



Memorandum

Date: August 14, 2024

To: Honorable Mayor and Councilmembers

Via: Rey Valdes
City Manager

From: Carlos Arroyo
Public Works Director

Subject: **Amendment No. 3 to Kimley-Horn and Associates, Inc. Work Order No. 1 – Design of Roadway Improvements along NW 102nd Avenue, NW 66th Street, and NW 99th Avenue**

Introduction

This memorandum provides staff recommendation to amend Kimley-Horn and Associates, Inc. Work Order No. 1 for design of roadway improvements along NW 102nd Avenue, NW 66th Street, and NW 99th Avenue. This amendment is to increase the available funds for design professional services to cover the proposed, not to exceed the amount of \$42,834.00, for additional design hours required due to South Florida Water Management District (SFWMD) Environmental resource permit (ERP), Miami Dade Regulatory and Economic Resources (RER) Pollution remediation section (PRS) permitting request.

Background

On April 14, 2021, the City Manager executed Work Order No. 1 with the firm Kimley-Horn and Associates, Inc. to provide design and permitting services for the roadway improvements along NW 66th Street from NW 97th Avenue to NW 102nd Avenue, along NW 102nd Avenue from NW 64th Way to NW 66th Street, and along NW 99th Avenue from NW 64th Way to NW 66th Street. The Work Order was approved via Resolution No. 21-100 (approved 5-0) and executed on a time and material basis in a not to exceed amount of \$232,083.00. Kimley-Horn and Associates, Inc. is a prequalified provider of professional engineering services selected in accordance with Consultant Competitive Negotiation Act (CCNA) requirements, approved by

the City Council in October 2020 via Resolution 20-243, and most recently approved in the new Architect and Engineering pool by the City Council in March 2024 via Resolution 24-54.

In May 2023, Amendment No. 1 to Work Order No. 1 was approved by the Mayor and the City Councilmembers via Resolution No. 23-73 (approved 5-0). The Amendment increased the Work Order amount by \$10,736.00, from \$232,083.00 to \$242,819.0, due to additional efforts that resulted from the permitting phase with Miami-Dade County (MDC). During the permitting phase MDC made additional requests that required additional professional services hours. A change in typical section and harmonization widths resulted in a need to develop cut and fill mitigation alternatives to present to the City and Miami-Dade County Regulatory and Economic Resources (DRER). An initial project completion date assumption triggered additional coordination and an extension of project limits given proposed work by the private development along NW 66th Street between NW 99th Avenue and NW 97th Avenue. In addition, at a pre-application meeting with DRER, the need for groundwater contamination samples to be performed and reviewed by DRER in conjunction with other permit applications was requested.

In November 2023, Amendment No. 2 to Work Order No. 1 was approved by the Mayor and the City Councilmembers via Resolution No. 23-199 (approved 5-0). The Amendment increased the Work Order amount by \$13,110.00, from \$242,819.00 to \$255,929.00 due to additional efforts that resulted from the permitting phase with South Florida Water Management District (SFWMD), requests for additional information were made that required additional professional services hours and a work order amendment. A flood plain analysis and calculations had to be performed to satisfy permit requirements. Roadway plans had to be revised to include detailed stormwater Pollution Prevention Plans (SWPPP). Additional coordination efforts with SFWMD and MDC DERM were performed for confirmation of wetlands presence and acceptance of out-of-area Wetland Mitigation Bank. Also, additional hours of coordination including mitigation agreement and forms for Wetlands Mitigation Credit sale agreement were required.

Before the completion of the Project's permitting phase four additional information tasks were requested by DERM and the SFWMD:

- 1- DERM Pollution Remediation Section (PRS) requested groundwater samples based on the sampling results and review by PRS. Contamination within the project area was encountered that triggered a change in the design exfiltration trench locations.
- 2- Class IV Permit: Consultant was asked by DERM Water Control Section (Water Control) to coordinate with DERM PRS due to the proximity of the offsite contamination to the site (covered in previous scope). Because one of the samples within the project site exceeded standards, Class VI permit for construction of a stormwater management system on a contaminated site with DERM was triggered and not covered on the previous scopes.
- 3- SFWMD Environmental Resources Permit (ERP): Consultant received second request additional information (RAI) (not covered in initial scope) due to change in reviewers, SFWMD did not agree with Kimley-Horn's analysis of floodplain compensation based on

a “cup for cup” method which has been accepted in the past. Additionally, a nutrient analysis was requested by SFWMD.

- 4- Cut and Fill Permit: RFI No.2 not covered in original scope was issued by DERM regarding the cut and fill calculation not including the encroachment caused the Royal Palm development to the City right-of-way. Additionally, RFI No.3 was issued regarding a lack of DERM’s understanding of the elevation DATUM being issued in calculations. Additional eight (8) meetings were held regarding issues mentioned above

In order to cover the additional efforts that resulted from the permitting phase with the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP), Miami Dade Regulatory and Economic Resources (RER) Pollution remediation section (PRS) the PWD requested a proposal and negotiated with Kimley-Horn and Associates, Inc. the attached supplemental proposal on a time and material basis with a not to exceed amount of \$42,834.00 for a new “amended” work order total amount of \$298,763.00.

Procurement

The original Work Order I and overarching Continuing Professional Services Agreement between Kimley-Horn and Associates, Inc. (Kimley-Horn) and the City of Doral was procured pursuant to the publicly advertised Request for Qualifications (RFQ) No. 2020-22, which established a pool of pre-qualified Engineering and Architecture firms. A pool of ten (10) firms was approved by the City Council during the December 2020 Council meeting via Resolution No. 20-243 (approved 5-0). The Continuing Professional Services Agreement authorized pursuant to RFQ No. 2020-22 have since expired.

Most recently, the City publicly advertised and awarded RFQ 2023-08 to a pool of eleven (11) pre-qualified Engineering and Architecture firms, including Kimley-Horn, which was approved by City Council during the March 2024 Council meeting via Resolution No. 24-54 (approved 5-0).

Subject to the terms and conditions of the contract awarded to Kimley-Horn pursuant to RFQ 2023-08, Kimley-Horn provided the attached proposal on a time and material basis with a not to exceed amount of \$42,834.00. Accordingly, the proposed third amendment will be entered into subject to the terms and conditions set forth in the Continuing Professional Services Agreement with Kimley-Horn awarded pursuant to RFQ No. 2023-08.

Fiscal Impact:

Amendment No. 3 to Work Order No. I between the City and Kimley-Horn and Associates, Inc., includes a fiscal impact not to exceed \$42,834.00. Funding for this request is available in the Public Works Department Transportation Fund, “Construction in Progress” Account, Account No. 101.80005.500650.

Strategic Plan Alignment

This item follows the Public Safety strategic initiative of the City's Strategic Plan as it addresses infrastructure improvements.

Recommendation

The City Manager respectfully requests that the Mayor and City Councilmembers authorize the execution of a Third Amendment to Work Order No. 1 for Kimley-Horn and Associates, Inc. to provide additional hours for design services for with the roadway improvements along NW 66th Street / NW 102nd Avenue / NW 99th Avenue. This amendment will increase the professional services for Work Order No. 1 in an amount of \$42,834.00 for a new total work order amount of \$298,763.00.