

Memorandum



Date: April 8, 2008

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

Agenda Item No. 8(A)(1)(C)

From: George M. Burgess
County Manager

Subject: Change Order No. MDAD-3, Dynalectric Company, MIA C-D PDS Cabling, Project No. B775B, North Terminal Development Program, which Increases the Contract Amount by \$2,957,370.06

RECOMMENDATION

It is recommended that the Board approve the attached Change Order No. MDAD-3 to the contract with Dynalectric Company for the MIA C-D PDS Cabling Project at Miami International Airport. This change order extends the contract time by 1,083 days and increases the contract amount by \$2,957,370.06.

CHANGE ORDER NO.: MDAD-3

Scope

PROJECT NAME: MIA C-D PDS Cabling

PROJECT NO.: B775B

CONTRACT NO.: B775B

PROJECT DESCRIPTION: Installation of a conventional airport Premise Distribution System (PDS) that includes all cabling required for voice (telephone), data (data network), video (CCTV, including power and control and CATV) applications and sparing and cabling for door intercoms. The system includes all backbone and horizontal cabling, use of inner-duct for the backbone cabling, fit out of equipment rooms, and all specialized termination and testing of cabling.

PROJECT LOCATION: Miami International Airport

PRIMARY COMMISSION DISTRICT: This project is located within Commission District 6; however, the impact of this item is countywide in nature as Miami International Airport is a regional asset.

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Aviation Department

MANAGING DEPARTMENT: Aviation Department

Fiscal Impact/Funding Source

CHANGE ORDER FUNDING SOURCE: Capital Improvement Program Airport Revenue Bonds

PTP FUNDING: No

GOB FUNDING: No

CHANGE ORDER DESCRIPTION: Increase the contract amount by \$2,957,370.06 and extend the contract time by 1083 days.

Monetary Justification

The Aviation Department recommends the following change:

1. Increase the contract amount \$974,700.00.

The Premise Distribution System (PDS) provides Voice/Data/CATV/CCTV cabling in the C to D Concourses. However, the execution of this work is dependent on several other North Terminal Development projects including B737F, B739A, B739C, B740A, B746A, B746I, B747B and B756A which provide the architectural/mechanical/electrical infrastructure required for the PDS installation. When this project (B775B) was originally initiated, its contracted completion date was tied directly to the schedules of these other projects. Due to delays to the NTD program, these projects now have revised completion dates extending through 2011. Therefore, the B775B project cannot be completed by the contract completion date of April 13, 2008. This Change Order extends the contract time to April 1, 2011 to allow for the completion of the PDS cabling in concert with the completion of the other projects. Liquidated Indirect Costs associated with this excusable, compensable contract time extension are \$974,700.00 (\$900/day).

2. Increase the contract amount \$1,801,670.06.

The PDS provides Voice/Data/CATV/CCTV cabling in the C-D Infill area. This work was dependent on projects 737H, 739G, 739A, 741E, 745B providing conduit prior to PDS installation. Due to field conditions the actual lengths of conduit installed by these projects was greater than the cabling quantities original estimated for this contract. This Change Order provides \$304,061.42 for the cost of the actual extra material required by the changed field conditions as well as the associated labor to install it.

This change order also provides compensation in the amount of \$1,243,210.58 for the escalation in direct costs of material and labor for the remaining 775B base contract for the duration of the revised contract time.

It further provides \$254,398.06 for added scope relative to the FIS backbone. The Federal Inspections Service (FIS) requires a dedicated network that is independent and segregated from the Department's operational network. This requires the installation of dedicated telecommunication rooms and fiber optic and copper backbone cabling to support their telephone voice and computer network data requirements. Specifically, backbone cabling is used to connect multiple telecommunication rooms together over long distances. Copper backbone cables are high pair count copper cables in pair counts of 100 pairs and higher. Each copper pair supports a single telephone. Fiber optic backbone cables are high strand count fiber optics in strand counts 24 strands and higher. Each network switch requires 6-8 strands supporting up 24-96 computers.

The FIS backbone crossed several design packages and had not yet been included in any specific construction contract. This change order would provide the fiber optic and copper backbone cables linking the FIS Telecommunication Rooms together to create this dedicated telephone and data network. Consideration was given to including it in the Parsons Odebrecht JV First Amended and Restated Contract (POJV FARC), but not all of the design packages covering the FIS backbone were included in the FARC. As the FIS backbone was in the footprint of this project with Dynalectric, the contractor submitted a reasonable cost proposal to add the backbone work. After evaluating all the options, the Department is recommending that the FIS footprint work be added to this contract. To lock in the prices for the remainder of the project duration, this Change Order also changes the contract terms and conditions for basis of payment from unit priced to lump sum.

