

NO. LTC # 032-2022

LETTER TO COMMISSION

TO: Honorable Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager



DATE: January 27, 2022

SUBJECT: **UPDATE OF THE WEST AVENUE PHASE II IMPROVEMENTS PROJECT**

The purpose of this Letter to Commission is to provide an update on the West Avenue Phase II Improvement Project, outline the history and evolution of the project, and the next steps to commence construction activities. This memorandum will outline the procurement process, the Resilience Accelerator, harmonization planning, the financials, outreach, the design criteria, mobility and parking, the Design Review Board, pending change orders, and next steps.

West Avenue is an important neighborhood improvement project that has been planned for eight years due to FDOT's concurrent Alton Road project in 2014. The project has been carefully designed with external expertise, and the City has been responsive to changes that resulted from community participation and City Commission direction. Notably, the Resilience Accelerator process provided design enhancements that were approved by the City Commission and supported by the neighborhood associations. Community outreach and one-on-one meetings have been extensive, with more than 120 meetings to-date. Considerable progress has been made with complex agency permitting.

Ultimately, the West Avenue project is designed to enhance quality of life through improve walking, biking, tree canopy, and vital infrastructure while reducing flood risk to this vulnerable neighborhood both now and in the future. The West Avenue Neighborhood is one of the lowest lying areas in the City, with elevations as low as 1.7' NAVD. Since 2017, low-lying areas of West Avenue have experience flooding from high tides 58 times, (NOAA Virginia Key tidal gauges). Flooding is expected to worsen, as the City faces 14-30 inches of sea level rise over the next thirty years (Southeast Florida Regional Climate Change Compact, 2019). A high groundwater table and intense rain events result in additional compound flooding concerns. While the deployment of temporary pumps have helped these areas, the neighborhood remains vulnerable.

Project History and Procurement

Concurrent to the Florida Department of Transportation's renovation of Alton Road, in 2014 the City executed a design-build agreement for Phase I of the West Avenue Project, making utility and roadway improvements along West Avenue, north of Lincoln Road and south of 8th Street. Phase I also included raising 10th, 14th and 17th Streets and adding pump stations at these street ends. The Phase I project was completed in 2017.

The West Avenue Phase II Improvements Project, represents a comprehensively defined neighborhood improvement program, focused on resolving challenges

associated with climate impacts and aged infrastructures. The proposed improvements within the West Avenue neighborhood includes the raising of the paved roadway, harmonization to the adjacent properties, installation of a new robust storm water drainage collection and pumping system, replacement of the existing water distribution/transmission systems and gravity sanitary sewers, installation of new street lighting, pedestrian lighting, replacement of existing and installation of a new signalized intersection with mast arms, new landscaping, irrigation and construction of a new baywalk segment. The limits of the improvements are West Avenue between 8th Street and Lincoln Road, including side streets, and Bay Road between 14th Street and Collins Canal, and includes upgrading the project to city standards of resilience of the neighborhood, as well as harmonizing between the two phases.

Due to the size of the neighborhood, and to allow increased participation in the solicitation by the design/build firms, the Phase II project was divided into two contracts, with 14th Street being the dividing line.

On March 9, 2016, the City Commission directed the Administration to issue two Request for Proposals (RFP) for Design/Build Services for West Avenue Improvements Phase II, South and North of 14 Street. The RFPs were released on March 14, 2016, with an opening date of May 9, 2016. The City received proposals and guaranteed maximum price (GMP) in response to the RFP from the following four (4) short-listed firms:

- Bergeron Land Development, Inc., \$60,643,223
- David Mancini & Sons, Inc., \$20,060,034 South only, No-Bid for North section
- Lanzo Construction Company, \$42,612,000
- Ric-Man Construction, Inc., \$44,136,653

Ric-Man Construction was the highest ranked bidder.

On March 22, 2017, the Mayor and City Commission awarded a contract for design-build services to Ric- Man Construction Florida, Inc. (Ric-Man), for the following:

1. West Avenue Improvements Phase II - South of 14th Street including a guaranteed maximum price (GMP) of \$14,424,949, and a 10% contingency. The GMP included unfunded above ground improvements, to be added to the project in the future via a change order. The resultant agreement was executed in the amount of \$12,809,754, including a 10% contingency, excluding the scope and funding associated with above ground improvements.
2. West Avenue Improvements Phase II - North of 14th Street including a GMP of \$33,267,369, and a 10% contingency. The GMP included unfunded above ground improvements, to be added to the project in the future via a change order. The resultant agreement was executed in the amount of \$29,669,344, including a 10% contingency, excluding the scope and funding associated with above ground improvements.

