MIAMI-DADE COUNTY

MEMORANDUM

Date: May 5, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

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

From: George M. Burgess
County Manager

Subject: Retroactive Change Order No. 2 (FINAL) for the Busway Extension to Florida City-Segment II - RE-BID - Project No: TR05-BWX-2R; Contract No: TR05-BWX-2R, to Central Florida Equipment Rentals Inc.

Recommendation

The attached Retroactive Change Order No: 2 and Final on a contract between Central Florida Equipment Rentals Inc. and Miami-Dade County has been prepared by the Miami-Dade Transit and is recommended for approval.

CHANGE ORDER NUMBER: 2 and Final

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	Federal Transit Administration (FTA)
PTP FUNDING:	No
GOB FUNDING:	No
CHANGE ORDER DESCRIPTION:	This Retroactive Change Order No. 2 (FINAL) is required to provide MDC with a reduction to the contract amount and an increase in the contract duration as a result of Change Notices #168 and #178 through #181 as

MONETARY JUSTIFICATION: MDC - Requested Changes -- ($146,344.65)

Change Notice #178 – Delete entirely eight (8) original bid items not used.

In accordance with Article 33, Increased or Decreased Quantities of the contract General Conditions, unused bid items must be deducted from the contract amount using the original bid item prices. MDC and the contractor reviewed the contract quantities and determined that eight (8) original bid items were unused and amounted to ($66,308.00). As a result, MDC is entitled to a reduction of ($66,308.00) to the contract amount.

Change Notice #179 – Decrease fifty-one (51) original bid items to reflect the actual amounts expended.

In accordance with Article 33, Increased or Decreased Quantities of the contract General Conditions decreases in original bid items must be deducted from the contract amount using the original bid item prices. MDC and the contractor reviewed the contract quantities and determined that fifty-one (51) original bid items needed to be decreased to show the actual amounts expended and amounted to ($1,137,286.84). As a result, MDC is entitled to a reduction of ($1,137,286.84) to the contract amount.

Change Notice #179A - Revise Bid Item 01010-01, Allowance Account for Unforeseen Changes to reflect the actual expended amount.

The original amount for Bid Item 01010-01, Allowance Account for Unforeseen Changes, was specified as $1,742,500.00. At the close of this contract, one hundred and twenty-one (121) Change Notices were negotiated and paid for under this bid item amounting to $1,672,142.11. Paragraph 1.08.D of the Contract Conditions states: "Upon completion of the work, the Contract Price shall be decreased by Change Order to reflect unexpended amounts under this Allowance Account." In accordance with the above mentioned paragraph, MDT is entitled to a reduction of ($70,357.89) (the difference between $1,742,500.00 - $1,672,142.11) in the contract amount.

Change Notice #180 – Increase seventy-two (72) original bid items to reflect the actual amounts expended.

In accordance with Article 33, Increased or Decreased Quantities of the contract General Conditions, increases in original bid items must be added to the contract amount using the original bid item prices. MDC and the contractor reviewed the contract quantities and determined that seventy-two (72) original bid items needed to be increased to reflect the actual amounts expended and amounted to $1,121,444.54. As a result, the contractor is entitled to an increase of $1,121,444.54 to the contract amount.

Change Notice #181 – Bond payment for the additional change work.

The original contract amount was $36,593,271.19. The negotiated revised contract amount totaled $37,209,625.23 (as a result of this Change Order, without any additional bond calculated). As a result, the additional change work amounted to $616,354.04. MDC and the contractor met and determined that a bond fee of one (1) percent was fair for all additional change work. Thus, the contractor is entitled to a bond payment of $6,163.54 ($616,354.04 x 0.01).

In summary, the cumulative amount for the above change work is calculated as follows:

1. C.N. #178 ($66,308.00)
2. C.N. #179 ($1,137,286.84)
3. C.N. #179A ($70,357.89)
4. C.N. #180 $1,121,444.54
5. C.N. #181 $6,163.54

Total ($146,344.65)

TIME JUSTIFICATION: Change Notice #168 - Provide time extension for additional work.