This change order also increases the general allowance account to the contract by \$181,000 to \$463,962 (8.2% of the revised contract amount less allowance accounts).

Time Justification

The Aviation Department recommends the following time adjustments and justifications:

The Department recommends a contract time extension of 1083 days for a compensable excusable delay resulting from delays in the NTD program.

	Original Contract Values at <u>Assignment</u>	Previous Adjustments to Values	This Change Order Values	Current Totals	Total Paid	Balance After Change Order
BASE:	\$2,829,616.00	\$10.00	\$2,776,370.06	\$5,605,996.06	\$2,122,057.00	\$3,483,939.06
CONTINGENCY:	\$0.00	\$282,962.00	\$181,000.00	\$463,962.00	\$100,027.00	\$363,935.00
DEDICATED:	<u>\$0.00</u>	<u>\$500,000.00</u>	<u>\$0.00</u>	<u>\$500,000.00</u>	<u>\$398,273.00</u>	<u>\$101,727.00</u>
TOTALS	\$2,829,616.00	\$782,972.00	\$2,957,370.06	\$6,569,958.06	\$2,620,357.00	\$3,949,601.06

	<u>Original Contract Duration</u>	<u>Previous Adjustments to Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
BASE DURATION:	1,138	150	1,083	2,371
CONTINGENCY:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL DURATION:	1,138	150	1,083	2,371

INITIATING FACTOR(S) FOR CHANGE ORDER

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
Regulatory Change	\$0.00	0
Other Agency Requested Change	\$0.00	0
Design Errors Change	\$0.00	0
Design Omissions Change	\$0.00	0
County Requested Change	\$2,957,370.06	1,083
Unforeseen/Unforeseeable Change	\$0.00	0
<u>Other</u>	<u>\$0.00</u>	<u>0</u>
Total	\$2,957,370.06	1,083

Track Record/Monitor

PRIME CONTRACTOR: Dynalectric Company

CONTRACTOR PERFORMANCE: No evaluations are available in the in CIIS database. There are no known performance issues with this contractor and their performance on this contract is satisfactory.

COMPANY PRINCIPAL(S): James DiLullo

COMPANY QUALIFIER(S): James Fritz

COMPANY EMAIL ADDRESS: jdilullo@dyna-fl.com

COMPANY STREET ADDRESS: 2501 SW 160 Ave Suite 500

COMPANY CITY-STATE-ZIP: Miramar FL 33027

YEARS IN BUSINESS: 24

PREVIOUS CONTRACTS WITH THE COUNTY IN THE LAST FIVE YEARS: Nine (9) projects totaling \$23,089,246

**SUBCONTRACTORS AND
SUPPLIERS (SECTION 10-34
MIAMI-DADE COUNTY CODE)**

DC Electric

**CONTRACT MANAGER
NAME/PHONE/EMAIL:**

Juan Carlos Arteaga 305-869-5694
jcarteaga@miami-airport.com

**PROJECT MANAGER
NAME/PHONE/EMAIL:**

Mike Adams 305-869-3430
madams@miami-airport.com

COMPLIANCE DATA:

The CSBE contract measure for this contract is 21%. Based on the amount paid to the CSBE subcontractor (\$462,986), the CSBE goal achieved to date is 12.1%. The CSBE subcontractor is scheduled to perform the remainder of its work (cable installation of all voice and data outlets) once the electrical infrastructure has been placed by others. Schedule-wise, the CSBE subcontractor is on track to meet the stipulated goal.

Dynalectric has had two violations for underpayment of an employee. Both occurred in February 1999 and both were rectified and closed.



Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: April 8, 2008

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 8(A) (1) (C)

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(A) (1)(c)
4-8-08

RESOLUTION NO.

RESOLUTION APPROVING CHANGE ORDER NO. MDAD-3, WITH DYNALECTRIC COMPANY, MIA C-D PDS CABLING, PROJECT NO. B775B, NORTH TERMINAL DEVELOPMENT PROGRAM, AT MIAMI INTERNATIONAL AIRPORT, INCREASING CONTRACT AMOUNT BY \$2,957,370.06; EXTENDING THE CONTRACT TIME BY 1083 DAYS; AND AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE SAME FOR AND ON BEHALF MIAMI-DADE COUNTY, INCLUDING ANY TERMINATION OR CANCELLATION PROVISIONS

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 finds in the best interest to approve Change Order No. MDAD-3, with Dynalectric Company, MIA C-D PDS Cabling Project No. B775B, North Terminal Development Program at Miami International Airport, in substantially the form attached hereto and made a part hereof, increasing the contract amount by \$2,957,370.06; and extends the contract time by 1083 days; and authorizing the County Mayor or his designee to execute the Change Order for and on behalf of Miami-Dade County, including any termination or cancellation provisions.

