Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2008

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

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

From: George M. Burgess
County Manager

Subject: Change Order No. 1 to Miscellaneous Construction Contract, MDAD Contract No. MCC-7-05 with Mike Gomez Construction Consulting, Inc.

Recommendation

The attached Change Order to the contract with Mike Gomez Construction Consulting, Inc. for a revision to the CSBE goal participation and to incorporate mandatory provisions for federally funded projects, has been prepared by the Miami-Dade Aviation Department (MDAD) and is recommended for approval.

CHANGE ORDER NUMBER One (1)

Scope

PROJECT NAME: Miscellaneous Construction Contract

PROJECT NO. MCC-7-05

PRIME CONTRACTOR: Mike Gomez Construction Consulting, Inc.

TERM OF CONTRACT: Four (4) years

PROJECT DESCRIPTION: The MCC contract allows the Miami-Dade Aviation Department (MDAD) to respond to the demand for small to medium miscellaneous construction projects at its various airports in an efficient manner. MCC projects can include new construction, renovations, refurbishment, repairs, modifications, upgrading, emergency work, and maintenance work.

PROJECT LOCATION: All County Airports

PRIMARY COMMISSION DISTRICT: The impact of this agenda item is Countywide in nature as work under this contract may be performed at any of the County's airports.

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Miami-Dade Aviation Department

MANAGING DEPARTMENT: Miami-Dade Aviation Department

Fiscal Impact / Funding Source

CHANGE ORDER FUNDING SOURCE:	Airport revenue bonds, reserve maintenance fund, and Federal Aviation Administration (FAA) grant funds. The amount authorized for the miscellaneous construction contract is $50,125,000.00, which includes the inspector general account of $125,000.00. The total program expenditures for all contracts during the contract term will not exceed $50,000.000 in the aggregate.
PTP FUNDING:	No
GOB FUNDING:	No
GOB PROJECT:	No
CHANGE ORDER DESCRIPTION:	To revise the CSBE goal and to include additional certification required for federally funded projects.
MONETERY JUSTIFICATION:	This change order does not change the original contract amount of $50,125,000

BACKGROUND

The Miscellaneous Construction Contract, MCC-7-05 was awarded by the BCC on September 12, 2006 in the amount of $50,125,000. This Contract allows the Miami Dade Aviation Department (MDAD) to respond to the demand for miscellaneous construction projects at its various airports in an efficient manner. Under MCC-7-05 the licensed general contractor, Mike Gomez Construction Consulting, Inc., recommends, solicits and obtains CSBE contract measures for all the projects and advertises and obtains bids on a competitive basis from subcontractors.

MCC projects can include new construction, renovations, refurbishment, repairs, modifications, upgrading, emergency work, and maintenance work at Miami International Airport and any of the General Aviation Airports.

Each project in the MCC program is presented to the Review Committee (RC) to establish appropriate contract measures. Construction documents are then provided to the MCC contractor for competitive bidding. Prior to bidding, each MCC project is broken down by construction trades that are needed to construct the project. These construction trades or bid packages are then advertised by the Contractor with the CSBE participation established by the RC. Upon bid opening, and after receiving compliance from the Department of Small Business Development (SBD), the contracts for each bid package are awarded to the lowest responsive responsible bidder.

Mike Gomez Construction Consulting, Inc. administers the construction projects by providing coordination, scheduling and construction management. Mike Gomez Construction Consulting, Inc. develops, implements and monitors the various projects and also provides technical assistance and business training to all the subcontractors under MCC Program by providing approximately 30 hours of seminars per year to the construction industry.

REVISION TO CSBE GOAL

When the project was originally awarded by the Board on September 12, 2006, the 35% CSBE participation goal was based only on the construction management portion of this ($7,584,000.00) rather than the total fee of the contract.

Part I Fee (Core Staff)	**$ 7,584,000.00**
Part II Fee (Field Staff)	$ 1,927,000.00
Part III (Percentage of Construction Fee)	$ 2,226,895.00
Total Fee of Contract	$11,737,895.00

Concerns were raised that the entire $11,737,895.00 should have been considered in establishing the CSBE goals for the contract. After further review by MDAD and SBA staff, the contract was again presented to the RC so that the entire fee could be considered.

