

**SECOND AMENDMENT TO WORK ORDER No. 1 BETWEEN THE  
CITY OF DORAL, FLORIDA  
AND KIMLEY-HORN AND ASSOCIATES, INC**

The Second Amendment to Kimley-Horn and Associates, Inc Work Order No.1, made and entered into this 27 day of November, 2023, by and between the City of Doral, Florida, a municipal corporation of the State of Florida (“City”) and Kimley-Horn and Associates (“Consultant”) having its place of business at 355 Alhambra Circle, Suite 1400 Miami, Florida 33134, is made a part of the original Work Order No. 1 dated April 14, 2021, as amended (the “Work Order”) between the City and Consultant attached hereto as composite Exhibit “A”. The City and the Consultant hereby agree as follows:

**WHEREAS**, the City engaged Consultant to perform the design and permitting services of roadway improvements along NW 102<sup>nd</sup> Avenue, NW 66<sup>th</sup> Street, and NW 99<sup>th</sup> Avenue, as more particularly described in Work Order No. 1, as amended by the First Amendment dated April 6, 2023, attached hereto as composite Exhibit “A” (collectively, “Work Order”); and

**WHEREAS**, the original cost for the design services approved by the original Work Order was a not to exceed amount of \$ 232,083.00; and

**WHEREAS**, pursuant to the First Amendment, the cost for the provision of design services was increased by \$10,736.00, which brought the new total not to exceed amount to \$242,819.00, and added additional services as more particularly described therein; and

**WHEREAS**, the compensation set forth in the Word Order is insufficient to cover design phase completion as a result of additional services/scope necessitated by the permitting phase with South Florida Water Management District (“SFWMD”) as set forth herein; and

**WHEREAS**, during the permitting phase, SFWMD submitted a request for additional information (RAI) that require additional professional services hours and a work order amendment with the Consultant—specifically, a flood plain analysis and calculations had to be performed to satisfy permit requirements, and roadway plans were revised to include detailed stormwater Pollution Prevention Plans (SWPPP); and

**WHEREAS**, in addition to the above, additional coordination with the SFWMD and Miami Dade County DERM was required for confirmation of wetlands presence and acceptance of the out-of-area Wetland Mitigation Bank; and

**WHEREAS**, the performance of services associated with the aforementioned additional services was negotiated and will be executed on a time and material basis in a not to exceed the amount of \$13,110.00, as more particularly set forth in Consultant’s proposal attached hereto as Exhibit “B” (“Additional Services”); and

**WHEREAS**, the City now requires the Additional Services from the Consultant in the amount of \$13,110.00, thereby bringing the new total not to exceed amount of the Work Order, as amended, to \$255,929.00, as more particularly described in Exhibit “B”.

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

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

**Section 2. Amendments.** The following Section of the Work Order titled "Scope of Services and Schedule" is hereby amended to be deleted in its entirety and replaced with the following:

**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 \$255, 929.00.

The scope of the project will be as described in the attached composite Exhibit "A", inclusive of the Additional Services as more particularly described in Exhibit "B".

Consultant is required by the Continuing Service Agreement to begin work subsequent to the execution of this Work Order, or as directed otherwise.

**Section 3. Incorporation of Continuing Services Agreement.** The Work Order, as amended, incorporates the terms and conditions set forth in the Continuing Services Agreement dated January 4, 2021, between the parties as though fully set forth herein. In the event that any terms or conditions of the Work Order conflict with the Continuing Services Agreement, the provisions of this specific Work Order shall prevail and apply.

**Section 4. Other Provisions Remain in Effect.** Except as specifically modified herein, all terms and conditions of the original Work Order, as amended by the First Amendment, between the parties shall remain in full force and effect.

**Section 5. Conflicting Provisions.** The terms, statements, requirements, and provisions contained in this Second Amendment shall prevail and be given superior effect and priority over any conflicting or inconsistent term, statement, requirement or provision contained in any other document or attachment, including but not limited to composite Exhibit "A."

**IN WITNESS WHEREOF,** the parties hereto have executed this second 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.