Field conditions at the roadway intersections, designated for traffic signalization installation, revealed several unforeseen buried utility conflicts that required design revisions. In addition, the contractor had to repair areas of the intersections where already installed items were hit and damaged by the driving public.

In order to complete all the additional work specified in the various change notices, CFER submitted a request for a time extension of three-hundred and ten (310) calendar days. The Resident Engineer (RE) staff performed a Time Impact Analysis that showed that CFER was entitled to a time extension of two-hundred (200) calendar days (105 compensable days and 95 non-compensable days). After several meetings and hours of discussion, CFER agreed that the Resident Engineer's (R.E's) analysis was correct and agreed to the two- hundred (200) calendar day time extension. The payment for the one-hundred and five (105) compensable days was made via the Allowance Account.

	Original Contract Values	Previous Adjustments To Values	This Change Order Values	Current Totals	Total Paid	Balance After Change Order
BASE:	$34,850,771.19	$768,862.23	($75,986.76)	$35,543,646.66	$35,473,288.77	$70,357.89
CONTINGENCY:	$1,742,500.00	$0.00	($70,357.89)	$1,672,142.11	$1,742,500.00	($70,357.89)
DEDICATED:	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
TOTALS:	$36,593,271.19	$768,862.23	($146,344.65)	$37,215,788.77	$37,215,788.77	$0.00

	Original Contract Duration	Previous Adjustments To Duration	This Change Order Duration	Current Totals
BASE DURATION:	640	178	200	1018
CONTINGENCY:	0	0	0	0
TOTAL DURATION:	640	178	200	1018

INITIATING FACTOR(S) FOR CHANGE ORDER

Reason	Cost	Duration
County Requested Change	($146,344.65)	200
	($146,344.65)	200

Track Record / Monitor

PERFORMANCE RECORD:	This CIIS database lists 9 (nine) contracts for Central Equipment Rentals Inc., with ten (10) performance evaluations with an average rating of 3.3 points out of a maximum score of 4.0 points. The final evaluation on this particular contract is 3.5. These ratings are above satisfactory.
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 CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD:	According to the Firm History Report provided by the Department of Small Business Development, the contractor has received 8 contracts with a total dollar value of $58,806,898.48, including $399,180.06 in approved Change Orders.
SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	Southern Metal Products, LLC, d/b/a Aeicor Metal Products Agricultural Land Services, Inc. Barreiro Concrete Corporation Dilema Corporation Signal Services Industries, Inc. Contech Construction Products Inc. Florida Rock and Sand Company, Inc.

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	**TYPE**	**GOAL**	**ESTIMATED VALUE**	**ACHIEVED**
	DBE	15.00%	$5,488,990.68	$7,004,303.00

CONTRACT MANAGER NAME / PHONE / EMAIL:	Isabel Padron	786-469-5260	ipadron@miamidade.gov
PROJECT MANAGER NAME / PHONE / EMAIL:	Neville Hoo	786-469-5255	NHoo@miamidade.gov

Background

BACKGROUND:

This project is required to complete the Busway Extension from S.W. 264th Street through 344th Street. Phase 1 (from Dadeland South Metrorail Station to S.W. 200 Street) was completed by Florida Department of Transportation (FDOT) on January 17, 1997 and released to MDT. Phase 2 – Segment 1 North (from S.W. 200th Street through 232nd Street) was completed by MDT on April 30, 2005. Phase 2 – Segment 1 South (from S.W. 232nd Street to 264th Street) was completed by MDT on May 3, 2004.

Change Order #1 was approved by the Board through Resolution No. R-871-08 on July 17, 2008. This Change Order granted CFER a time extension of 178 calendar days and an increase in the contract amount of $768,862.23.

