

**RESOLUTION No. 23-98**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO WORK ORDER NO. 10 WITH CHA CONSULTANTS, INC. (FORMERLY APCTE) TO PROVIDE CONSTRUCTION ENGINEERING INSPECTION (CEI) SERVICES FOR ITB 2022-22 “NW 58 STREET OUTFALL PROJECT” IN AN AMOUNT NOT TO EXCEED \$28,280.00, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$137,150.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on September 14, 2022, the Mayor and the City Councilmembers adopted Resolution No. 22-176 authorizing the issuance of Work Order No. 10 to CHA Consulting, Inc. (“CHA”) (formerly A&P Construction Transportation Engineers) for the provision of Construction Engineering and Inspection (CEI) services of the NW 58<sup>th</sup> Street Canal and Outfall Improvements Project along 57<sup>th</sup> Street, NW 58<sup>th</sup> Street and NW 79<sup>th</sup> Avenue (“Project”), in an amount not to exceed \$108,870.00; and

**WHEREAS**, CHA’s original proposal considered a 6-month project duration; and

**WHEREAS**, the construction phase of the Project was advertised on June 17, 2022, and ADA Engineering, Inc. was deemed the lowest most responsive and responsible bidder and was awarded the Project via Resolution No. 22-175, in a not to exceed amount of \$1,576,851.44 (which included a 10% contingency for any unforeseen conditions); and

**WHEREAS**, the construction Notice to Proceed (NTP) was issued on November 14, 2022 with a Project contract duration of 180 calendar days which set an original completion date of May 12, 2023 (excluding weather days); and

**WHEREAS**, as a direct result of previously approved Change Order Request #1 (COR#1) and Contingency Withdrawal Approvals (CWA) #1, 2, 3, & 4, extending the project completion and contract duration by 80 calendar days and by conforming to additional work, manufacturing of long lead purchase items, and deliveries thereof, the City's Public Works Department ("PWD") negotiated a 62 Day "Non-Compensable" time extension in response to COR#1; and

**WHEREAS**, in addition, 18 days were also granted as a result of approved construction days for extra work related to CWAs #s 1, 2, 3, & 4, response and its resolutions; and

**WHEREAS**, the additional unforeseen efforts mentioned, and the impacted critical path, exhausted the available CEI funding; and

**WHEREAS**, in order to resume day-to-day inspections of construction, ensuring that the improvements are constructed consistent with the approved plans and allow for a proper closeout of the Project, the PWD requested a proposal from CHA to extend the CEI services; and

**WHEREAS**, PWD staff and CHA negotiated the attached supplemental proposal on a time and material basis with a not to exceed amount of \$28,280.00 to continue to provide CEI services for this Project; and

**WHEREAS**, staff respectfully requests authorization from the Mayor and the City Councilmembers for the City Manager to execute Amendment No. 1 to Work Order No. 10 for CHA Consulting, Inc. to continue to provide Construction Engineering Inspection (CEI) Services for ITB 2022-22 NW 58<sup>th</sup> Street Outfall Project in an amount not to exceed \$28,280.00 for a total Work Order not to exceed amount of \$137,150.00, a copy of which is attached hereto as Exhibit "A"; and

**WHEREAS**, funding for this request is available in the current Fiscal Year in the Public Works Stormwater Fund – “Construction in Progress” Account, Account No. 401.80005.500650.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are true and correct and incorporated herein.

**Section 2. Approval.** Amendment No. 1 to Work Order No. 10 between the City and CHA Consulting, Inc. to provide Construction Engineering Inspection (CEI) Services for ITB 2022-22 NW 58<sup>th</sup> Street Outfall project in an amount not to exceed \$28,280.00 for a total Work Order not to exceed amount of \$137,150.00, attached hereto as Exhibit “A”, is hereby approved.

**Section 3. Authorization.** The City Manager is authorized to execute Amendment No. 1 to Work Order No. 10 with CHA Consulting, Inc. and expend budgeted funds on behalf of the City in furtherance hereof.

**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 Pineyro who moved its adoption. The motion was seconded by Councilmember Porras and upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Rafael Pineyro	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Maureen Porras	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED this 14 day of June, 20233.



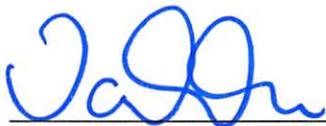
CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for  
NABORS, GIBLIN & NICKERSON, P.A.  
CITY ATTORNEY

# EXHIBIT “A”

**FIRST AMENDMENT TO WORK ORDER No. 10 FOR PROFESSIONAL SERVICES**

TO: CHA Consulting, Inc.  
8935 N.W. 35 Lane, Suite 200  
Miami, Florida 33172  
(305) 592-7283

DATE: June 14, 2023

The City of Doral authorizes the firm of CHA Consulting, Inc. to provide Construction Engineering Inspection (CEI) services for ITB 2022-22 – NW 58<sup>th</sup> Street Outfall. Where CHA Consulting, Inc. is a prequalified provider of professional engineering services selected in accordance with Consultant Competitive Negotiation Act (CCNA) requirements and approved by the City Council in October 2020 through Resolution 20-243. This amended work should be performed in accordance with the contract provisions contained in the Continuing Professional Services Agreement between CHA Consulting, Inc. and the City of Doral dated January 1, 2020, and the attached Proposal dated May 19, 2023, and submitted by your firm for the above referenced project.

**SCOPE OF SERVICES AND SCEHDULE:**

The scope of the project will be as described in the attached proposal from CHA Consulting, Inc. dated May 19, 2023, for CEI services of ITB 2022-22 - NW 58<sup>th</sup> Street Outfall. The schedule requires the scope of work to be completed by July 31, 2023. All limitations of time set forth in this Work Order are of the essence. The performance of services associated with this Amended Work Order will be executed on a time and material basis not to exceed the amount of \$28,280.00 for a revised total not to exceed amount of \$137,150.00.

You are required by the Continuing Service Agreement to begin work subsequent to the execution of this Work Order, or as directed otherwise. If you fail to begin work subsequent to the execution of this Work Order, the City of Doral will be entitled to disqualify the Proposal and revoke the award.

Work Order incorporates the terms and conditions set forth in the Continuing Services Agreement dated January 1, 2020, between the parties as though fully set forth herein. In the event that any terms or conditions of this Work Order conflict with the Continuing Services Agreement, the provisions of this specific Work Order shall prevail and apply.

Work Order is not binding until the City of Doral agrees and approves this Work Order.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and date first above written, in three (3) counterparts, each of which shall, without proof or accounting for the other counterpart, be deemed an original Contract.

CONSULTANT: CHA Consulting, Inc.

WITNESSES:

SEAL:

BY: \_\_\_\_\_  
NAME: \_\_\_\_\_  
TITLE: \_\_\_\_\_

1. \_\_\_\_\_  
2. \_\_\_\_\_

OWNER: City of Doral

AUTHENTICATION:

BY: \_\_\_\_\_  
NAME: Barbara Hernandez  
TITLE: City Manager

BY: \_\_\_\_\_  
NAME: Connie Diaz  
TITLE: City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE SOLE USE OF THE CITY OF DORAL:

BY: \_\_\_\_\_  
NAME: Valerie Vicente, Esq  
TITLE: City Attorney