

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2010-275**

RESOLUTION APPROVING TWO (2) CHANGE ORDERS TO THE PONCE DE LEON BOULEVARD MEDIAN INSTALLATION AND ROADWAY IMPROVEMENTS PHASE II PROJECT UNDER SECTION 2-829 OF THE PROCUREMENT CODE IN THE AMOUNT OF \$303,044.82 FOR MODIFICATIONS TO THE MEDIAN LANDSCAPING PLAN; FURTHER AUTHORIZING AN AMENDMENT TO THE 2010-2011 ANNUAL BUDGET FOR AN APPROPRIATION OF \$159,620 FOR THE AMOUNT TO BE REIMBURSED FROM MIAMI DADE COUNTY ROAD IMPACT FEES.

**WHEREAS**, on March 11, 2010, the City of Coral Gables entered into construction contract IFB 2009.12.01 with Tran Construction, Inc. for the purpose of completing the Ponce de Leon Boulevard Median Installation and Roadway Improvements Phase II Project; and

**WHEREAS**, the project includes pedestrian improvements and the installation of a new landscaped median; and

**WHEREAS**, the Medjool Palms would replace the Live Oaks in the medians with a larger and more elegant feel; and

**WHEREAS**, Change Order No.1 provides for the installation of the Medjool Palms on the Ponce de Leon Boulevard Phase II project and Change Order No. 2 provides for the replacement of the existing trees previously installed on the Phase I project with Medjool Palms; and

**WHEREAS**, a sixty (60) days time extension will be granted to allow for the increased scope of work; and

**WHEREAS**, all of the existing trees that are being replaced will be replanted in public rights of way within the City; and

**WHEREAS**, the Old Cutler Bay Home Owners Association (HOA) desires to replace the existing Coconut Palms within the rights-of-way at the entrance to Old Cutler Bay with the Oak trees that are currently planted in the median of Ponce de Leon Boulevard; and

**WHEREAS**, the Old Cutler Bay HOA has agreed to relocate the Oak trees at no cost to the City and further agrees to relocate a portion of the Coconut Palms at no cost to the City to other rights-of-way within the subdivision; and

**WHEREAS**, a portion of the Coconut Palms shall be relocated to other rights-of-way within the City by City forces; and

**WHEREAS**, the City Manager is hereby authorized to execute an agreement with the Old Cutler Bay HOA authorizing the HOA or an approved contractor to remove and replant certain coconut trees located within the rights of way of the Old Cutler Bay community and to remove the existing Oak trees from the median of Ponce de Leon Blvd and to replant said Oak trees in the rights-of-way at the Old Cutler Bay entrance; and

**WHEREAS**, the HOA or their approved contractor shall have the adequate and appropriate insurance coverage to provide such services; and

**WHEREAS**, the Ponce de Leon Boulevard Phase II project is funded entirely by a combination of American Recovery and Reinvestment Act (ARRA) funds and Miami Dade County Impact fees. Change Order No. 1 increases the total project costs from \$1,023,069 to \$1,182,689. An additional allocation of funds from the available grant monies is requested to cover project costs; and

**WHEREAS**, Change Order No. 2 is funded from previously appropriated City funds;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby direct the City Manager to authorize the two (2) change orders to the Ponce de Leon Boulevard Median Installation & Roadway Improvements Phase II project in the amount of \$303,044.82 for modifications to the median landscaping plan are hereby authorized.

**SECTION 3.** That the 2010-2011 Annual Budget is hereby amended to include an appropriation of \$159,620 for the amount to be reimbursed from Miami Dade County Road Impact Fees.

**SECTION 4.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY DECEMBER, A.D., 2010.

(Moved: Withers / Seconded: Anderson)

(Yeas: Kerdyk, Withers, Anderson, Slesnick)

(Majority: 4-1)

(Nays: Cabrera)

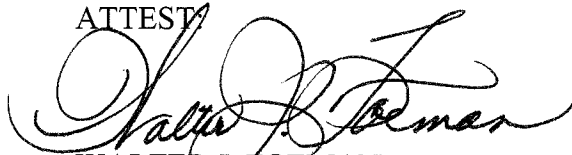
(Agenda Item: C-8)

APPROVED:



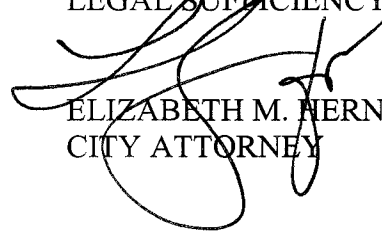
DONALD D. SLESNICK II  
MAYOR

ATTEST



WALTER I. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY