

RESOLUTION No. 19-190

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE PROCESSING OF \$14,500.00 IN ENGINEERING WORK PERFORMED BY LUDOVICI AND ORANGE ENGINEERING INC. AS PART OF THE NW 54 STREET ROADWAY IMPROVEMENTS BETWEEN NW 87 AVENUE AND NW 79 AVENUE AS A RESULT OF UNFORESEEN CONDITIONS; AUTHORIZING THE CITY MANAGER TO PROCESS THE ASSOCIATED INVOICE AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on the original Downtown Doral Roadway Improvement and Public Park Area Improvement and Maintenance Agreement required that CM Doral Development Company (Developer) reconstruct NW 54th Street from NW 87th Avenue to NW 79th Avenue (Project) as part of their development; and

WHEREAS, this agreement also required the City of Doral (City) to reimburse the Developer for fifty percent (50%) of the actual cost associated with the planning, permitting, and construction of the Project; and

WHEREAS, the Developer proceeded to contract Ludovici & Orange Consulting Engineers, Inc. (L&O) for the design of the Project with the intention to construct as required by the agreement; and

WHEREAS, as approved by the Mayor and the City Council members by Resolution No. 16-46 (approved 4-0, 1 absent), the City received the conveyance of park land within Downtown Doral in exchange for the responsibility to finalize the design, permitting, and reconstruction associated with the Project; and

WHEREAS, on May 11, 2016 the Mayor and the City Council Members approved a Professional Services Agreement for the Construction Engineering Inspection (CEI) services of the NW 54th Street Project to Ludovici & Orange Engineers, Inc. (L&O) by Resolution No. 16-103 (approved 5-0) on a time and material basis, in a not to exceed amount of \$183,982.00; and

WHEREAS, when the City took over the design responsibility L&O had completed approximately 90% of the construction plans for the Developer; and

WHEREAS, L&O encountered numerous unforeseen conditions as a result of conflicts with utilities and other issues that required re-design of the project; and

WHEREAS, L&O submitted the attached proposal in a not to exceed amount of \$14,500.00 to receive compensation for the additional efforts associated with all unforeseen conditions; and

WHEREAS, the Public Works Department respectfully requests that the Mayor and City Council-Members authorize the processing of L&O proposal in a not to exceed amount of \$14,500.00 from the funds available from the Transportation Fund "Construction in Progress" Account, Account No. 101.80005.500650.

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 processing of \$14,500.00 for the extra work performed by Ludovici & Orange Engineering, Inc. as a result of unforeseen condition associated with the NW 54th Street Roadway Improvements Project from NW 87th Avenue to NW 79th Avenue, is hereby approved.

Section 3. Authorization. The City Manager is authorized to execute the fund transfer and expend budgeted funds on 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 13 day of August, 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