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	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
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 April, 2008. 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.

DMM

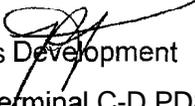
David M. Murray

Memorandum



Date: February 1, 2008

To: Jose Abreu, Director
Miami-Dade Aviation Department

From: Penelope Townsley, Director 
Department of Small Business Development

Subject: Project No. MIA 775B - MIA Terminal C-D PDS - Review of Change Order 3 of 3

The Department of Small Business Development (SBD) has reviewed the subject project for compliance with the Community Small Business Enterprise (CSBE) Program § 10-33.05 et seq., Code of Miami-Dade County and the Responsible Wages and Benefits § 2-11.16 program requirements.

Dynalectric Company has completed 72% of the project and achieved CSBE utilization of 12.1%. D.C. Electric is the CSBE being utilized to meet the 21% goal. This change order increases the contract amount by \$2,957,370.06 less \$181,000.00 designated for the general allowance account, leaving an actual contract increase of \$2,776,370.06. Dynalectric has committed to utilizing the CSBE for the original contract amount and the additional \$2,776,370.06.

Dynalectric and its subcontractors are in compliance with the wage requirements at this time.

- c. Alice Hidalgo-Gato, CRC Division Director, SBD
Betty Alexander, BPD Division Director, SBD
Patrice King, Administrative Officer, SBD

	Date of Violation	Project #	Award Date	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
374	4/17/2003	693233Q-A	8/19/2002	PW-Q	90-143				Failed to post Wages at the Job Site	Closed
392	5/7/2003	629541Q	8/8/2002	PW-Q	90-143				Failed to post Wages at the Job Site	Closed
623	7/9/2003	693233Q-A	8/19/2002	PW-Q	97-52				Failure to submit Monthly Utilization Report	Closed
645	8/28/2003	693233Q-A	8/19/2002	PW-Q	90-143				Submittal of inaccurate payrolls	Closed
646	8/28/2003	693233Q-A	8/19/2002	PW-Q	90-143	\$8,091.33	\$8,091.33		Underpayment of Employee	Closed
774	6/21/2004	693233Q-A	8/19/2002	PW-Q	90-143				Failed to submit Payrolls	Closed
778	6/22/2004	693233Q-A	8/19/2002	PW-Q	97-52			\$192,946.26	Prime failed to meet CSBE subcontractor goal	Closed
776	6/23/2004	693233Q-A	8/19/2002	PW-Q	90-143	\$1,523.68			Misclassification of employee	Closed
787	7/8/2004	629541Q	8/8/2002	PW-Q	90-143	\$600.00			Underpayment of Employee	Closed
Dynalectric Company (Violations: Period -->2 Total --> 2)										
254	2/2/1999	MH-03	12/16/1997	CM	90-143	\$489.28	\$189.28		Underpayment of Employee	Closed
212	2/12/1999	W-776	10/7/1997	WS	90-143	\$348.76	\$348.76		Underpayment of Employee	Closed
E. D. F. M. Corporation (Violations: Period -->1 Total --> 1)										
233	12/22/1998	101.48.481	3/25/1998	JM	90-143	\$560.00	\$560.00		Underpayment of Employee	Closed
Earl Hagood, Inc. (Violations: Period -->1 Total --> 1)										
959	5/25/2005	MIA-745E WS-15.1	10/12/2001	AV-AA	90-143				Failed to submit Payrolls	Closed
Eastern Electric, Inc. (Violations: Period -->1 Total --> 1)										
484	8/21/2000	S-412R-2	7/27/1999	WS	90-143	\$458.28	\$458.28		Underpayment of Employee	Closed
Eddie Sasturias (Violations: Period -->1 Total --> 1)										
1042	10/18/2005	7362-4/08-1	12/1/2004	PW	99-44				Failed to respond to Payroll Audit (RWB)	Closed
Edward Blackshear Lawn Service (Violations: Period -->1 Total --> 1)										
996	7/29/2005	7362-4/08-1	12/1/2004	PW	99-44				Failed to submit Payrolls	Closed
Emman Enterprises, Inc. (Violations: Period -->2 Total --> 2)										
439	4/26/2000	101.48.482	1/14/1999	JM	90-143	\$2,587.15	\$1,135.41		Underpayment of Employee	Closed
7	8/21/2000	6123-2/03-POAPPR0002820	3/31/2000	PR	90-143	\$364.00	\$364.00		Underpayment of Employee	Closed
Engineer Controls Systems Corp. (Violations: Period -->1 Total --> 1)										
586	9/13/2001	W-814	10/30/2000	WS	97-52				Modification to terms /prices of payment to CSBE without DBD approval	Closed

