Memorandum

MIAMI-DADE COUNTY

Date: August 16, 2005

INLUC
Agenda Item No. 4(B)

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

From: George M. Burgess
County Manager

Subject: Resolution Ratifying the County Manager's Action in Authorizing Capital Improvement Contracts Pursuant to Section 2-8-2.7 of the Code of Miami-Dade County (the "Expedite Ordinance")

RECOMMENDATION

It is recommended that the Board adopt the attached resolution ratifying the County Manager's actions taken as of July 14, 2005 in expediting the capital improvement projects identified on the attached schedules (Exhibits "A" and "B").

BACKGROUND

Section 2-8.2.7 of the Code of Miami-Dade County, known as the "Expedite Ordinance", provides for expeditious treatment of professional service agreements and construction contracts associated with funded capital improvement projects identified in the approved annual capital budget (Proposed Capital Budget and Multi-Year Capital Plan) or projects subsequently included by a Board of County Commissioners resolution.

The Office of Capital Improvements (OCI) processed the 9 qualifying capital improvement project awards, amendment, bid rejection and change order of construction and professional service agreements listed in Exhibits "A" and "B". Exhibit "C" is a summary of the Community Small Business Enterprise (CSBE), Community Business Enterprise (CBE), Disadvantaged Business Enterprise (DBE) and Community Workforce Program (CWF) participation for Exhibit "A" projects. Exhibit "D" is a listing of descriptions for the abbreviations utilized on Exhibits "A" and "B". The expedite process has greatly reduced the timeline to advertise solicitations and competitive bids, award qualifying projects, design and construction contracts, and process change orders and amendments/modifications to professional service agreements, resulting in significant efficiencies in the implementation of those projects.

Bill Johnson
Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: September 8, 2005

FROM: Murray A. Greenberg 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**

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Approved _____ Mayor Agenda Item No.
Veto _____
Override _____

RESOLUTION NO. _____

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS

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 ratifies the actions of the County Manager, as authorized by Section 2-8.2.7 of the Code of Miami-Dade County, in approving the recommendations listed on Exhibits "A" and "B" attached hereto and made a part hereof.

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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This Resolution and contract, if not vetoed, shall become effective in accordance with Resolution No. R-377-04.

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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

By:_____
Deputy Clerk

Exhibit A

Capital Improvement Projects
Contract Award Ratification List
As of 7/14/2005

ADA Coordination

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
AD0094	South Miami-Dade Government Center ADA Access	District 8 10710 SW 211 Street, Miami, FL 33189	$3,110,000.00	16%	0%	0%	10%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2004-2005** Book Page: **243**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**12/22/2004**	**Unitech Builders Corp.**	**$2,720,159.92**	**450**	**6/21/2005**	**6/22/2005**

Environmental Resources Management

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
CREP1 CREP1	Canal Culvert Repair and/or Replacement Contract	Various Districts Countywide	$5,000,000.00	14%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2004-2005** Book Page: **153**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**9/22/2004**	**Stone Paving Company**	**$5,000,000.00**	**365**	**6/8/2003**	**6/9/2005**

Chronological History appears on Attachment 1.

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Award Ratification List
As of 7/14/2005

Exhibit A

Public Works

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
20040450	Resurfacing	Various Districts	$1,000,000.00	10%	0%	0%	0%
20040450		Countywide					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **04-05** Book Page: **158**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**2/11/2005**	**H & R Paving, Inc.**	**$1,000,000.00**	**365**	**5/31/2005**	**6/1/2005**

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
20050031	Proactive Street Light Maintenance Contract - Zone A	Various Districts	$1,591,750.00	0%	0%	0%	0%
20050031		Zone A - State and County Arterial Roads from Flagler Street North to Countyline Road (NW 215th Street)					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2004-2005** Book Page: **62**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/5/2005**	**Under Power Corp.**	**$1,591,750.00**	**545**	**6/23/2005**	**6/23/2005**

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
20050048	Proactive Street Light Maintenance Contract - Zone B	Various Districts	$967,000.00	0%	0%	0%	0%
20050048		Zone B - State and County Arterial Roads from Flagler Street South to Card Sound Road					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2004-2005** Book Page: **62**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/5/2005**	**Under Power Corp.**	**$967,000.00**	**545**	**6/23/2005**	**6/23/2005**

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Award Ratification List
As of 7/14/2005

Exhibit A

Seaport

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
E04-SEA-01	Security and Communications	District 5	$2,500,000.00	0%	0%	0%	0%
E04-SEA-01		Port of Miami					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2004-2005** Book Page: **74**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
PSA	**Contract Award**	**7/6/2004**	**Kimley-Horn and Associates, Inc.**	**$2,522,727.27**	**730**	**6/17/2005**	**6/20/2005**

Chronological History appears on Attachment 2.