The Review Committee changed the project goal from 35% (based on $7,584,000.00) to 23% based on 11,737,895.00. The goal is based on the aggregate of the Part I, Part II and Part III Construction Management services scopes of work, not on the contract as a whole. The contractor may satisfy this goal in a manner of its choosing, subject to approval of SBD and consistent with the Special Provisions of the contract. This change results in a net increase of CSBE participation of $45,315.85 as summarized below:

- Original Goal = 35% of $7,584,000.00 = $2,654,400.00
- Revised Goal = 23% of $11,737,895.00 = $2,699,715.85
- **Increase in CSBE Participation = $45,315.85**

MANDATORY PROVISIONS FOR FEDERALLY FUNDED PROJECTS

In the event that the County designates a project under the MCC program to be eligible for federal funding, the contractor shall assure that the solicitation for such designated contract shall contain provisions complying with the federal requirements as listed on page 2 of this change order.

Time and Contingency Accounts Justification

No time adjustments are recommended under this Change Order No. 1.

This contract does not include contingency accounts.

Track Record / Monitor

PERFORMANCE RECORD: The contractor's performance to-date in the areas of responsiveness, management, quality of work, coordination, schedule compliance and cooperation is satisfactory.

COMPLIANCE DATA: Small Business Development has reviewed their records and finds that there have been no violations listed against this firm on this project or any other County projects.

CSBE MEASURE AT AWARD:	The original 35% (*Program Measure) CSBE measure was based on Part I, Core Staff fixed Monthly Fee $7,584,000 ($158,000 per month for the 48 months of the contract) for a total dollar value of $2,654,400. This Change Order modifies the CSBE Measure to 23% of total contract management fees of $11,737,895.00 (Parts I, II and III). This change order will increase the CSBE participation dollar value for this contract by $45,315.85 to $2,699,715.85. ***The Review Committee establishes CSBE contract measures for each individual construction project bid under the MCC-7-05 contract.**
SUBCONTRACTOR(S) MEETING GOAL:	Rashid Enterprises Unlimited, Inc. (23% or $2,699,715.85)
SUBCONTRACTOR(S) AND SUPPLIERS: (ORD. 00-30)	Rashid Enterprises Unlimited, Inc.
ORIGINAL CONTRACT AMOUNT:	$50,125,000
AMOUNT CHANGE THIS ORDER:	$0
PERCENT CHANGE THIS ORDER:	0%
REVISED CONTRACT AMOUNT:	$50,125,000
COMPANY PRINCIPALS:	Jesus M. Gomez
COMPANY QUALIFIER(S):	Jesus M. Gomez
COMPANY LOCATION:	Hialeah, Florida
YEARS IN BUSINESS:	Nine Years
PREVIOUS EXPERIENCE WITH THE COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD:	Mike Gomez Construction was part of the Joint Venture Team that performed MCC-5-97 Dacra/DMI/MG Joint Venture
SBD REVIEW:	Yes (See attached memo)
APPROVED FOR LEGAL SUFFICIENCY:	Yes

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: May 6, 2008

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

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

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)(B)
5-6-08

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-7-05 WITH MIKE GOMEZ CONSTRUCTION CONSULTING, INC., IN THE AMOUNT OF $0 DOLLARS, AND AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN

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 hereby approves Change Order No. 1 to Miscellaneous Construction Contract No. MCC-7-05 with Mike Gomez Construction Consulting, Inc., in the amount of $0 Dollars, in substantially the form attached hereto, which Change Order, among other items, changes the CSBE goal from 35% of Part I of the Construction Management Services Fee to 23% of the sum of Parts I, II, and III of the Construction Services Fee, and authorizes the County Mayor or his designee to execute same on behalf of the County, and to exercise the delegated authority described in the attached memorandum.

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 6th day of May, 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. DBM

Deborah Bovarnick Mastin

MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO 1 PROJECT NO. MCC-7-05 DATE: 01/25/08

PROJECT NAME: MCC-7-05

TO CONTRACTOR: Mike Gomez Construction Consulting, Inc.

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

ITEM NO.	DESCRIPTION	AMOUNT
1	Change the CSBE goal from 35%of Part I of the Construction Management Services Fee to 23% of the sum of Parts I, II, and III of the Construction Management Services Fee. This revision does not change the contract amount and results in an increase of CSBE participation by an amount of $45,315.85 as calculated below: Original Goal @ 35% of $7,584,000 = $2,654,400.00 Restated Goal @ 23% of $11,737,895 = $2,699,715.85 Increase in CSBE Participation = $ 45,315.85 The contractor may satisfy this goal in a manner of its choosing, and subject to SBD approval, and in compliance to the Special Provisions of the contract.	$0.00

JUSTIFICATION: COUNTY REQUESTED CHANGE

SUMMARY OF CONTRACT AMOUNT

ORIGINAL CONTRACT AMOUNT $50,125,000.00

REASON FOR CHANGE:
- ☐ Regulatory Change
- ☐ Other Agency Requested Change
- ☐ Design Errors Change
- ☐ Design Omission Change
- x County Requested Change
- ☐ Unforeseen or Unforeseeable Change

COST OF CONSTRUCTION CHANGES PREVIOUSLY ORDERED ..... $ 0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER ..... $ 0.00
COST OF CONSTRUCTION CHANGES THIS ORDER ..... $ 0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER ..... $ 0.00
PER CENT INCREASE, THIS CHANGE ORDER _ %
TOTAL PER CENT INCREASE TO DATE _ %
EXTENSION OF TIME ALLOWED BY THIS CHANGE 0 CALENDAR DAYS TO _

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.*

SIGNATURE CONSULTING ARCHITECT OR ENGINEER

TO BE FILLED OUT BY DEPARTMENT INITIATING CHANGE ORDER

DEPARTMENT | FUNDS BUDGETED CODE | CERTIFIED BY

ACCEPTED BY: CONTRACTOR

APPROVED: BUDGET DIRECTOR

Travelers Casualty and Surety Company of America
SURETY

DADE COUNTY, Florida
By its BOARD OF COUNTY COMMISSIONERS

RECOMMENDED: PROJECT MANAGER CHIEF ARCHITECT/CHIEF ENGINEER

By: County Manager DATE

APPROVED: HNTB (CONSULTING ENGINEER). DEPT. BUSINESS DEVELOPMENT

ATTEST:

APPROVED: DEPARTMENTAL DIRECTOR

By: Deputy Clerk

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

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MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO 1 **PROJECT NO.** MCC-7-05 **DATE:** 01/25/08

PROJECT NAME: MCC-7-05

TO CONTRACTOR: Mike Gomez Construction Consulting, Inc.

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

ITEM NO.	DESCRIPTION	AMOUNT
2	Add federally mandatory front-end specifications: (Article/Special Provisions) as shown on page 2 of this Change Order, pertaining to including provisions in MCC subcontracts (?) for eligible federal funding participation. In the event that the Owner designates a project to be eligible for federal funding, the Contractor shall assure that all MCC Contract solicitations for such a designated contract shall contain provisions complying with the following federal requirements. • Buy American Preference Title 49 U.S.C, Chapter 501 • Civil Rights Act of 1964, Title VI Contractor Contractual Requirements 49 CFR part 21 • Airport and Airway Improvement Act of 1982, Section 520 Title 49 U.S.C. 47123 • Lobbying and Influencing Federal Employees 49 CFR part 20 • Access to Records and Reports 49 CFR part 18.36 • Disadvantaged Business Enterprise 49 CFR part 26 • Energy Conservation 49 CFR part 18.36 • Breach of Contract Terms 49 CFR part 18.36 • Rights to Inventions 49 CFR part 18.36 • Clean Air and Water Pollution Control 49 CFR part 18.36(i)(12) • Trade Restrictions Clause 49 CFR part 30 • Veterans Preference Title 49 U.S.C. 47112 • Davis Bacon Labor Provisions 29 CFR part 5 • Equal Opportunity Clause 41 CFR part 60 1.4 • Certification of Non-Segregated Facilities-41 CFR part 60 1.8 • Notice of Requirement Affirmative Action - 41 CFR part 60 4.2 • Equal Employment Opportunity Specification 41 CFR part 60 4.3 • Termination of Contract 49 CFR part 18.36 • Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - 49 CFR part 29 • Contract Work hours and Safety Standards Act Requirements - 29 CFR part 5	$0.00

JUSTIFICATION: COUNTY REQUESTED CHANGE

RELEASE OF CLAIM

This Change Order modifies the Contract by amending certain terms and conditions of the Contract with no increase in the Contract Amount and no extension in the Contract Time.

