



Memorandum

Date: February 12, 2025

To: Honorable Mayor and Councilmembers

From: Zeida C. Sardiñas
City Manager

Department: Carlos Arroyo
Public Works Director

Subject: **Retroactive Approval of Professional Services Agreement with Gallagher Bassett for a Phase II Environmental Site Assessment at the Doral 10 Vacant Land**

Introduction

The City's staff respectfully request that the Mayor and the City Councilmembers waive the competitive bid process pursuant to Section 2-321 and retroactively authorize the City Manager's execution of the Professional Services Agreement with Gallagher Bassett for a Phase II Environmental Assessment of the Doral 10 vacant land as part of the Settlement Agreement. In addition, the Public Works Department (PWD) respectfully requests that the Mayor and the City Councilmembers authorize the transfer of \$29,900.00 from Account Num. 001.80005.500650 to Account Num. 001.80005.500310 to provide sufficient funding for this request.

Background

In 2018-19 the City of Doral expressed interest in the purchase of a 10-acre vacant lot known as Doral 10, with Folio Numbers 35-3017-001-0210 and 35-3017-001-0208, located in the vicinity of NW 104th Avenue, NW 102nd Avenue, NW 66th Street, and NW 74th Street. As part of the due diligence for this land acquisition, an environmental assessment was conducted on the property by the environmental engineering firm EE&G. The City backed out of the acquisition process due to high levels of natural occurring arsenic encountered and the cost associated with removing this material, since at that time the City was looking to acquire the land to be used as a City Park. In 2019, around the same time as the City backed out of the acquisition, the City commenced the construction of the NW 102nd Avenue roadway improvements between NW

66th Street and NW 74th Street. The Contractor performing the roadway work for the City, accidentally used this vacant lot as a staging site. The Contractor had an executed agreement with another adjacent vacant property to perform the staging. In 2019 the Doral 10 owners sued the Contractor, the City, and the Engineering firm involved in the NW 102nd Avenue roadway construction project. After years of litigation, the City was able to negotiate an agreement to settle the lawsuit; and in January of 2025, an agreement was reached for the purchase of the mentioned land. As part of the agreement, the City requested to perform an additional Phase II Environmental Assessment to ensure the original conditions remained the same. Due to the terms agreed in the settlement, the assessment needed to be conducted within 45 days of the agreement. In February of 2025 the City Manager authorized the firm Gallagher Bassett, whose staff conducted the original Environmental Assessment under EE&G, to perform the Phase II Environmental Assessment on the Doral 10 property. This decision was made due to the essence of time, since the consultant performing the work is familiar with the site and the fact that the consultant has all the back history to perform this assessment. Gallagher Bassett provided a proposal for a lump sum amount of \$29,900.00 and will complete the assessment within 20 business days of Notice to Proceed.

Procurement

The City staff respectfully requests that the Mayor and the City Councilmembers waive the City's formal bid process pursuant to Section 2-321 of the Code of Ordinances for the required services and approve the Professional Services Agreement (PSA) with Gallagher Bassett, for the Environmental Assessment, a copy of which is attached hereto as Exhibit "A", in a lump sum amount of \$29,900.00.

Fiscal Impact

The fiscal impact associated with this request is \$29,900.00. Funding for this request is available in the Public Works Department General Fund – "Construction in Progress" Account, Account Num. 001.80005.500650, and needs to be transferred to the "Professional Services" Account, Account Num. 001.80005.500310, to provide sufficient funding for this request.

Strategic Plan Alignment

This request follows the Revenue Growth initiative as it provides for the acquisition of affordable land.

Recommendation

The City Staff respectfully request that the Mayor and City Councilmembers waive the competitive bid process pursuant to Section 2-321 and retroactively authorize the City Manager's execution of the Professional Services Agreement with Gallagher Bassett for a Phase II Environmental Assessment of the Doral 10 vacant land as part of the Doral 10 Lawsuit Settlement Agreement, in a lump sum amount of \$29,900.00. In addition, the Public Works Department respectfully requests that the Mayor and the City Councilmembers authorize the transfer of

\$29,900.00 from Account Num. 001.80005.500650 to Account Num. 001.80005.500310 to provide sufficient funding for this request.