This current Change Order #2 (FINAL) is required to grant CFER a time extension of two hundred (200) calendar days and to reduce the contract amount by ($146,344.65). The Busway, Segment II opened for revenue service December 16, 2007. With this time extension of 200 calendar days, the revised contract completion date shall be July 31, 2008.

BUDGET APPROVAL FUNDS AVAILABLE:	for OBM **OSBM DIRECTOR**	4/1/09 **DATE**
APPROVED AS TO LEGAL SUFFICIENCY:	Bruce Tubbaber **COUNTY ATTORNEY**	3/23/09 **DATE**
CAPITAL IMPROVEMENTS CONCURRENCE:	GN 4/3 **OCI DIRECTOR**	4-3-09 **DATE**
	ASSISTANT COUNTY MANAGER	4-3-09 **DATE**

CLERK DATE _____ **DATE**

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

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

SUBJECT: Agenda Item No. 8(J)(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 Mayor'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(J)(1)(C)

5-5-09

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF RETROACTIVE CHANGE ORDER NO. 2 (FINAL) FOR THE BUSWAY EXTENSION TO FLORIDA CITY – SEGMENT II - RE-BID – PROJECT NO: TR05-BWX-2R; CONTRACT NO: TR05-BWX-2R, INCREASING THE CONTRACT TIME BY 200 CALENDAR DAYS AND REDUCING THE CONTRACT AMOUNT BY $146,344.65, TO 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 execution of Retroactive Change Order No. 2 (Final) for the Busway Extension to Florida City-Segment II - RE-BID, Project No: TR05-BWX-2R, Contract No: TR05-BWX-2R, increasing the contract time by 200 calendar days and reducing the contract amount by $146,344.65, to Central Florida Equipment Rentals Inc., in substantially the form attached hereto and made a part thereof; and authorizes the County Mayor or County Mayor's 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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. 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

RECEIVED
FEB 13 2009
CENTRAL FLORIDA EQUIPMENT RENTALS

RECEIVED
FEB 2009
PISTORINO & ALAM

MIAMI-DADE COUNTY, FLORIDA

MIAMI-DADE TRANSIT

CHANGE ORDER TO ORIGINAL CONTRACT

BOND NO. 104573723

CHANGE ORDER NO: 02 Retroactive and Final **CONTRACT NO:** TR05-BWX-2R **DATE:** 12/1/2008

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 Retroactive Change Order No. 2 (FINAL) is required to provide MDC with a reduction to the contract amount and an increase in the contract duration as a result of Change Notices #168 and #178 through #181 as described below.

Monetary Justification: MDC - Requested Changes -- ($146,344.65)

Change Notice #178 – Delete entirely eight (8) original bid items not used.

In accordance with Article 33, Increased or Decreased Quantities of the contract General Conditions, unused bid items must be deducted from the contract amount using the original bid item prices. MDC and the contractor reviewed the contract quantities and determined that eight (8) original bid items were unused and amounted to ($66,308. (Continued below)

Time Justification: Change Notice #168 - Provide time extension for additional work.

Field conditions at the roadway intersections, designated for traffic signalization installation, revealed several unforeseen buried utility conflicts that required design revisions. In addition, the contractor had to repair areas of the intersections where already installed items were hit and damaged by the drivin (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.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT	$36,593,271.19
COST OF CHANGES PREVIOUSLY ORDERED	$768,862.23
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE	$37,362,133.42
COST OF CHANGES WITH THIS DOCUMENT	($146,344.65)
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE	$37,215,788.77
PERCENT INCREASE WITH THIS CHANGE	0%
TOTAL PERCENT INCREASE TO DATE	2%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	640 / 178 / 200
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	0 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE	1018

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: 20 FEB 2009

Recommended By: PROJECT MANAGER H. H[illegible] Date: 02-25-09

TO BE FILLED OUT BY MIAMI-DADE TRANSIT

FUNDS BUDGET CODE _____

CERTIFIED BY DEPARTMENT'S FINANCE DIVISION: _____ Date: 3/2/09

Accepted By:

Organization	Name	Title	Date
Central Florida Equipment Rentals Inc.	[illegible]	V.P. Contractor	2/10/09
Surety	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA Charles J. Nielson, Atty.-In-Fact/Fla. Res. Agent, 2/12/09	Surety	

Title	Name	Date
Reviewed By: **Manager, Construction Division**	R. Skeffner	2/25/9
Approved By: **Assistant Director**	[illegible]	3/6/09
Approved By: **Director**	[illegible]	03/20/09
Approved By: **Director, DBD**	[illegible]	3/11/09
Approved By: **Director, OSBM**	FOR JGM [illegible]	4/1/09
Approved By: **County Attorney**	Bruce Libbaber	3/23/09
Approved By: **County Manager**	[illegible]	4/3/09
Attested By: **Clerk of the Board**		

Time Justification: (Continued)

g public.

In order to complete all the additional work specified in the various change notices, CFER submitted a request for a time extension of three-hundred and ten (310) calendar days. The Resident Engineer (RE) staff performed a Time Impact Analysis that showed that CFER was entitled to a time extension of two-hundred (200) calendar days (105 compensable days and 95 non-compensable days). After several meetings and hours of discussion, CFER agreed that the Resident Engineer's (R.E's) analysis was correct and agreed to the two- hundred (200) calendar day time extension. The payment for the one-hundred and five (105) compensable days was made via the Allowance Account.

Monetary Justification: (Continued)

00). As a result, MDC is entitled to a reduction of ($66,308.00) to the contract amount.

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Change Notice #179A - Revise Bid Item 01010-01, Allowance Account for Unforeseen Changes to reflect the actual expended amount.

The original amount for Bid Item 01010-01, Allowance Account for Unforeseen Changes, was specified as $1,742,500.00. At the close of this contract, one hundred and twenty-one (121) Change Notices were negotiated and paid for under this bid item amounting to $1,672,142.11. Paragraph 1.08.D of the Contract Conditions states: "Upon completion of the work, the Contract Price shall be decreased by Change Order to reflect unexpended amounts under this Allowance Account." In accordance with the above mentioned paragraph, MDT is entitled to a reduction of ($70,357.89) (the difference between $1,742,500.00 - $1,672,142.11) in the contract amount.

Change Notice #180 – Increase seventy-two (72) original bid items to reflect the actual amounts expended.

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Change Notice #181 – Bond payment for the additional change work.

The original contract amount was $36,593,271.19. The negotiated revised contract amount totaled $37,209,625.23 (as a result of this Change Order, without any additional bond calculated). As a result, the additional change work amounted to $616,354.04. MDC and the contractor met and determined that a bond fee of one (1) percent was fair for all additional change work. Thus, the contractor is entitled to a bond payment of $6,163.54 ($616,354.04 x 0.01).

In summary, the cumulative amount for the above change work is calculated as follows:

1. C.N. #178 ($66,308.00)
2. C.N. #179 ($1,137,286.84)
3. C.N. #179A ($70,357.89)
4. C.N. #180 $1,121,444.54
5. C.N. #181 $6,163.54

Total ($146,344.65)

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

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. 219740

Certificate No. 002736479

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, Gicelle Pajon, Olga Iglesias, and Gloria McClure

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 10th day of December, 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: George W. Thompson, Senior Vice President

On this the 10th day of December, 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.

Marie C. Tetreault, Notary Public

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

14

A192265

Memorandum

MIAMI-DADE COUNTY

Date: March 11, 2009

To: Harpal Kapoor, Director
Miami Dade Transit

From: Penelope Townsley, Director
Department of Small Business Development

Subject: Project No. TR05-BWX-2R, Busway Extension to Florida City - Segment II

The Department of Small Business Development (SBD) has reviewed the subject Change Order No. 2. This agreement was awarded with a 15% Disadvantaged Business Enterprise (DBE) goal. DBE measures are monitored directly by the managing department; as such, SBD has no compliance information for measures or wages.

