Memorandum

MIAMI-DADE COUNTY

Date: July 6, 2016

Agenda Item No. 8(N)(6)

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Request for Approval of Supplemental Agreement No. 2 for Parsons Transportation Group Inc. for Construction Engineering and Inspection Services Required for the Palmetto Station Traction Power Sub-Station, Metrorail Central Control Upgrade, Lehman Yard Rehabilitation and Expansion Phase 1, and Lehman Center Test Track; Contract Number CIP030-CT1-TR09; Project No: E09-MDT-01 ARRA PTP

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve Supplemental Agreement No. 2 with Parsons Transportation Group Inc. (PTG), for Construction Engineering and Inspection (CEI) Services required for the Palmetto Station Traction Power Sub-Station, Metrorail Central Control Upgrade, Lehman Yard Rehabilitation and Expansion Phase 1, and Lehman Center Test Track; Contract Number CIP030-CT1-TR09; Project No: E09-MDT-01 American Recovery and Reinvestment Act (ARRA) People's Transportation Plan (PTP). This supplemental agreement increases the contract time by 428 calendar days (due to contractor delays) and the contract amount by $600,000.00, and authorizes the use of Charter County Transportation Surtax (Surtax) funds to cover those costs which exceed the liquidated damages assessed to the contractor.

This Supplemental Agreement No. 2 is placed for Committee review pursuant to Miami-Dade County (County) Code Section 29-124(f). This item may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration, 45 days have elapsed since the filing with the Clerk of the Board of this item. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this item, I will request a withdrawal of this item.

SUPPLEMENTAL AGREEMENT NUMBER: 2

SCOPE

PROJECT NAME:

Construction Engineering and Inspection Services for the Lehman Center Test Track, Palmetto Station Traction Power Sub-Station, Metrorail Central Control Upgrade and Lehman Yard Rehabilitation and Expansion Phase 1 yard tower.

PROJECT NO: E09-MDT-01 ARRA PTP

CONTRACT NO: CIP030-CT1-TR09

PROJECT DESCRIPTION: CEI services will provide professional and technical services including; engineering, managerial, administrative, and other services required during the design and construction phases of the four (4) system projects in support of the Metrorail expansion and new rail vehicles.

CEI services will manage and inspect all work performed by the selected Design Builders on fixed facilities and systems to ensure compliance with the contract requirements, construction and design standards, and plans and specifications. The CEI will support DTPW by providing assistance during the design and construction phases of the projects and will perform duties such as design support, plans review and conformance resident engineering, office engineering, on-site inspection services, quality control, testing analysis, contract administration, construction safety and security, construction survey analysis, manage the budget for each of the four (4) projects separately, assist with cash flow reports, monitor contractor progress, construction cost estimates, invoices/requisitions analysis and recommendations, processing shop drawings, address Requests for Information, rail system testing services, rail system start-up services, and contract closeout phases of the projects.

Following is a brief description of the activities which will be carried out by the contracted Design/Build contractor for each of the four (4) system projects in support of the Metrorail expansion:

Lehman Center Test Track Project
The contractor will design, permit, furnish, construct, test, and place into operation a rail vehicle Test Track, a siding track with a Service and Inspection building, and a train control and communications house to be located at the existing Lehman Center Yard. The work includes implementation of a train control system, CCTV and telephone systems, as well as connection of traction power for the test track.

Lehman Center Yard Rehabilitation and Expansion Phase 1 Project
The consultant will design, permit, furnish, construct, test and place into operation five (5) new storage tracks with an electrified third rail, and two (2) maintenance of way tracks. The work includes implementation of a train control system and connection of traction power for the storage tracks along with the addition of track switches remotely controlled by the existing control panel in the yard tower.

Palmetto Traction Power Substation Project
The consultant will design, permit, furnish, construct, test, and place into operation a complete new traction power sub-station at a location in the vicinity of the Metrorail Palmetto Station. The work includes interfacing and coordinating with Florida Power and Light.

Metrorail Central Control Upgrade Project
The consultant will design, permit, furnish, construct, test, and place into operation a complete new rail transit central control system at Stephen P. Clark Government Center. This upgrade will provide a new modern, efficient and reliable transit control center including but not limited to new interior design, new electrical system, new communications and mechanical equipment, and an upgrade of the antiquated "whiteboard."

PROJECT LOCATION: Lehman Center Test Track: Lehman Center Facility - 6601 NW 72 Avenue, Miami, Florida 33166
Palmetto Traction Power Sub- Station: Palmetto Metrorail Station - 7701 N.W. 79 Avenue, Miami, Florida 33166
Metrorail Central Control Upgrade: SPCC (3rd, 4th and 5th floors) - 111 N.W. 1st Street. Miami, Florida 33128
Lehman Yard Rehabilitation and Expansion Phase 1: Lehman Center 6601 NW 72 Avenue, Miami, Florida 33166

PRIMARY COMMISSION DISTRICT: Various

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: DTPW

MANAGING DEPARTMENT: DTPW

Fiscal Impact / Funding Source

AMENDMENT FUNDING SOURCE: People's Transportation Plan (PTP)

CAPITAL BUDGET PROJECT # - DESCRIPTION

678220- LEHMAN CENTER TEST TRACK FOR METRORAIL

674560- LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1

AMENDMENT DESCRIPTION: Supplemental Agreement No. 2 requests a time extension of 428 calendar days to the close-out date of September 30, 2016 and an increase to the contract amount
of $600,000.00.

