

Memorandum



Date: February 10, 2005

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

RTC

Agenda Item No. 3(F)

From: George M. Burgess
County Manager

Subject: Professional Services Agreement to provide Final Design Services for the Miami Intermodal Center (MIC)/Earlington Heights Connector, Contract No. TR05-EHT-PE

The attached Professional Services Agreement (PSA) between URS Corporation Southern and Miami-Dade County has been prepared by Miami-Dade Transit (MDT) and is recommended for approval.

PROJECT: Miami Intermodal Center (MIC)/Earlington Heights Connector Engineering Services

PROJECT NO.: TR05-EHT-PE

PROJECT LOCATION: The proposed connector between the MIC and the Earlington Heights Metrorail Station, the MIC/Earlington Heights Connector, consists of an extension to the existing Metrorail (elevated, heavy rail) line of approximately 2.6 miles. The proposed alignment branches from the existing Earlington Heights Metrorail Station westbound over NW 27th Avenue, parallels SR 112 and begins a southward path just west of NW 37th Avenue. The alignment crosses the Miami River just down stream from the existing South Florida Rail Corridor (SFRC) Bridge, continuing southbound and making a westbound path just north of the MIC, terminating with an elevated passenger station north of the MIC's Rental Car Facility and a tail track west of the station. (The tail track is a section of track that is commonly used to store rail vehicles at the end of the line for the purposes of having rail cars available for morning service and to temporarily store cars that need service or experience malfunctions during the course of the day.)

PROJECT DESCRIPTION: PSA to perform facilities and systems Final Design services for the MIC/Earlington Heights Connector project. The final design must be acceptable to the community, constructed within the established budget and implemented within the schedule established by the County. This contract will include the following options: Construction, engineering and inspection services (CE&I) and Design services during construction. The implementation of these options will require Board approval of supplemental agreements to this contract.

PROJECT BUDGET: \$15,882,000*
*Revised estimate for 100% Final Design Services. Original estimate of \$6 Million was for Preliminary Engineering (30% design).

CONTRACT PERIOD: 36 months. It is anticipated that Final Design Services will be performed in 18 months.

CONTRACT DURATION: 36 months

FIRM: URS Corporation Southern

LOCATION OF FIRM: Local Office: 7650 Corporate Center Drive, Suite 400
Miami, Florida 33126
Home Office: 600 Montgomery Street, 25th Floor
San Francisco, California 94111

COMPANY PRINCIPALS: Carlos Garcia, P.E., Principal-in-charge

GENDER/ETHNICITY (COMPANY): Male / White

HOW LONG IN BUSINESS: Since 1901 (104 years)

PREVIOUS AGREEMENTS WITH COUNTY:

Department of Environmental Resources -	\$7,000,000
Public Works Department -	\$8,280,000
Aviation Department -	\$4,515,748
Performing Arts Center -	<u>\$6,624,000</u>
	\$26,419,748

AGREEMENT AMOUNT: A not to exceed ceiling of \$17,929,994. This maximum compensation includes \$16,299,994 for 100% Final Design Services plus an allowance account in the amount of \$1,630,000 for unforeseen changes, as per section 2-8.1 (h)(3) of the Miami-Dade County Code.

FUNDING SOURCE: Florida Department of Transportation (FDOT) – 30%
Charter County Transit System Surtax – 70%

At this time, it is estimated that 70% of this project will be funded by the Surtax. However, should State contributions differ from anticipated levels, that percentage may be adjusted accordingly. Such adjustments, to the extent that they exist, will be presented as part of the annual Pro Forma update to the Board.

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This project was included in Ordinance No. 02-116, Exhibit 1, "People's Transportation Plan Rapid Transit Improvements," adopted by the Board on July 9, 2002.

Since proceeds from the Charter County Transit System Sales Surtax levied pursuant to Section 29.121 of the Code of Miami-Dade County may be used to pay for all or some part of the cost of this contract, no award of this contract shall be effective and thereby give rise to a contractual relationship with the County unless and until the following have occurred: 1) the County Commission awards the contract, and such award becomes final (either by expiration of 10 days after such award without veto by the Mayor, or by Commission override of a veto); and, 2) either, i) the Citizens' Independent Transportation Trust (CITT) has approved same, or, ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

DBE GOAL: 20%

JUSTIFICATION:

A Notice to Professional Consultants (NTPC) was advertised on July 30, 2004. There were six proposals submitted on August 27, 2004, in response to the NTPC. One of the proposers, Wilbur Smith Associates, failed to meet one of the minimum requirements outlined in the NTPC. This company was deemed not responsive and was not considered during the selection process. The other five proposers (Washington Group International, Inc., URS Corporation Southern, Jacobs Civil, Inc., H.J. Ross Associates, Inc. and Gannett Fleming, Inc.) were found responsive in meeting the minimum requirements listed in the NTPC. First and Second Tier meetings were conducted and a selection was made. The Selection Committee appointed by the County Manager recommended that negotiations be conducted with URS Corporation Southern. The County Manager concurred with the Selection Committee and on December 3, 2004, the first negotiation meeting was held.

