

**RESOLUTION No. 17-173**

**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 R.J. BEHAR AND COMPANY INC. FOR THE PROVISIONS OF CONSTRUCTION ENGINEERING INSPECTION (CEI) SERVICES FOR THE STORMWATER IMPROVEMENTS PROPOSED AT SUB BASIN D-3, LOCATED AT NW 29 ST BETWEEN NW 82 AVE AND NW 79 AVE AND AT NW 31 ST BETWEEN NW 82 AVE AND NW 79 AVE IN AN AMOUNT NOT TO EXCEED \$66,436.00; RECOGNIZING THAT R.J. BEHAR AND COMPANY INC. IS A CITY OF DORAL PRE-QUALIFIED VENDOR; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral Public Works Department wishes to secure a firm to provide Construction Engineering Inspection (“CEI”) services for the construction of stormwater improvements at Sub Basin D-3 which is located at NW 29 St. between NW 82 Ave. and NW 79 Ave. and at NW 31 St. between NW 82 Ave. and NW 79 Ave. (the “Project”); and

**WHEREAS**, R.J. Behar & Company, Inc. (RJ Behar) developed the design plans and obtained all necessary permits and approvals for the project to move forward into construction; and

**WHEREAS**, RJ Behar is a pre-qualified provider of professional engineering services selected in accordance with Consultant Competitive Negotiation Act requirements and approved by the City Council in December 2014; and

**WHEREAS**, City staff respectfully requests that the City Council approve Work Order No. 13 for RJ Behar, a copy of which is attached hereto as Exhibit “A”, for the provision of CEI services for the construction of the Project in an amount not to exceed \$66,436.00; and

**WHEREAS**, funding for this request is available in Fiscal Year 2016-17 from the Public Works Stormwater Fund – Construction in Progress, Account No. 401.80005.500650 (\$250,000).

**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.** Work Order No. 13 for CEI services during the construction of stormwater improvements at Sub Basin D-3 in an amount not to exceed \$66,436.00, a copy of which is attached hereto as Exhibit “A”, 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 work order and expend budgeted funds on 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 Councilmember Rodriguez who moved its adoption. The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

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

PASSED AND ADOPTED this 27 day of September, 2017.

  
\_\_\_\_\_  
JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

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

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

# EXHIBIT “A”

**WORK ORDER No. 13 FOR PROFESSIONAL SERVICES**

TO: R.J. Behar & Company, Inc.  
6861 SW 196<sup>th</sup> Avenue, Suite 302  
Pembroke Pines, Florida 33332  
(954) 680-7771

DATE: September 13, 2016

The City of Doral authorizes the firm of R.J. Behar & Company, Inc. to proceed with Construction Engineering & Inspection (CEI) services associated with the stormwater improvements at Sub Basin D-3, a portion of Year 4 of the 5-Year Capital Improvement Plan proposed on the 2013 Stormwater Master Plan Update as of the date of this Work Order. The work should be performed in accordance with the contract provisions contained in the Continuing Professional Services Final Agreement between R.J. Behar & Company, Inc. and the City of Doral dated February 2, 2015, and the attached Proposal submitted by your firm for the above referenced project.

**SCOPE OF SERVICES AND SCEHDULE:**

The scope of the project will be as described in the attached proposal from R.J. Behar & Company, Inc, dated January 31, 2017, to provide professional engineering services which include: respond to RFI, full time on site inspector, progress meetings, approval of payment applications, and project close-out and certification. The schedule requires the work to be performed within one hundred and eighty (180) calendar days of the notice to proceed. The performance of services associated with this Work Order will be executed on a time and materials basis with a not to exceed amount of \$66,436.00.

You are required by the Continuing Service Agreement to begin work subsequent to the execution of this Work Order, or as directed otherwise. If you fail to begin work subsequent to the execution of this Work Order, the City of Doral will be entitled to disqualify the Proposal, and revoke the award.

The Work Order incorporates the terms and conditions set forth in the Continuing Services Agreement dated February 2, 2015 between the parties as though fully set forth herein. In the event that any terms or conditions of this Work Order conflict with the Continuing Services Agreement, the provisions of this specific Work Order shall prevail and apply.

Work Order is not binding until the City of Doral agrees and approves this Work Order.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date first above written, in three (3) counterparts, each of which shall, without proof or accounting for the other counterpart be deemed an original Contract.

CONSULTANT: R.J. Behar & Company, Inc.

WITNESSES:

SEAL:

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

1. \_\_\_\_\_  
2. \_\_\_\_\_

OWNER: City of Doral

AUTHENTICATION:

BY: \_\_\_\_\_  
NAME: Edward Rojas  
TITLE: City Manager

BY: \_\_\_\_\_  
NAME: Connie Diaz  
TITLE: City Clerk

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
NAME: WEISS, SEROTA, HELFMAN, COLE,  
& BIERMAN, PL  
TITLE: City Attorney