

RESOLUTION No. 19-20

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO WORK ORDER NO. 9 BETWEEN KING ENGINEERING ASSOCIATES, INC. AND THE CITY OF DORAL, TO PROVIDE ADDITIONAL ANALYSIS FOR THE STORMWATER OUTFALL FEASIBILITY STUDY TO SERVE DRAINAGE AREAS ALONG SUB BASIN H-8, SUB BASIN H-5, AND NW 79 AVE IN AN AMOUNT OF \$11,897.00 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$36,890.20; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AMENDMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the installation of a positive outfall discharging into the NW 58th St. Canal will reduce persistent drainage problems and flooding within Sub Basin H-8, Sub Basin H-5, and NW 79 Ave.; and

WHEREAS, via Resolution 18-15, the City of Doral Public Works Department (PWD) secured King Engineering Associates, Inc (King) to develop an Outfall Feasibility Study to serve the drainage areas along Sub Basin H-8, Sub Basin H-5, and NW 79 Ave.; and

WHEREAS, on October 18, 2018, King submitted to Miami-Dade County Department of Regulatory and Economic (DRER) the initial findings of the Outfall Feasibility Study for review; and

WHEREAS, DRER advised King that they must provide further information based off their initial findings and perform additional analyses to further review the Outfall Feasibility Study; and

WHEREAS, to continue the progress of the Outfall Feasibility Study to meet the requirements of DRER, King prepared a supplemental proposal on a time and material basis with a not to exceed amount of \$11,897.00; and

WHEREAS, City staff respectfully requests that the City Council approve the Amendment to Work Order No. 9 for King Engineering, a copy of which is attached hereto as Exhibit "A", for the provision of an Outfall Feasibility Study to serve the drainage areas along Sub Basin H-8, Sub Basin H-5, and NW 79 Ave. for a revised total not to exceed amount of \$36,890.20.

NOW, THEREFORE, BE IT RESOLVED BY 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 to Work Order No. 9 between the City of Doral and King Engineering Associates, Inc for the provision of additional analysis for the Outfall Feasibility Study for the drainage areas along Sub Basin H-8, Sub Basin H-5, and NW 79 Avenue, in an amount not to exceed \$11,897.00 for a revised total not to exceed amount of \$36,890.20, 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 the provisions of this Resolution.

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

The foregoing Resolution was offered by Vice Mayor 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 Claudia Mariaca	Yes
Councilwoman Digna Cabral	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes

PASSED AND ADOPTED this 9 day of January, 2019.



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. 1 BETWEEN
THE CITY OF DORAL, FLORIDA
AND
King Engineering, INC.**

This First Amendment to King Engineering Associates, Inc. Work Order No. 9 made and entered into this **10** day of **January, 2019**, by and between the City of Doral, Florida, a municipal corporation of the State of Florida ("City") and King Engineering Associates, Inc. ("Consultant") having its place of business at 8700 West Flagler Street, Suite 180, Miami, FL 33174, for the provision of Professional Services for the preparation of a stormwater drainage feasibility study for the H-5 Basin. This feasibility study is to evaluate the benefits of installing a positive outfall discharging into the NW 58th St. Canal.

WHEREAS, the City of Doral is presently engaged in the Outfall Feasibility Study for the H-5 Basin; and

WHEREAS, the City of Doral is presently contracted with King Engineering Associates, Inc. for professional engineering services for the Outfall Feasibility Study for the H-5 Basin; and an increase in hours for performing this study is needed to ensure the completion of the feasibility study; and

WHEREAS, the original cost for the professional services for the preparation of the Outfall Feasibility Study for a positive outfall discharging into the NW 58th St. Canal approved by the Work Order was a not to exceed amount of \$24,993.00; and

WHEREAS, due to extended hours to perform additional alternate analysis modeling associated with the Outfall Feasibility Study increased; and

WHEREAS, the cost for the provision of professional services was increased to a not exceed amount of \$36,890.20, with the cost of the amended work to be a not to exceed amount of \$11,897.20; and

WHEREAS, King Engineering 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 February 2015.

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 ~~\$24,993.00~~ \$36,890.20.”

