

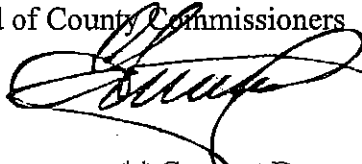
# Memorandum

MIAMI-DADE  
COUNTY

**Date:** February 5, 2019

**To:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor



Agenda Item No. 8(O)(2)

\*\* Consent Decree\*\*

**Subject:** Resolution Ratifying Action Related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance pursuant to Section 2-8.2.12 of the Miami-Dade County Code

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) ratify the action of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance (WASD Acceleration Ordinance) for the funded project identified below and on Exhibit A, as attached.

## **Consent Decree Project**

**Item 1** – Recommendation to Award: Construction Contract for Consent Decree (CD) Project 1.02 Oxygen Production Upgrades at the South District Wastewater Treatment Plant, Contract No. S-882R. This item requests ratification of a contract in the total amount of \$9,084,330 with a total contract period of 1,199 days to Poole & Kent Company of Florida.

## **Scope**

The commission district of the project location is noted on Exhibit A. The projects awarded through WASD's Acceleration Ordinance have a countywide impact.

## **Fiscal Impact/Funding Source**

The fiscal impact and funding source for this project is detailed on Exhibit A and the other accompanying attachments.

## **Track Record/Monitoring**

WASD's Senior Advisor Capital Projects & Compliance, Lynnette Ramirez, will oversee the implementation of this project.

## **Background**

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor or County Mayor's designee to award contracts for funded capital projects and related goods and services, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects

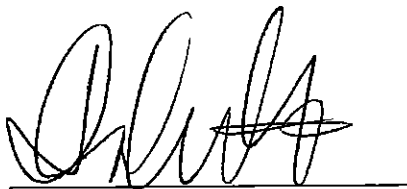
identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval but subject to ratification by the Board.

Exhibit A includes the details of the competitively bid award for which ratification is being requested. Exhibit A contains the information bulleted below for the contract award:

- Item Number
- Department Name
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Firm Awarded
- Commission District
- Contract Amount
- Funding Source(s)
- Operations and Maintenance Costs
- Estimated Start Date/Estimated End Date
- Contract Measures: SBE Goods & Services; SBE-A/E; SBE-Construction; and CWP Program
- Brief Project Description

Attached as Exhibit B is the recommendation to award of the contract referenced for Item No. 1 in this memorandum. The contract listed is executed by the County Mayor or County Mayor's designee in accordance with WASD's Acceleration Ordinance. A copy is available from the Procurement Division of the Miami-Dade Water and Sewer Department upon request.

Attachments



Jack Osterholt  
Deputy Mayor

**Exhibit A**  
**Ratification of Contract Awards Authorized by the WASD Accelerate Ordinance**

Item No.	Dept. Name	Type of Solicitation	Contract Type	Contract No.		Project Name	Firm Awarded	Commission District	Contract Amount	Funding Source(s)	Operations and Maintenance Costs	Est. Start Date	Contract Measures				Brief Project Description
				Contract No.	Project No.								SBE Goods & Services	SBE A/E	SBE Construction	CWP Program	
1	WASD	County Bid Process	Construction Contract			CD 1.02 Oxygen Production Upgrades SDWWTP	Poole & Kent Company of Florida	District 8, (Daniella Levine Cava)	\$9,084,330.00	Future WASD Revenue Bond, WASD Revenue Bonds Sold, Wastewater Renewal Fund	Operations Cost: \$200,000 per year, and Maintenance Cost: \$300,000 per year	Estimated Notice to Proceed Date: 10/29/2018 Completion Date: 2/09/2022, total contract period is 1,199 days	4.80%	n/a	17.46%	10.00%	This project is for the construction of the Oxygen Production Upgrades required under the Consent Decree at the South District Wastewater Treatment Plant (SDWWTP), 8690 S.W. 232 Street, Miami, Florida 33190.

Total Dollar Value of Award: \$9,084,330.00

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Exhibit B  
Item 1

Memorandum



CLERK OF THE BOARD  
2018 OCT 12 PM 12:21  
CLERK, CIRCUIT & COUNTY CL  
MIAMI-DADE COUNTY, FLA.  
#1

Date:  
To: Kevin Lynskey, Director  
Water and Sewer Department  
From: *Alissa Penaloza*  
Alissa Penaloza, Assistant Director  
Intergovernmental and Internal Operations  
Subject: Recommendation Approving Award of a Construction Contract for CD 1.02 Oxygen Production Upgrades SDWWTP, Contract No. S-882R

**RECOMMENDATION:**

Pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's designee approve this contract award recommendation to the Poole & Kent Company of Florida ("Poole & Kent") for Contract No. S-882R to construct the Consent Decree (CD) Project 1.02 Oxygen Production Upgrades at the South District Wastewater Treatment Plant (SDWWTP). The total compensation amount is \$9,084,330 with a total contract term of 1,090 days. This contract award recommendation was prepared by the Miami-Dade Water and Sewer Department (WASD).

**DELEGATION OF AUTHORITY:**

Pursuant to Section 2-8.2.12 of the Code of Miami-Dade County, the County Mayor or County Mayor's designee is authorized to amend and execute the Contract. Pursuant to the provisions of Sections 2-8.2.12 (4)(d) and (e) of the Code, the County Mayor or County Mayor's designee will have the authority to amend and/or extend the Contract to complete any unfinished work, waive liquidated damages, negotiate and settle claims, and execute change orders that do not exceed ten percent (10%) of the base contract amount.

**PROJECT NAME:**

CD 1.02 Oxygen Production Upgrades SDWWTP

**PROJECT DESCRIPTION:**

This project is one in a series of projects that are being processed under Section 2-8.2.12 of the Code, entitled Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance.

The project consists of furnishing all materials, labor, and equipment necessary to construct Oxygen Production Upgrades, including but not limited to, overhauling and upgrading the existing 100-ton centrifugal compressor to 125-tons; installation of a 125-ton owner furnished centrifugal compressor, including oxygen piping modifications; construction of a new electrical building; decommissioning in-place several equipment and subsystems, including associated substations; air conditioning; electrical work; instrumentation; site civil and stormwater work, including relocation of existing utilities; and all other miscellaneous and appurtenant items and work for a complete and satisfactory upgrade

at the South District Wastewater Treatment Plant (SDWWTP), located at 8590 S.W. 232nd Street, Section 21, Township 56, Range 40, Miami-Dade, Florida 33190.