On July 31, 2017, a Notice to Proceed was issued to Ric-Man to commence design-build work pursuant to the terms and conditions of the contract. This work was to be

completed within 730 calendar days from the time of issuance, October 29, 2019.

On November 14, 2017, a public meeting was conducted to present the conceptual design developed by the design-builder, Ric-Man, and answer the community's questions. During this meeting, the community expressed concerns about the West Avenue Project.

On December 13, 2017, the City Commission referred all planned and in-progress resiliency projects to the Sustainability and Resiliency Committee for further evaluation of stormwater criteria and design. At that time, RCMF had completed approximately 60% of the project design based on the original design criteria. Due to this action by the City Commission, further development of this project, including its design, was stopped, pending the findings of said Committee.

From January 2018 through March 2018, the Sustainability and Resiliency Committee reviewed and evaluated the City's design criteria for stormwater management. At the same time the City decided to seek the evaluation of the City's stormwater management program by impartial, outside entities and pursued the assessment by the Urban Land Institute (ULI). The ULI is also a partner of a professional network that provides resiliency-building tools, called the 100 Resilient Cities Network.

In April 2018, the City entered into a successful partnership with the ULI in order to review the citywide Stormwater Resiliency Program and provide a report with their findings. The ULI's preliminary findings validated the criteria established by the City for its Stormwater Management program.

On May 31, 2018 an exciting opportunity was brought to the City, through its membership in the 100 Resilient Cities Network. The Resilience Accelerator is a partnership between 100 Resilient Cities and the Center for Resilient Cities & Landscapes at Columbia University, funded by a \$ 3.7 million grant from the Rockefeller Foundation. While this was a competitive grant program, Greater Miami & the Beaches was chosen to directly participate. Miami Beach's West Avenue Neighborhood Improvement Phase II Project was selected as one of four projects in South Florida.

From August 6 to 8, 2018 the Resilience Accelerator took place. The Resilience Accelerator Program is described in further detail within the section entitled "*Resilience Accelerator.*"

In September 2018, meetings were held with the West Avenue Neighborhood Association and the North of Fifth Neighborhood Association to present the findings of the Resilience Accelerator Workshop.

On September 26, 2018, Staff presented the findings of the Resilience Accelerator Workshop to the Sustainability and Resiliency Committee.

On October 17, 2018, City Staff presented, and the City Commission accepted, the

recommendations of the Resilience Accelerator. In addition, the City Commission accepted for implementation the final report and evaluation of the City's stormwater management program, prepared by the ULI.

On January 11, 2018, Change Order No. 1 was executed for both design-build contracts for a 30- day non-compensatory, time extension to the contract duration due to the impact from Hurricane Irma.

On March 16, 2018, Change Order No. 2 was executed for both design-build contracts, for a combined total amount of \$4,739,291. These change orders included the scope and funds for the above ground improvements to the project, originally excluded from the contracts, increasing the combined cost of the Agreements to \$47,218,389.

On December 12, 2018, the City Commission adopted Resolutions No. 2018-30652 and No. 2018-30653 authorizing the City Manager to negotiate Change Order No. 3 for additional design and construction changes for recommended additional scope, including the recommendations resulting from the Resiliency Accelerator Program and the ULI report.

On April 30, 2019, Change Order No. 3A was executed for both design-build contracts for a combined negotiated amount of \$932,847.32. This was the first partial request from the design-builder for the efforts and resources employed in support of the Resiliency Accelerator Program, and pre-design efforts including a 10-year storm drainage modeling, increasing the combined cost to \$48,151,236.32.

Following the execution of Change Order No. 3A, the design-builder was able to resume the design efforts.

On June 16, 2019, Change Order No. 3B was executed for both design-build contracts for a combined negotiated amount of \$23,385,106. This was the second partial request from the design-builder for the additional design and construction scope resulting from the Resiliency Accelerator and Design Criteria Enhancements, requested by the community members for a more aesthetically pleasing treatment of all the street ends in the neighborhood, increasing the combined cost to \$71,536,342.32, including a 10% Contingency.