The Request to Advertise (RTA) approved by the County Manager on July 22, 2004, included a cost estimate of \$6 million to perform preliminary engineering services necessary to obtain an environmental Record of Decision (ROD) from the Federal Transit Administration (FTA) and, subsequently, the approval to enter Final Design. The scope of services to be performed by the consultant would also have allowed MDT to ultimately start negotiations for a Full Funding Grant Agreement (FFGA) with FTA. In addition to the preliminary engineering services, there were options included in the RTA to perform final design services as well as construction, engineering and inspection services.

Since several project delivery methods were being explored at the time the NTPC was advertised, the NTPC included options that could be exercised by the County prior to award to perform final design services, inspection services, development of a design-build criteria package and the oversight and management of Design-Build contractor(s). In addition to the language included in the NTPC, proposers were advised at the pre-proposal conference on August 11, 2004, of the existence of these options and that these options could be exercised by the County at any time prior to award.

In order to accelerate the development of this project, a decision was made to implement this project with 100% local and state funds. The funding will include \$100 million pledged by the FDOT with the \$240 million balance of the estimated \$340 million total project cost to be funded by the Charter County Transit System Surtax. As a result of the decision to fund the project with 100% local funds, the option included in the NTPC to perform final design services in lieu of just preliminary engineering was exercised and negotiated, thus expediting the design process by 14 months. In conjunction with the acceleration of construction activities, the overall project completion date has moved up from October, 2012, to August, 2010. The estimated budget of \$6 million included in the request to advertise was based on performing preliminary engineering or a 30% design only. The fees negotiated in this contract are to perform 100% final design. The negotiated scope includes:

- o Final design services including the preparation of bid documents for a 2.6 mile heavy rail extension that will connect the MIC to the existing Earlington Heights Metrorail Station. The final design services are scheduled to be completed in 18 months. Once the design is completed, the consultant will provide assistance to MDT during the bid and award process of the construction contract.

This contract also includes options to provide subsequent Post Design Services, including design services during construction and construction, engineering and inspection services. In the event the County decides to exercise these options, the work will be negotiated and authorized through the issuance of a work order after the approval of a supplemental agreement by the Board. It is estimated that the Design Services during Construction for the MIC/Earlington Heights Connector may be in the range of \$17 to \$23 million and the Construction, Engineering and Inspection services for the same corridor may be in the range of \$17 to \$23 million.

After numerous negotiation sessions, the Negotiation Committee arrived at a not-to-exceed number it felt was fair and reasonable for final design services on the MIC/Earlington Heights Connector. In addition, MDT retained the services of an independent consultant, Parsons Brinckerhoff Quade & Douglas, who developed a control estimate for final design services and subsequently performed a review of the scope of work and the level of effort associated with this project and concurred that the negotiated price is fair and reasonable. Based on the above, it is recommended that this agreement be awarded for the not-to-exceed amount of \$17,929,994 to URS Corporation Southern.

USING AGENCY: Miami-Dade Transit

MANAGING AGENCY: Miami-Dade Transit

FISCAL IMPACT:

The fiscal impact will be \$17,929,994.

The amount of this contract is part of the total project budget of \$340 million and is included in the Pro Forma which anticipates an estimated 30% from FDOT and 70% to be drawn from the Charter County Transit System Surtax. Should State contributions differ from anticipated levels, the percentage may be adjusted accordingly. Such adjustment, to the extent that it exists, will be summarized in the annual update of the Pro Forma.

This project was included in Ordinance No. 02-116, Exhibit 1 - PTP Rapid Transit Improvements, passed and adopted by the Board on July 9, 2002.

CLEARING HOUSE FOR POSTING NOTICE:

Provisions Included

INSPECTOR GENERAL:

Provisions Included

INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL:

Provisions Included

ALLOWANCE/CONTINGENCY ORDINANCE NO. 00-65:

\$1,630,000- Within Guidelines (10% - Professional Services Agreement).

