

MEMORANDUM



Date: July 17, 2008

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

Agenda Item No. 14(A)(2)

From: George M. Burgess
County Manager

Subject: Change Order for Busway Extension to Florida City-Segment II - RE-BID - Project No: TR05-BWX-2R; Contract No: TR05-BWX-2R - Increasing the Contract Time by 178 Calendar Days and Contract Amount by \$768,862.23, to Central Florida Equipment Rentals Inc.

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached retroactive Change Order No. 1 to the Busway Extension to Florida City-Segment II - Re-Bid - Contract No. TR05-BWX-2R with Central Florida Equipment Rentals Inc. (Central). This change extends the contract time by 178 calendar days and increases the contract amount by \$768,862.23 and has been prepared by Miami-Dade Transit.

CHANGE ORDER NUMBER: 1

SCOPE

PROJECT NAME: Busway Extension to Florida City-Segment II - RE-BID

PROJECT NO: TR05-BWX-2R

CONTRACT NO: TR05-BWX-2R

PROJECT DESCRIPTION: The project includes the construction of 10.3 kilometers (approximately six and one-half miles) of Busway extension within the former FEC Railway Corridor extending from SW 264th Street to SW 344th Street in Florida City. In addition, the project includes the construction of a 1.2 kilometer extension of the bicycle path from SW 344th Street to US-1 (South Dixie Highway). The work includes drainage, new bridge crossings, landscaping, lighting, traffic signals, 15 bus shelters, the removal and disposal of arsenic contaminated soil material and the procurement and installation of Accessible Pedestrian Signals (APS) on the entire Busway Extension to Florida City from SW 112th Avenue to SW 344th Street. Additionally, the project includes the construction of two bus shelters at SW 220th Street, one northbound and one southbound.

PROJECT LOCATION: Former Florida East Coast (FEC) Railway Corridor extending from SW 264th Street to SW 344th Street

PRIMARY COMMISSION DISTRICT: Various Districts

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Miami-Dade Transit

MANAGING DEPARTMENT: Miami-Dade Transit

FISCAL IMPACT / FUNDING SOURCE

CHANGE ORDER FUNDING SOURCE: Federal Transit Administration (FTA)

PTP FUNDING: No

GOB FUNDING: No

CHANGE ORDER DESCRIPTION: This Change Order is required to increase the contract time by 178 calendar days and contract amount by \$768,862.23 and is detailed in the following Change Notices (CN) detailed below:

MONETARY JUSTIFICATION: 1. Unforeseen Conditions – Reduction of (\$901,844.62):

C.N. #37 – VECP No. 1 – Reduction of arsenic contaminated material disposal amounts – (\$790,009.53)
The contractor conducted additional borings and technical review which reduced the original bid quantities for the contaminated material disposal to provide a substantial savings to the contract amount. In accordance with Paragraph B.1 of Article 38, Contractor Proposals, of the General Conditions, the contractor and Miami-Dade County (MDC) shall receive a 50% equal share in any savings. As a result, MDC is due a reduction of (\$790,009.53) from the original contracted amount.

C.N. #38 – Deletion of riprap amounts – (\$111,835.09)
As a result of the changes in the classifications of the arsenic contaminated material mentioned in C.N. #37 above, the contractor determined that in certain areas detail was no longer required and should be deleted. Thus, MDC is due a reduction of (\$111,835.09) from the original contracted amount.

2. MDC-requested change work – Increase of \$1,670,706.85:

C.N. #21 – Provide two additional prototype bus shelters @ SW 328th Street per City of Florida City Resolution 04-10, and as approved in Change Request No. BWX01 dated September 5, 2006 - \$671,397.17. The Change Request includes associated work detailed on roadway, signalization, signage, pavement marking and lighting plans.

C.N. #40 – Provide additional signalization for Busway Segment 2 - \$327,079.49

In August 2006, the Engineer of Record issued Change Request No. BWX02 directing the contractor to provide new additional traffic signals at the intersections of SW 328th Street, SW 336th Street and SW 344th Street.