MONETARY JUSTIFICATION: *Lehman Center Test Track For Metrorail*
Due to construction contractor delays, DTPW has received an estimate not to exceed amount of $300,000.00 from PTG, based on the additional time and materials needed to extend CEI professional services to support the Test Track project through project close-out. Liquidated damages in the amount of $3,083.52 per day are being assessed to the contractor.

Lehman Yard Rehabilitation And Expansion Phase 1
Due to construction contractor delays, DPTW has received an estimate not to exceed amount of $300,000.00 from PTG based on the time and materials needed to extend CEI professional services in support of the Expansion Phase 1 project through project close-out. In order to mitigate the cost of this Supplemental Agreement, liquidated damages in the amount of $3,083.52 per day are being assessed to the contractor.

TIME JUSTIFICATION: Due to the construction contractor delays in the Lehman Test Track and Yard Rehabilitation and Expansion projects, substantial completion is anticipated by May 2016 and project close-out by September 30, 2016. The additional time includes 275 days for professional services and 153 days to close out litigation issues.

	Original Contract Values	Previous Adjustments To Values	This Amendment Values	Current Totals	Total Paid	Balance After Amendment
BASE:	$4,311,900	$1,027,000	$600,000	$5,938,900	$5,315,077	$623,823
CONTINGENCY:	$479,100	$0.00	$0.00	$479,100	$479,100	$0.00
DEDICATED:	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
TOTALS:	$4,791,000	$1,027,000	$600,000	$6,418,000	$5,794,177	$623,823

	Original Contract Duration	Supplemental1 Amendment Duration	Supplemental 2 Amendment Duration	Current Totals
BASE DURATION:	900	237	428	1,565
CONTINGENCY:	90	0	0	90
TOTAL DURATION:	990	237	428	1,655

TRACK RECORD/MONITOR

PERFORMANCE RECORD: There are a total of five (5) performance evaluations in the Capital Improvement Information System (CIIS) Database which reflect an average rating of 3.8 out of a possible 4 points. This represents an above satisfactory performance rating.

SUBCONSULTANTS:
MACTEC Engineering and Consulting, Inc.
Bolton Perez & Associates
NOVA Consulting, Inc.
A.D.A. Engineering, Inc.
Architects International, Inc.
Paco Group
Geosol, Inc.
Manuel G. Vera and Associates

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	TYPE	GOAL	ESTIMATED VALUE	ACHIEVED
	DBE	19%	$910,290	$1,297,750.28
CONTRACT MANAGER NAME / PHONE / EMAIL:	Jesus Valderrama		786-469-5291	jvalder@miamidade.gov
PROJECT MANAGER NAME / PHONE / EMAIL:	Malka Rodriguez		786-469-5308	malkagr@miamidade.gov

BACKGROUND

CEI Services are required for this Project during the design and construction phases of the four (4) system projects in support of the Earlington Heights to Miami Intermodal Center Metrorail expansion, and procurement of the new Metrorail vehicles. The CEI services agreement provides professional and technical services including engineering, inspection, managerial, administrative, and other services required during the design and construction phases of all four (4) projects.

The status of the four (4) projects, as of March 2016, is as follows:

Palmetto Traction Power Sub-Station Project: Substantial completion was achieved on October 17, 2013, project close-out was June 16, 2015.

Metrorail Central Control Upgrade Project: Substantial completion was achieved on August 20, 2015, and project close-out was December 31, 2015.

Lehman Center Test Track Project: 97 percent complete. Substantial completion is anticipated in May 2016, and project close-out by September 30, 2016.

Lehman Center Yard Rehabilitation and Expansion Phase 1 Project: 97 percent complete. Substantial completion is anticipated in May 2016, and project close-out by September 30, 2016.

The original Disadvantaged Business Enterprise (DBE) goal is set at 19 percent DBE sub-consultants have been paid $1,297,750.28 and have performed 100 percent of the work for the original PSA as well as supplemental agreements 1 and 2; achieving a total goal of 22.30 percent.

This Project was originally funded with American Recovery and Reinvestment Act (ARRA) and Surtax funds. This Supplement Agreement is funded with Surtax funds.

BUDGET APPROVAL FUNDS AVAILABLE:

_____

DATE

OMB DIRECTOR 4/15/16
DATE

APPROVED AS TO LEGAL SUFFICIENCY:

_____

DATE

COUNTY ATTORNEY 4/4/16
DATE

DIRECTOR, DTPW 5-9-16
DATE

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS CONCURRENCE:

_____

DATE

DEPUTY MAYOR 5/10/16
DATE

APPROVED PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE:

_____

DATE

_____
DATE

CLERK:

MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: July 6, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(6)

Please note any items checked.

