations, emergency generators and fueling facilities, sewage treatment plants, grease traps, septic/drainfield systems, fire pumps, fire wells, irrigation pumping, firelines & onsite/offsite water main extensions are not included in this proposal.
- c. Traffic Engineering Studies, preparation of signalization drawings, maintenance of traffic plans is not included in this proposal. Said services (if required) shall be directly procured by the Client. In addition, roadway design, turning lanes, roadway Lighting System(s) may be required by the regulatory agencies having jurisdiction; said design services are not included in this proposal.

MEETINGS:

- a. Preparation for and attendance to Public Hearings, EQCB hearings, Public Meetings/Design

Workshops, presentations, requested by the Client or others are not included in this proposal. Said services will be performed by MSA upon authorization by the Client, based on agreed additional scope and associated professional fee.

CONSTRUCTION PHASE:

- a. Preparation of legal instruments for water and sewer easement legal descriptions; if required, for conveying new water distribution and sewage collection systems is not included in this proposal.
- b. Construction Observations by MSA are limited to observing the work and materials that are to become part of a completed project in conformance with the approved construction documents. Construction Contract Management and implementation and monitoring of construction safety programs are not part of the MSA's Scope of Services. MSA will not be held responsible for Contractor's construction means, methods, techniques, sequences