On September 17, 2019, Change Order No. 4 was executed for both design-build contracts for a combined negotiated amount of \$473,929, to account for the 10% contingency previously authorized but not yet added to the contract as part of Change Order No. 2, increasing the combined cost to \$72,010,271.32

On April 4, 2020, City Commission adopted Resolutions 2020-31243 and No. 2020-31244 authorizing the City Manager to negotiate Change Order No. 5, for both design-build contracts, for design services associated with additional water quality treatment, as required by the Miami-Dade County Regulatory and Economic Resources Department (RER). The City negotiated a final combined change order of \$1,698,220 increasing the combined cost to \$73,708,491.32.

On June 23, 2021, City Commission adopted Resolutions 2021-31752 and No. 2021-31753 authorizing the City Manager to execute Change Order No. 6 for both contracts, for the cost associated with the construction of additional water quality treatment wells, implementation of the new 10-year storm water criteria, relocation of the Storm Water Treatment System (SWTS) from Lincoln Road to 1671 West Avenue (City Parking Lot P-24), construction commodities and labor costs escalation in a combined amount of \$21,918,422. This change order increased the combined cost to \$95,626,914, including \$4,360,699 contingency. This change order also includes an additional time extension of 1,961 calendar days to the contract time, due to the various delays imposed on the project and the additional construction time required to complete the added scope items. This equates to more than 5 years of additional project duration.

Resilience Accelerator

Through the Rockefeller Foundation's 100 Resilient Cities program, The City was awarded participation in the Columbia University Accelerator, which brought together multi-disciplinary expertise to assist the community in advancing the project design to keep the project moving forward while integrating a more holistic resilience approach. This process involved the full city team, outside experts, meetings with neighborhood associations, and approvals through the Commission and Committee process. Members of the City Commission directly participated in the process, as well.

The Accelerator added value for the neighborhood in terms of beautification and quality of life. In June of 2018 a small team from Rockefeller Foundation's 100 Resilient Cities program and Columbia University visited Miami Beach for an initial scoping visit in preparation for the three-day workshop. The team held meetings with community stakeholders from West Avenue and the various City departments including CIP, Communications, Fire, Parking, Planning, Public Works, and Transportation to ensure an integrated approach. The workshop, held from August 6th through 8th, 2018, focused on strategy, design, stakeholder engagement, benefits and costs of the neighborhood project. Over the course of the three-day workshop, the team identified appropriate enhancements based on the project's lifecycle, existing and future site challenges, and feedback from the local community. The City brought together the Design Build-Team headed by Ric-Man Construction Florida, internal staff from CIP, Environment & Sustainability, Fire, Parking, Planning, Public Works, and Transportation Departments, and outside experts in engineering, architecture, and urban design. The workshop opened and closed with public meetings and presentations, and the community was invited to the presentations.

During the Accelerator workshop process, the team worked through concerns brought forth by both the community and City staff and discussed how to modify the project to address these concerns. The team challenged the road elevation standards, and reaffirmed that 3.7 NAVD remains the optimal elevation. Staff met with the West Avenue and North of Fifth Neighborhood Associations to address feedback and present findings. The West Avenue Association, specifically spoke in support of the Resilience Accelerator process and the recommendations at the City Commission meeting.

Based on the Accelerator, the following items were recommended to be included in the project:

1. Relocating the water main and sanitary sewer connections from the rear of existing properties to the front of the properties, in order to connect to the new, proposed upgraded systems.
2. Updating the design criteria for storm protection from a 5-year to a 10-year storm event.
3. Installing permanent auxiliary power generators for the existing and new proposed storm water pump stations located at 5th, 6th, 10th, 14th, 17th Streets and at the Lincoln Road street-end (later relocated at the city's parking lot P-24). Permanent generators will provide redundancy during power outages. The location of the generators will be coordinated with the Planning and the Environment & Sustainability Departments to ensure an enhanced street end design.
4. Resurfacing Alton Court alleyway from 8th to 16th Street.
5. Resurfacing, milling and striping West Avenue between 6th Street and 8th Street.
6. In the event that the proposed Alton Gateway Project in the 500-700 blocks of Alton Road and West Avenue does not materialize, the installation of a concrete sidewalk along North side of 6th Street between West Avenue and Alton Road.
7. Improving space for bicyclists and pedestrians by widening sidewalks and adding bike lanes by revising the West Avenue typical section between 8th Street and 14th Street to enhance tree canopy and provide a wider sidewalk on the east side of the road. The typical section will reflect the following:
 - a. Two 5.5' wide bike lanes one on either side of the road.)
 - b. Two 10 wide lanes one northbound and one southbound vehicular travel lane and 1-10 foot two way center lane.
 - c. A 5' ADA sidewalk and 4' planter on the west side of Alton
 - d. A 16' Rambla Sidewalk, flush streets and sidewalks, with enhanced tree canopy and landscaping at the street-ends where feasible.
8. Upgrading all street ends, including 10th Street, 14th Street, 16th Terrace, 16th Court, Lincoln Road, Bay Road north of Lincoln Road and Lincoln Court to accommodate more tree canopy, wider sidewalks where possible, and pavers to provide an enhanced pedestrian experience and connectivity to the baywalk, as well as the removal of a limited number of existing on-street parking spaces on 10th Street.
9. All specimen trees as defined by the City Code shall be protected throughout construction. The landscape designer and the design-builder will work with the Urban Forester to ensure specimen trees are protected during construction to minimize the impacts to mature tree canopy.
10. A Minimum road elevation of 3.7' NAVD. During the Accelerator, the team challenged this standard by looking at projected sea levels and ground water risks, harmonization impacts, different engineering solutions, the life span of the asset, and the environmental regulatory requirements. It was determined

that based on all these factors, raising the road to an elevation of 3.7' NAVD is the best option.

11. Maintain three (3) continuous vehicular travel lanes. In order to utilize more of the public Right-Of-Way for pedestrians and greenspace, the Accelerator proposed reducing the travel lane widths and eliminating parking south of 14th Street. As a result of the recommendation, the Accelerator prescribes for the pedestrian space to be maximized, dedicating 40 feet of ROW to bikes, pedestrians and greenspace, and only 30 feet to vehicles. The team evaluated the potential of adding center medians along the corridor. However, based on safety needs, location of required turn lanes, location of building entrances and exits, and maintenance of traffic flow it is not recommended to add center medians. Rather, the preferred approach is to focus on enhancing the pedestrian and bicycle experience where possible along West Avenue and at the bay front and Collins Canal street ends.

Harmonization and Private Property Drains

One of the critical components and challenges facing this project is the need to harmonize between the future elevation of the roadway and the existing elevations of the adjacent private properties. The need to elevate roads, cannot be overlooked or diminished. This resilience strategy relates directly to the service capacity of the vital artery that is West Avenue, and the ability of emergency, lifesaving services, to traverse the area in storm conditions, or immediately thereafter.

The harmonization scope is challenging from an engineering standpoint, as one might imagine. However, the breadth of this project expands the complexities of this task across 175 individual, adjacent properties. For clarity, the project team must develop the harmonization plan, meet with each of these properties, present and describe the intent of the harmonization plan, identify impacts to the properties and finally, deliver and execute an agreement memorializing the plan and authorizing the City to perform the associated work.

Several factors contribute to the challenges facing harmonization. The urban environment of the area establishes narrow rights-of-way, which restricts the area which can be used to reconcile elevation differences. Private property improvements, such as fences, gates and driveways, pose additional obstacles. Encroachments into the right-of-way by adjacent properties must also be remediated. Finally, in accordance with City policy, the project will install stormwater drains within private property where necessary, to ensure that the private properties are not negatively impacted.

With the harmonization, there may be financial impacts to the property owners. The impacts vary for each property, and it is difficult to estimate the actual cost as there are too many variables. Some of these variables may include, relocation or reinstallation of fences and motorized gates, special pavement treatments, adjustments to existing decorative railings, etc. The cost implications for each property vary even more based on the existing condition of the components, and to what extent the owners wish to re-install. Cost impacts to individual properties will need to be determined on a case by case basis.

On April 21, 2021, the City Commission heard a discussion item regarding an *Update On The Palm And Hibiscus Resiliency Project*. During that discussion, the Administration informed the Commission that the Administration, City Staff and the Office of the Inspector General were working together to examine experiences in the Palm and Hibiscus Project in order to identify improvements which could be made in the execution of future projects. In response, the Administration instituted a policy of designing and reaching consensus on harmonization details with property owners prior to commencing construction. As such, construction is not planned to commence until harmonization agreements are in place for any given segment, or in the cases where consensus cannot be reached, the harmonization solved and completed within the right-of-way.