APPROVED AS TO LEGAL SUFFICIENCY:


Assistant County Attorney

1/25/05
Date


Assistant County Manager

MIAMI-DADE COUNTY
AWARD RECOMMENDATION
PROFESSIONAL SERVICES AGREEMENT

Date: _____

Thru: Budget Department
To: County Manager's Office

Project Title: MIC/Earlington Heights Connector Preliminary Engineering

Contract No.: TR05-EHT-PE

Project Budget:..... \$15,882,000 *
Recommended Amount of Contract:..... \$17,929,994

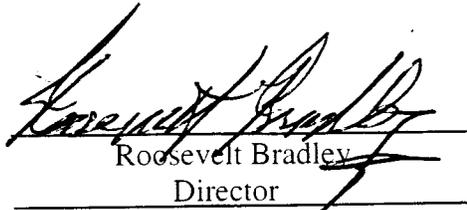
Contract Period: 36 months
Number of proposals received: 6
Number of presentations at public hearing: 4

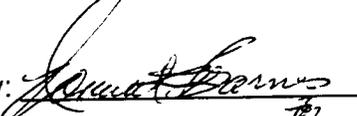
It is recommended that a Contract be awarded to:

Firm Name: URS Corporation Southern
Address: 7650 Corporate Center Drive, Suite 400, Miami, Florida 33126

Explanation: (Description of need for project; details of project; explanation of bid)

SEE ATTACHMENT "A"

Signature: 
Roosevelt Bradley
Title: Director
Department: Miami-Dade Transit

FUNDS BUDGETED	BUDGET DEPARTMENT CERTIFICATION FUNDS AVAILABLE
Code: <u>MT0300026 PTL</u>	Code: _____
By: _____ Date: _____	By: <u></u> Date: _____

* Revised estimate for Final Design Services. Original estimate included in Request to Advertise for 6 million was for Preliminary Engineering.

“ATTACHMENT A”

MIAMI-DADE TRANSIT

AWARD RECOMMENDATION

PROJECT NAME: MIC/EARLINGTON HEIGHTS CONNECTOR DESIGN SERVICES

CONTRACT NUMBER: TR05-EHT-PE

Professional Services Agreement (PSA) to perform facilities and systems Final Design services for the MIC/Earlington Heights Connector project. The final design must be acceptable to the community, constructed within the established budget and implemented within the schedule established by Miami-Dade Transit (MDT). This contract will include the following options: Construction engineering and inspection services (CE&I) and Design services during construction.

The funding source for this project is as follows:
Florida Department of Transportation (FDOT)– 30%
People's Transportation Plan – 70%

This project was included in Ordinance No. 02-116, Exhibit 1-“People’s Transportation Plan Rapid Transit Improvements” adopted by the Board on July 9, 2002.

Since proceeds from the Charter County Transit System Sales Surtax levied pursuant to Section 29.121 of the Code of Miami-Dade County may be used to pay for all or some part of the cost of this contract, no award of this contract shall be effective and thereby give rise to a contractual relationship with the County unless and until the following have occurred: 1) the County Commission awards the contract, and such award becomes final (either by expiration of 10 days after such award without veto by the Mayor, or by Commission override of a veto); and, 2) either, i) the Citizens’ Independent Transportation Trust (CITT) has approved same, or, ii) in response to the CITT’s disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission’s membership and such reaffirmation becomes final.

A 20% Disadvantaged Business Enterprises (DBE) goal has been established and approved by DBD for this project.

The Director of Miami-Dade Transit shall be the Contracting Officer.

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MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: March 1, 2005

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No.

Veto _____

Override _____

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND URS CORPORATION SOUTHERN, TO PROVIDE FINAL DESIGN SERVICES FOR THE MIAMI INTERMODAL CENTER (MIC)/EARLINGTON HEIGHTS CONNECTOR, CONTRACT NO. TR05-EHT-PE, IN AN AMOUNT NOT TO EXCEED \$17,929,994

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the execution of a Professional Services Agreement with URS Corporation Southern to provide final design services for the Miami Intermodal Center (MIC)/Earlington Heights Connector, Contract No. TR05-EHT-PE, in an amount not to exceed \$17,929,994; in substantially the form attached hereto and made a part thereof; and authorizes the County Manager to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2005. This resolution shall become effective as follows: (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency B.F.