Memorandum

MIAMI-DADE COUNTY

Date: March 6, 2007

Agenda Item No. 8(D)(1)(L)

To: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Ratifying the Award of Emergency Repair Contracts to Repair Damage Caused to Secondary Canals by Hurricanes Katrina and Wilma; as Originally Authorized in Resolution R-222-06

RECOMMENDATION

It is recommended that the Board approve the attached Resolution ratifying the award of emergency repair contracts to repair damage caused to secondary canals by Hurricanes Katrina and Wilma. At its February 21, 2006, meeting, the Board adopted Resolution No. R-222-06, that delegated authority to the County Manager to award canal damage repair contracts as part of a $16.5 million effort funded by the United States Department of Agriculture – Natural Resources Conservation Service (USDA-NRCS, $12.5 million) and Miami-Dade County ($4 million). In order to secure this funding, the USDA-NRCS required a commitment from the County to complete the work within 180 days of award. As a result, the above-referenced Resolution requested delegation of authority to execute the necessary agreements and begin the bidding and award process. To date, the project has been completed, with over 13,000 tons of debris removed from secondary canals countywide.

BACKGROUND

Upon the aftermath of Hurricane Katrina, DERM performed assessment of debris, tree and canal bank damage caused by both hurricanes and worked diligently with the USDA-NRCS to secure funding for the needed repairs. The USDA-NRCS proffered an agreement in March 2006, requiring completion of work within 180 days of execution, as well as requiring advertisement and solicitation for bids or contract award within 90 days of execution.

The Department processed seven (7) qualifying capital improvement project awards and one (1) amendment of construction project (60-day time extension) as listed in Exhibit A. Exhibit B summarizes the Community Small Business Enterprise (CSBE) and Community Workforce Program (CWF) participation for these contracts. The procedure used for the award of these contracts was the same as those governing projects under the "Expedite" Ordinance.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: March 6, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 8(D)(1)(L)

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

Veto _____

Override _____

Agenda Item No. 8(D)(1)(L)

03-06-07

RESOLUTION NO. _____

RESOLUTION RATIFYING THE AWARD OF EMERGENCY REPAIR CONTRACTS TO REPAIR DAMAGE CAUSED TO SECONDARY CANALS BY HURRICANES KATRINA AND WILMA; AS ORIGINALLY AUTHORIZED IN RESOLUTION R-222-06

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 originally authorized in Resolution R-222-06, and consistent with Section 2-8.2.7 of the Code of Miami-Dade County, in approving the contract award recommendations listed in Exhibit "A" 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:

Bruno A. Barreiro, Chairman
Barbara J. Jordan, Vice-Chairwoman

Jose "Pepe" Diaz
Carlos A. Gimenez
Joe A. Martinez
Dorrin D. Rolle
Katy Sorenson
Sen. Javier D. Souto
Audrey M. Edmonson
Sally A. Heyman
Dennis C. Moss
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of March, 2007. This resolution shall become effective 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.

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.

HB

Hugo Benitez

Emergency Repair Projects
Contract Award Ratification List
As of 1/12/2007

Exhibit A

Capital Improvements

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR1	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**Adventure Environmental, Inc.**	**120**	**5/19/2006**	**5/23/2006**

Comments:

Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR2	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**American Earthmovers, Inc.**	**120**	**6/5/2006**	**6/5/2006**

Comments:

Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Emergency Repair Projects
Contract Award Ratification List
As of 1/12/2007

Exhibit A

Capital Improvements

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR3	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**Adventure Environmental, Inc.**	**120**	**5/19/2006**	**5/23/2006**

Comments:
Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR4	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**American Earthmovers, Inc.**	**120**	**6/5/2006**	**6/5/2006**

Comments:
Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Emergency Repair Projects
Contract Award Ratification List
As of 1/12/2007

Exhibit A

Capital Improvements

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR5	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**Adventure Environmental, Inc.**	**120**	**5/19/2006**	**5/23/2006**

Comments:
Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR6	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	0%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**Arbor Tree and Land, Inc.**	**120**	**6/5/2006**	**6/5/2006**

Comments:
Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Emergency Repair Projects
Contract Award Ratification List
As of 1/12/2007

Exhibit A

Capital Improvements

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/ Measures	CWF
CCDR7	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	0%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity	RTA Approval Date	Awarded To	Contract Duration (Days)	County Manager Approval	Clerk Date
Construction	**Contract Award**	**4/14/2006**	**American Earthmovers, Inc.**	**120**	**6/5/2006**	**6/5/2006**

Comments:
Work included under this contract consists of furnishing all supervision, labor, materials, equipment and tools to perform the necessary clean-up activities along the canal or maintenance easements of secondary canals in Miami-Dade County. Work may include, but shall not be limited to, one or all of the following general tasks: Clearing, grading, excavating, placement of backfill, tree removal (may include transport to a processing facility to shred or chip trees), transport reduced materials to a landfill facility for disposal, culvert cleaning, incidental repair work on drainage structures, relocation and/or repair to existing guardrail and sodding as needed. Final quantities shall be determined in the field by the Engineer. Due to the massive clean-up effort to remove fallen trees and other debris material throughout the County's secondary canal system, culminated with the short time frame needed to complete the work before the upcoming 2006 hurricane season, the department determined that having as many qualified contractors simultaneously performing the work as possible could maximize project productivity.