Total Number of Items this Ratification Period for: Contract Award 6

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 7/14/2005

Exhibit B

Amendment
Fire Rescue

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / CBE / DBE / CWF Measures			
DB03-FIRE-02	Port of Miami Fire Rescue Station No. 39	District 5	Lemartec Engineering & Construction Corporation	22%	100%	0%	0%
MDFRD-DB-08		Port of Miami: Center Island of the Seaport located East of the intersection of Europe Way and Port Boulevard					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **04-05** Book Page: **68**

Contract Type	Activity	Award Approval Date	County Manager Approval	Clerk Date		Original	All Previous	This Adjustment	Total
DESIGN BUILD	**Amendment**	**2/17/2005**	**1**	**6/28/2005**	**6/28/2005**	**Amount:**	**$1,991,699.18**	**$0.00**	**$0.00**	**$1,991,699.18**
						Time:	**380**	**0**	**0**	**380**

Amendment # 1 - This is a modification of the insurance requirements to replace the Project Specific Professional Liability Insurance with an Owner's Protective Professional Indemnity Policy.

Total Number of Items this Ratification Period for: Amendment 1

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 7/14/2005

Exhibit B

Bid Rejection and Request to Re-Advertise
Public Works

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / CBE / DBE / CWF Measures
Formerly Project No. 671809	Annual Traffic Signal Safety Improvement Contract - Group 61 - (Specific Sites for Miami Beach)	District 5		4% 0% 0% 10%
20040581		Miami Beach, FL		

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **04-05** Book Page: **63**

Contract Type	Activity	Award Approval Date	County Manager Approval	Clerk Date		Original	All Previous	This Adjustment	Total
Construction	**Bid Rejection and Request to Re-Advertise**	**N/A**	**5/31/2005**	**6/1/2005**	**Amount:**	**$0.00**	**$0.00**	**$0.00**	**$0.00**
					Time:	**0**	**0**	**0**	**0**

Only one contractor (Horsepower Electric, Inc.) proffered a bid for this contract. Public Works Department (PWD) staff proceeded to review the submitted bid and found that it was 96% over the original cost estimate. Therefore, in order to possibly draw more participation and receive more competitive bids the Public Works Department recommended that the bid be rejected and the project be broken into two smaller contracts.

Total Number of Items this Ratification Period for: Bid Rejection and Request to Re-Advertise **1**

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 7/14/2005

Exhibit B

Change Order
Park and Recreation

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / CBE / DBE / CWF Measures
395201-02-003	North Trail Park Medium Recreation Center	District 12	TJ Builders, Corp.	22% 0% 0% 0%
395201-02-003		NW 8th Street and NW 127th Avenue, Miami, FL		

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **03-04** Book Page: **112**

Contract Type	Activity	Award Approval Date		County Manager Approval	Clerk Date		Original	All Previous	This Adjustment	Total
Construction	**Change Order**	**3/26/2004**	**1**	**6/8/2005**	**6/9/2005**	**Amount:**	**$840,418.00**	**$0.00**	**$39,508.53**	**$879,926.53**
						Time:	**300**	**0**	**0**	**300**

C/O # 1 - Increase contract amount by $39,508.53 as requested by the County to provide lighting to the existing parking lot intended to service the new medium recreation center in order to allow its use for evening activities to the community, increase safety and comply with the lighting ordinance.

Total Number of Items this Ratification Period for: Change Order 1

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Prepared by: Office of Capital Improvements

Exhibit C

Capital Improvement Projects
Contract Measures Summary Report
As of 7/14/2005

Construction

Department	Contract No.	Measure	Measure (%)	Award Value	Contract Goal	CWF
ADA	AD0094	CSBE	16%	$2,720,159.92	$435,225.59	10%
DERM	CREP1	CSBE	14%	$5,000,000.00	$700,000.00	0% *
PWD	20050031	No Measure		$1,591,750.00		0%
PWD	20050048	No Measure		$967,000.00		0%
PWD	20040450	CSBE	10%	$1,000,000.00	$100,000.00	0% *

PSA

Department	Contract No.	Measure	Measure (%)	Award Value	Contract Goal	CWF
SEAPORT	E04-SEA-01	No Measure		$2,522,727.27		N/A

* Community Workforce Program: If a work order issued under this project is determined to be located within a Designated Target Area (DTA), it is subject to Community Workforce Program goals. As such, the work order will be required to be presented to the Review Committee for the application of a CWP goal recommendation.

