

Instrument Prepared By:

Luis Figueredo, Esq.
City Attorney
City of Doral

Upon Execution Return To:

Eugene Collings-Bonfill, P.E., P.S.M., PMP, CFM
Chief of Engineering
City of Doral
8401 NW 53rd Terrace
Doral, FL 3316

Folio Number: 35-3027-056-0010

Property Address: 8360 NW 33RD ST

County: Miami-Dade

HARMONIZATION LICENSE AGREEMENT

THIS HARMONIZATION LICENSE AGREEMENT (this "Agreement") is entered into as of this 28 day of October, 2019, by and between DORAL CHARTER SCHOOL LTD PARTNERSHIP ("Licensor"), the owner of a certain property located at 8360 NW 33RD STREET (Folio # 35-3027-056-0010 (the "Property")), and the City of Doral, Florida, (the "City" or "Licensee"), whose address is 8401 NW 53 Terrace, Doral, Florida 33166.

In consideration of the benefits accruing unto the Licensor, and subject to the terms and conditions specified herein, Licensor hereby grants Licensee a license (the "License") on that portion of the Property described in Exhibit "A" (the "Premises"), which is incorporated herein and made a part hereof by this reference.

The Premises may be entered upon, occupied, and used by Licensee for the sole and limited purpose of sloping, grading, tying-in, harmonizing, installing fencing, and/or reconnecting existing features of the Property that are abutting or connected to, and or modified, disturbed, or otherwise impacted by, certain roadway improvements constructed by the City along the property's adjacent roadway corridor (NW 33RD Street) as per the construction documents for the "Citywide Sidewalk Improvements" (The Project), together with other incidental purposes related thereto (the "License Purpose").

The License shall commence on the date first written above and shall continue until completion of the Citywide Sidewalk Improvements or June 1, 2020, whichever comes first. Licensee reserves the right to terminate this License earlier upon completion of the License Purpose on the Premises.

Licensee shall be solely responsible for all tasks and costs associated with accomplishing the License Purpose. Licensee may enter the Premises freely to perform the work associated with the License Purpose and shall endeavor to provide advance notice to Licensor and mitigate any impact on Licensor's use of the Property. Licensor shall be required to keep clear the Premises from any vehicles, equipment, or any object, which may impede the City's ability to accomplish the License Purpose. Any notice, request, demand, approval, consent or other communication which Licensor or Licensee may be required or permitted to give to the other party shall be in writing and shall be mailed or hand delivered to the other party at the addresses set forth above. Licensee agrees to comply with all applicable laws, rules, codes, and/or other regulation governing construction of the Roadway Improvement, obtain any and all necessary consents or approvals, and to display all permits as required by any law, rule, code, or regulation. Time is of the essence of the Agreement.

Harmonization License

Folio Number: 35-3027-056-0010
Property Address: 8360 NW 33RD ST
County: Miami-Dade

Licensor and Licensee represent and warrant to the other that as of the date of this Agreement, the undersigned are duly authorized to execute this Agreement on behalf of Licensor and Licensee, respectively. Nothing contained herein shall be deemed or construed by the parties hereto, nor by any third party, as creating the relationship of principal and agent or of partnership or of joint venture between the parties hereto, it being understood that nothing contained herein, or any acts of the parties hereto other than the relationship of licensor and licensee.

The making, execution, and delivery of this Agreement by Licensor has been induced by no representations, warranties, or agreements, other than those contained herein. This Agreement is the entire understanding between the Licensor and Licensee, and there are no further or other agreements or understandings, written or oral, between Licensor and Licensee relating to the subject of this Agreement. This Agreement and the provisions contained herein shall be construed, controlled, and interpreted in accordance with the laws of the State of Florida. Venue for any dispute arising as a result of this Agreement shall be Miami-Dade County, Florida. If any sentence, phrase, paragraph, provision or portion of this Agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion hereto.

This Agreement may be executed in one or more counterparts, which when taken together shall be taken as one instrument.

IN WITNESS HEREOF, the Licensor and Licensee have executed this instrument as of the date first above written.

CITY OF DORAL, FLORIDA

Licensee

By: 

Its: City Manager

Date: Oct 31, 2019



Licensor

By: Maria Torres, Principal

Its: Principal

Date: 10/28/19

Approved as to form and legal
Sufficiency for the sole use and
Reliance of the City of Doral



Luis Figueredo, ESQ.

City Attorney

NOTARY STATEMENT

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me this Oct. 28, 2019 (date), by MARIA TORRES (name), who is personally known to me or who has produced FL DL No (type of identification) as identification.