The project team, to date, has held more than 120 meetings with property owners, in most cases meeting with owners more than once. The Administration places a high priority on these meetings, as the importance of communicating the upcoming improvements to the residents is valued and understood. The end product of these harmonization meetings is an executed License Agreement Package, which includes the harmonization plan, regulatory or permitting requirements, and an authorization from the owner for the contractor to perform work on the property. In the case where an owner elects not to sign a harmonization agreement, the project team will be required to complete the task within the limits of the right-of-way, potentially resulting in retaining walls, elevated walks, grade changes at property lines and less than desirable transitions to the private properties. In order to move the project forward, there may come a time when the City will have to terminate discussions with specific properties and direct the design-build team to address harmonization within the right-of-way.

Financials

Ric-Man Construction Florida Contract Summary

Original Contract	\$ 42,479,098
Change Order # 1	\$ 0
Change Order # 2	\$ 4,739,291
Change Order # 3A	\$ 932,847
Change Order # 3B	\$ 23,385,106
Change Order # 4	\$ 473,929
Change Order # 5	\$ 1,698,220
Change Order # 6	\$ 21,918,422
Total Design-Build Contract	\$ 95,626,914*
Total Project Budget	\$105,140,819**

*Includes \$4,360,699 Contingency

** The difference of \$9,513,905 accounts for all other soft costs and fees

To date, the City has expended \$23,480,901 on this project. Below is the cost breakdown:

Design:	\$ 11,432,262
Design-Builder’s General Conditions:	\$ 6,010,179

Bonds, Insurance and Permitting:	\$ 727,923
Construction Engineering and Inspection:	\$ 133,632
Public Information Consultant:	\$ 129,570
CIP Fees, Legal Fees, Permits, etc.	\$ 5,047,335

Outreach Efforts:

Throughout the life of this project, the project team has conducted extensive public outreach including continuous communication with neighborhood associations, electronic email updates, open office hours, neighborhood walk-throughs, property specific one-on-one meetings virtual and on-site with the property owners and more.

Below is the list of all the efforts undertaken to date:

- Community participation meetings
 - Public meetings
 - November 14, 2017
 - May 2, 2019
 - May 20, 2020
 - Pre-Construction Public meeting - anticipated for Q1 of 2022
 - Resilience Accelerator program
 - August 2018
 - LUSC committee
 - May 4, 2020
 - Special Commission Meeting
 - October 28, 2020
 - DRB
 - January 4, 2022
- Project updates
 - Eblasts sent to date (2017 – 2021)
 - Approximately 45 sent
 - Most recent: December 15, 2021
- Mailers
 - April 2020: notices to single family homes regarding relocation of water/sewer connections to the new upgraded system.
 - November 2020: notices to all property owners regarding customized harmonization
 - December 2021: DRB Public Hearing Notice
- Additional outreach
 - Multiple meetings and presentations to WAvNA, the most recent being in the last quarter of 2021.
 - Two meetings hosted by The Gaythering located at 1409 Lincoln Road (2019)
 - In person visit to every property in the project area to deliver door hangers, yards signs notifications and to collect contact information.
 - November 2020
 - December 2021

Design Criteria:

The Design Criteria was developed by the City's Public Works Department, Engineering Division, serving as the Design Criteria Professional in accordance with Florida State Statutes. The following components highlighted the most important issues to be accomplished on this project:

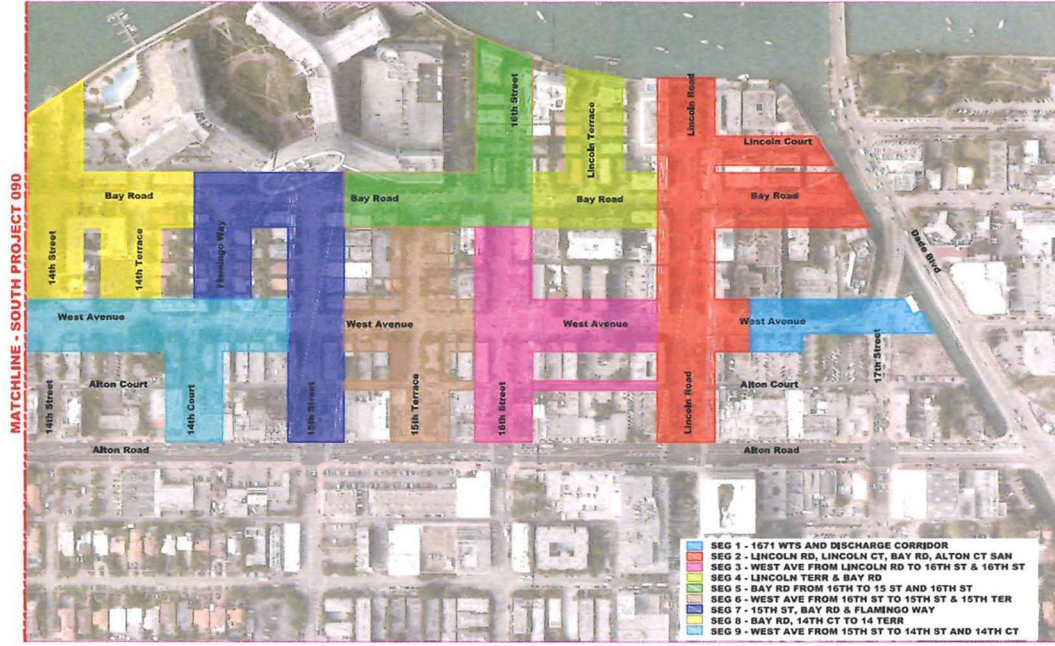
- Raising the elevation of the roads within the project limits to a minimum of 3.7 North American Vertical Datum of 1988 (NAVD).
- Harmonization of all adjacent properties.
- Installation of gravity wall and handrails in areas where harmonization of properties is not feasible.
- Installation of a new drainage system, property drainage such as yard drains and/or driveway trench drains.
- A new storm water pump station and outfall at the west end of Lincoln Road.
- Replacing the distribution and transmission water system.
- Replacing the sanitary collection system.
- Providing new street lights and pedestrian lights
- Replacing existing signalized intersections with new mast arms.
- Installing new paver crosswalks at all intersections.
- Installing new street signs.
- Providing new landscaping, including new irrigation;
- Accommodating street parking, citi bikes, bus stops, bus shelters,
- Constructing a Baywalk at the western end of Lincoln Road,

Segmented Construction Approach:

As a response to the recommendations of the Resiliency Accelerator Workshop, the Design/Builder proposed a segmented construction approach to the construction of this project. This approach was communicated to the Commission via LTC-417-2019 and to the community through public meetings.

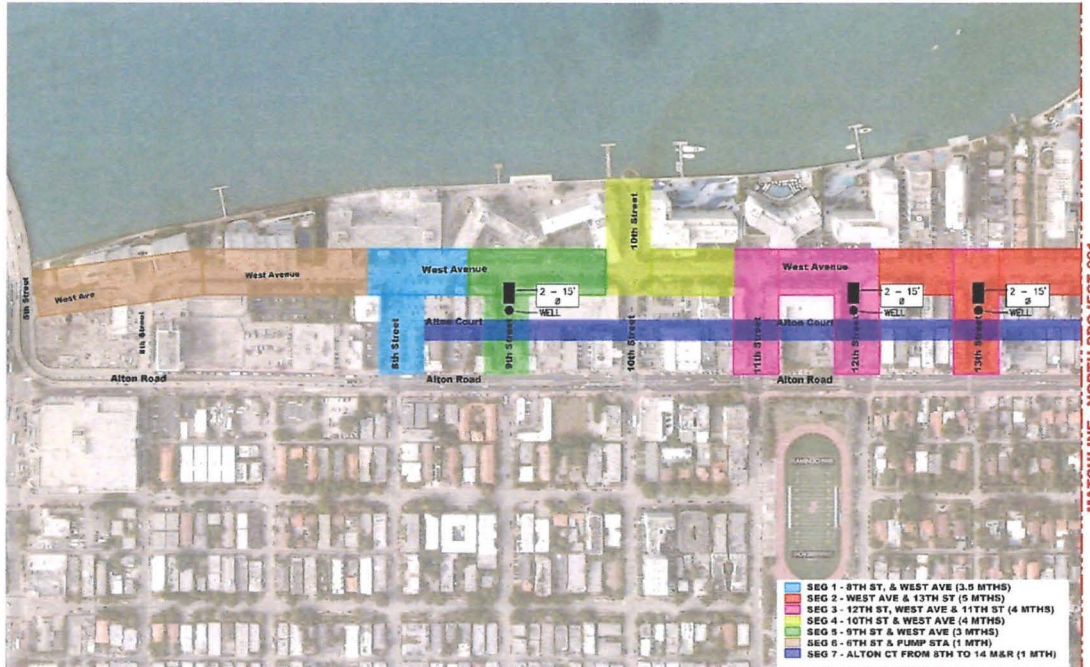
The West Avenue project North of 14th Street has been divided into 9 segments, as shown below:

WEST AVE - PROPOSED CONSTRUCTION SEGMENTS - NORTH 091



The West Avenue project South of 14th Street has been divided into 7 segments, as shown below:

WEST AVE - PROPOSED CONSTRUCTION SEGMENTS - SOUTH 090



Construction will have to be completed in a single segment, as per the schedule, before it can commence construction on the following segment. The only exception will be the final lift of asphalt in the streets. No segment is to start until the Harmonization plans have been finalized and completed within that segment. The benefits are as follows:

- Fully dedicates resources to one segment at a time.

- Shortens the overall duration of work in a given segment.
- Community will see progress within each segment rather than experiencing work throughout the entire project boundaries.
- Minimizes construction traffic impacts along West Avenue as the entire street will not be an open work zone.
- Local traffic will be maintained within the active segment and other traffic will be diverted.

Mobility and Parking:

The road profiles were developed and discussed with community input through the Resilience Accelerator Program. The goals as described during that exercise were to create a more resilient community through the improvement of the pedestrian and bicyclist experience. The community is enhanced through the incorporation of wider sidewalks, increased shade canopy and effective bicycle lanes, resulting in an improved quality of life for the residents.

The Resilience Accelerator Program attempted to strike a balance between pedestrians and vehicles by considering that the majority of properties in the south section provided considerable off-street parking for the residents while the smaller, older properties in the north section relied more heavily on the availability of on-street spaces. It is for this reason that the north section maintains on-street parking on the west side of the road. The Resilience Accelerator Program also considered the current trends which rely less on vehicular transportation and more on alternative modes. To that end, on March 18, 2015, the City Commission adopted a progressive mode share that puts pedestrians first, transit/bicycles/freight second, and private vehicles third (corridor based). The City of Miami Beach Transportation Master Plan (TMP) was built around these priorities.

As a result of the West Avenue Resiliency Accelerator Program recommendations and as approved by Commission, the West Avenue typical cross-section was revised between 8th Street and 14th Street, enhancing tree canopy and providing a wider sidewalk on the east side of the road, resulting in the elimination of approximately 111 on-street parking spaces. For the section north of 14th Street, approximately 147 on-street parking spaces on the east side of the road were eliminated. There is a total loss of approximately 258 on-street parking spaces in the neighborhood. On October 28, 2020 the City Commission agreed to relocate the proposed Lincoln Road Storm Water Pump Station to the city owned P-24 parking lot located at 1671 West Avenue under Resolution 2020-31472. As a result of the relocation of the above-ground equipment for the Pump Station, there is a loss of an additional 21 spaces in parking lot P-24. Total loss of parking spaces due to this project is approximately 279 spaces.

DESIGN REVIEW BOARD:

On January 4, 2022, the West Avenue Phase II Project, including the entire right-of-way North and South of 14th Street, and the West Avenue Storm Water Treatment System (Pump Station) located at 1671 West Avenue in the City's parking lot no. P-24, was

presented to the Design Review Board.

Immediately after the presentation for the right-of-way, there were twelve public speakers with questions and concerns, as follows:

- Concerns about the continuous middle turning lane.
- Concerns about bike lane protection
- Questions about the lighting plans
- Concerns about flooding and harmonization
- Questions about the need for a Baywalk
- Concerns about insufficient outreach/access to final design
- Concerns about loss of parking
- Concerns about whether the City will allow properties to connect to the City's drainage system
- Concerns about sidewalk widths
- Questions about sea walls (not part of these projects)

In a response, the design-build Team provided answers to the concerns and questions from the residents, mostly how the decisions about the turning lanes, baywalk and harmonization had been made during the lengthy design process for this project.

