

RESOLUTION NO. 2023-32547

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SIXTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."

WHEREAS, on September 28, 2022, the final Capital Improvement Plan for Fiscal Years 2023 – 2027 and the final Capital Budget for FY 2023 were adopted via Resolution No. 2022-32337; and

WHEREAS, on October 26, 2022, the First Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32381; and

WHEREAS, on November 30, 2022, the Second Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32420; and

WHEREAS, on December 14, 2022, the Third Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32446; and

WHEREAS, on February 1, 2023, the Fourth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32482; and

WHEREAS, on February 22, 2023, the Fifth Amendment to the Capital Budget for FY 2023 was adopted via Resolution No. 2022-32512; and

WHEREAS, it is recommended by the Administration that the FY 2023 Capital Budget be amended to increase appropriations by \$3,030,000.00 as highlighted in Attachments A, "Projects"; B, "Source of Funds"; and C, "Programs" as highlighted in Attachment A, "Projects."

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that following a duly noticed public hearing on March 27, 2023, the Mayor and City Commission hereby adopt the Sixth Amendment to the Capital Budget for Fiscal Year 2023 as set forth in Attachments A, "Projects"; B, "Source of Funds"; and C, "Programs" and authorizes the City Manager and City Clerk to execute the contract with Buslam Company Partners Inc. in the amount of \$35,161,527.

PASSED AND ADOPTED this 27th day of March 2023.

ATTEST:

Rafael E. Granado, City Clerk

MAR 31 2023

Dan Gelber, Mayor

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION



Handwritten signature of City Attorney PAZ

3-20-23 Date

**ATTACHMENT A
 FY 2023 CAPITAL BUDGET
 PROJECTS
 AMENDED 3/27/2023**

Capital Project Name	Amended FY 2023 Capital Budget	Amended 3/27/2023	Revised Capital Budget
BAYSHORE PARK (PAR 3) (Project # 26270)	24,060,190.00	3,030,000.00	27,090,190.00
Total	\$ 24,060,190.00	\$ 3,030,000.00	\$ 27,090,190.00

**ATTACHMENT B
FY 2023 CAPITAL BUDGET
SOURCE OF FUNDS
AMENDED 3/27/2023**

Funding Source	Amended FY 2023 Capital Budget	Amended 3/27/2023	Revised Capital Budget
Transportation Fund	\$ 2,637,000.00	-	\$ 2,637,000.00
Resiliency Fund	(5,564,869.00)	-	(5,564,869.00)
Capital Renewal & Replacement	1,913,000.00	-	1,913,000.00
7th Street Garage	4,754,000.00	-	4,754,000.00
Concurrency Mitigation Fund	2,402,000.00	-	2,402,000.00
South Point Operations	82,481.00	-	82,481.00
Local Option Gas Tax	845,000.00	-	845,000.00
Half Cent Transit Surtax-County	453,000.00	-	453,000.00
Capital Projects Financed By Other Funds	1,000,000.00	-	1,000,000.00
Pay As You Go - Capital Fund	28,912,603.00	-	28,912,603.00
Capital Reserve	6,382,000.00	-	6,382,000.00
Resort Tax - South Beach	2,861,551.00	-	2,861,551.00
Resort Tax - Mid Beach	2,554,013.00	-	2,554,013.00
Resort Tax - North Beach	184,000.00	-	184,000.00
RDA Series 2015A	1,998,000.00	-	1,998,000.00
MDC ILA Construction of Library	961,262.00	-	961,262.00
1999 GO Bonds Fire Safety	43,000.00	-	43,000.00
South Pointe RDA	979,112.00	-	979,112.00
2001 Gulf Breeze - Normandy Golf	27,000.00	-	27,000.00
2003 GO Bonds Fire Safety	34,033.00	-	34,033.00
2003 GO Bonds Parks & Rec	54,039.00	-	54,039.00
South Pointe Capital	31,150.00	-	31,150.00
Water & Sewer Projects funded from Operations	10,334,000.00	-	10,334,000.00
2017 Water & Sewer Bonds	88,559.00	-	88,559.00
Water & Sewer Bond Series 2010	4,497.00	-	4,497.00
Water & Sewer Impact Fees	126,316.00	-	126,316.00
Gulf Breeze 2006	111,736.00	-	111,736.00
2000 Water & Sewer Bonds	244,230.00	-	244,230.00
2000 Storm Water Bonds	23,053.00	-	23,053.00
2017 Storm Water Bonds	2,107,610.00	-	2,107,610.00
2011 Storm Water Bonds	107,809.00	-	107,809.00
2015 Storm Water Bonds	-	1,410,597.00	1,410,597.00
Storm Water Capital not Bonds	3,326,397.00	1,619,403.00	4,945,800.00
Sanitation Enterprise Fund	696,000.00	-	696,000.00
Convention Center Operating Fund	545,503.00	-	545,503.00
Convention Center Renewal & Replacement	3,196,000.00	-	3,196,000.00
RDA Garages	243,000.00	-	243,000.00
Penn Garage Fund	435,000.00	-	435,000.00
1997 Parking Revenue Bonds	54,405.00	-	54,405.00
2010 Parking Bonds	172,234.00	-	172,234.00
Parking Capital not Bonds	4,519,766.00	-	4,519,766.00
Fleet Management	7,836,000.00	-	7,836,000.00
Property Management	287,000.00	-	287,000.00
Total Appropriation as of 3/27/2023	\$ 88,002,490.00	\$ 3,030,000.00	\$ 91,032,490.00