EXCEPT AS PROVIDED HEREIN, all other terms and conditions of the Contract dated February 9, 2015, 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: King Engineering Associates, Inc.

By: _____
Name: _____
Title: _____

ATTEST:

Connie Diaz, City Clerk

CITY OF DORAL

By: _____
Edward Rojas, 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

WORK ORDER No. 9 FOR PROFESSIONAL SERVICES

TO: King Engineering Associates, Inc.
8700 W. Flagler Street, Suite 340
Miami, FL 33174
(305) 392-9979

DATE: January 10, 2017

The City of Doral authorizes the firm of King Engineering Associates, Inc. to proceed with preparation of a stormwater drainage feasibility study for the H-5 Basin to evaluate the benefits of installing a positive outfall discharging into the NW 58th St. Canal 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 King Engineering Associates, Inc. and the City of Doral dated February 9, 2015, and the attached Proposal submitted by your firm for the above referenced project.

SCOPE OF SERVICES AND SCHEDULE:

The scope of the project will be as described in the attached proposal from King Engineering Associates, Inc. dated December 11, 2017, to provide professional engineering services which include: data compilation, permitting, modeling, and a technical memorandum. The schedule requires the work to be performed within one hundred and twenty (120) calendar days from the notice to proceed. 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 \$24,993.00.

You are required by the Continuing Service Agreement to begin work subsequent to the execution of this Work Order. 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.

This Work Order incorporates the terms and conditions set forth in the Continuing Services Agreement dated February 9, 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: King Engineering Associates, Inc.

BY: [Signature]
NAME: LOUISIANA MARISTANY
TITLE: V.P.

WITNESSES:

- 1.
- 2.

[Signature]

SEAL:



OWNER: City of Doral
BY: [Signature]
NAME: Edward Rojas
TITLE: City Manager

AUTHENTICATION:

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

APPROVED AS TO FORM:

BY: [Signature]
NAME: WEISS, SEROTA, HELFMAN, COLE & BIERMAN, PL
TITLE: City Attorney

RESOLUTION No. 18-15

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING A WORK ORDER FOR KING ENGINEERING, A PREQUALIFIED CITY VENDOR, FOR THE PROVISION OF AN OUTFALL FEASIBILITY STUDY TO SERVE DRAINAGE AREAS ALONG SUB BASIN H-8, SUB BASIN H-5, AND NW 79 AVE IN AN AMOUNT NOT TO EXCEED \$24,993.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral (the "City"), by and through the Public Works Department, wishes to secure a firm to provide an Outfall Feasibility Study to serve the drainage areas along Sub Basin H-8, Sub Basin H-5, and NW 79 Ave.; and

WHEREAS, the installation of a positive outfall discharging into the NW 58th St. Canal will reduce persistent drainage problems and flooding within the above mentioned areas; and

WHEREAS, King Engineering ("King") 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 has recommended the City Council approve Work Order No. 9 for King Engineering, a copy of which is attached hereto as Exhibit "A", for the provision of an Outfall Feasibility Study to serve the drainage areas long Sub Basin H-8, Sub Basin H-5, and NW 79 Ave. in an amount not to exceed \$24,993.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE 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. The Work Order from King Engineering for the provision of an Outfall Feasibility Study for the drainage areas along Sub Basin H-8, Sub Basin H-5, and NW 79 Avenue, in an amount not to exceed \$24,993.00, attached hereto as Exhibit "A", which is incorporated herein and made apart hereof by this reference, together with such non material changes as may be deemed necessary by the City Manager and approved as to form and legal sufficiency by the City Attorney, is hereby approved. Funding for this request is available from the Public Works Department Stormwater Fund, Account Number #401.80005.500314 (\$30,000).

Section 3. Authorization. The City Manager and the City Attorney are authorized to execute the work order 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 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 Cabrera and upon being put to a vote, the vote was as follows:


Mayor Juan Carlos Bermudez	Yes
Vice Mayor Ana María Rodríguez	Yes
Councilman Pete Cabrera	Yes
Councilwoman Christi Fraga	Yes
Councilwoman Claudia Mariaca	Yes

PASSED AND ADOPTED this 17 day of January, 2018.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



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