C.N. #41 – Provide additional signalization for Busway Segment 1 - \$400,280.19

In October 2006, the Engineer of Record issued Part 2 of Change Request No. BWX02 directing the contractor to provide new additional traffic signals at the intersections of SW 252nd Street, SW 260th Street and SW 264th Street.

C.N. #44 – Time Extension for water main conflict @ SW 336 Street – 48 days

On January 12, 2006 during excavation operations in this area, the contractor unearthed an existing water main that was located at an elevation of approximately ten (10) inches below the proposed grade level. In order to comply with Miami-Dade Water and Sewer Authority standards, the City of Florida City Water & Sewer staff had to relocate this water main in order to allow the contractor to continue his work in this area. This was completed on March 2, 2006.

C.N. #70 – Provide compensation to the contractor for a compensable time extension of 111 calendar days - \$271,950.00

As part of the contractor submittals for C.N. #21 and #40, the contractor requested a compensable time extension of 349 calendar days. The Resident Engineer (RE) staff conducted a time impact analysis which showed that the contractor was due a compensable time extension of 111 calendar days. The RE verified the detailed contractor back-up submitted by the contractor, and agreed that the contractor's request of \$2,450 per day for field office overhead cost was acceptable.

TIME JUSTIFICATION:

In addition, this change order is required to provide the contractor with a time extension of 67 days (non-compensable) and 111 days (compensable) as detailed below:

1. Unforeseen Changes – Time extension of 67 days (non-compensable)

C.N. #43 – Time Extension for utility conflict @ SW 336 Street – 16 days

When the contractor mobilized to start his work @ SW 336 Street, he found that several utilities identified on Drawing No. CE-640 were not removed as noted and presented conflict conditions. As a result, the contractor was unable to start his "Set up M.O.T. Phase 1" activity scheduled for October 24, 2005. The Engineer of Record prepared and issued a new and revised M.O.T. plan so the contractor could begin his work on November 20, 2006.

C.N. #45 – Time extension for Hurricane Ernesto – 3 days
 On August 28, 2006 the MDC Department of Emergency Management issued a hurricane warning for Miami-Dade County as a result of Hurricane Ernesto. In accordance with the 3rd paragraph of Article 39, Extension of Time, of the General Conditions, this occurrence is defined as an excusable delay.

2. MDC-requested changes – 111 days (compensable)

C.N. #70 – Time extension for C.N. #21 and #40 – 111 days
 The compensable time extension of 111 calendar days is necessary to furnish and install two (2) new additional bus shelters @ SW 328th Street and new additional traffic signalization systems at the three (3) major intersections of SW 328th Street, SW 324th Street and SW 344th Street. These additional items of work were not included in the original schedule and impacted the critical path of the project. The contractor requested a compensable time extension of 349 calendar days. The Resident Engineer (R.E.) staff conducted a time impact analysis which showed that the contractor was entitled to a compensable time extension of 111 calendar days.

Since the above mentioned items of change work were requested by the County, then no backcharges to the Engineer of Record are warranted.

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Change Order Values</u>	<u>Current Totals</u>	<u>Total Paid</u>	<u>Balance After Change Order</u>
BASE:	\$34,850,771.19	\$0.00	\$768,862.23	\$35,619,633.42	\$34,354,451.63	\$1,265,181.79
CONTINGENCY:	\$1,742,500.00	\$0.00	\$0.00	\$1,742,500.00	\$1,742,500.00	\$0.00
DEDICATED:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
TOTALS:	\$36,593,271.19	\$0.00	\$768,862.23	\$37,362,133.42	\$36,096,951.63	\$1,265,181.79

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
BASE DURATION:	640	0	178	818
CONTINGENCY:	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL DURATION:	640	0	178	818

INITIATING FACTOR(S) FOR CHANGE ORDER

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
County Requested Change	\$1,670,706.85	111
Unforeseen / Unforeseeable Change	<u>(\$901,844.62)</u>	67
Total:	\$768,862.23	

TRACK RECORD / MONITOR

PERFORMANCE RECORD: There are six (6) performance evaluations in the CIIS Database reflecting an average rating of 3 out of a possible 4.