The Contractor releases Miami Dade County, its officers, employees and agents from, and waives and relinquishes, any claims, disputes or causes of action of any kind, inclusive of claims at law or equity, or for direct or indirect costs, or for it has or may have against the County, its officers, employees and agents for events arising out of or in connection with this Change Order.

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

TRAVELERS

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. 219156 **Certificate No.** 001980222

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

Charles D. Nielson, Charles J. Nielson, Mary C. Aceves, Warren M. Alter, David R. Hoover, and Gicelle Pajon

of the City of Miami Lakes, State of Florida, 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.

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

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 25th day of September, 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: George W. Thompson, Senior Vice President

On this the 25th day of September, 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.

Marie C. Tetreault, Notary Public

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58440-5-07 Printed in U.S.A.

MIAMI-DADE COUNTY

Business Development
111 NW 1st Street • 19th Floor
Miami, Florida 33128-1906
T 305-375-3111 F 305-375-3160

miamidade.gov

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
Capital Improvements
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

RECEIVED
DEC 27 200
MIKE GOMEZ CONST.
MCC-7-2005

December 20, 2007

Mr. Mike Gomez, Manager
Mike Gomez Construction Consulting, Inc.
P.O. Box 998932
Miami, Florida 33299-8932

Via Facsimile & U.S. Mail
(305) 876-8357
(305) 876-8444 Office

Re: Project No. MCC 7-2005, MDAD Miscellaneous Construction Contract

Dear Mr. Gomez:

The Department of Small Business Development (SBD) is in receipt of Mike Gomez Construction Consulting, Inc.'s (MGCC) request to substitute Dozier and Dozier Construction, Inc. (Dozier) with Rashid Enterprises Unlimited, Inc. (Rashid) on the referenced project awarded with a 35% Community Small Business Enterprise (CSBE) subcontractor goal. Pursuant to the CSBE Program, §10-33.02 et seq., Code of Miami Dade County, in the event that during the performance of a contract a CSBE is not available the successful bidder must locate a substitute CSBE and receive approval for the substitution from SBD.

This project was awarded with a 35% CSBE participation goal. Dozier was scheduled to meet 20% of the 35% goal through the performance of Construction Management services to include the provision of Construction Management Project Managers and Assistant Project Managers. On April 2, 2007, Dozier notified MGCC that Dozier would not be participating in the MCC 7-2005 program due to their inability to accept the terms of the subcontract agreement proposed by MGCC. In response MGCC requested permission to increase Rashid's participation and scope to include the work that was to be performed by Dozier. SBD and MDAD staff reviewed the scope of work, held a series of meetings and confirmed that Dozier had requested to be removed from the project. **Based on the above, MGCC's request to substitute Dozier with Rashid is hereby approved.** Pursuant to the revised SOI submitted Rashid's participation will be $2,699,715.85.

Please note that the 35% project goal was adjusted to 23% with a commensurate value of $2,699,715.85 based on the RC's reconsideration of the entire scope of the project. Should you have any questions on this decision, please contact Alice Hidalgo-Gato, Acting Director, Contract Review and Compliance Division, at (305) 375-3153.

Sincerely,

Penelope Townsley
Director

c: Kuratibisha Ali Rashid, President Rashid Enterprises, Inc.
William Dozier, President, Dozier and Dozier Construction, Inc
Jose Abreu, Director, MDAD
Tyrone Brown, Chief of Design, MDAD
Howard Gregory, Chief, Minority Affairs, MDAD
Milton Collins, Associate Director, Minority Affairs, MDAD
Betty Alexander, Division Director, SBD
Patrice King, Administrative Officer, SBD
Substitution File

T:\CCDiv\Yvette\MCC 7 2005 deviation request MGCC-Dozier 12-6-07.doc

MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO 1 **PROJECT NO.** MCC-7-05 **DATE:** 01/25/08

PROJECT NAME: MCC-7-05

TO CONTRACTOR: Mike Gomez Construction Consulting, Inc.

