

RESOLUTION No. 15-42

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO AMEND THE CURRENT AGREEMENT WITH BILTMORE CONSTRUCTION BY ADDING THE GMP AMENDMENT NO. 1 AGREEMENT FOR CLEARING, DEMUCKING, SITE FILL WORK, AND BUILDING PAD (PHASE 1) FOR NW 114TH AVE PARK IN AN AMOUNT NOT TO EXCEED \$2,293,107.00 INTO THE EXISTING AGREEMENT WITH BILTMORE CONSTRUCTION, UTILIZING FUNDS FROM ACCOUNT NO. 001.90005.500620; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council (the "Council") awarded RFP# 2014-36 to Biltmore Construction (Resolution #14-195) for the provision of providing preconstruction services including value engineering, constructability reviews, and obtaining bids for construction services to deliver a Guaranteed Maximum Price ("GMP"); and

WHEREAS, in an effort to move the project forward, Biltmore Construction has begun working on this project with the Parks Department and advertised a bid for Phase I of the construction of the facility which will be for clearing, de-mucking, site fill work, and building pad in which Biltmore Construction received six (6) bids; and

WHEREAS, after review of the bids, Biltmore Construction has provided a final "GMP" not to exceed \$2,293,107.00 for this Phase which is inclusive of Biltmore Construction's overhead/profit margin of four (4) percent; and

WHEREAS, the overhead/profit margin provided by Biltmore Construction is consistent with what they provided in their proposal for RFP# 2014-36 which was awarded by council; and

WHEREAS, Staff respectfully requests the City Council to authorize the City Manager to amend the current agreement with Biltmore Construction by adding the GMP

Amendment No.1 Agreement for clearing, de-mucking, site fill work, and building pad (Phase I) for NW 114th Ave Park in an amount not to exceed \$2,293,107.00 into the existing agreement with Biltmore Construction.

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 a part hereof by this reference.

Section 2. Approval of Services. The addition of the GMP for the clearing, de-mucking, and site fill work (Phase I) in an amount not to exceed \$2,293,107.00 into the existing agreement with Biltmore Construction Co. is approved.

Section 3. Authorization to Procure Services. The City Manager is hereby authorized to add the GMP for clearing, de-mucking, and site fill work into the existing agreement with Biltmore Construction Co. This Authorization does not create or confer any rights to Biltmore Construction Co.

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

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

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

Mayor Luigi Boria	Yes
Vice Mayor Sandra Ruiz	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Absent / Excused
Councilwoman Ana Maria Rodriguez	Yes

PASSED and ADOPTED this 18th day of February, 2015.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, INTERIM CITY CLERK

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



WEISS SEROTA HELFMAN
COLE BONISKE AND POPOK, PA
CITY ATTORNEY