**PROJECT LOCATION:**

8590 S.W. 232nd Street, in Section 21, Township 56, Range 40, Miami-Dade, Florida 33190.

**SMALL BUSINESS DEVELOPMENT (SBD)**

**SUBMITTAL DATE:** 1/19/2017                      **SIGNOFF DATE:** 1/30/2017  
**RESUBMITTAL DATE:** 1/31/2018                      **SIGNOFF DATE:** 2/13/2018

**SBD REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES: (See EXHIBIT "A", as attached)**

TYPE	GOAL	COMMENT
SBE – Construction	17.46%	The estimated value is the product of the goal percentage multiplied by the sum of the Base Contract Amount plus the Contingency Allowance Amount.
SBE - Goods and Services	4.80%	The estimated value is the product of the goal percentage multiplied by the sum of the Base Contract Amount plus the Contingency Allowance Amount.
CWP	10.00%	CWP is applicable.

**PROJECT TECHNICAL CERTIFICATION REQUIREMENTS:**

One of the following licenses are required: State General Contractor, General Engineering Contractor, and/or other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.

**SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI-DADE COUNTY CODE): (See EXHIBIT "B", as attached)**

FIRM NAME	SUBCONTRACTOR OR SUPPLIER	SCOPE OF WORK OR MATERIALS & SERVICES
Silva Group Construction, Inc.	Subcontractor	Concrete Shell
Dade Electric Service, Inc.	Subcontractor	Electrical
Sunshine State Air Conditioning, Inc.	Subcontractor	HVAC
The BG Group, LLC	Subcontractor	Demolition
Amherst Maintenance, Inc.	Subcontractor	Coatings
Weber Glass Inc.	Subcontractor	Doors
Corcel Corp.	Supplier	Elec. Equipment, pipe, valves, fittings & related
Lehman Pipe & Plumbing Supply	Supplier	Pipe, tools, appurtenances
Ferguson Waterworks	Supplier	Mechanical Materials
Concrete Products of Palm Beaches	Supplier	Submersible Pumps
Seton Identification Prod.	Supplier	Heat Exchanger

**APPLICABLE WAGES:** Yes  
**MANDATORY CLEARING HOUSE:** No  
**PRIMARY COMMISSION DISTRICT:** District 8, Daniella Levine Cava

**APPROVAL PATH:**  
Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance Section 2-8.2.12 of the Code of Miami-Dade County.

**MANAGING DEPARTMENT:** Miami-Dade Water and Sewer Department

**FISCAL IMPACT / FUNDING SOURCE:** (See EXHIBIT "C", as attached)

**Capital Budget Project No. & Description:**

964120 WASTEWATER TREATMENT PLANTS - CONSENT DECREE PROJECTS, Book Page: 66, Volume #3, Funding Year: Proposed Budget Book for FY 2018-19, Prior Years' Funds through FY2023-24 Funds

**Funding Sources:**

Future WASD Revenue Bonds  
WASD Revenue Bonds Sold  
Wastewater Renewal Fund

**OPERATIONS COST IMPACT/FUNDING:** \$200,000 per year. The funding source for the operating impact is WASD Operating Revenues.

**MAINTENANCE COST IMPACT/FUNDING:** \$300,000 per year. The funding source for the operating impact is WASD Operating Revenues.

**LIFE EXPECTANCY OF ASSET:** 50 years

**PTP FUNDING:** No

**GOB FUNDING:** No

**ARRA FUNDING:** No

**SUSTAINABLE BUILDINGS ORDINANCE: (Ord. No. 07-65)**

This project does not qualify for compliance with the Sustainable Buildings Ordinance.

**TOTAL CONTRACT PERIOD:**

The total contract period is 1,199 days, which includes a contract term of 1,090 days and a contingency period of 109 days.

**IG FEE INCLUDED IN BASE CONTRACT:** Yes

**ART IN PUBLIC PLACES:** No

**BASE CONTRACT AMOUNT:** \$ 7,641,000.00

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**CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):**

Type	AMOUNT	PERCENT
INFRASTRUCTURE	\$ 764,100.00	10%

**DEDICATED ALLOWANCES:**

FOR REQUIRED PERMITS AND PERMIT FEES:	\$229,230.00	3.00%
FOR COST OF ADDRESSING COMMENTS RECEIVED FROM PERMITTING AGENCIES:	\$200,000.00	2.62%
FOR UNKNOWN UNDERGROUND UTILITY CONFLICTS:	\$150,000.00	1.96%
FOR UNKNOWN LEAD/ASBESTOS ABATEMENT WITHIN THE PROJECT SITE:	\$100,000.00	1.31%

**TOTAL DEDICATED ALLOWANCE: \$ 679,230.00**

**TOTAL CONTRACT AMOUNT: \$ 9,084,330.00**

**SEA LEVEL RISE (Ord. No. 14-79):**

The impact of sea level rise has been considered as part of the design.

**TRACK RECORD / MONITOR/SBD HISTORY OF VIOLATIONS:**

Due diligence was conducted by WASD and the Internal Services Department (ISD) in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status, performance and compliance data. The lists that were reviewed include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings related to the Poole & Kent's. This information is being provided pursuant to Resolution R-187-12.

**EXPLANATION:**

On June 21, 2018, WASD received and opened four (4) bids (See Bid Tabulation, attached as EXHIBIT "D") in response to an advertisement for an open competitive solicitation for Contract No. S-882R, with base bids summarized as follows:

<u>Company Name</u>	<u>Base Bid</u>
Poole & Kent Company of Florida	\$ 7,641,000.00
PCL Construction, Inc.	\$ 8,020,000.00
Kiewit Infrastructure South, Co.	\$ 8,630,000.00
Lunacon Construction Group	\$ 9,077,974.93

Because contract measures were assigned, the three lowest bids were forwarded to Internal Services Department's (ISD) Division of Small Business Development (SBD) for a Compliance Review. On June 28, 2018, SBD issued the results of its Compliance Review. All three firms were determined to be in compliance with the Implementing Order for the Small Business Enterprise (SBE/Cons) program for construction services and (SBE/GS) program for goods and services. A copy of SBD's Compliance Review along with the associated Schedule of Intent Affidavits showing Poole & Kent's commitment to utilize the subcontractors selected to comply with the contract's measures are attached hereto as EXHIBIT "E".

Upon review of the low bidder's submittal, the project's Engineer of Record, Jacobs, advised that Poole & Kent met the minimum experience qualifications and recommended award to Poole & Kent in correspondence dated July 12, 2018. (See EXHIBIT "F", as attached)

ISD's Capital Improvements Information System (CIIS) database contains 45 evaluations for Poole & Kent. The dates of the evaluations range from 2009 to 2018 with an average overall rating of 3.6 points out of a possible 4 points, which is indicative of above average performance (See EXHIBIT "G", as attached).

It is recommended that the project be awarded to Poole & Kent, the lowest responsible, responsive bidder, whose base bid of \$ 7,641,000 is approximately 7.58%% below the engineer's base estimate of \$ 8,267,365. Poole & Kent's base bid is also 4.73% and 11.46% less than the second and third lowest bids received, respectively.

The Contract, Collusion Affidavit and the Firm's Responsibility Affidavit (also called "Combined Affidavit") executed by Poole & Kent are attached as EXHIBIT "H", EXHIBIT "I" and Exhibit "J", respectively.

**SUBMITTAL DATE:** 06/21/2018  
**ESTIMATED NOTICE TO PROCEED:** 10/29/2018  
**PRIME CONTRACTOR:** Poole & Kent Company of Florida  
**COMPANY PRINCIPAL:** Patrick H. Carr  
**COMPANY QUALIFIERS:** David A. Strickland  
**EMAIL ADDRESS:** patc@pkflorida.com  
**COMPANY ADDRESS:** 1781 NW North River Drive  
Miami, FL 33125  
**YEARS IN BUSINESS:** 14 years

**PREVIOUS EXPERIENCE WITH THE COUNTY IN THE PAST FIVE (5) YEARS:**

According to the Firm History Report (attached as EXHIBIT "K") provided by the Internal Services Department's, Division of Small Business Development, Poole & Kent has been awarded twelve (12) construction contracts in the past 5 years with the County, with a total value of \$180,066,410.00. Ten(10) of these contracts were awarded by the Board of County Commissioners (Board) and two (2) were awarded via the County's Miscellaneous Construction Program 7360. In addition, the Board

approved a Deductive Change Order to Poole & Kent in the amount of -\$500,000 for Contract No. S-852, a contract for the construction of WASD's Master Pump Station No. 3, reducing the total awarded amount to \$179,566,410.00.

**MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS: Yes**

In addition to licensing requirements, bidders were required to demonstrate relevant minimum experience by submitting proof with their bid contract experience as required below:

- (a) The bidder or bidder's electrical subcontractor must have successfully completed at least one (1) project demonstrating experience with the installation of electrical equipment rated for 4,160V and 13,800V power supply.
- (b) The Bidder or Bidder's mechanical or specialty subcontractor must demonstrate experience in the installation of multi-stage integrally geared centrifugal compressors for gas service with a motor size greater than or equal to 500 horsepower within the last fifteen (15) years.

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

Isaac Smith / 786-552-8255 / Isaac.Smith@miamidade.gov

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


Daniel Edwards / 786-552-8354 / Daniel.Edwards@miamidade.gov

**BACKGROUND:**

The South District Wastewater Treatment Plant (SDWWTP) currently has three cryogenic oxygen generation plants and storage facilities to produce high purity oxygen for the oxygenation bioreactors. Upgrades to the Oxygen Production Facilities are required under a Consent Decree with the U.S. Environmental Protection Agency (U.S. EPA), Department of Justice (DOJ) and the Florida Department of Environmental Protection (FDEP). As a result, upgrades to the facilities are required to be completed on a pre-determined schedule in order to comply with the Consent Decree. An upgrade of the Oxygen Production Facilities requires the installation of a new 125-ton centrifugal compressor (Compressor No. 4) and the upgrade/overhaul of the existing Compressor No. 3 from 100-ton to 125-tons. These modifications will allow the plant to meet current and future capacity requirements and provide for redundancy.

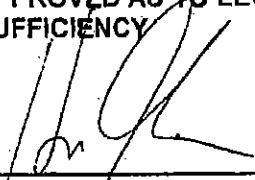
SIGNATURE PAGE

CD 1.02 Oxygen Production Upgrades SDWWTP  
Project No: N/A ; Contract No.: S-882R

  
\_\_\_\_\_  
JENNIFER MOON  
OMB DIRECTOR

10/10/18  
DATE

APPROVED AS TO LEGAL  
SUFFICIENCY

  
\_\_\_\_\_  
HENRY GILLMAN  
ASSISTANT COUNTY ATTORNEY

10/3/18  
DATE

  
\_\_\_\_\_  
KEVIN LYNSKEY, WASD DIRECTOR  
ON BEHALF OF MAYOR CARLOS A. GIMENEZ

10.4.18  
DATE



**Small Business Development Division**  
*Project Worksheet*



**Project/Contract Title:** CD I.02 OXYGEN PRODUCTION UPGRADES  
**Project/Contract No:** S-882R  
**Department:** WATER AND SEWER  
**Estimated Cost of Project/Bid:** \$9,094,101.00  
**Description of Project/Bid:** The scope of work includes, but is not limited to, upgrading the existing oxygen production facilities which shall include construction of a new electrical building, installation of an owner furnished centrifugal compressor, and overhaul of the existing centrifugal compressor. The purpose of the upgrade will be to increase the oxygen production capacity at the plant and to provide for redundancy of equipment.

**Received Date:** 01/31/2018  
**Funding Source:** EW 660, WASD REVENUE BONDS SOLD  
**Resubmittal Date(s):** 01/31/2018

**Contract Measures Recommendation**

<u>Measure</u>	<u>Program</u>	<u>Goal Percent</u>
Goal	SBE/GS	4.80%
Goal	SBE/CONS	17.46%
<b>Workforce Goal</b>	<b>CWP</b>	<b>10.00%</b>

**Reasons for Recommendation**

**SMALL BUSINESS ENTERPRISE - CONSTRUCTION**  
 An analysis of the factors contained in the project package, as well as the factors contained in Section VI.C. of Implementing Order 3-22 indicates that a 17.46% Small Business Enterprise - Construction (SBE-CONS) Subcontractor Goal is appropriate for this contract in the trades of: Industrial Building Construction (Architectural and Structural Work) - 9.00%; Other Heavy & Civil Engineering Construction (Site Civil Work) - 4.57%; Plumbing, Heating and Air-Conditioning Contractors (Mechanical) - 1.49% and Electrical Contractors and Other Wiring Installation Contractors (Electrical Work) - 2.40%.