PRIME CONTRACTOR: Central Florida Equipment Rentals Inc.

COMPANY PRINCIPAL: James Baer

COMPANY QUALIFIERS: Robert Baer

COMPANY EMAIL ADDRESS: bbaer@centralfloridaequip.com

COMPANY STREET ADDRESS: 9030 NW 97th Terrace

COMPANY CITY-STATE-ZIP: Medley, FL 33178

YEARS IN BUSINESS AT TIME OF AWARD: 28

PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD: Based upon the Firm History Report provided by the Department of Small Business Development, Central Florida Equipment Rentals, Inc. has held nine contracts with the County for a total value of \$96,230,051.00.

SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE): Aeicor Metal Products, Inc.,
 Agricultural Land Services,
 Barreiro Concrete,
 Dilema,
 The Shaw Group,
 Signal Services,
 Contech,
 Florida Rock & Sand,
 Hydro Coduit

CONTRACT MANAGER NAME/PHONE/EMAIL: Isabel Padron (305) 375-4504 ipadron@miamidade.gov

PROJECT MANAGER NAME/PHONE/EMAIL: Neville Hoo (305) 375-4581 NHoo@miamidade.gov

BACKGROUND

The project includes the construction of 6.5 miles of Busway extension within the former FEC Railroad Corridor extending from SW 264th Street to 344th Street in Florida City. In addition, the project includes the construction of a 0.75 mile extension of the bicycle path from SW 344th Street to U.S. 1 (South Dixie Highway). The work includes roadway construction (including a pedestrian/bicycle path along and within the entire Busway corridor), intersection improvements, signalization, traffic signage and pavement markings, traffic devices, new drainage, new bridge crossings at the C-103 and C-103N canals, lighting, landscaping, 19 bus shelters, the removal, handling and disposal of arsenic contaminated soil material and the procurement and installation of Accessible Pedestrian Signals (APS) on the entire Busway Extension from SW 200th Street to 344th Street.

On March 29, 2005 due to the discovery of arsenic in certain areas of the Busway Segment II, which as a result required major revisions to the drainage system, MDT re-advertised the Busway Extension to Florida City-Segment II construction contract.

On July 25, 2006, the Board approved the award of the contract to Central Florida Equipment Rentals, Inc.

Bus revenue operations began on December 16, 2007. With this time extension of 178 calendar days, the revised contract completion date was January 13, 2008.

5/29/08

BUDGET APPROVAL
FUNDS AVAILABLE:

mmmm
OSBM DIRECTOR

5/29/08
DATE

APPROVED AS TO
LEGAL SUFFICIENCY:

Bruce Z. Phaber
COUNTY ATTORNEY

5/29/08
DATE

CAPITAL
IMPROVEMENTS
CONCURRENCE:

Joe Mark
OCI DIRECTOR

6-11-08
DATE

Sheela Ghat
ASSISTANT COUNTY
MANAGER

6-26-08
DATE

CLERK DATE

DATE



MEMORANDUM

(Revised)

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

DATE: July 17, 2008

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

SUBJECT: Agenda Item No. 14(A)(2)

✓ 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. 14(A)(2)
7-17-08

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF
RETROACTIVE CHANGE ORDER NO. 1 FOR AN INCREASE
IN COST OF \$768,862.23 AND A TIME EXTENSION OF 178
CALENDAR DAYS TO CONTRACT TR05-BWX-2R
BETWEEN MIAMI-DADE COUNTY AND CENTRAL
FLORIDA EQUIPMENT RENTALS INC.

