

RESOLUTION No. 17-29

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AWARDED INVITATION TO BID #2016-42, "NW 54 STREET ROADWAY RECONSTRUCTION FROM NW 87 AVENUE TO NW 79 AVENUE," TO ROADWAY CONSTRUCTION INC., THE LOWEST, MOST RESPONSIVE AND RESPONSIBLE BIDDER; APPROVING AN AGREEMENT BETWEEN THE CITY AND ROADWAY CONSTRUCTION INC. IN AN AMOUNT NOT TO EXCEED \$3,001,953.99 FOR THE ROADWAY IMPROVEMENTS ON NW 54 STREET BETWEEN NW 87 AVENUE AND NW 79 AVENUE; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE NEXT LOWEST BIDDER SUCCESSIVELY IF AN AGREEMENT CAN NOT BE NEGOTIATED WITH THE TOP BIDDER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY IN FURTHERANCE HEREOF; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in June of 2012, the City of Doral (the "City") entered into the Downtown Doral Roadway Improvement and Public Park Area Improvement Maintenance Agreement ("Roadway Agreement") with CM Doral Development Company, LLC, a Codina company ("Codina"), as part of a variety of shared responsibilities established through the entitlement of the Downtown Doral development; and

WHEREAS, one of the Roadway Agreement's responsibilities included the design and reconstruction of NW 54th Street from 79th Avenue to 87th Avenue (the "Project"); and

WHEREAS, the Roadway Agreement provided for Codina to design and construct the Project, with the City responsible for reimbursing the Codina's for fifty percent (50%) of the cost of the Project; and

WHEREAS, after considerable negotiation, the City Council approved, as per City Council Resolution No. 16-46, an amendment and restated version of the Roadway Agreement ("Amended and Restated Roadway Agreement"), which called for the City to construct and fully pay for the Project, in exchange, in part, for transfer of a certain parcel of

land, known as the “Triangle Parcel,” and the delivery of substantially completed plans for the Project; and

WHEREAS, in furtherance of the Amended and Restated Roadway Agreement, the City Council, via Resolution 2016-103, approved a professional services agreement between the City and Ludovici & Orange Consulting Engineers, Inc. for design and construction engineering and inspection services for the Project; and

WHEREAS, with the Project plans completed, the City issued Invitation To Bid #2016-42 for “NW 54 Street Roadway Reconstruction from NW 87 Avenue to NW 79 Avenue” (the “ITB”), for which the City received nine (9) bids by the January 31, 2017 deadline, with all nine (9) companies meeting the required criteria; and

WHEREAS, upon review of bids received, staff determined that Roadway Construction Inc. was the lowest most responsive and responsible bidder (the “Contractor”); and

WHEREAS, a copy of Contractor’s Bid Submittal, which includes the “Construction Agreement,” in substantially the form provided, the ITB Inventory, and Bid Tabulation are all attached as Exhibit “A”, which is incorporated herein and made a part hereof by this reference; and

WHEREAS, staff has recommended that the City Council award the ITB to the Contractor, approve the Construction Agreement with Contractor in a not to exceed amount of \$3,001,953.99, which includes a 10% contingency for any unforeseen conditions, and authorize the manager to execute the Construction Agreement and to expend budgeted funds in furtherance hereof.

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 part hereof by this reference.

Section 2. Approval. The Construction Agreement between the City and Contractor for the Project, in substantially the form provided in Exhibit "A", in the amount of \$3,001,953.99, which includes a 10% contingency for any unforeseen conditions, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the Construction Agreement and expend budgeted funds on behalf of the City in furtherance hereof. The City Manager is further authorized to negotiate and enter into an agreement with the next highest ranked firm successively, if an agreement cannot be entered into with Contractor, provided the next bidder accepts the contract amount approved above.

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

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| Mayor Juan Carlos Bermudez | Yes |
| Vice Mayor Pete Cabrera | Yes |
| Councilwoman Christi Fraga | Yes |
| Councilwoman Claudia Mariaca | Yes |
| Councilwoman Ana Maria Rodriguez | Yes |

PASSED AND ADOPTED this 8 day of February, 2017.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, CMC
CITY CLERK

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



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

EXHIBIT "A"