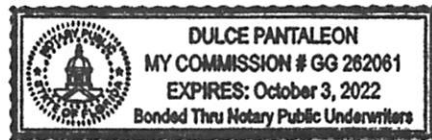
T620-333-73-721-0

Notary Public

Printed Name: DULCE PANTALEON

My Commission Expires: 10/03/2022

[Signature]



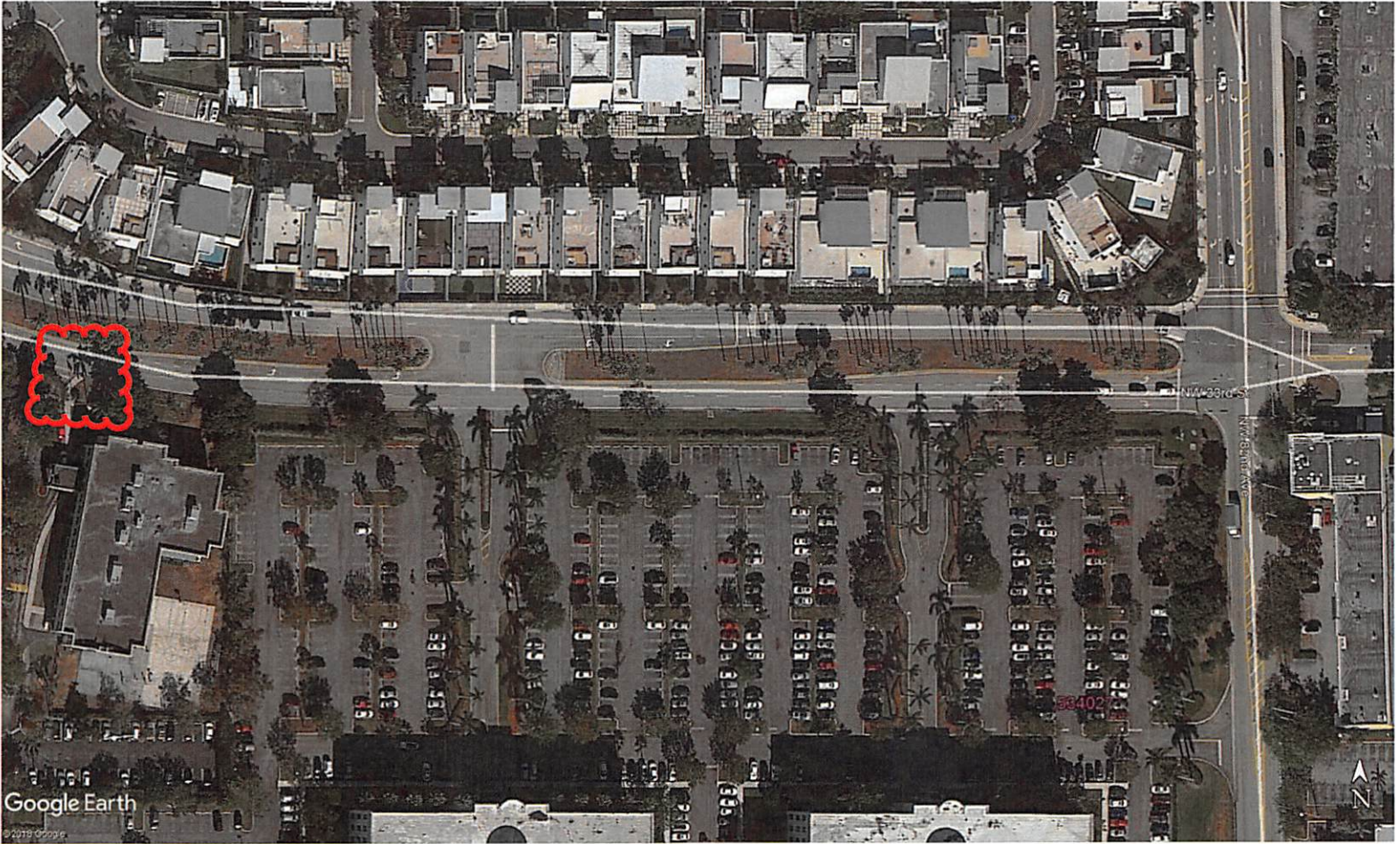
NW 33rd ST_EXHIBIT_20 - 8360 NW 33rd ST



LEGEND:



AREA FOR HARMONIZATION



RESOLUTION No. 19-146

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AWARDED INVITATION TO BID #2019-15, "CITYWIDE SIDEWALK IMPROVEMENTS," TO METRO EXPRESS, INC., THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER; APPROVING AN AGREEMENT BETWEEN THE CITY AND METRO EXPRESS, INC. IN AN AMOUNT NOT TO EXCEED \$1,273,087.92 FOR CONSTRUCTION OF THE SIDEWALK IMPROVEMENTS PROJECT AT VARIOUS LOCATIONS CITYWIDE; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONSTRUCTION AGREEMENT WITH THE NEXT LOWEST BIDDER SUCCESSIVELY IF AN AGREEMENT CAN NOT BE NEGOTIATED WITH THE TOP BIDDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City") completed the Transit Mobility Plan in 2014 in which the study showed that Doral's Pedestrian Network suffer from gaps and missing segments of sidewalk for pedestrian connectivity; and