**ATTACHMENT C
FY 2023 CAPITAL BUDGET
PROGRAMS**

Program Area	Amended FY 2023 Capital Budget	Amended 3/27/2023	Revised Capital Budget
Art in Public Places	\$ -	-	\$ -
Bridges	3,000,000.00	-	3,000,000.00
Convention Center	1,998,000.00	-	1,998,000.00
Environmental	327,000.00	-	327,000.00
Equipment	7,454,893.00	-	7,454,893.00
General Public Buildings	11,506,000.00	-	11,506,000.00
Golf Courses	13,411,000.00	-	13,411,000.00
Parking	2,507,405.00	-	2,507,405.00
Parking Garages	4,684,000.00	-	4,684,000.00
Parking Lots	150,000.00	-	150,000.00
Parks	16,615,301.00	3,030,000.00	19,645,301.00
Renewal & Replacement	10,542,224.00	-	10,542,224.00
Streets/Sidewalks/Streetscapes Improvements	(366,842.00)	-	(366,842.00)
Transit/ Transportation	5,421,743.00	-	5,421,743.00
Utilities	10,751,766.00	-	10,751,766.00
Total Appropriation as of 3/27/2023	\$ 88,002,490.00	\$ 3,030,000.00	\$ 91,032,490.00

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: March 27, 2023

1:35 p.m. Public Hearing

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SIXTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2024 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C "PROGRAMS."

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

See attached memorandum.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Strategic Connection

Organizational Innovation - Ensure strong fiscal stewardship.

Legislative Tracking

Office of Management and Budget

ATTACHMENTS:

Description

- MEMO - 6th Amendment to the FY 2023 Capital Budget

COMMISSION MEMORANDUM

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

FROM: Alina T. Hudak, City Manager

DATE: March 27, 2023

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING THE SIXTH AMENDMENT TO THE CAPITAL BUDGET FOR FISCAL YEAR 2023 AS SET FORTH IN ATTACHMENTS A, "PROJECTS"; B, "SOURCE OF FUNDS"; AND C, "PROGRAMS."**

STRATEGIC PLAN SUPPORTED

Organizational Innovation – Ensure strong fiscal stewardship

ADMINISTRATION RECOMMENDATION

Adopt the Resolution.

BACKGROUND

Planning for capital improvements is an ongoing process; as needs change within the City of Miami Beach ("the City"), capital programs and priorities must be adjusted accordingly. The Capital Improvement Plan ("CIP") serves as the primary planning tool for systematically identifying, prioritizing, and assigning funds to critical City capital development, improvements, and associated needs.

The City's CIP process begins in the spring when all departments are asked to prepare capital improvement updates and requests on the department's ongoing and proposed capital projects. Individual departments prepare submittals identifying potential funding sources and requesting commitment of funds for their respective projects.