**SMALL BUSINESS ENTERPRISE - GOODS & SERVICES**  
 An analysis of the factors contained in the project package, as well as the factors contained in Section VIII.B. of Implementing Order 3-41 & Ordinance 16-109 indicates a 4.39% Small Business Enterprise - Goods and Services (SBE-GS) Subcontractor Goal is appropriate for the goods and services portion of this contract in Commodities: 28500 Electrical Equipment & Supplies (Except Cable & Wire) - 2.75% and 03100 HVAC Equipment, Parts and Accessories - 2.05%.

CWP Estimated Workforce: CWP Workforce Recommendation:

Commodity Code: 03100-Air Conditioning, Heating, And Ventilating Equipment, Parts And Accessories (See Class 740 Also); 28500-Electrical Equipment And Supplies (Except Cable And Wire); 90600-Architectural Services, Professional  
 Trade Category: 23332-Commercial And Institutional Building Construction; 236210-Industrial Building Construction; 237990-Other Heavy And Civil Engineering Construction; 238210-Electrical Contractors And Other Wiring Installation Contractors; 238220-Plumbing, Heating, And Air-Conditioning Contractors; 238320-Painting And Wall Covering Contractors; 238910-Site Preparation Contractors

**Small Business Contract Measure Recommendation**

Subtrade	Cat.	Estimated Value	% of Items to Base Bid	Availability
AIR CONDITIONING, HEATING, AND VENTILATING EQUIPMENT, PARTS AND ACCESSORIES (SEE CLASS 740 ALSO)	SBE/GS	\$250,087.78	2.75%	
Industrial Building Construction	SBE/CONS	\$818,469.09	9.00%	
ELECTRICAL EQUIPMENT AND SUPPLIES (EXCEPT CABLE AND WIRE)	SBE/GS	\$186,429.07	2.05%	
Electrical Contractors and Other Wiring Installation Contractors	SBE/CONS	\$218,258.42	2.40%	
Plumbing, Heating, and Air-Conditioning Contractors	SBE/CONS	\$135,502.10	1.49%	
Other Heavy and Civil Engineering Construction	SBE/CONS	\$415,600.42	4.57%	
<b>Total</b>		<b>\$2,024,346.88</b>	<b>22.26%</b>	

**Living Wages:** YES  NO  **Highway:** YES  NO  **Heavy Construction:** YES  NO   
**Responsible Wages:** YES  NO  **Building:** YES  NO

*Responsible Wages and Benefits applies to all construction projects over \$100,000 that do not utilize federal fund. For federally funded projects, unless prohibited by federal or state law or disallowed by a governmental funding source, the HIGHER wage between Davis Bacon and Responsible Wages and Benefits shall apply.*



Small Business Development Division
Project Worksheet

Project/Contract Title: CD 1.02 OXYGEN PRODUCTION UPGRADES
Project/Contract No: S-882R
Department: WATER AND SEWER
Estimated Cost of Project/Bid: \$9,094,101.00

Funding Source:
EW 660, WASD REVENUE
BONDS SOLD

Received Date: 01/31/2018

Resubmittal Date(s): 01/31/2018

REVIEW RECOMMENDATION

Form with fields: Tier 1 Set Aside, Tier 2 Set Aside, Set Aside Level 1, Level 2, Level 3, Trade Set Aside (MCC), Goal, Bid Preference, No Measure, Deferred, Selection Factor, CWP, SBD Director signature, Date (2-13-18)

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# SUBCONTRACTOR/SUPPLIER LISTING

(Miami-Dade County Code Sections 2-8.1, 2-8.8 and 10-34)

Firm Name of Prime Contractor/Respondent Poole & Kent Company of Florida FEIN # 75-3163466  
 Project/Contract Number CD 1.02 Oxygen Production Upgrades, Contract No. S-882R


In accordance with Sections 2-8.1, 2-8.8 and 10.34 of the Miami-Dade County Code, this form must be submitted as a condition of award by all bidders/respondents on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all bidders/respondents on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. The bidder/respondent who is awarded this bid/contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County. The bidder/respondent should enter the word "NONE" under the appropriate heading of this form if no subcontractors or suppliers will be used on the contract and sign the form below.

In accordance with Ordinance No. 11-90, an entity contracting with the County shall report the race, gender and ethnic origin of the owners and employees of all first tier subcontractors/suppliers. In the event that the successful bidder demonstrates to the County prior to award that the race, gender, and ethnic information is not reasonably available at that time, the successful bidder shall be obligated to exercise diligent efforts to obtain that information and provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract. (Please duplicate this form if additional space is needed.)

Business Name and Address of First Tier Subcontractor/ Subconsultant	Principal Owner	Principal Owner (Enter the number of male and female owners by race/ethnicity)							Employees (Enter the number of male and female employees and the number of employees by race/ethnicity)																	
		Race/Ethnicity							Race/Ethnicity																	
		Gender	White	Black	Hispanic	Asian/Pacific Islander	Native American/Alaskan	Other	Gender	White	Black	Hispanic	Asian/Pacific	Native American/Alaskan	Other											
Silva Group Const. Inc. Dade Electric Service, Inc. Sunshine State Air Conditioning, Inc.	Adelino Agostinho Vilakshan Murarka Mauricio Correa	X		X											X											
Corcel Corp. Lehman Pipe & Plumbing Supply Ferguson Waterworks	Ray Corona Dennis Lehman Wolseley - Public					X																				

Mark here if race, gender and ethnicity information is not available and will be provided at a later date. This data may be submitted to Contracting/User de on-line to the Small Business Development Division of the Internal Services Department at: <http://www.miamidade.gov/smallbusiness/business-development>

I certify that the representations contained in this Subcontractor/Supplier Listing are to the best of my knowledge true and accurate.

  
 Signature of Bidder/Respondent Patrick H. Carr Print Name  
 President & CEO  
 July 18, 2018 Date  
 SUB



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**SUBCONTRACTOR/SUPPLIER LISTING**  
(Miami-Dade County Code Sections 2-8.1, 2-8.8 and 10-34)

Firm Name of Prime Contractor/Respondent Pool & Kent Company of Florida FEIN # 75-3163466  
Project/Contract Number CD 1.02 Oxygen Production Upgrades, Contract No. S-882R

In accordance with Sections 2-8.1, 2-8.8 and 10-34 of the Miami-Dade County Code, this form must be submitted as a condition of award by all bidders/respondents on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all bidders/respondents on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. The bidder/respondent who is awarded this bid/contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County. The bidder/respondent should enter the word "NONE" under the appropriate heading of this form if no subcontractors or suppliers will be used on the contract and sign the form below.