CONSULTANT: Kimley-Horn and Associates, Inc

BY: [Signature]  
NAME: Leonte F. Almonte, P.E.  
TITLE: Associate

WITNESSES:

1. [Signature]  
2. [Signature]



OWNER: CITY OF DORAL

BY: [Signature]  
NAME: Barbara Hernandez,  
TITLE: City Manager

AUTHENTICATION:

BY: [Signature]  
NAME: Connie Diaz  
TITLE: City Clerk

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

**BY:** \_\_\_\_\_ *Valerie Vicente* \_\_\_\_\_  
**NAME:** Valerie Vicente, Esq for Nabors  
Giblin and Nickerson, P.A.  
**TITLE:** City Attorney

**RESOLUTION No. 23-199**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE SECOND AMENDMENT TO A WORK ORDER WITH KIMLEY-HORN AND ASSOCIATES, INC., TO INCREASE THE AVAILABLE FUNDS TO COVER THE COST FOR ADDITIONAL DESIGN AND PERMITTING SERVICES ASSOCIATED WITH THE ROADWAY IMPROVEMENTS ALONG NW 112 AVENUE, NW 66 STREET, AND 99 AVENUE IN AN AMOUNT NOT TO EXCEED \$13,110.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AMENDMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on April 14, 2021, the Public Works Department (PWD) executed Work Order No. 1 with the firm Kimley-Horn and Associates, Inc. to provide the provision of design and permitting services for the roadway improvements along NW 66<sup>th</sup> Street from NW 97<sup>th</sup> Avenue to NW 102<sup>nd</sup> Avenue, along NW 102<sup>nd</sup> Avenue from NW 64<sup>th</sup> Way to NW 66<sup>th</sup> Street, and along NW 99<sup>th</sup> Avenue from NW 64<sup>th</sup> Way to NW 66<sup>th</sup> Street; and

**WHEREAS**, the Work Order was approved via Resolution No. 21-100 and executed on a time and material basis in a not to exceed amount of \$232,083.00; and

**WHEREAS**, Kimley-Horn and Associates, 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 2020 via Resolution 20-24; and

**WHEREAS**, in May 2023, Amendment No. 1 to Work Order No. 1 was approved by the Mayor and the City Councilmembers via Resolution No. 23-73; and

**WHEREAS**, the Amendment increased the Work Order amount by \$10,736.00, from \$232,083.00 to \$242,819.00, due to additional efforts that resulted from the permitting phase with Miami-Dade County (MDC); and

**WHEREAS**, during the permitting phase with South Florida Water Management District (SFWMD) additional requests were made that require additional professional services hours and a work order amendment; and

**WHEREAS**, in order to cover the additional efforts that resulted from the permitting phase with SFWMD, the PWD requested a proposal and negotiated with Kimley-Horn and Associates, Inc. the attached supplemental proposal on a time and material basis with a not to exceed amount of \$13,100.00 for a new "amended" work order total amount of \$255,929.00; and

**WHEREAS**, the PWD respectfully requests authorization from the Mayor and the City Councilmember to authorize the City Manager to execute the second amendment to Work Order No. 1 enclosed as part of "Exhibit A" for Kimley-Horn and Associates, Inc. to provide additional hours for design professional service associated with the roadway improvements along NW 66<sup>th</sup> Street / NW 102<sup>nd</sup> Avenue / NW 99<sup>th</sup> Avenue; and

**WHEREAS**, funding for this request is available in the Public Works Department Transportation Fund, "Construction in Progress" Account, Account Num. 101.80005.500650.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND 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 Amendment number 2 to Work Order No. 1 between the City of Doral and Kimley-Horn and Associates, Inc. for additional professional service hours associated with the design of the roadway improvements along NW 66<sup>th</sup> Street / NW 112<sup>th</sup> Avenue / NW 99<sup>th</sup> Avenue, in an amount not to exceed \$13,110.00 for a revised total work order not to exceed amount of \$255,929.00, 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 amendment 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 provisions of this Resolution.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Vice Mayor Puig-Corve who moved its adoption.

The motion was seconded by Councilmember Porras and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED this 8 day of November, 2023.

CHRISTI FRAGA, 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:

VALERIE VICENTE, ESQ. for  
NABORS, GIBLIN & NICKERSON, P.A.  
CITY ATTORNEY