There are no current compliance issues with the prime, Central Florida Equipment Rental, Inc. or its sub-contractors.

Please do not hesitate to contact me at 305-375-3134, if I can be of further assistance.

c: Alice Hidalgo-Gato, CMC Division Director, SBD
Betty Alexander, PR&A Division Director, SBD
Patrice King, Administrative Officer 2, SBD

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Memorandum

MIAMI-DADE COUNTY

Date: February 25, 2009

To: Harpal Kapoor, Director
Miami-Dade Transit

From: Cathy Lewis, Chief
Office of Civil Rights and Labor Relations

Subject: Retroactive Change Order No.2(FINAL) for the Busway Extension to Florida City-Segmen II – Re-Bid – Project No.: TR05-BWX-2R: Contract No.: TR05-BWX-2R, to Central Florida Equipment

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Pursuant to 49 CFR Part 26, the above-referenced project was reviewed for the application of a Disadvantaged Business Enterprises (DBE) goal. Based on the scope of the project, it was determined that there existed discernible subcontracting opportunities for DBE firms. The contract was awarded to Central Florida Equipment, Inc. (Central Florida), and a Fifteen (15%) DBE contract goal assigned to this project with a cash value of $5,715,000.00.

Central Florida and its subcontractors have complied with DBE requirements and further have exceeded the 15% goal by expending 20% of the total funds collected by the prime with the DBE subcontractors, for a total cash value of $7,004,303.00. This change order is a reduction in the contract amount due to reduced and/or unused bid items, and accordingly would have no effect on the participation ratio.

If you need any additional information, please do not hesitate to contact me at 786 469 5482.

Cc: Albert Hernandez, MDT
Susanna Guzman-Arean, MDT
Chimene Graham, MDT
Erigene Belony, MDT

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

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	3,617	0	20,135
TOTAL PROJECTED COST:	11,236	398	1,520	1,652	1,300	412	3,617	0	20,135

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

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	0	0	0	0	0	0	85,480

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

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	0	0	0	0	0	0	6,517

MIAMI DADE COUNTY
Department of Small Business Development
Firm History Report

DEPARTMENT OF BUSINESS DEVELOPMENT

From: 07/14/2000 **To:** 07/14/2005

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

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* MIA-745A WS-1.1	1	AV-AA	GOAL CSBE 23%	10/09/2001	$4,293,267.00
B-C UTILITIES, DEMOLITION, C-THROAT CONNECTOR (RESUBMITTAL FROM 03/14/01) (SIC 15)					
					$4,293,267.00
* 629107	1	PW	NO MEASURE	11/03/2001	$7,500,000.00
CANAL DREDGING CONTRACT NO 7 (SIC 16)					
					$7,500,000.00
* W-823B	1	WS	GOAL CSBE 8%	05/09/2002	$1,434,282.96
INSTALLATION OF 16-INCH SLUDGE LINE IN NW 74 ST. AND NORTH ROYAL POINCIANA BLVD. FROM NW 74 AVE. TO QUAIL AVE. (SIC 16)					
					$1,434,282.96
TA01-BWX-1S	1	MT	NO MEASURE	09/03/2002	$17,256,003.83
BUSWAY PHASE 2 AND US 1 IMPROVEMENTS					
Change Order # 1 OCT-19-04					$360,453.51
Change Order # 2 JAN-20-05					$175,638.32
					$17,792,095.66
* CF002170	1	DE	NO MEASURE	10/29/2002	$2,803,964.75
GOULDS CANALDREDGING PROJECT					
					$2,803,964.75

* Indicates closed or expired contracts
Disclaimer: Payments shown may not reflect current information

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MIAMI DADE COUNTY
Department of Small Business Development
Firm History Report

