

RESOLUTION No. 16-57

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING THE TRANSFER OF SAVINGS FROM THE PHASE I CONSTRUCTION OF DORAL LEGACY PARK IN THE AMOUNT OF \$371,460.60 TO BE ADDED TO THE PHASE II CONSTRUCTION GMP AGREEMENT WITH BILTMORE CONSTRUCTION FOR A NEW TOTAL PHASE II GMP AMOUNT NOT TO EXCEED \$20,079,089.60; AUTHORIZING THE CITY MANAGER TO EXECUTE THE TRANSFER AND EXECUTE ANY CONTRACT DOCUMENTS NECESSARY TO ACCOMPLISH THE PROJECT CHANGES; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council (the "Council") awarded RFP# 2014-36 to Biltmore Construction, via 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, on February 25th, 2015, council approved GMP Amendment No. 1 - Phase 1 for the construction of the facility which included the clearing, de-mucking, site fill work, and building pad (Resolution No. 15-42); and

WHEREAS, Council approved Change Order #01, via Resolution No. 15-89, during the May 7th, 2015 Regular City Council Meeting for the disposal of soil contaminated with arsenic at NW 114th Ave Park; and

WHEREAS, on June 9th, 2015 the City Council approved Resolution No. 15-119 authorizing the City Manager to amend the agreement with Biltmore Construction by adding GMP Amendment No. 2 for the construction of Phase 2 of Doral Legacy Park, which includes, without limitation, the construction of a 2-story, 36,000 sq. ft. recreation building which will house two full court basketball courts, an elevated running track and workout area, aerobics and dance floor, multipurpose room and related support spaces.

Other features of the project include a pedestrian bridge with storage building, extensive hardscapes, sidewalks, pavers, fencing, baseball field with Bermuda turf, soccer and football field with synthetic turf, five (5) tennis courts, three (3) basketball courts, two (2) sand volleyballs courts, splash pad, playground equipment, five (5) park shelters, concession building, and event lawn in an amount not to exceed \$19,707,629.00; and

WHEREAS, after completion of Phase 1 (clearing, de-mucking, site fill work, and building pad) of the project, the City realized a savings in the amount of \$371,460.60, due to lower than anticipated costs for the performed work and less fill material needed than initially anticipated; and

WHEREAS, staff has recommended the Mayor and City Council approval for the transfer of savings from Phase I in the amount of \$371,460.60 to be added to the Phase II GMP Agreement with Biltmore Construction for a new total Phase II GMP amount not to exceed \$20,079,089.60 in order to be able to add back amenities which were removed during the value-engineering process of the project.

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 & Authorization. The City Council hereby approves the transfer of savings from Phase I of Doral Legacy Park in the amount of \$371,460.60 to be added to the Phase II GMP Agreement with Biltmore Construction, for a new Phase II GMP total amount not to exceed \$20,079,089.60, in order to be able to add back amenities which were removed during the value-engineering process of the project.

Section 3. Authorization. The City Manager is authorized to negotiate and execute contractual documents, subject to approval by the City Attorney as to form and legal sufficiency, as may be necessary to facilitate the changes in the scope of the Project as a result of the new total GMP amount.

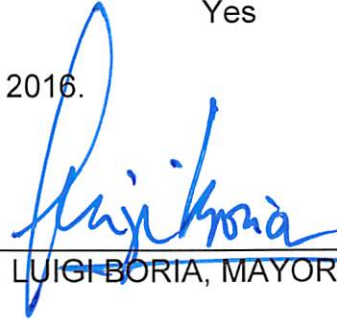
Section 4. Implementation. The City Manager and the City Attorney are hereby authorized to take such action as may be necessary to implement the provisions of this Resolution.

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 Christi Fraga	Yes
Councilman Pete Cabrera	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Sandra Ruiz	Yes

PASSED AND ADOPTED this 2 day of March, 2016.



LUIGI BORIA, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL
CITY ATTORNEY