01

copy sent to Tracy Adams - Parish

MONTHLY UTILIZATION REPORT
CSBE

REVIEWED ^{FN}
1/25/08
ENTERED

FINAL

This report is required to be submitted by the tenth day or before of each month to Miami Dade County (MDC). If project has not started, enter anticipated start date in the space provided. Failure to comply may result in proceedings to impose sanctions, in addition to any other available legal remedy. Sanctions may include the suspending of any payment or part thereof, termination or cancellation of the contract, and the denial to participate in any future contracts awarded by MDC.

REPORTING PERIOD		PROJECT NAME:		MIA 775B C-D PREMISE DISTRIBUTION SYSTEM		%		CSBE PROJECT MEASURES	
TO:	12/25/2007	PROJECT NUMBER:	200-408	PROJECTED START DATE:	3/1/2005			TRADE SET-ASIDE	
FROM:	11/25/2005	PROJECT LOCATION:	North Terminal Development Program MDAD, PO BOX 594040 Miami FL 33159-4040					GOALS	
								SET-ASIDE	
								SIC CODE	

PRIME CONTRACTOR Dynalectric #			CONTRACT AWARD DATE	CONTRACT AWARD AMOUNT	CHANGE ORDER AMOUNT	CONTRACT PERIOD	% COMPLETE TO DATE	COMPLETION DATE	
NAME:	Dynalectric Florida	PHONE:	954-624-0000	10/27/2004	\$2,670,000.00	\$1,177,589.00	1,258 Calendar Days	87	4/13/2008
ADDRESS:	2501 SW 160th Avenue Suite 500 Miramar FL 33027								

AMOUNT REQUISITIONED THIS PERIOD: \$ \$85,074.30

TOTAL AMOUNT REQUISITIONED TO DATE: \$ \$2,795,440.04

LAST PAYMENT BY Miami Dade County (MDC): \$ \$38,445.87

TOTAL AMOUNT PAID BY MDC: \$ \$2,705,440.04

\$3,747,588.00
72% complete
12% CSBE utilization
61% CSBE goal accomplished

DID LAST MDC PMT. EQUAL REQUISITION AMOUNT? YES NO

IF NO PLEASE EXPLAIN: _____

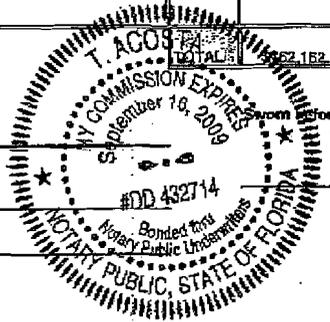
Was last MDC pmt. within 14 days of Prime's requisition? YES NO

COMMUNITY SMALL BUSINESS ENTERPRISE / CSBE OPPORTUNITIES														
NAME OF CSBE	GOAL	TIER	CONTRACT PERIOD		DESCRIPTION OF WORK	Contract Amount (MDC)	CONTRACT AMOUNT	AMOUNT REQUISITIONED THIS PERIOD	DATE OF REQUISITION (FROM SUB)	AMOUNT REQUISITIONED TO DATE	LAST PAYMENT	LAST PAYMENT DATE	Was last pmt. within 14 days of Prime's (Y/N)	PAID TO DATE
			START DATE	END DATE										
DC Electric DC	21	2	3/1/2005	11/30/2007	Telecom	\$539,700.00	\$0.00	10/30/07	\$377,864.50	\$2,430.00	01/04/08	N	\$261,433.65	
DC Electric Admirals Club	21	2	1/1/2006	11/30/2007	Telecom	\$55,136.00	\$0.00	11/25/06	\$55,136.00	\$16,190.10	05/09/06	N	\$49,624.20	
DC Electric TEN III Ticket Counter	21	2	7/1/2005	11/30/2007	Telecom	\$144,607.04	\$0.00	9/25/06	\$144,607.04	\$89,828.33	12/05/06	N	\$130,146.34	
DC Electric Admirals Club 200 Pair	21	2	10/15/06	11/30/2007	Telecom	\$1,974.00	\$0.00	11/30/07	\$1,974.00	\$1,776.60			\$1,776.60	
DC Electric Credit	21	2	07/30/07		Telecom	-\$6,256.91	\$0.00	7/30/07						
DC Electric Contract Extension	21	2	11/15/2007	4/13/2008	Telecom	\$27,000.00	\$5,400.00	1/2/08	\$2,700.00	\$2,430.00	01/04/08		\$2,430.00	
						TOTAL	\$52,162.13	\$5,400.00		\$582,283.54			\$465,415.99	

