

RESOLUTION No. 20-141

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT No. 1 TO WORK ORDER No. 11 WITH ADA ENGINEERING INC. TO PROVIDE CONSTRUCTION ENGINEERING INSPECTION (CEI) SERVICES FOR THE CONSTRUCTION OF THE STORMWATER IMPROVEMENTS AT NW 114 AVENUE AT NW 50 STREET IN AN AMOUNT OF \$25,204.10 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$108,721.65; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on November 19, 2019, the Mayor and the City Council Members approved and adopted Resolution No. 19-297 (approved 4-0, 1 not Present at time of Vote), to update the 2013 Stormwater Master Plan and the 5-Year Capital Improvement Plan (CIP) for the next 5-year cycle; and

WHEREAS, while the 5-Year CIP is being updated, the Public Works Department (PWD) will focus on miscellaneous areas that were not identified in the previous CIP but have been observed by PWD staff to require additional drainage to minimize flooding during significant rain events; and

WHEREAS, the proposed drainage improvements will occur along NW 114th Avenue between NW 58th Street and NW 50th Street, and along NW 50th Street between NW 114th Avenue and NW 112th Avenue; and

WHEREAS, the City issued Invitation to Bid (ITB) #2020-08, "Stormwater Improvements at NW 114th Avenue and at NW 50th Street" (the "ITB"), for which the City received ten (10) responses by the March 2, 2020 submittal deadline, with one submittal being disqualified for not following procurement submittal procedures and all other firms

meeting the required criteria; and

WHEREAS, on March 11, 2020, the Mayor and the City Council Members approved and adopted Resolution No. 20-49 (approved 5-0), awarding the construction of Invitation to Bid (ITB) #2020-08, “Stormwater Improvements at NW 114th Avenue and at NW 50th Street” to Bacallao Construction & Engineering Development LLC; and

WHEREAS, on April 22, 2020, the Mayor and the City Council Members approved and adopted Resolution No. 20-61 (approved 5-0), awarding Work Order No. 11 to ADA Engineering to provide Construction Engineering Inspection (CEI) services for the NW 114th Avenue (NW 58th Street-NW 50th Street) and at NW 50th Street (NW 114th Avenue-NW 112th Avenue) stormwater improvements project in an amount not to exceed \$83,517.55; and

WHEREAS, the PWD received a request by the awarded contractor to implement a second shift from 4:00PM till Midnight for a period of 20 days to ensure that the project is completed per contract. With this second shift, a CEI inspector is required to be present to provide day-to-day oversight of the construction, ensuring that the improvements are constructed consistent with the approved plans; and

WHEREAS, the PWD requested a proposal from ADA Engineering Inc., for the provision of Construction Engineering Inspection (CEI) services for the second construction shift; and

WHEREAS, the PWD and ADA Engineering Inc., negotiated the attached supplemental proposal on a time and material basis with a not to exceed amount of \$25,204.10; and

WHEREAS, ADA 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 November 2017; and

WHEREAS, City staff recommends that the City Council approve and authorize the City Manager to execute the first amendment to Work Order 11 for ADA Engineering Inc. for additional CEI services and professional services for the NW 114th Avenue and the NW 50th Street Stormwater Improvements, for a revised total not to exceed amount of \$108,721.65; and

WHEREAS, funding for this request is available from Fiscal Year 2019-20 in the Public Works Stormwater Fund – Construction in Progress Account (Line Item- Stormwater Improvements), Account No. 401.80005.500650.

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

Section 2. Approval. The First Amendment to Work Order 11 between the City of Doral and ADA Engineering Inc for the provision of Construction Engineering Inspection (CEI) and professional services for the NW 114th Avenue (NW 58th Street-NW 50th Street) and NW 50th Street (NW 114th Avenue-NW 112th Avenue) stormwater improvements project, in an amount not to exceed of \$25,204.10 for a revised total amount of \$108,721.65, a copy which is attached as Exhibit “A”, is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the Work Order amendment and expend budgeted funds on behalf of the City in furtherance hereof.

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 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 Christi Fraga | Yes |
| Councilwoman Digna Cabral | Yes |
| Councilman Pete Cabrera | Yes |
| Councilwoman Claudia Mariaca | Yes |

PASSED AND ADOPTED this 22 day of July, 2020.



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

EXHIBIT “A”

**FIRST AMENDMENT TO WORK ORDER NO. 11 BETWEEN
THE CITY OF DORAL, FLORIDA
AND
ADA ENGINEERING, INC.**

This First Amendment to ADA Engineering Work Order No. 11 made and entered into this 27 day of April, 2020, by and between the City of Doral, Florida, a municipal corporation of the State of Florida ("City") and ADA Engineering, Inc. ("Consultant") having its place of business at 8550 NW 33rd Street, Suite 202, Miami, FL 33122, for the provision of Professional Services for the design for the Year 7 of the Canal Bank Stabilization Program.

WHEREAS, the City of Doral is presently engaged in the construction of Stormwater Improvements along NW 114th Street and NW 50th Street; and

WHEREAS, the awarded contractor submitted a second shift to continue construction efforts between 4:00PM to Midnight; and

WHEREAS, the City of Doral is presently contracted with ADA Engineering to provide Construction Engineering Inspection (CEI) services throughout the duration of the construction schedule; and

WHEREAS, due to the second construction shift scheduled, additional hours are required to ensure that CEI services will be conducted during the second construction shift; and

WHEREAS, the original cost for the CEI Services approved by the Work Order was a not to exceed amount of \$83,517.55; and

WHEREAS, the cost for the provision of CEI services was increased to a not exceed amount of \$108,721.65 for the additional hours required to oversee the second shift construction, with the cost of the amended work to be a not to exceed amount of \$25,204.10; and

NOW THEREFORE, in consideration of the mutual covenants set forth in this First Amendment, the parties agree as follows:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Amendments. The following Sections of the Work Order are hereby amended to read as follows:

"SCOPE OF SERVICES AND SCHEDULE:

...The performance of services associated with this Work Order will be executed on a time and material basis with a not to exceed amount of ~~\$83,517.55~~-\$108,721.65."

EXCEPT AS PROVIDED HEREIN, all other terms and conditions of the Contract dated January 30, 2018, remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment 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.

WITNESSES:

Typed Name: _____

CONSULTANT: ADA Engineering, Inc.

By: _____
Name: _____
Title: _____

ATTEST:

Connie Diaz, City Clerk

CITY OF DORAL

By: _____
Albert P. Childress, City Manager

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

By: _____
Name: Luis Figueredo, ESQ.
Title: City Attorney