The Board expressed some of the same concerns as the residents with respect to loss of parking, lack of loading zones, and bike lane protection and requested that the project be continued to the March 1, 2022 hearing, with the following recommendations:

- A full pre and post parking count
- Protected bike lanes in lieu of buffered bike lanes proposed
- Renderings for each street
- Additional lighting information
- Renderings of the baywalk
- Claimed the presentation was difficult to understand
- Claimed the project lacked "spirit"

The Water Treatment System (pump station) was then presented following the above presentation. Immediately after the presentation, there were two public speakers both in support of the relocation of the Water Treatment System (pump station) to the City owned parking lot, P-24.

The Board made the following comments:

- This presentation was a vast improvement over the previous presentation
- Would like the generator enclosure to match the enclosure for the electrical panels (custom aluminum mangrove screen), in lieu of the applied vinyl finish (wrap) proposed.
- Would like for the enclosure of the electrical components set on the electrical platform to match the color of the screening.
- Requested a sample of the mangrove panel and color comparisons of the materials.

- Requested that the elevation of the parking lot be raised.
- Requested more artistic renderings and samples of the panels.
- Requested information on how the City will offset the loss of parking in the P24 lot at other locations.

Both applications are scheduled to be heard again at the March 1, 2022 hearing.

PENDING/TENTATIVE CHANGE ORDERS:

During the review and permitting process, several comments, requests and recommendations from different City departments, committees and state agencies have been made for this project. This has resulted in pending/tentative scope changes and subsequent change orders, which are currently under review and analysis. Among those items are:

- a. Possible change order for the addition of micro-pump stations at private properties that do not meet 10-year storm elevation levels. The City requested that the design-builder perform a stormwater model analysis of the West Avenue Basin considering the stormwater influence outside of our project area, in particular from the east of Alton Road (Flamingo neighborhood). Based on the analysis, the design-build team estimated approximately 15 properties may be impacted by potential flooding of the habitable finished floor elevation, caused by the east of Alton (Flamingo) influence. The design-build team recommended that the City consider adding micro-pump stations at these 15 at-risk properties to mitigate this flooding risk in the interim, until the Flamingo Neighborhood Improvement Project is implemented in the future. It is important to note that this is an existing condition, and while the West Avenue Phase II Improvement Project is reducing the risk of flooding to these properties, it will not meet the intended protection at these specific locations until the completion of the Flamingo Neighborhood Improvement Project.
- b. Addition of private side drainage for those properties that did not receive it in the previous phase (West Avenue Phase I). The City has requested that the design-build team analyze all properties previously harmonized by the West Avenue Phase I Project and determine if the current drainage protection, in light of the current City policy regarding private drainage connection, is adequate or if new property drainage is required.
- c. Change the typical FDOT rails specified in the Design Criteria Package, to a custom handrail as requested by the Design Review Board.

Current Status and Next Steps

On January 4, 2022, the project was presented to the City’s Design Review Board. Following the team’s presentation and public comment, the Board requested additional information, and continued the application until the March 1, 2022 hearing. The team is

working to resolve those comments.

On January 20, 2022, the City Commission adopted a resolution referring the project to the Office of the Inspector General, for the purpose of reviewing and making written recommendations, and to schedule a special City Commission meeting to consider the Inspector General's initial findings.

The team continues to pursue the execution of the License Agreements with the property owners located within the first segments of construction and is making every effort to accommodate requests within reason. Regardless, many of the property owners have not yet agreed to execute the license agreements. If consensus is not reached timely, the design-builder will be required to resolve harmonization within the right-of-way.

Permits obtained to date include:

- Sanitary Sewer: Florida Department of Environmental Protection, Miami-Dade County Water & Sewer Department.
- Water Main: Miami-Dade County Department of Health; Miami-Dade County Water & Sewer Department
- Storm Water Drainage: Miami-Dade County – RER Class II
- State of Florida Department of Transportation Utility Permit: Maintenance of Traffic

The design-build team continues to work towards the completion of the permitting process for all components of the project, including Miami-Dade County DERM, South Florida Water Management, Florida Department of Environmental Protection and the Miami Beach Building Department. The design-builder is prepared to commence construction activities once necessary permits are issued and harmonization consensus/resolution is completed.

While this memorandum is lengthy and complex, it is a comprehensive overview of the time, commitment, and need for this project to protect our residents and quality of life.

ATH/LS/DM