Executed by: Emmanuel Mudry
Signature of Affiant

Emmanuel Mudry
Printed Name of Affiant

12/25/2007
Date



Witness me: This 25th Day of December 2007

11
\$21
9701
9701
11
97

611

Project Activity Log by Specialist

NAME: KATHERINE NARANJO

JOB TITLE: DBD CONTRACTOR COMPLIANCE OFFICER 1

DATES: All Dates

PROJECT#	RC BID#	LOG DATE	HR	Min	ACTIVITY	FIRM	LOG ENTRY
MIA-775B	MIA-775B	01/25/2007			MUR REVIEW	DYNALECTRIC COMPANY	REVIEWED MUR. REPORTING PERIOD 11/25/07 - 12/25/07, WITH 72% COMPLETION, 12% CSBE UTILIZATION (GOAL IS 21%), AND 61% CSBE GOAL ACCOMPLISHED: 1. DC ELECTRIC: CONTR. AMT. \$762,162.13, AMT. PAID TO DATE \$465,415.99. COPY SENT TO TRACY ADAMS-PARISH.

Total Hours: hr(s) 0min(s)

Total Printed: 1

Grand Total: 1

12

**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

Bond No: 104414340 (Travelers)
SB0092054 (XL Specialty)

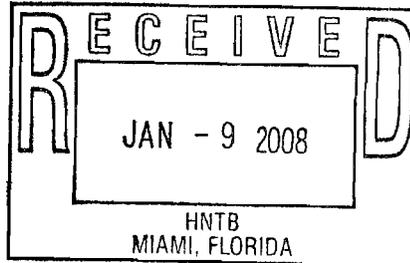
CHANGE ORDER NO. MDAD-3 PROJECT NO. B775B DATE: 12/7/07

PROJECT NAME: MIA TERMINAL C-D PDS CABLING

TO CONTRACTOR: DYNALECTRIC COMPANY

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES TO THE CURRENT CONTRACT, AND TO PERFORM THE WORK SUBJECT TO ALL CONTRACTS STIPULATIONS AND COVENANTS.

ITEM NO.	DESCRIPTION	AMOUNT
1	Extend the Contract Time 1083 days from April 13 th , 2008 to April 1st 2011 for an excusable cornpensable time extension JUSTIFICATION: COUNTY REQUESTED CHANGE	\$974,700.00
2	Increase the Contract Amount to cover additional scope, increases in the direct costs of materials and labor and to change the contract terms and conditions for basis of payment from unit priced to lump sum. JUSTIFICATION: COUNTY REQUESTED CHANGE	\$1,801,670.06
3	Increase the General Allowance Account JUSTIFICATION: COUNTY REQUESTED CHANGE	\$181,000.00



SUMMARY OF CONTRACT AMOUNT

	ORIGINAL CONTRACT AMOUNT	\$2,829,616.00
REASON FOR CHANGE:	COST OF CONSTRUCTION CHANGES PREVIOUSLY ORDERED	\$782,972.00
<input type="checkbox"/> Regulatory Change	ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER. \$	3,612,588.00
<input type="checkbox"/> other Agency Requested Change	COST OF CONSTRUCTION CHANGES THIS ORDER	\$ 2,957,370.06
<input type="checkbox"/> Design Errors Change	ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER. \$	6,569,958.06
<input type="checkbox"/> Design Omission Change	PER CENT INCREASE, THIS CHANGE ORDER	104.51 %
<input type="checkbox"/> County Requested Change	TOTAL PER CENT INCREASE TO DATE	132.19 %
<input type="checkbox"/> Unforeseen or Unforeseeable Change	EXTENSION OF TIME ALLOWED BY THIS CHANGE 1083_	CALENDAR DAYS TO 04/01/2011

CERTIFYING STATEMENT: I hereby certify that the supporting cost data included is, in my considered opinion, accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit competitive bidding.