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the retroactive Change Order No. 1 between Miami-Dade County and Central Florida Equipment Rentals Inc. for an increase in cost of \$768,862.23 and a time extension of 178 calendar days; in substantially the form attached hereto and made a part thereof; and authorizes the County Mayor or his designee to execute same for and on behalf of Miami-Dade County.

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

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
17th day of July, 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. 

Bruce Libhaber

MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE TRANSIT

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1

CONTRACT NO: TR05-BWX-2R

DATE: 11/9/2007

PROJECT TITLE: Busway Extension to Florida City-Segment II - RE-BID

TO CONTRACTOR: Central Florida Equipment Rentals Inc. 9030 NW 97th Terrace Medley, FL 33178

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: This Change Order is required to increase the contract time by 178 calendar days and contract amount by \$768,862.23 and is detailed in the following Change Notices (CN) detailed below:

Monetary Justification: 1. Unforeseen Conditions - Reduction of (\$901,844.62):

C.N. #37 - VECP No. 1 - Reduction of arsenic contaminated material disposal amounts - (\$790,009.53)
The contractor conducted additional borings and technical review that reduced the original bid quantities for the contaminated material disposal to provide a substantial savings to the contract amount. In accordance with Paragraph B. (Continued below)

Time Justification: In addition, this change order is required to provide the contractor with a time extension of 67 days (non-compensable) and 111 days (compensable) as detailed below:

1. Unforeseen Changes - Time extension of 67 days (non-compensable)

C.N. #43 - Time Extension for utility conflict @ SW 336 Street - 16 days
When the contractor mobilized to start his work @ SW 336 Street, he (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

N/A

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$36,593,271.19
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$36,593,271.19
COST OF CHANGES WITH THIS DOCUMENT-----	\$768,862.23
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$37,362,133.42
PERCENT INCREASE WITH THIS CHANGE-----	2%
TOTAL PERCENT INCREASE TO DATE-----	2%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	640 / 0 / 178
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	818

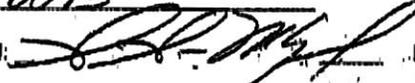
CERTIFYING STATEMENT: I hereby certify that the changes and supporting cost data included is, in my considered opinion, necessary and accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit of competitive bidding.

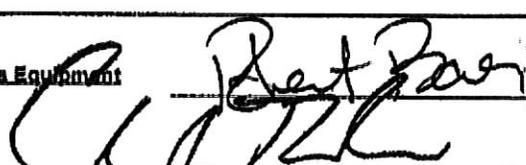
Approved: ENGINEER OR CONSULTING ENGINEER  Date: 4 FEB 2008

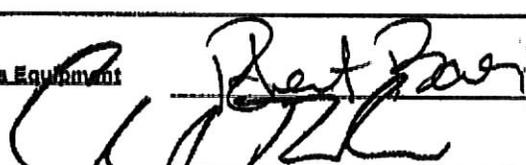
Recommended By: HOSSIN HABIBNEJAD, P.E. 786-489-5257 Date: 11/19/2007

TO BE FILLED OUT BY MIAMI-DADE TRANSIT

FUNDS BUDGET CODE: MTBUSICT0013

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION:  Date: 2/11/08

Accepted By: Central Florida Equipment Rentals Inc.  Contractor

Accepted By: Surety  Surety Travelers Casualty and Surety Company of America

Charles J. Nielson
Atty-in-fact



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. 002124825

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 2nd day of January, 2008.

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 2nd day of January, 2008, 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

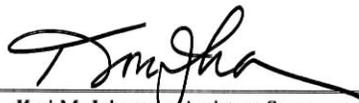
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing 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 1st day of February, 20 08.


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.

SUMMARY BID TABULATION

BUSWAY EXTENSION TO FLORIDA CITY
 SEGMENT II, RE-BID
 CONTRACT NO. TR05-BWX-2R
 BID OPENING - MAY 11, 2005

	TOTALS		ALTERNATES				PROJECT GRAND TOTALS INCLUDING ALTERNATES				
	Engineer's Estimate (1)	Base Bid (2)	Difference (1) - (2)	#1 (3)	#2 (4)	#3 (5)	#4 (6)	Total Alternates (7)	Engineer's Estimate incl Alternates (8)	Base Bid Plus Alternates (9)	Difference (8) - (9)
Central Florida Equipment Rentals	37,720,527.49	35,837,294.19	1,883,233.30	384,000.00	92,000.00	16,300.00	336,677.00	828,977.00	38,287,016.36	36,666,271.19	\$1,620,745.17
The Redland Company	37,720,527.49	39,348,297.30	(1,627,769.81)	689,420.16	27,983.63	3,718.92	342,474.91	1,063,597.62	38,287,016.36	40,411,894.92	(2,124,878.56)
APAC-Southeast, Inc.	37,720,527.49	41,168,305.41	(3,447,777.92)	720,000.00	6,500.00	6,500.00	325,000.00	1,058,000.00	38,287,016.36	42,226,305.41	(3,939,289.05)

NOTES:

- 1) Alternate #1 is the incremental cost for providing Homestead Bus Shelters.
- 2) Alternate #2 is the incremental cost for providing wood fencing in Homestead.
- 3) Alternate #3 is the incremental cost for providing wood fencing in Florida City.
- 4) Alternate #4 is the incremental cost for providing ornamental lighting in Homestead.
- *5) The Request to Advertise approved by the County Manager on March 24, 2005 included an engineer's estimate of \$38,127,183.00. The engineer's estimate was revised to include updated information and therefore, the bid tabulation was prepared based on the latest engineer's estimate.

5

STRATEGIC AREA: Transportation
 DEPARTMENT: Transit

***** FUNDED PROJECTS *****
 (\$ IN 000'S)

Infrastructure Improvements

PASSENGER AMENITIES

LOCATION: Various Locations
 Throughout Miami-Dade County
 COMM DIST: Countywide

DESCRIPTION: Replace signage at bus stops and Metrorail Stations and install bike racks on buses and other passenger amenities.

REVENUE SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
FTA Section 5307/5309 Formula Grant	11,236	323	1,240	319	332	342	352	0	14,144
People's Transportation Plan Bond Program	0	75	280	1,333	1,320	130	2,853	0	5,991

TOTAL REVENUE:	11,236	398	1,520	1,652	1,652	472	3,205	0	20,135
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EXPENDITURE SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
Construction	11,236	398	1,520	1,652	1,300	412	3,817	0	20,135

TOTAL PROJECTED COST:	11,236	398	1,520	1,652	1,300	412	3,817	0	20,135
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DONATION SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
FDOT Toll Revenue Credits	2,810	671	550	650	500	500	0	0	5,681

TOTAL DONATION:	2,810	671	550	650	500	500	0	0	5,681
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SOUTH MIAMI-DADE BUSWAY EXTENSION

LOCATION: South Miami-Dade County
 Throughout Miami-Dade County
 COMM DIST: Various Districts

DESCRIPTION: Construct Phase II of the South Miami-Dade Busway project, which will continue south from the existing busway terminus in Cutler Ridge to Florida City.

REVENUE SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
FTA Section 5309 Discretionary Grant	23,400	0	0	0	0	0	0	0	23,400
Federal Highway Administration	2,667	0	0	0	0	0	0	0	2,667
FDOT Funds	59,413	0	0	0	0	0	0	0	59,413

TOTAL REVENUE:	85,480	0	85,480						
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EXPENDITURE SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
Land/Bldg. Acquisition	25,744	0	0	0	0	0	0	0	25,744
Planning/Design	5,037	0	0	0	0	0	0	0	5,037
Construction	24,036	19,450	2,515	0	0	0	0	0	46,001
Equipment Acquisition	990	990	0	0	0	0	0	0	1,980
Other	2,450	1,500	897	0	0	0	0	0	4,847
Construction Contingency	1,000	371	500	0	0	0	0	0	1,871