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

ITEM NO.	DESCRIPTION	AMOUNT
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JUSTIFICATION: COUNTY REQUESTED CHANGE

SUMMARY OF CONTRACT AMOUNT

ORIGINAL CONTRACT AMOUNT $50,125,000.00

REASON FOR CHANGE:
- ☐ Regulatory Change
- ☐ Other Agency Requested Change
- ☐ Design Errors Change
- ☐ Design Omission Change
- x County Requested Change
- ☐ Unforeseen or Unforeseeable Change

COST OF CONSTRUCTION CHANGES PREVIOUSLY ORDERED..... $ 0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER..... $ 0.00
COST OF CONSTRUCTION CHANGES THIS ORDER..... $ 0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER ..... $ 0.00
PER CENT INCREASE, THIS CHANGE ORDER _ %
TOTAL PER CENT INCREASE TO DATE _ %
EXTENSION OF TIME ALLOWED BY THIS CHANGE __0 CALENDAR DAYS TO _

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.*

SIGNATURE CONSULTING ARCHITECT OR ENGINEER

TO BE FILLED OUT BY DEPARTMENT INITIATING CHANGE ORDER

DEPARTMENT | FUNDS BUDGETED CODE | CERTIFIED BY

ACCEPTED BY: CONTRACTOR

Travelers Casualty and Surety Company of America
SURETY

RECOMMENDED: PROJECT MANAGER / CHIEF ARCHITECT/CHIEF ENGINEER

APPROVED: HNTB (CONSULTING ENGINEER) DEPT. BUSINESS DEVELOPMENT

APPROVED: DEPARTMENTAL DIRECTOR

APPROVED: BUDGET DIRECTOR

DADE COUNTY, Florida
By its BOARD OF COUNTY COMMISSIONERS

By: County Manager DATE

ATTEST:

By: Deputy Clerk

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

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FD5.115 2/99

MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO 1 **PROJECT NO.** MCC-7-05 **DATE:** 01/25/08

PROJECT NAME: MCC-7-05

TO CONTRACTOR: Mike Gomez Construction Consulting, Inc.

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

ITEM NO.	DESCRIPTION	AMOUNT
2	Add federally mandatory front-end specifications: (Article/Special Provisions) as shown on page 2 of this Change Order, pertaining to including provisions in MCC subcontracts (?) for eligible federal funding participation. In the event that the Owner designates a project to be eligible for federal funding, the Contractor shall assure that all MCC Contract solicitations for such a designated contract shall contain provisions complying with the following federal requirements. • Buy American Preference Title 49 U.S.C, Chapter 501 • Civil Rights Act of 1964, Title VI Contractor Contractual Requirements 49 CFR part 21 • Airport and Airway Improvement Act of 1982, Section 520 Title 49 U.S.C. 47123 • Lobbying and Influencing Federal Employees 49 CFR part 20 • Access to Records and Reports 49 CFR part 18.36 • Disadvantaged Business Enterprise 49 CFR part 26 • Energy Conservation 49 CFR part 18.36 • Breach of Contract Terms 49 CFR part 18.36 • Rights to Inventions 49 CFR part 18.36 • Clean Air and Water Pollution Control 49 CFR part 18.36(i)(12) • Trade Restrictions Clause 49 CFR part 30 • Veterans Preference Title 49 U.S.C. 47112 • Davis Bacon Labor Provisions 29 CFR part 5 • Equal Opportunity Clause 41 CFR part 60 1.4 • Certification of Non-Segregated Facilities-41 CFR part 60 1.8 • Notice of Requirement Affirmative Action - 41 CFR part 60 4.2 • Equal Employment Opportunity Specification 41 CFR part 60 4.3 • Termination of Contract 49 CFR part 18.36 • Certification regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - 49 CFR part 29 • Contract Work hours and Safety Standards Act Requirements - 29 CFR part 5	$0.00

JUSTIFICATION: COUNTY REQUESTED CHANGE

RELEASE OF CLAIM

This Change Order modifies the Contract by amending certain terms and conditions of the Contract with no increase in the Contract Amount and no extension in the Contract Time.

The Contractor releases Miami Dade County, its officers, employees and agents from, and waives and relinquishes, any claims, disputes or causes of action of any kind, inclusive of claims at law or equity, or for direct or indirect costs, or for it has or may have against the County, its officers, employees and agents for events arising out of or in connection with this Change Order.

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TRAVELERS

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. 219156 **Certificate No.** 001980227

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

Charles D. Nielson, Charles J. Nielson, Mary C. Aceves, Warren M. Alter, David R. Hoover, and Gicelle Pajon

of the City of Miami Lakes, State of Florida, 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 25th day of September, 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

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

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 25th day of September, 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.

Marie C. Tetreault, Notary Public

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