In accordance with Ordinance No. 11-90, an entity contracting with the County shall report the race, gender and ethnic origin of all first tier subcontractors/suppliers. In the event that the successful bidder demonstrates to the County prior to award that the race, gender, and ethnic information is not reasonably available at that time, the successful bidder shall be obligated to exercise diligent efforts to obtain that information and provide the same to the County not later than ten (10) days after it becomes available and, in any event, prior to final payment under the contract.

(Please duplicate this form if additional space is needed.)

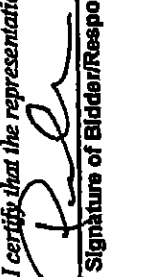
Business Name and Address of First Tier Subcontractor/ Subconsultant	Principal Owner	Scope of Work to be Performed by Subcontractor/ Subconsultant		Principal Owner (Enter the number of male and female owners by race/ethnicity)		Employee(s) (Enter the number of male and female employees and the number of employees by race/ethnicity)													
		Demolition	Coatings	Gender	Race/Ethnicity														
					White	Black	Hispanic	Ash/Pacific Islander	Native American/Alaskan	Other									
The BG Group, LLC.	Ivy Fradin			X	X														
Amherst Maintenance, Inc.	Nick Boubaris			X	X														
Weber Glass, Inc.	Tom Thomas		Doors	X	X														

Business Name and Address of First Tier Direct Supplier	Principal Owner	Supplies/Materials/ Services to be Provided by Supplier		Principal Owner (Enter the number of male and female owners by race/ethnicity)		Employee(s) (Enter the number of male and female employees and the number of employees by race/ethnicity)													
		Precast Concrete	Signage	Gender	Race/Ethnicity														
					White	Black	Hispanic	Ash/Pacific Islander	Native American/Alaskan	Other									
Concrete Products of Palm Beaches	Jeff Dick	X		X	X														
Seton Identification Prod.	Public Company	-		-	-														

Mark here if race, gender and ethnicity information is not available and will be provided at a later date. This data may be submitted to Contracting/User department or on-line to the Small Business Development Division of the Internal Services Department at <http://www.miamidade.gov/smallbusiness/business-development-forms.asp>.

I certify that the representations contained in this Subcontractor/Supplier listing are to the best of my knowledge true and accurate.

  
 Signature of Bidder/Respondent Patrick H. Carr Print Name  
President & CEO Print Title  
July 18, 2018 Date  
 SUB-100 Rev. 12/15

## FY 2018 - 19 Proposed Budget and Multi-Year Capital Plan

## WASTEWATER TREATMENT PLANTS - CONSENT DECREE PROJECTS

PROJECT #: 964120

DESCRIPTION: Design, construct, and rehabilitate infrastructure at wastewater treatment plants to comply with EPA Consent Decree  
 LOCATION: Various Sites District Located: Countywide  
 Throughout Miami-Dade County District(s) Served: Countywide

REVENUE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Future WAST Revenue Bonds	0	49,402	112,753	147,147	157,382	154,897	116,475	301,961	1,040,017
WAST Revenue Bonds Sold	274,524	0	0	0	0	0	0	0	274,524
Wastewater Renewal Fund	34,512	0	0	0	0	0	0	0	34,512
<b>TOTAL REVENUES:</b>	<b>309,036</b>	<b>49,402</b>	<b>112,753</b>	<b>147,147</b>	<b>157,382</b>	<b>154,897</b>	<b>116,475</b>	<b>301,961</b>	<b>1,349,053</b>
EXPENDITURE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Construction	249,391	94,710	108,243	141,262	151,087	148,701	111,816	289,883	1,295,093
Major Machinery and Equipment	2,598	986	1,127	1,471	1,574	1,549	1,165	9,059	19,529
Planning and Design	7,793	2,960	3,383	4,414	4,721	4,647	3,494	3,019	34,431
<b>TOTAL EXPENDITURES:</b>	<b>259,782</b>	<b>98,656</b>	<b>112,753</b>	<b>147,147</b>	<b>157,382</b>	<b>154,897</b>	<b>116,475</b>	<b>301,961</b>	<b>1,349,053</b>

Estimated Annual Operating Impact will begin in FY 2018-19 in the amount of \$50,000,000

## WASTEWATER TREATMENT PLANTS - MISCELLANEOUS UPGRADES

PROJECT #: 9652061

DESCRIPTION: Upgrade wastewater treatment plants to meet regulatory requirements  
 LOCATION: Wastewater Treatment Plants District Located: Systemwide  
 Various Sites District(s) Served: Systemwide

REVENUE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Future WAST Revenue Bonds	0	488	1,793	1,160	1,000	0	0	0	4,441
WAST Revenue Bonds Sold	200	0	0	0	0	0	0	0	200
<b>TOTAL REVENUES:</b>	<b>200</b>	<b>488</b>	<b>1,793</b>	<b>1,160</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,641</b>
EXPENDITURE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Construction	188	459	1,686	1,091	940	0	0	0	4,364
Planning and Design	12	29	107	69	60	0	0	0	277
<b>TOTAL EXPENDITURES:</b>	<b>200</b>	<b>488</b>	<b>1,793</b>	<b>1,160</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,641</b>

## WASTEWATER TREATMENT PLANTS - REPLACEMENT AND RENOVATION

PROJECT #: 9653261

DESCRIPTION: Renovate and replace wastewater treatment plant facilities and structures within plant sites  
 LOCATION: Systemwide District Located: Systemwide  
 Various Sites District(s) Served: Systemwide

REVENUE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Future WAST Revenue Bonds	0	796	796	796	796	796	796	0	4,776
WAST Revenue Bonds Sold	3,791	0	0	0	0	0	0	0	3,791
Wastewater Renewal Fund	41,754	15,000	10,000	10,000	10,000	10,000	10,000	10,000	116,754
Wastewater Special Construction Fund	2,999	0	0	0	0	0	0	0	2,999
<b>TOTAL REVENUES:</b>	<b>48,544</b>	<b>15,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,000</b>	<b>128,320</b>
EXPENDITURE SCHEDULE:	PRIOR	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	FUTURE	TOTAL
Construction	45,545	15,578	10,256	10,256	10,256	10,256	10,256	9,500	121,903
Major Machinery and Equipment	479	164	108	108	108	108	108	100	1,283
Planning and Design	1,918	656	432	432	432	432	432	400	5,134
<b>TOTAL EXPENDITURES:</b>	<b>47,942</b>	<b>16,398</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,796</b>	<b>10,000</b>	<b>128,320</b>