Prepared by: Office of Capital Improvements

Abbreviation	Description
AD	American Disabilities
CBE	Community Business Enterprise
C/O	Change Order
CREP	Culvert Repair and/or Replacement
Corp. or CORP	Corporation
CSBE	Community Small Business Enterprise
CWF	Community Workforce Program
DB	Design Build
DBE	Disadvantage Business Enterprise
E	Engineering
FIRE or MDFRD	Miami-Dade Fire Rescue Department
FL or Fla.	Florida
INC or Inc.	Incorporated
No. or #	Number
PSA	Professional Service Agreement
RTA	Request to Advertise
SEA	Miami-Dade Seaport Department

Note: Vendor certification information is available from the Department of Business Development.

Attachment 1

Department of Environmental Resources Management
Canal Culvert Repair Replacement Contract
Contract No. CREP1
Chronological History

Activity	Date	Explanation
Request to Advertise Approved by Department	9/5/2004	
Request to Advertise Approved by County Manager	9/21/2004	
Request to Advertise Clerk Date	9/22/2004	In an effort to expedite the remaining FEMA funded projects (including CREP1), the department moved forward by initiating the Request to Advertise, with the understanding from the engineering consultant that the culvert design drawings were to be delivered prior to public bidding.
Meeting with Consultant	10/30/2004	Consultant informed DORM that the design phase is behind schedule
2nd Meeting with Consultant	12/1/2004	As of December 2004, only 3 of 8 site plans were designed and completed
3rd Meeting with Consultant	1/30/2005	Delays in the design phase of the project hampered the department's ability to continue with the bidding process. As such, the scope of work was revised to include provisions for culvert design in addition to the construction of these structures.
Final meeting with DORM staff	2/25/2005	During this time, four culvert designs have been submitted and accepted by the Department. This work will be incorporated and assigned as part of the first work order pending approval of the Recommendation of Award by the County Manager. Revised bid document was finalized and set for public bidding.
Advertisement Date	3/4/2005	
Addendum # 1	3/11/2005	
Addendum # 2	3/17/2005	
Addendum # 3	3/18/2005	
Addendum # 4	3/25/2005	
Bids/Submittal Received	4/1/2005	DERM conducted negotiation sessions with the lowest bidder in an attempt to provide a sliding scale price table for the construction of the concrete cap based on the amount of cubic yards per lineal foot of Sand Cement Riprap on the wall.
Notice of Tentative Award	5/4/2005	Issued date
Contract Award Recommendation Memo Date by Department	5/8/2005	DBD compliance review of CSBE requirements.
DBD Compliance Review Letter	5/10/2005	Compliance Review Memo issued
OCI review of DERM Award Recommendation Memo	5/20/2005	Upon final review of DERM's Award Recommendation Memorandum, OCI issued letter to FDCA and FEMA notifying them of the County's recommendation to award contract to Stone Paving Company. This contract authorizes the contractor to proceed unless the contrary was stated in writing either by FDCA or FEMA within 10 days.
Contract Award Recommendation Memo Date by County Manager	6/8/2005	
Contract Award Recommendation Memo Clerk Date	6/9/2005	

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Attachment 2

Miami-Dade Seaport Department
Security and Communications
Contract No. E04-SEA-01
Chronological History

Activity	Date
Request to Advertise Approved by Department	5/14/2004
Request to Advertise Approved by County Manager	No Date
Request to Advertise Clerk Date	7/6/2004
Advertisement Date	7/14/2004
Addendum # 1	7/22/2004
Addendum # 2	7/27/2004
Addendum # 3	8/23/2004
Addendum # 4	9/2/2004
Bids/Submittal Received	9/10/2004
Committee member unavailable until after 10/31/04	10/5/2004
Committee member unavailable until after 11/15/04	10/27/2004
First-Tier Selection Meeting rescheduled due to Committee Member unavailability	11/15/2004
First-Tier Selection Meeting	11/22/2004
Second-Tier Selection Meeting	Waived
Seaport submitted to CICC request for Ethics Opinion	12/10/2004
CICC requested Ethics review of Seaport/Selection Committee concerns	12/13/2004
Ethics Commision Opinion Rendered	1/26/2005
Negotiation Session # 1	3/2/2005
Negotiation Session # 2	4/4/2005
Contract Award Recommendation Memo Date by Department	5/13/2005
Contract Award Recommendation Memo Date by County Manager	6/17/2005
Contract Award Recommendation Memo Clerk Date	6/20/2005