TOTAL PROJECTED COST:	59,257	22,311	3,912	0	0	0	0	0	85,480
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DONATION SCHEDULE:	PRIOR	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	FUTURE	TOTAL
FDOT Toll Revenue Credits	6,517	0	0	0	0	0	0	0	6,517

TOTAL DONATION:	6,517	0	6,517						
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46,001
 - 24,036

 21,965

21,965
 + 15,778

 37,743

BUDGET PROJECT 6735281

Project Title: 6735281-SOUTH MIAMI-DADE BUSWAY EXTENSION - PHASE II

Project Desc: Construct Phase II of the South Miami-Dade Busway project, which will continue south from the existing busway terminus in Cutler Ridge to Florida City

Project(\$\$ In 000's)	Start:	End:	Prior:	07-08:	08-09:	09-10:	10-11:	Total:
Expenditures	10/1/2002	9/30/2007	106,652	1,193	0	0	0	107,845
Revenue			106,652	1,193	0	0	0	107,845

Project Type: Capital

CDPWeb Project Milestones (\$ IN 000'S)

Milestone:	Start:	End:	Prior:	07-08:	08-09:	09-10:	10-11:	Total:
Land/Bldg. Acquisitio	N/A	N/A	24,053	0	0	0	0	24,053
Planning/Design	N/A	N/A	6,888	0	0	0	0	6,888
Construction	N/A	N/A	71,181	0	0	0	0	71,181
Other	N/A	N/A	4,530	1,193	0	0	0	5,723

CDPWeb Project Revenue (\$ IN 000'S)

Revenue:	Start:	End:	Prior:	07-08:	08-09:	09-10:	10-11:	Total:
FTA Section 5309 Disc	N/A	N/A	81,174	0	0	0	0	81,174
FDOT Funds	N/A	N/A	25,478	0	0	0	0	25,478

Current Contracts for Project 6735281

Dept	ContractNo	Contract Name	RTA Budget Allocation	Award Budget Allocation	CIIS Award
MT	TR05-BWX-2R	Busway Extension to Florida CI	\$0.00	\$36,593,271.19	\$34,850,771.19
MT	TR05-BWX-2R	Busway Extension to Florida CI	\$36,593,271.19	\$0.00	\$34,850,771.19
Total Allocated:			\$36,593,271.19	\$36,593,271.19	

Current Sites for Project 6735281

Site	Location
68757	South Miami-Dade County
71885	SW 112TH AVE and US

To: Betty Alexander
DBD

Date: 9-January-2004

From: Francisco Fernandez
Miami-Dade Transit

Francisco
Subject:

15% DBE Goal, TR02-BWX-2
Construction of Segment 2
of the Busway.

A DBE goal of 15% has been established for the solicitation of a contractor to construct segment 2 of the South Dade Busway; TR02-BWX-2. Segment 2 of the Busway will be built adjacent to US 1 and will run from SW 264th St. to 344th St, the cost for construction is estimated at \$24,178,813, and is partially funded with federal dollars.

After reviewing the scope of work for this Invitation to Bid, (ITB) and examining DBD's list of certified DBE firms it was determined that there are three or more certified DBE firms available to perform the work required for this contract in the areas of: site work, lighting, and landscaping. Accordingly, a DBE Goal of (15%) fifteen percent is established for this contract.

If you have any questions, please call me at 375-3636.