**MIAMI-DADE WATER AND SEWER DEPARTMENT**  
**CD 1.02 Oxygen Production Upgrades**  
**Contract No. S-882R**

**TABULATION OF BIDS**  
 Engineer's Base Estimate: \$9,267,365

Bid Opening Date: June 21, 2018

Bid Item No	Proposal Form Description	Estimate Quantity	Pool & Kent Contractors 1781 NW North River Dr. Miami, FL 33125	PCI Construction, Inc. 1805 Ponce de Leon Blvd. Coral Gables, FL 33134	Rivert Infrastructure South, Co. 444 Brickell Ave. Miami, FL 33131	Lunacon Construction Group 16890 S. Dixie Highway Miami, FL 33157
1	Preparatory Work and Mobilization 1a. General Requirements or Home/Field Office Overhead: Work to include cost associated with compliance delineated in the general and supplemental conditions of the Contract and Division 1 of the Specifications plus the General and Administrative (G&A or Home Office Overhead) costs. 1b. Preparatory Work: Work to include mobilization of the Contractor's staff to begin construction work at the plant site including, but not limited to, shop drawings, temporary facilities, construction equipment, bonds, insurance, and other preconstruction expenses.	Aggr. Sum	\$1,475,000	\$1,000,000	\$1,125,000	\$1,383,299
2	Demolition of Compressor No.1 and No.2 Auxiliary Items: Demolition and disposal of air piping, cooling water piping and all associated ancillary items. Demolition and disposal of 15KV feeders to Compressors No.1 and No.2, and 15KV feeder jumper between Substation 1 and Substation 17.	Aggr. Sum	\$765,000	\$700,000	\$775,000	\$1,176,701
3	Civil Site Work: All site preparation work including, but not limited to, clearing of site, site drainage, excavation, filling and site preparation for the construction of the new building. Work to also include all site grading, relocation of existing conflicting utilities, restoration of asphalt roads, landscaping & yard piping.	Aggr. Sum	\$710,000	\$300,000	\$350,000	\$206,588
4	Equipment Decommissioning: Work to include decommissioning of Compressor No.1, Compressor No.2, Compressor No.1 and No.2 starters, Substation No.3, substation No.4 and Substation No.20.	Aggr. Sum	\$50,000	\$50,000	\$25,000	\$51,278
5	Process Mechanical: All process mechanical work, including all piping, valves and ancillary items associated with Compressor No.3 and No.4.	Aggr. Sum	\$600,000	\$400,000	\$500,000	\$870,892
6	Structural and Architectural: All structural and architectural work associated with the construction of the new Electrical Building and existing Oxygen Production Facility 2.	Aggr. Sum	\$1,636,000	\$2,000,000	\$1,000,000	\$6,430
7	Compressor No.4: Work associated with the installation of Owner-Furnished Compressor No.4 and all associated ancillary equipment.	Aggr. Sum	\$75,000	\$350,000	\$100,000	\$2,137,492
8	Compressor No.3: Work associated with the disassembly, shipment, receiving and installation of upgraded and overhauled Compressor No.3.	Aggr. Sum	\$75,000	\$150,000	\$85,000	\$295,534
9	Building Mechanical: All building mechanical work at the new Electrical Building including, but not limited to, the HVAC equipment, ductwork, piping and fixtures.	Aggr. Sum	\$450,000	\$300,000	\$600,000	\$649,252
10	New Electrical Building Electrical Equipment: Work to include all electrical work including furnishing and installing all electrical equipment corresponding to the new Electrical Building including, but not limited to, the motor control center, two 5000 kVA transformers, two 15 KV switchgears, two 5 KV switchgears and all other electrical and lighting equipment components.	Aggr. Sum	\$2,000,000	\$2,720,000	\$2,580,000	\$2,929,491
11	Site Electrical Equipment: All electrical work and equipment outside the scope of the new Electrical Building including, but not limited to, the electrical ductbanks, electrical manhole connections and pulling of new wires and feeders.	Aggr. Sum	\$700,000	\$250,000	\$550,000	\$589,273
12	Owner Furnished Local Control Panels: Work required to install two Owner-Furnished Local Control Panels for Compressor No.3 and Compressor No.4. Work to include programming of the local control panels.	Aggr. Sum	\$10,000	\$15,000	\$5,000	\$6,430
13	Instrumentation and Controls: Furnishing and installing all instrumentation and control equipment including equipment not being furnished by the Owner or the Manufacturer as shown on the Contract Drawings.	Aggr. Sum	\$20,000	\$25,000	\$15,000	\$5,858
14	Punchlist Items: All remaining work following substantial completion such as final clean-up and any remaining punchlist items.	Aggr. Sum	\$25,000	\$20,000	\$20,000	\$9,077,974.99
15	Bid Subtotal (Sum of Bid Items No.1 thru No.14)		\$7,641,000	\$8,020,000	\$6,650,000	\$9,077,974.99
16	Dedicated Allowance-Construction Permit Fees (0.03 x Bid Item No.15 subtotal): Costs for obtaining all required permits and paying all required fees, such as those for inspections, impact, etc.	Aggr. Sum	\$229,230	\$740,600	\$258,900	\$772,389.25
17	Dedicated Allowance-Permitting Comments: Costs for addressing comments received from Permitting Agencies after the Bid Documents were issued.	Aggr. Sum	\$200,000	\$200,000	\$200,000	\$200,000
18	Dedicated Allowance-Utility Conflicts: Costs for completing work exclusively related to addressing underground utility conflicts that were unknown at the time when the Bid Documents were issued.	Aggr. Sum	\$150,000	\$150,000	\$150,000	\$150,000
19	Dedicated Allowance-Lead/Asbestos Abatement: Costs for any lead and asbestos abatement that was unknown at the time the Bid Documents were issued.	Aggr. Sum	\$100,000	\$100,000	\$100,000	\$100,000
20	Contingency Allowance: Costs for all labor, materials, equipment and service necessary for modification or extra work required to complete the Project because of unforeseeable conditions, unforeseeable conflicts between existing elements of work and the proposed work; for minor changes required to resolve any unforeseeable conditions, revised regulations, technological and product development, operational changes, schedule requirements, program interface, emergencies and other miscellaneous costs	Aggr. Sum	\$764,100	\$802,000	\$863,000	\$907,797.49
21	Bid Total (Total of Bid Items No.15 thru 20)	Aggr. Sum	\$9,084,330	\$9,822,600	\$10,201,900	\$10,708,111.67

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# Memorandum



**DATE:** June 28, 2018

**TO:** Isaac Smith, Manager  
Construction Contracts  
Water & Sewer Department

**FROM:** Gary Hartfield, Division Director  
Internal Services Department  
Small Business Development

**SUBJECT:** Compliance Review  
Project RPQ No. S-882R  
C.D. 1.02 Oxygen Production Upgrades



Small Business Development (SBD), a Division of the Internal Services Department, has completed its review of the subject project for compliance with the Small Business Enterprise (SBE/Cons) program for construction and Small Business Enterprise (SBE/GS) program for Goods and Services. The contract measures established for this project is a 17.46% SBE/Cons and 4.80% SBE/GS subcontractor goal measures.