H. J. Brooks
SIGNATURE CONSULTING ARCHITECT OR ENGINEER

TO BE FILLED OUT BY DEPARTMENT INITIATING CHANGE ORDER

MDAD DEPARTMENT WA FUNDS BUDGETED CODE [Signature] CERTIFIED BY

Dynalectric Company

ACCEPTED BY: *[Signature]* APPROVED: _____
 CONTRACTOR: Travelers Casualty and Surety Company of America BUDGET DIRECTOR
 By: Rita Sagistano SURETY Attorney-in-Fact DADE COUNTY, Florida
 RECOMMENDED: *[Signature]* PROJECT MANAGER CHIEF ARCHITECT/CHIEF ENGINEER By: _____ By its BOARD OF COUNTY COMMISSIONERS
 APPROVED: *[Signature]* HNTB (CONSULTING ENGINEER) DEPT. BUSINESS DEVELOPMENT By: _____ County Manager DATE
 APPROVED: *[Signature]* DEPARTMENTAL DIRECTOR By: _____ Deputy Clerk

cc: A/E Consultant, General Contractor, Surety, Project Manager, HNTB, DAC Projects Control, Contracts Administration

XL Specialty Insurance Company

By: *[Signature]*
Peter W. Quinn, Attorney-in-Fact

Travelers Florida Licensed Agent

[Signature]
Peter F. Jones

B775B CO MDAD-3

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**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

CHANGE ORDER NO MDAD-3

PROJECT NO. B775B

DATE: 12/7/07

PROJECT **NAME:** MIA TERMINAL C-D PDS CABLING

TO CONTRACTOR: DYNALECTRIC COMPANY

SUPPLEMENTAL INFORMATION

Item 1: Extend the Contract Time 1083 days from April 13th, 2008 to April 1st 2011 for an excusable compensable time extension.
JUSTIFICATION: COUNTY REQUESTED CHANGE

Premise Distribution System (PDS) provides Voice/Data/CATV/CCTV cabling in the C to D Concourses. This work is dependent on projects B737F, B739A, B739C, B740A, B746A, B746I, B747B, B756A providing architectural/mechanical/electrical infrastructure required for PDS installation. When the B775B project was initiated, its contracted completion date was tied directly to the schedules of these other projects. These projects now have revised completion dates extending through 2011. Therefore, the B775B project cannot be completed by the contract completion date of April 13, 2008. This Change Order extends the contract time to April 1, 2011 to allow for the completion of the PDS cabling in concert with the completion of the other projects. Liquidated Indirect Costs associated with this excusable, compensable Contract Time extension are \$974,700.00 (\$900/day).

Item 2: Increase the Contract Amount to cover additional scope, increases in the direct costs of materials and labor and to change the contract terms and conditions for basis of payment from unit priced to lump sum.
JUSTIFICATION: COUNTY REQUESTED CHANGE

The PDS provides Voice/Data/CATV/CCTV cabling in the C-D Infill area. This work was dependent on projects 737H, 739G, 739A, 741E, 745B providing conduit prior to PDS installation. Due to field conditions the actual lengths of conduit installed by these projects was greater than the cabling quantities estimated for the PDS contract. This Change Order provides \$304,061.42 for the cost of the actual extra material required by the changed field conditions as well as the associated labor to install it.

The remaining \$1,497,608.64 of this Item 2 is to provide compensation for the escalation in direct costs of material and labor for the remaining 775B base contract for the duration of the revised Contract Time and for added scope relative to the FIS backbone.

In addition, so that the County can lock in the prices for the remainder of the project duration, this Change Order also changes the contract terms and conditions for basis of payment from unit priced to lump sum. To this extent, the Contractor shall submit a revised Schedule of Values reflecting the changed basis of payment for all remaining work, for the cost of escalation for the remaining work as authorized by this Change Order, and for the added work authorized by this Change Order. Such Schedule of Values shall be approved by MDAD prior to any further payments being made to the Contractor for either the remaining work or the added work.

Item 3: Increase the General Allowance Account
JUSTIFICATION: COUNTY REQUESTED CHANGE

This change order increases the General Allowance Account \$181,000 in the event of additional County requested changes, architectural/mechanical/electrical design changes required by Authorities Having Jurisdiction, or unforeseen field conditions beyond the scope of this change order.

RELEASE OF CLAIM

This Change Order modifies the Contract by extending the contract time by 1083 calendar days for an excusable compensable time extension. It increases the contract amount to reimburse the contractor for the indirect and the direct costs of the excusable compensable time extension in the amount of \$974,000.00 for the indirect costs and \$1,497,608.64 for the direct costs. It also

B775B CO MDAD-3
Page 2 of 8

**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

CHANGE ORDER NO MDAD-3

PROJECT NO. B775B

DATE: 12/7/07

PROJECT NAME: MIA TERMINAL C-D PDS CABLING

TO CONTRACTOR: DYNALECTRIC CORPORATIONMPANY

increases the General Allowance Account by **\$181,000** and changes the basis of payment from unit price to lump sum.