Cc: Cathy Lewis
Patricia Thomas
Maria Cerna
Karen MacNeill
Diana Gonzalez
Dunbar Cornelle



MIAMI DADE COUNTY

Firm History Report

(excluding A&E)

From: 07/15/2000 To: 07/15/2005

FIRM NAME: CENTRAL FLORIDA EQUIPMENT RENTALS, INC.
 9030 NW 97th Ter
 Medley, FL 33178

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAY TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
* MIA-745A WS-1.1	1	AV-AA	GOAL CSBE 23%	10/09/2001	\$4,293,267	\$4,099,027 05/31/2005	\$4,293,267	11/26/2003	* BCL CONSTRUCTION, INC. - \$0.00 * CHEROKEE ENTERPRISES, INC. - \$0.00 * COOPER CONTRACTING, INC. - \$0.00 * F. L. P. ENTERPRISES, INC. - \$0.00 * FISK ELECTRIC COMPANY - \$0.00 * JIMMY'S EQUIPMENT RENTAL, INC. - \$0.00 * ROBERTS TRAFFIC MARKING CORP. - \$0.00 * SPEEDY CONCRETE CUTTING, INC. - \$0.00
					<u>\$4,293,267</u>				
* 629107	1	PW	NO MEASURE	11/03/2001	\$7,500,000				
					<u>\$7,500,000</u>				
* W-8238	1	WS	GOAL CSBE 8%	05/09/2002	\$1,434,283	\$0 02/21/2006	\$1,279,833	01/07/2004	* COOPER CONTRACTING, INC. - \$120,000.00
					<u>\$1,434,283</u>				
INSTALLATION OF 16-INCH SLUDGE LINE IN NW 74 ST. AND NORTH ROYAL POINCIANA BLVD. FROM NW 74 AVE. TO QUAIL AVE. (SIC 16)									
TA01-BWX-1S	1	MT	NO MEASURE	09/03/2002	\$17,256,004	\$17,281,025 02/21/2006			
BUSWAY PHASE 2 AND US 1 IMPROVEMENTS									
Change Order #	1	OCT-19-04			\$360,454				
Change Order #	2	JAN-20-05			\$175,638				
					<u>\$17,792,096</u>				

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* Indicates closed or expired contracts

Change Orders without dates are pending BCC approval



MIAMI DADE COUNTY
Firm History Report
(excluding A&E)

From: 07/15/2000 To: 07/15/2005

FIRM NAME: CENTRAL FLORIDA EQUIPMENT RENTALS, INC.
 9030 NW 97th Ter
 Medley, FL 33178

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAD TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
* CF002170	1	DE	NO MEASURE	10/29/2002	\$2,803,965	\$2,179,865 05/01/2004			
					<u>\$2,803,965</u>				
* CF002420	1	DE	NO MEASURE	11/18/2002	\$3,379,118	\$2,464,010 05/01/2004			
					<u>\$3,379,118</u>				
NW 202 STREET CANAL DREDGING PROJECT									
* CF002400E	1	DE	NO MEASURE	12/05/2002	\$2,028,437	\$575,892 05/01/2004			
					<u>\$2,028,437</u>				
ANDOVER EAST CANAL DREDGING PROJECT									
TA01-BWX-1N	1	MT	NO MEASURE	05/15/2003	\$19,712,645	\$19,575,733 11/28/2006			
BUSWAY EXTENSION TO FLORIDA CITY AND US 1 NORTH PROJECT									
Change Order #	1	JAN-20-05			\$692,970				
Change Order #	2	MAR-07-06			-\$829,882				
					<u>\$19,575,733</u>				

* Indicates closed or expired contracts
 Friday, February 29, 2008

Change Orders without dates are pending BCC approval

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MIAMI DADE COUNTY
Firm History Report
(excluding A&E)

From: 07/15/2000 To: 07/15/2005

FIRM NAME: CENTRAL FLORIDA EQUIPMENT RENTALS, INC.
 9030 NW 97th Ter
 Medley, FL 33178

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT	PAD TO PRIME AS OF	REQ TO DATE	DATE REPORTED	SUBCONTRACTORS
TR05-BWX-2R	1	MT	NO MEASURE	06/07/2005	\$36,593,271	\$6,714,156 05/05/2006			* AEICOR METAL PRODUCT - \$0.00 * AGRICULTURAL LAND SERVICES - \$0.00 * ANZAC CONTRACTORS - \$0.00 * BOB'S BARRICADES, INC - \$0.00 * DILEMA CORPORATION - \$0.00 * NES TRAFFIC SAFETY, L.P. - \$0.00 * SHAW ENVIRONMENTAL, INC. - \$0.00 * SIGNAL SERVICE INDUSTRIES, INC - \$0.00 * STONE AGE PAVERS, INC. - \$0.00 * SUNSHINE GUARDRAIL CORP. - \$0.00 * THE GARDEN R "JUS", CORP. - \$0.00 * THUNDER DEMOLITION, INC. - \$0.00
					<u>\$36,593,271</u>				