The Miami Dade Water and Sewer Department has submitted bid documents for the firms listed below for compliance review. Following is the pre-award compliance status and summary.

**STATUS:**

- |                                    |           |
|------------------------------------|-----------|
| 1. Kiewit Infrastructure South Co. | Compliant |
| 2. PCL Construction, Inc.          | Compliant |
| 3. Poole & Kent Company of Florida | Compliant |

**SUMMARY:**

**Kiewit Infrastructure South Co. (#1)** submitted the required SBE/Cons Schedule of Intent (SOI) Affidavit committing to utilize Dade Electric Service, Inc., a certified SBE/Cons firm, to perform electrical work at 17.46%, in satisfaction of the 17.46% SBE/Cons subcontractor goal. The SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on the SOI Affidavit.

Kiewit Infrastructure South Co. also submitted the required SBE/GS Schedule of Intent (SOI) Affidavits committing to utilize the following certified SBE/GS firms: Corcel Corp. to provide electrical equipment and supplies, pipe, valves, fittings and related at 3.82%, Gerard & Associates, LLC to provide safety equipment at 0.08%, E.R. Brownell & Associates, Inc. to provide survey services at 0.16%, Micar Trucking, Inc. to provide aggregates and hauling at 0.71% for a total of 4.77% and Madson, Inc., to provide janitorial services work at 0.03% to satisfy the 4.80% subcontractor goal. Each SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on each SOI Affidavit. Madson, Inc.'s SOI was signed and submitted to Kiewit Infrastructure on 6/12/2018 to include in their bid package to be submitted on 6/14/2018. The bid due date for the subject project was extended via addendum from 6/14/2018 to 6/21/2018. Madson Inc's SBE/GS certification was removed on 6/13/2018 after submitting the signed SOI to Kiewit Infrastructure and as a result, cannot be utilized to meet any portion of the 4.80% SBE/GS subcontractor goal. Kiewit Infrastructure South Co. will be required to substitute Madson, Inc. with another SBE/GS certified firm if recommended for the award of this project to remain in compliance with the SBE/GS goal.

Kiewit Infrastructure South Co. is in compliance with the overall small business measures established for this contract.

**PCL Construction, Inc. (#2)**, submitted the required SBE/Cons Schedule of Intent (SOI) Affidavit committing to utilize Dade Electric Service, Inc., a certified SBE/Cons firm, to perform electrical work at 17.5% in satisfaction of the 17.46% SBE/Cons subcontractor goal. The SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on the SOI Affidavit.

PCL Construction, Inc. also submitted the required SBE/GS Schedule of Intent (SOI) Affidavit committing to utilize Dade Electric Service, Inc., a certified SBE/GS firm, to provide electrical supplies at 4.9%. The SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on the SOI Affidavit. Pursuant to the Amendment to Section 10-33.02 of the Code, approved 4/10/2018. (6) Subcontractor Goal: **"A SBE/Con firm may fulfill a subcontractor goal in only one goal type per contract"**, thus Dade Electric cannot be utilized to meet any portion of the 4.80% SBE/GS subcontractor goal. PCL Construction, Inc. will be required substitute Dade Electric, Inc. with another SBE/GS certified firm if recommended for the award of this project to remain in compliance with the SBE/GS goal.

PCL Construction, Inc. is in compliance with the overall small business measures established for this contract.

**Poole & Kent Company of Florida (#3)**, submitted the required SBE/Cons Schedule of Intent (SOI) Affidavit committing to Dade Electric Service, Inc., a certified SBE/Cons firm, to perform electrical work at 17.46% to satisfy the contract's 17.46% SBE/Cons subcontractor goal. The SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on the SOI Affidavit.

Poole and Kent Company of Florida also submitted the required SBE/GS Schedule of Intent (SOI) Affidavit committing to utilize Corcel Corp., a certified SBE/GS firm, to provide electrical equipment & supplies, pipe, valves and related at 4.80% in satisfaction of the 4.80% SBE/GS subcontractor goal. The SOI Affidavit was signed and dated by both the prime and subcontractor in agreement with the information listed on the SOI Affidavit. Poole and Kent Company of Florida is in compliance with the overall small business measures established for this contract.

SBD has verified that none of the aforementioned firms are listed on the Goal Deficit Make-Up Report as of June 1, 2018. Also, a review of the History of Violations Report as of June 22, 2018, indicates that none of the aforementioned firms have an open violation.

Please note that SBD staff reviewed and addressed compliance with the SBE/Cons and SBE/GS programs. The Contract and Specifications Section of the Water and Sewer Department is responsible for any other issues that may exist. Should you have any questions or need any additional information, please do not hesitate to call Caesar Suarez, SBD Capital Improvement Project Specialist at (305) 375-3141.

c: Laurie Johnson, SBD, ISD  
Isaac Smith, WASD  
File



# SCHEDULE OF INTENT AFFIDAVIT (SOI) SMALL BUSINESS ENTERPRISE - GOODS (SBE/G) PROGRAM

**THIS FORM MUST BE COMPLETED BY BIDDERS/PROPOSERS FOR PROJECTS WITH SBE-GOODS (SBE/G) MEASURES**

Name of Bidder/Proposer Pooler & Kent Company of Florida Contact Person Patrick H. Carr, President & CEO  
 Address 1781 N.W. North River Drive, Miami, FL 33125 Phone 305-325-1930 Fax 305-324-0522 Email patrickc@pkflorida.com  
 Project Name GD 1.02 Oxygen Production Upgrades Project Number S-882R  
 SBE - G Contract Measure 4.80%

**Signature of Bidder/Proposer and the Bidder/Proposer and the SBE/G Subcontractor that will be utilized for services of goods on this project**

Name of Bidder/Proposer	Commodity Code	Type of Goods to be provided by Bidder (If applicable)	Bidder % of Bid
Prime Contractor Total Percentage:			

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/G Subcontractor	Commodity Code	Type of Goods to be provided by Subcontractor	SBE/G Subcontractor % of Bid
Corcel Corp.	Series 285, 658, 659, 670, and related	Electrical Equipment & Supplies, Pipe, Valves, Fittings, and Related	4.80%
Subcontractor Total Percentage:			4.80%

I certify that the representations contained in this form are to the best of my knowledge true and accurate. I affirm that I will enter into a sub-contract agreement with the above listed SBE/G subcontractor if awarded the listed project.

