RESOLUTION NO. R-2012-60

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO ISSUE A CHANGE ORDER TO ENCOMPASS THE ADDITIONAL COST AND SCHEDULE IMPACTS RESULTING FROM MIAMI-DADE COUNTY DEPARTMENT OF PLANNING, ENVIRONMENTAL AND REGULATORY AFFAIRS' REQUIRED PHASED APPROACH TO THE GROUNDWATER EXTRACTION PORTION OF THE REMEDIATION PROJECT FOR THE PROPERTY KNOWN AS BISCAYNE LANDING, IN ACCORDANCE WITH THE MUNISPORT LANDFILL GROUNDWATER REMEDIATION SYSTEM DESIGN-BUILD CONTRACT; PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, on March 31, 2011, the Eleventh Judicial Circuit Court for Miami-Dade County, discharged Charles W. De Santi as Receiver for the court and ordered the possession of the property otherwise known as Biscayne Landing ("City Property"), back to the City of North Miami ("City") on April 13, 2011; and

WHEREAS, as of April 13, 2011, the City became responsible for the continued-overall operation, repair and maintenance of the City Property, including the remediation requirements of the Munisport Landfill Groundwater Remediation System Design-Build Contract ("Agreement") with CH2M Hill Engineers, Inc., ("Contractor"); and

WHEREAS, for the past several years, the Contractor has devoted its time, skill, experience, equipment and knowledge in providing the required remediation services to the City Property pursuant to the terms of the Agreement ("Services"); and

WHEREAS, Miami-Dade County Department of Planning, Environmental and Regulatory Affairs ("PERA") has required the groundwater extraction portion of the remediation project to be completed in phases; and

WHEREAS, Contractor is requesting a change order to the Agreement reflecting the additional work required by Contractor, consistent with PERA's required phased approach in the provision of Services; and

WHEREAS, the Mayor and City Council of the City of North Miami, Florida, find that authorizing the City Manager to issue a change order for the additional Services to be provided by Contractor, in compliance with PERA requirements, is in the best interests of the City.

NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AS FOLLOW:

Section 1. **City Manager Authorization.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to issue a change order to encompass the additional cost and schedule impacts (attached hereto as "Exhibit A") resulting from Miami-Dade County Department of Planning, Environmental and Regulatory Affairs' required phased approach to the groundwater extraction portion of the remediation project for the property known as Biscayne Landing, in accordance with the Munisport Landfill Groundwater Remediation System Design-Build Contract.

Section 2. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 8 day of May, 2012.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Councilman Galvin

Vote:

Mayor Andre D. Pierre, Esq.	x (Yes)	_____ (No)
Vice Mayor Jean R. Marcellus	x (Yes)	_____ (No)
Councilperson Michael R. Blynn, Esq.	x (Yes)	_____ (No)
Councilperson Scott Galvin	x (Yes)	_____ (No)
Councilperson Marie Erlande Steril	x (Yes)	_____ (No)