Total Award Amount	\$95,000,990
Total Change Orders Approved by BCC	\$1,229,062
Total Change Orders Approved After Requested Date Range	\$96,230,051
Total Change Orders Pending	\$0
	<u>\$97,150,170</u>

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Status View

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MIAMI-DADE COUNTY, FLORIDA

Capital Improvements Information System

All Contracts for FEIN 591782227

Central Florida Equipment Rentals Inc.

<u>DST</u>	<u>DPT</u>	<u>Contract</u>	<u>Name</u>	<u>Location / Contractor</u>	<u>Estimated Completion Date</u>	<u>Total Award</u>	<u>Last Status Date</u>	<u>% Complete / Status*</u>
9	DE	20030041A	South Miami-Dade Stormwater Tr	Central Florida Equipment Rent	11/8/2006	\$2,665,702	11/5/2007	100% / Complete
0	PR	7360: 44791	MATHESON WETLANDS MITIGATION P	Central Florida Equipment Rent	12/9/2006	\$826,150	8/1/2007	99% / On Schedule
0	DE	C02-DERM-EEC 7	Removal and disposal of sedime	Central Florida Equipment Rent	1/7/2005	\$30,000,000	2/16/2005	100% / Complete
9	MT	TA01-BWX-1N	Busway Extension to Florida CI	Central Florida Equipment Rent	1/5/2005	\$19,553,014	3/16/2007	100% / Closed
8	MT	TA01-BWX-1S	Busway Extension to Florida CI	Central Florida Equipment Rent	5/4/2004	\$18,062,096	3/16/2007	100% / Closed
30	MT	TR05-BWX-2R	Busway Extension to Florida CI	Central Florida Equipment Rent	1/13/2008	\$35,619,633	1/23/2008	84% / Behind Schedule
0	WS	W-823B	Installation of 16-Inch Sludge	Central Florida Equipment Rent	4/4/2003	\$1,434,283	12/20/2005	100% / Closed
12	WS	W-860	Northwest Wellfield Calcium Ca	Central Florida Equipment Rent	10/24/2008	\$11,449,990	12/3/2007	25% / Ahead of Schedule
Totals:					8	\$119,630,868		

* Yellow Status=Inactive Contract

Status View

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Capital Improvements Information System

Contractor Evaluations Report

<u>Dept</u>	<u>Contract</u>	<u>Type</u>	<u>Contractor / Architect Name</u>	<u>Date</u>	<u>Rater</u>	<u>Period</u>	<u>Rate</u>
DE	<u>C02-DERM-EEC 7</u>	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	<u>3.0</u>
DE	<u>C02-DERM-EEC 7</u>	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	<u>3.0</u>
DE	<u>C02-DERM-EEC 7</u>	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	<u>3.0</u>
MT	<u>TA01-BWX-1N</u>	CON	Central Florida Equipment Rentals Inc.	7/14/2005	Neville Hoo	Completion of construction	<u>3.0</u>
MT	<u>TA01-BWX-1S</u>	CON	Central Florida Equipment Rentals Inc.	5/4/2004	Neville Hoo	Completion of construction	<u>3.0</u>
MT	<u>TR05-BWX-2R</u>	CON	Central Florida Equipment Rentals Inc.	1/31/2008	Neville Hoo	Interim	<u>3.0</u>

Evaluation Count: 6 Contractors: 1 Average Evaluation: 3.0

Exit