_____ **"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**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

✓ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(6)
7-6-16

RESOLUTION NO. _____

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT NO. 2 WITH PARSONS TRANSPORTATION GROUP, INC., TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR PALMETTO STATION TRACTION POWER SUB-STATION, METRORAIL CENTER CONTROL UPGRADE, LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1, AND LEHMAN CENTER TEST TRACK, CONTRACT NO.: CIP030-CT1-TR09, TO EXTEND THE CONTRACT DURATION BY 428 CALENDAR DAYS AND THE CONTRACT AMOUNT BY $600,000.00 AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, 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 Supplemental Agreement No. 2 with Parsons Transportation Group, Inc. to provide Construction Engineering and Inspection Services for Palmetto Station Traction Power Sub-Station, Metrorail Central Control Upgrade, Lehman Yard Rehabilitation and Expansion Phase 1, and Lehman Center Test Track, Contract No: CIP030-CT1-TR09 to extend the contract duration by 428 calendar days, and contract amount by $600,000.00; and authorizes the use of Charter County Transportation Surtax Funds for such purposes.

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:

Jean Monestime, Chairman
Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of July, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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

NON-EXCLUSIVE

SECOND SUPPLEMENTAL AGREEMENT TO
THE PROFESSIONAL SERVICES
AGREEMENT BETWEEN MIAMI-DADE
COUNTY, FLORIDA AND PARSONS
TRANSPORTATION GROUP INC

This Second Supplemental Agreement is made and entered into as of the _____ day of _____, 2016 by and between Miami-Dade County, Florida, a public body, hereinafter referred to as the "COUNTY", and Parsons Transportation Group, Inc., hereinafter referred to as the "CONSULTANT").

W I T N E S S E T H

WHEREAS, the Board of County Commissioners on March 9, 2012 entered into a Professional Services Agreement with Parsons Transportation Group, Inc to provide the Construction Engineering and Inspection Services for the Lehman Center Test Track, Palmetto Traction Power Sub-Station, Metrorail Central Control Upgrade and Lehman Yard Rehabilitation-Expansion Phase 1, and

WHEREAS, the parties wish to make certain revisions in the Agreement as provided below.

NOW, THEREFORE, the parties hereto do mutually agree to amend the Professional Services Agreement as follows:

SECTION IV - COMPENSATION

Append Section IV, Paragraph F Maximum Compensation, with new second paragraph as follows:

Amend the maximum compensation for services to $6,418,000, with an increase of $600,000.00 for the Supplemental Agreement No. 2.

SECTION XV - DURATION OF AGREEMENT

Remove paragraph included under Section IV – Duration of Agreement and append with the following paragraph:

Extend the contract duration to four hundred and twenty-eight (428) days until the close-out date of September 30, 2016. As such, this Agreement shall remain in full force and effect for a period of 1655 calendar days, after its date of execution (although actual completion of the services hereunder may extend beyond such term) or until depletion of the funds allocated to pay for the cost of services, whichever occurs first, unless terminated by mutual consent of the parties hereto or as provided in SECTION XIII, SECTION XIV and SECTION XVI hereof. The performance of specifically and properly authorized services which may extend beyond the Agreement's One thousand six hundred fifty-five (1655) calendar days effective term shall be compensated in accordance to Section IV hereof.

This Agreement, regardless of where executed, shall be governed by and construed according to the laws of the State of Florida, and venue shall be in Miami-Dade County, Florida.

IN WITNESS THEREOF the parties hereto have executed these presents this _____ day of _____, 2016.

ATTEST:

HARVEY RUVIN

By:_____

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By:_____
COUNTY MAYOR

ATTEST:

By:_____

Parson Transportation Group, Inc.
(Corporate Seal)

By:_____

Approved by County Attorney

as to Form and Legal Sufficiency: _____

Memorandum

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director

Date: June 16, 2016

Re: **CITT AGENDA ITEM 5A:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVES SUPPLEMENTAL AGREEMENT NO. 2 WITH PARSONS TRANSPORTATION GROUP, INC., TO PROVIDE CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR PALMETTO STATION TRACTION POWER SUB-STATION, METRORAIL CENTER CONTROL UPGRADE, LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1, AND LEHMAN CENTER TEST TRACK, CONTRACT NO.: CIP030-CT1-TR09, TO EXTEND THE CONTRACT DURATION BY 428 CALENDAR DAYS AND THE CONTRACT AMOUNT BY **$600,000.00** AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES **(BCC Legislative File No. 161141)**

On June 16, 2016, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 16-030. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Oscar Braynon – Aye
Peter L. Forrest – Aye
Prakash Kumar – Aye
Alicia Menardy, Esq. – Absent
Hon. James A. Reeder – Absent
Hon. Linda Zilber – Aye
Joseph Curbelo – Absent
Alfred J. Holzman – Aye
Jonathan Martinez – Absent
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent

cc: Alina Hudak, Deputy Mayor
Bruce Libhaber, Assistant County Attorney