The CIP is updated annually and submitted to the City Commission for adoption. The FY 2023 – 2027 Capital Improvement Plan and FY 2023 Capital Budget was adopted on September 28, 2022 by Resolution No. 2022-32337.

The First Amendment to the FY 2023 Capital Budget was adopted on October 26, 2022 by Resolution No. 2022-32381.

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The Fifth Amendment to the FY 2023 Capital Budget was adopted on February 22, 2023 by Resolution No. 2023-32512.

SIXTH AMENDMENT TO THE FY 2023 CAPITAL BUDGET

The Sixth Amendment to the FY 2023 Capital Budget reflects an overall increase of \$3,030,000 for the following capital project:

BAYSHORE PARK (PAR 3)

The scope of this project is to develop the 19.4-acre former Par 3 Golf Course located at 2300 Pine Tree Drive, as a natural passive public park. Elements include a central lake; open meadow and informal playing fields; landforms; tennis courts (6) with a tennis building that includes office, storage, and restrooms; children's playground; dog park; boardwalks and pathways; security lighting along the walkways; vita course and fitness center; landscaping with irrigation; and includes parking.

On August 19, 2022, the Invitation to Bid (ITB) was issued by the Procurement Department. On October 21, 2022, the City received two responses from the following firms: Burke Construction Group, Inc., and Buslam Company Partners Inc.

The ITB stated that the lowest responsive and responsible bidder meeting all terms, conditions, and specifications of the ITB would be recommended for award. The Procurement department and Office of Capital Improvement Projects found that the bid submitted by Buslam Company Partners Inc. for the full scope of work in the amount \$31,965,025.00, met the requirements. The bid documents also included 10 deductive alternates for which the contractor provided a deductive amount of \$1,841,587.65.

Additionally, the Police department requested the inclusion of CCTV security infrastructure in the scope of work. The current project does not include this scope or funding. The estimated cost for the design and construction of the CCTV infrastructure approximates an additional \$1.2 million.

The bid received exceeded the current approved project budget of \$26,560,190.00. Based on the bid amount, whether or not deductive alternates are applied and/or the CCTV infrastructure funding is added, the total required project budget ranges between \$39.5 million to \$42.7 million, including project management and owner contingency. This results in a \$12.9 million to \$16.2 million funding gap.

The Administration recommends that the City proceed with the complete project scope, including the CCTV infrastructure as described above, for an approximate total budget amount of \$42.7 million.

At its December 14, 2022 meeting, the Commission approved the award of the contract to Buslam Company Partners, Inc. in the amount of \$31,965,025 plus 10% contingency for a grand total of \$35,161,527 contingent upon confirmation of the Resilient Florida Grant. Also, at the same meeting, the City Commission approved the appropriation of \$13.2 million to this project, with the

understanding that the remaining \$3,029,472 million in funding would be finalized once the City received further information regarding the outcome of the Resilient Florida grant application.

Resilient Florida Grant - \$3,029,472

In February 2023, the City received notification of a Federal grant award for this project in the amount of \$3,029,472 through the Resilient Florida Program for the neighborhood stormwater scope of the project (construction of retention lake). The Administration has reviewed the grant requirements and has identified certain federal requirements that could be addressed by incorporating them into the construction contract. However, the following requirements need further clarification from the Florida Department of Environmental Protection (FDEP). A new procurement could be required or necessary, if unable to resolve all federal requirements.

- Build America, Buy America Act (BABAA)
- Procurement of Recovered Materials
- Specifying Brand Name
- Small Business Minority

Recommendation

In order to proceed with the project without further delay, the Administration recommends appropriating funding to cover the remaining gap from an alternate funding source and authorizing the City Manager and City Clerk to execute the contract with Buslam Company Partners Inc. in the amount of \$35,161,527. Funding for this proposed amendment would come from available fund balances, as noted below.

Fund Name	Fund #	\$
2015 SW Bonds	432	1,410,597
Stormwater Capital	434	1,619,403
Total		3,030,000

ATH/KGB/JG/TOS