DEPARTMENT OF BUSINESS DEVELOPMENT

From: 07/14/2000 **To:** 07/14/2005

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

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* CF002420	1	DE	NO MEASURE	11/18/2002	$3,379,117.98
NW 202 STREET CANAL DREDGING PROJECT					
					$3,379,117.98
* CF002400E	1	DE	NO MEASURE	12/05/2002	$2,028,437.40
ANDOVER EAST CANAL DREDGING PROJECT					
					$2,028,437.40
TA01-BWX-1N	1	MT	NO MEASURE	05/15/2003	$19,712,644.50
BUSWAY EXTENSION TO FLORIDA CITY AND US 1 NORTH PROJECT					
Change Order # 1 JAN-20-05					$692,969.81
Change Order # 2 MAR-07-06					-$829,881.58
					$19,575,732.73
TR05-BWX-2R	1	MT	NO MEASURE	06/07/2005	$36,593,271.19
BUSWAY EXTENSION TO FLORIDA CITY- SEGMENT II					
Change Order # 1 JUL-17-08		178 days			$768,862.23
					$37,362,133.42

Total Award Amount	**$95,000,989.61**
Total Change Orders Approved by BCC	**$1,168,042.29**
	$96,169,031.90

* Indicates closed or expired contracts
Disclaimer: Payments shown may not reflect current information

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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)	689,420.18	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.

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Projects

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OFFICE OF CAPITAL IMPROVEMENTS
CAPITAL IMPROVEMENTS INFORMATION SYSTEM
Wednesday, April 01, 2009

All Contracts for FEIN 591782227

Central Florida Equipment Rentals Inc.

DST	DPT	Type	Contract	Name	Location / Contractor	Estimated Completion Date	Total Award	Last Status Date	% Complete / Status *
9	DE	CON	20030041A	South Miami-Dade Stormwater Treatment and Distri	Central Florida Equipment Rent	11/8/2006	$2,685,702	11/5/2007	100% / Complete
0	PR	7360	44791	MATHESON WETLANDS MITIGATION P	Central Florida Equipment Rent	12/9/2006	$826,150	6/3/2008	100% / Complete
6	AV	CON	B732A2	MIA Regional Commuter Facility Apron Package 2	Central Florida Equipment Rent	N/A	$14,467,236		0% / N/A
0	DE	CON	C02-DERM-EEC 7	Removal and disposal of sediment and debris in s	Central Florida Equipment Rent	1/7/2005	$30,000,000	2/16/2005	100% / Complete
9	MT	CON	TA01-BWX-1N	Busway Extension to Florida City and US-1 Recons	Central Florida Equipment Rent	1/5/2005	$19,553,014	3/16/2007	100% / Closed
8	MT	CON	TA01-BWX-1S	Busway Extension to Florida City and US-1 Recons	Central Florida Equipment Rent	5/4/2004	$18,062,096	3/16/2007	100% / Closed
30	MT	CON	TR05-BWX-2R	Busway Extension to Florida City-Segment II - RE	Central Florida Equipment Rent	1/13/2008	$35,619,633	1/13/2009	100% / Work Complete, Pending Close-O
0	WS	CON	W-823B	Installation of 16-Inch Sludge Line in NW 74th S	Central Florida Equipment Rent	4/4/2003	$1,434,283	12/20/2005	100% / Closed
12	WS	CON	W-860	Northwest Wellfield Calcium Carbonate Deposit La	Central Florida Equipment Rent	10/24/2008	$11,449,990	3/11/2009	100% / Closed
					Totals:	9	$134,098,104		

* Yellow Status=Inactive Contract

Contracts Status View MCC Status View Exit Projects Goto Top

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Capital Improvements Information System