In consideration of and conditional upon payment to Contractor by Miami- Dade County (hereinafter "County"), of the Change Order amount, the Contractor releases County, its officers, employees and agents ~~from~~, and waives and relinquishes, any and all claims, disputes or causes of action of any kind, inclusive of claims at law or equity, or for direct or indirect costs, or for time it has or may have against the County, its officers, employees and agents for all events occurring prior to November 15, **2007**, arising out of or in connection with the Contract, including but not limited to all indirect and direct costs associated with the excusable compensable delay. The Contractor accepts the Change Order as full accord and satisfaction of all time and monies due it under or in connection with the provisions of the Change Order.

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POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 218627

Certificate No. 002035567

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Richard G. Avery, Karen C. Bowling, Thomas Bean, Rita Sagistano, Gerard S. Macholz, Susan Lupski, Robert T. Pearson, Mary Alice J. Corbett, Camille Maitland, Peter F. Jones, and Diana L. Parker

of the City of Garden, State of New York, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 9th day of May, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: [Signature]
George W. Thompson, Senior Vice President

On this the 9th day of May, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2011.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of January, 20 08.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Kori M. Johanson
Kori M. Johanson, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

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**TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
HARTFORD, CT. 06183**

**ATTORNEY-IN-FACT JUSTIFICATION
PRINCIPAL'S ACKNOWLEDGMENT — IF A CORPORATION**

State of New York, County of _____

ss.

On this _____ day of _____, 20____, before me personally appeared _____ to me known, who, being by me duly sworn, deposes and says: That he/she resides in the City of _____ of _____ the _____ that he/she is the _____ of _____ the corporation described in and which executed the within instrument; that he/she knows the seal of said corporation: that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he/she signed his/her name thereto by like order.

PRINCIPAL'S ACKNOWLEDGMENT — IF INDIVIDUAL OR FIRM

State of New York, County of _____

ss.

On this _____ day of _____, 20____, before me personally appeared _____ to me known to be (the individual) (one of the firm of _____) described in and who executed the within instrument, and he/she thereupon duly acknowledged to me that he/she executed the same (as the act and deed of said firm).

SURETY COMPANY'S ACKNOWLEDGMENT

State of New York, County of **Nassau**

ss.

On this 3rd day of **January**, 2008, before me personally appeared **Rda Sagistano** to me known, who, being by me duly sworn, did depose and say: That he/she resides in ~~the City of~~ **Nassau County, New York** that he/she is Attorney-in-Fact of **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA**, the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said Company; that the seal affixed to said instrument is such corporate seal; and that he/she signed said instrument as Attorney-in-Fact by authority of the Board of Directors of said Company; and affiant did further depose and say that the Superintendent of Insurance of the State of New York has, pursuant to Chapter 882 of the Laws of the State of New York for the year 1939, constituting chapter 28 of the Consolidating Laws of the State of New York as the Insurance Law as amended, issued to **TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA** his/her certificate that said Company is qualified to become and be accepted as surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that such certificate has not been revoked.

Mary Alice J. Corbett
Notary Public

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Hartford, Connecticut 06183
FINANCIAL STATEMENT AS OF DECEMBER 31, 2006
AS FILED WITH THE INSURANCE DEPT. OF THE STATE OF NEW YORK
CAPITAL STOCK \$ 6,000,000

MARY ALICE J. CORBETT
Notary Public, State of New York
No. 01006020162
Qualified in Nassau County
Commission Expires 02/22/2011