Total Number of Items this Ratification Period for: **Contract Award** 7

8

Exhibit B

Emergency Repair Projects
Contract Change Order
Ratification List
As of 1/12/2007

Change Order
Environmental Resources Management

Project/ Contract	Project Name	Commission District/Location	Original Estimate	CSBE/	CBE/	DBE/	CWF
				Measures			
CCDR1	Miami-Dade County Canal and Culvert Cleaning Project	Various Districts Countywide	$2,500,000	10%	0%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year:

Book Page: **Resolution R-222-06 was approved by the Board of County Commissioners delegating the County Manager the authority to execute an Agreement to receive federal funding under the Provisions of Section 403 of the Agricultural Act of 1978 for an amount of $16.49 million dollars from the United States Department of Agriculture-Natural Resources Conservation Service. Additional funding will be provided by the Stormwater Utility Fee.**

Contract Type	Activity		Award Approval Date	County Manager Approval	Clerk Date
Construction	**Change Order**	**1**	**5/19/2006**	**1/12/2007**	**1/12/2007**

	Original	All Previous	This Amendment	Total
Amount:	**$2,500,000.00**	**$2,500,000.00**	**$0.00**	**$2,500,000.00**
Time:	**120**	**0**	**60**	**180**

Comments:

The purpose of this Change Order is to request an extension of time of sixty (60) calendar days. This extension was based on site assessment studies performed by the USDA-NRCS along with a comprehensive review of debris removal contracts associated with this project. Recent visits by USDA-NRCS and DERM revealed additional sites that qualify for embankment repair work. With the determination of sites identified and declared by the NRCS, the critical path of the approved contract schedule warrants a time extension to which the additional work can be completed by December 27, 2006. Project Agreement No. 69-4209-6-1624 was fully executed between Miami-Dade County and the USDA-NRCS relative to the Emergency Watershed Protection Program and approved by the Board pursuant to Resolution R-222-06.

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

Emergency Repair Projects
Contract Measures Summary Report
As of 1/12/2007

Exhibit C

Emergency Repair Department	Contract No.	Measure	Measure (%)	Award Value	Prime Contractor	Contract Goal	CSBE Firm	CWF	Comments
DERM	CCDR1	CSBE	10%	$2,500,000	Adventure Environmental, Inc.	$250,000	Leno Dredging and Hauling, Inc.	See Note 1	See Note 3
DERM	CCDR2	CSBE	10%	$2,500,000	American Earthmovers, Inc.	$250,000	Pabon Engineering, Inc.	See Note 1	
DERM	CCDR3	CSBE	10%	$2,500,000	Adventure Environmental, Inc.	$250,000	Leno Dredging and Hauling, Inc.	See Note 1	See Note 3
DERM	CCDR4	CSBE	10%	$2,500,000	American Earthmovers, Inc.	$250,000	Pabon Engineering, Inc.	See Note 1	
DERM	CCDR5	CSBE	10%	$2,500,000	Adventure Environmental, Inc.	$250,000	Leno Dredging and Hauling, Inc.	See Note 1	See Note 3
DERM	CCDR6	CSBE	No Measure	$2,500,000	Arbor Land & Tree, Inc.	$0	None	See Note 1	See Notes 2
DERM	CCDR7	CSBE	No Measure	$2,500,000	American Earthmovers, Inc.	$0	None	See Note 1	See Note 2

Note:

1 Work Orders issued under this project that were determined to be located within Designated Target Areas (DTAs) were subjected to Community Workforce Program (CWP) goals. As such, work orders were presented to DBD's Construction Review Committee for the application of CWP goal recommendations.

2 DBD's Construction Review Committee approved contracts CCDR6 and CCDR7 with 0% CSBE Measures for the following reasons: (1) A comprehensive review of certified CSBE Firms was performed and it was determined that there was not sufficient availability of qualified members of the pool to perform all aspects of the project. (2) The scope of work required the participation of Level 2 CSBE contractors while the majority of the current pool is Level 1. A good faith effort to achieve as much CSBE participation without stressing a firm to take more work in this program was achieved.

3 Originally, Pabon Engineering, Inc. was the CSBE firm for this contract, but was subsequently replaced with Leno Dredging and Hauling, Inc. at the request of Adventure Environmental. Adventure submitted a request for substitution dated August 21, 2006 to DBD, which was subsequently approved on November 22, 2006.

Prepared by: Env. Resources Management

Abbreviation	Description
A	Architecture
BBC	Building Better Communities General Obligation Bond
BCC	Board of County Commissioners
CBE	Community Business Enterprise
CCDR	Canal and Culvert Debris Removal
C/O	Change Order
Co.	Company
Corp.	Corporation
CSBE	Community Small Business Enterprise
CWF	Community Workforce Program
DBE	Disadvantage Business Enterprise
FL	Florida
GOB	General Obligation Bond
Inc.	Incorporated
N/A	Not Applicable
NRCS	Natural Resources Conservation Services
USDA	United States Department of Agriculture

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