Contractor Evaluations Report

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
DE	C02-DERM-EEC 7	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	3.0
DE	C02-DERM-EEC 7	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	3.0
DE	C02-DERM-EEC 7	CON	Central Florida Equipment Rentals Inc.	12/7/2005	Keith Ng	Completion of construction	3.0
MT	TA01-BWX-1N	CON	Central Florida Equipment Rentals Inc.	7/14/2005	Neville Hoo	Completion of construction	3.0
MT	TA01-BWX-1S	CON	Central Florida Equipment Rentals Inc.	5/4/2004	Neville Hoo	Completion of construction	3.0
MT	TR05-BWX-2R	CON	Central Florida Equipment Rentals Inc.	1/31/2008	Neville Hoo	Interim	3.0
WS	W-860	CON	Central Florida Equipment Rentals Inc.	4/14/2008	Miguel Pichardo	Interim	4.0
WS	W-860	CON	Central Florida Equipment Rentals Inc.	8/7/2008	Armando Rubio	Project conclusion or closeout	4.0
MT	TR05-BWX-2R	CON	Central Florida Equipment Rentals Inc.	9/10/2008	Neville Hoo	Completion of construction	3.5
PR	44791	7360	Central Florida Equipment Rentals Inc.	3/11/2008	Belkis Costello	Project conclusion or closeout	3.8

Evaluation Count: 10 Contractors: 1 Average Evaluation: 3.3

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MIAMI-DADE COUNTY, FLORIDA

Capital Improvements Information System

Miami-Dade Transit

Project Evaluation

Evaluation Type: Standard Evaluation

Contract: TR05-BWX-2R
Contract Name: Busway Extension to Florida City-Segment II - RE-BID
Award Amount: $35,619,633.42
Contract Type: CONSTRUCTION
Contractor / Consultant: Central Florida Equipment Rentals Inc.

Work Order No: N/A
Contact: Neville Hoo (305) 375-4581
FEIN: 591782227

Evaluator ID: nhoo Date: 9/10/2008 Period: Completion of construction

	Rating *					
	4	3	2	1	N/A	Criteria
1-		✓				Schedule - Quality of schedule & adherence to schedule resulting in timeliness and minimizing delay to the owner and community.
2-	✓					Cost effectiveness & efficiency - Budget compliance & value of work.
3-	✓					Vision - Design - Concepts or adherence to criteria.
4-		✓				Cooperation - Teamwork & relationship with owner, subs and suppliers.
5-	✓					Coordination - Ability to organize, schedule and complete tasks in adherence to the schedule.
6-		✓				Accuracy & Technical Skills - Cost estimating, scheduling, shop and other drawings, plans, manuals, project documentation and conflict resolution.
7-	✓					Completeness - Compliance with contract documents, permits, Codes & standards.
8-		✓				Responsiveness - Timely, clear & concise responses to owner comments and correspondence.
9-	✓					Commitment - Intangibles & contribution to project success.
10-		✓				Personnel - Quality and dedication of project staff.
11-		✓				Management - Leadership ability.
12-	✓					Quality - Work performed correctly the first time.

Overall Performance Average: 3.5

Documentation that supports this evaluation and Contractor's/Consultant's comments can be obtained by contacting:
Hossin Habibnejad at Phone# (786) 469-5257

Evaluation Reviewed by: Supervisor ☐ Division Chief ☑ Assistant Director ☐ Director ☐

The method of delivery of this evaluation to contractor/consultant: Certified Mail ☐ EMail ☑ Fax ☐ Hand ☐
(Unresponsive Performance by contractor/consultant requires 2 delivery methods)
Evaluation delivered to: Marcus Thermes

* Rating Key

4 Superior performance - Exemplary quality, no intervention required - project completed on time or early at or below budget with no change orders or amendments other than owner requested changes.

3 Satisfactory performance - Minor errors noted, addressed with timely corrective action. No serious errors noted or corrective action needed.

2 Guarded performance Errors and Omissions documented in writing with timely corrective action.

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1 Unresponsive performance documented in writing without timely corrective action.

N/A. No Information