ASSETS		LIABILITIES	
Cash & Invested Cash	\$ 114,080,791	Unearned Premiums	\$ 724,600,436
Bonds	2,912,711,671	Losses	872,911,753
Stock	14,865,186	Loss Adjustment Expenses	128,785,154
Investment Income Due and Accrued	34,978,331	Commissions	28,073,926
Premium Balances	166,157,298	Taxes, Licenses and Fees	21,233,762
Reinsurance Recoverable	3,954,977	Other Expenses	30,823,925
Net Deferred Tax Asset	42,796,290	Dividends	7,080,280
Ceded Deposit Asset	6,134,622	Current Federal and Foreign Income Taxes	38,726,832
State Surcharges Receivable	149,430	Ceded Reinsurance Net Premiums Payable	(4,981,682)
Other Assets	(4,414,060)	Funds Held Under Reinsurance Treaties	99,054,332
		Amounts Withheld I Retained by Company for Others	39,095,839
		Remittances and Items not Allocated	60,285,233
		Provision for Reinsurance	6,389,561
		Payable to Parent, Subsidiaries & Affiliates	86,256,776
		Payable for Securities	4,975,100
		Retroactive Reinsurance Reserve Assumed	20,845,771
		Other Accrued Expenses and Liabilities	119,334
		Total Liabilities	\$ 2,164,276,332
		Capital Stock	\$ 6,000,000
		Paid in Surplus	303,297,402
		Other Surplus	817,840,802
		Total Surplus to Policyholders	\$ 1,127,138,204
Total Assets	\$ 3,291,414,536	Total Liabilities & Surplus	\$ 3,291,414,536

Securities carried at 512,849,486 in the above statement are deposited with public authorities, as required by law

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THIS IS NOT A BOND NUMBER
UNLIMITED POWER OF ATTORNEY
XLS 130526

KNOW ALL MEN BY THESE PRESENTS: That the XL SPECIALTY INSURANCE COMPANY, a corporation organized and existing by virtue of the laws of the State of Delaware ("Company" or "Corporation"), with offices at 914 Mt. Kemble Avenue, Morristown, New Jersey, 07960, does hereby nominate, appoint: **KEVIN M. MIRSCH, PETER M. QUINN, DAVID J. SMITH**

its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds, undertakings, recognizances and written obligations in the nature thereof, the penal sum of no one of which is in any event to exceed \$UNLIMITED.00. Such bonds and undertakings, when duly executed by the aforesaid Attorney(s)-in-fact shall be binding upon the said Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal. This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company on the 5th day of December, 1988:

"RESOLVED, That the President, or any Vice President of the Company or any person designated by any one of them is hereby authorized to execute Powers of Attorney qualifying the attorney named in the given Power of Attorney to execute in behalf of the Company, bonds, undertakings and all contracts of suretyship, and that any Secretary or any Assistant Secretary of the Company be, and that each or any of them hereby is authorized to attest the execution of any such Power of Attorney, and to attach thereto the Seal of the Company.

FURTHER RESOLVED: That the signature of such officers and the Seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking or contract of suretyship to which it is attached."

Bonds executed under this Power of Attorney may be executed under facsimile signature and seal pursuant to the following Resolution adopted by the Board of Directors of the Company on August 7, 1997:

RESOLVED: That the signature of John P. Hyland, as Vice President of this Corporation, and the seal of this Corporation may be affixed or printed on any and all bonds, undertakings, recognizances, or other written obligations thereof, on any revocation of any Power of Attorney, or on any certificate relating thereto, by facsimile, and any Power of Attorney, any revocation of any Power of Attorney, bonds, undertakings, recognizances, certificate or other written obligation, bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation.

IN WITNESS WHEREOF, the XL SPECIALTY INSURANCE COMPANY has caused its corporate seal to be hereunto affixed, and these presents to be signed by its duly authorized officers this December 11th, 2007.



STATE OF DELAWARE
COUNTY OF NEW CASTLE

BY
Attest:

XL SPECIALTY INSURANCE COMPANY

VICE PRESIDENT

SECRETARY

On this 11th day of December, 2007, before me personally came John P. Hyland to me known, who, being duly sworn, did depose and say that he is Vice President of the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the aforesaid instrument is such corporate seal and was affixed thereto by order and authority of the Board of Directors of said Company, and that he executed the said instrument by like order.



STATE OF NEW JERSEY
COUNTY OF MORRIS

REBECCA CLAIRE SHALHOUB
Notary Public
State of New Jersey
My Commission Expires 2/8/2012

NOTARY PUBLIC

I, Ben M. Ulaneta, Secretary of the XL SPECIALTY INSURANCE COMPANY, a corporation of the State of Delaware, do hereby certify that the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and that I have compared same with the original and that it is a correct transcript therefrom and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, at the City of Wilmington, this 3rd day of January 2008



SECRETARY

This Power of Attorney may not be used to execute any bond with an inception date after December 11, 2011

This document is printed on a blue background

FLORIDA DEPARTMENT OF INSURANCE

PETER FRANCIS JONES

License Number E019924



**RESIDENT
LICENSE**

IS LICENSED TO TRANSACT THE FOLLOWING CLASSES OF INSURANCE
General Lines (Prop & Casu)

This Licensee must have an active appointment with the insurer or employer for which products or services marketed. See reverse for additional requirements.

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