WHEREAS, as part of the Transit Mobility Plan, a list of deficient sidewalk segments was created and prioritized for the City to construct; and

WHEREAS, in November of 2016, the City was notified by the Florida Department of Transportation (FDOT) that the Citywide Sidewalk Improvements project had been awarded \$1,000,000.00 to fund a portion of the construction; and

WHEREAS, Resolution No. 18-159 authorized the City to enter into a Local Agency Program (LAP) Agreement to receive funding from FDOT on a cost reimbursement basis in an amount not to exceed \$1,000,000.00; and

WHEREAS, the City issued Invitation to Bid (ITB) #2019-15, titled Citywide Sidewalk Improvements (the "ITB"), for which the City received five (5) responses by the May 9, 2019 submittal deadline, with all five (5) meeting the required criteria; and

WHEREAS, upon review of bids received, staff determined that Metro Express, Inc. was the lowest most responsive and responsible bidder (the "Contractor"); and

WHEREAS, a copy of Contractor's Bid Submittal, which includes the "Construction Agreement", in substantially the form provided, the ITB Inventory, Bid Tabulation, and the FDOT Award Concurrence are all attached as Exhibit "A", which is incorporated herein and made a part hereof by this reference; and

WHEREAS, staff has recommended that the City Council award the ITB to the Contractor, approve the Construction Agreement with the Contractor in a not to exceed amount of \$1,273,087.92, which includes a 10% contingency to address any unforeseen conditions, and authorize the manager to execute the Construction Agreement and to expend budgeted funds from the Public Works Transportation Fund – Improvement Streets, Account #101.80005.500633 in furtherance hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The Construction Agreement between the City and Contractor for the Project, in substantially the form provided in Exhibit "A", in the amount of \$1,273,087.92 which includes a 10% contingency to address any unforeseen conditions, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the Construction Agreement and expend budgeted funds on behalf of the City in furtherance hereof. The City Manager is further authorized to negotiate and enter into an agreement with

the next highest ranked firm successively, if an agreement cannot be entered into with Contractor, provided the next bidder accepts the contract amount approved above.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Mariaca who moved its adoption. The motion was seconded by Councilmember Cabral and upon being put to a vote, the vote was as follows:


Mayor Juan Carlos Bermudez	Yes
Vice Mayor Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED this 12 day of June, 2019.




JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

RESOLUTION No. 17-203

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A WORK ORDER BETWEEN THE CITY OF DORAL AND MARLIN ENGINEERING, INC., A PREQUALIFIED CITY VENDOR, FOR THE PROVISION OF DESIGN SERVICES AND THE DEVELOPMENT OF CONSTRUCTION PLANS FOR CITYWIDE SIDEWALK IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$169,483.96; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council for the City of Doral (the "City") passed resolution number 13-64 on June 12, 2013, authorizing the City's consultant, The Corradino Group, to proceed with a Transit Mobility Study Citywide which is attached as Exhibit "A"; and

WHEREAS, in 2016, the City Public Works Department submitted and presented an application for a Transportation Alternatives Program ("TAP") Grant for a Citywide Sidewalk, Curb Ramp, and Crosswalks Improvements project; and

WHEREAS, the City was awarded a \$1 Million TAP Grant in Fiscal Year 2021 by the Florida Department of Transportation (FDOT) for the Citywide Sidewalk Improvement project; and

WHEREAS, In August 2017, the City was notified that the funds allocated for this project through the TAP Grant could be brought forward to Fiscal Year 2019 if the City could complete the design plans by the 2nd quarter of 2018; and

WHEREAS, the City's Public Works Department wishes to secure a firm for the provision of design services and the development of construction plans for the citywide sidewalk improvements; and

WHEREAS, Marlin Engineering, Inc. is a prequalified provider of professional engineering services selected in accordance with Consultant Competitive Negotiation Act (CCNA) requirements and approved by the City Council in December 2014; and

WHEREAS, Staff respectfully requests that the City Council approve the Work Order with Marlin Engineering, Inc. for the provision of design services and the development of construction plans for the citywide sidewalk improvements; in an amount not to exceed \$169,483.96.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. Recitals. The above recitals are confirmed, adopted, and incorporated herein and made part hereof by this reference.

Section 2. Approval. The Work Order between the City of Doral and Marlin Engineering, Inc. for the provision of design services and the development of construction plans for the citywide sidewalk improvements; in an amount not to exceed \$169,483.96, a copy which is attached hereto as Exhibit "A", is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the work order and expend budgeted funds on the behalf of the City.

Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and the provisions of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Vice Mayor Rodriguez who moved its adoption. The motion was seconded by Councilmember Mariaca and upon being put to a vote, the vote was as follows:


Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana Maria Rodriguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 8 day of November, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



WEISS, SEROTA, HELFMAN, COLE & BIERMAN, P.L.
CITY ATTORNEY