Bidder/Proposer Signature: [Signature] Bidder/Proposer Print Name: Patrick H. Carr Bidder/Proposer Print Title: President & CEO Date: 6/21/18

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding, and is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.  
 SBE/G Subcontractor Signature: [Signature] SBE/G Subcontractor Print Name: Raul Corona SBE/G Subcontractor Print Title: Manager & Authorized Signer Date: 5-29-2018

Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.

List of Certified Firms: <http://www.miamidade.gov/smallbusiness/certification-luss.asp>

SBD's Website: <http://www.miamidade.gov/smallbusiness>

Small Business Development Division - Internal Services Department

SBD 564A (Revised 03/13)



**SCHEDULE OF INTENT AFFIDAVIT (SOI)  
SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE/CONS) PROGRAM**

Name of Prime Contractor Poole & Kent Company of Florida Contact Person Patrick H. Carr, President & CEO

Address 1781 N.W. North River Drive, Miami, FL 33125 Phone 305-325-1930 Fax 305-324-0522 Email patrickc@pkflorida.com

Project Name CD 1.02 Oxygen Production Upgrades Project Number S-882R

SBE/Cons Contract Measure 17.46%

**This form must be completed by the Prime Contractor and the Small Business Enterprise-Construction (SBE/Cons) Subcontractor that will be utilized for scopes of work on the project. Builders must include this form with bid documents at the time of bid submission. This form must also include the SBE/Cons real make-up percentage, if applicable.**

Name of Prime Contractor	Scope of Construction work to be performed by Prime Contractor	Prime Contractor SBE/Cons % of Bid	(if applicable) SBE/Cons Prime % of Bid
	Prime Contractor Total Percentage:		

The undersigned intends to perform the following work in connection with the above contract:

Name of SBE/Cons Subcontractor	NAIC Code	Description of Construction work to be performed by SBE/Cons Subcontractor	(if applicable) SBE/Cons Subcontractor % of Bid	(if applicable) SBE/Cons Subcontractor Trade Set Aside %	(if applicable) Construction Goal Make-Up %
Date Electric Service	238210	Electrical Work	17.46		
			Subcontractor Total Percentage: 17.46		

I certify that the representations contained in this form are to the best of my knowledge true and accurate.

*Patrick H. Carr* Prime Signature      Patrick H. Carr      President & CEO      6/21/18 Date  
*V.K. Myrarka* SBE/Cons Subcontractor Signature      V.K. Myrarka      Vice President      5/22/18 Date

The undersigned has reasonably uncommitted capacity sufficient to provide the required goods or services, all licenses and permits necessary to provide such goods or services, ability to obtain bonding that is reasonably required to provide such goods or services consistent with normal industry practice, and the ability to otherwise meet the bid specifications.

Check this box if this project is a set-aside and you are performing 100% of the work with your own work forces.  
 Check this box if Form SBD 305A and Form SBD 305B have been submitted in your pricing envelope.  
 Check this box if Form SBD 303 has been submitted in your pricing envelope.

List of Certified Firms <http://www.miamidade.gov/smallbusiness/certification-lists.pdf>

SBD's Website <http://www.miamidade.gov/smallbusiness/>

Small Business Development Division - Internal Services Department

SBD 480 (Formerly DBD 480) (Revised 07/14)

# Contract S-882R – CD 1.02 SDWWTP Oxygen Production Upgrades: Bid Evaluation and Recommendation

PREPARED FOR: Miami-Dade Water and Sewer Department (WASD)  
 COPY TO: Issac Smith/WASD  
 PREPARED BY: Jacobs  
 DATE: July 12, 2018  
 PROJECT NUMBER: 660690



The bid opening for Contract No. S-882R – CD 1.02 Oxygen Production Upgrades took place June 21<sup>st</sup>, 2018 at 2:00 PM at the Miami-Dade Water and Sewer Department (WASD) Douglas Building.

## Bid Price Evaluation

Four bids were received as shown in Table 1. Poole and Kent Contractors submitted the lowest bid with a base bid price of \$7,641,000 and a total bid price of \$9,084,330. The Engineer’s Opinion of Probable Construction Cost (OPCC) base bid estimate was \$8,267,365 and total bid estimate was \$9,792,122. The Engineer’s OPCC estimate is considered a Definitive or Class 1 estimate as defined by the Association for the Advancement of Cost Engineering International (AACEI). It is considered accurate to +15% to -10%, based on a 100% design deliverable. Poole and Kent’s base bid price is -7.6% lower than the Engineer’s OPCC, which is within the accuracy range for the Engineer’s OPCC. See Attachment 1 for detailed bid comparison.

**Table 1. Bid Tabulation Summary**  
*S-882R – CD 1.02 SDWWTP Oxygen Production Upgrades*

Item No.	Description	Poole & Kent	PCL Construction	Kiewit	Lunacon
15	<b>SUBTOTAL</b>	<b>\$7,641,000</b>	<b>\$8,020,000</b>	<b>\$8,630,000</b>	<b>\$9,077,974.93</b>
16	Permit Fees Dedicated Allowance	\$229,230	\$240,600	\$258,900	\$272,339.25
17	Permitting Dedicated Allowance	\$200,000	\$200,000	\$200,000	\$200,000
18	Utility Conflict Dedicated Allowance	\$150,000	\$150,000	\$150,000	\$150,000
19	Lead/Asbestos Dedicated Allowance	\$100,000	\$100,000	\$100,000	\$100,000
20	Contingency Allowance	\$764,100	\$802,000	\$863,000	\$907,797.49
21	<b>BID TOTAL</b>	<b>\$9,084,330</b>	<b>\$9,264,436<sup>a</sup></b>	<b>\$10,201,900</b>	<b>\$10,708,111.67</b>

**Table Notes**

<sup>a</sup> Listed bid total on submitted proposal form does not match calculated total for PCL Construction. Bid proposal was rejected due to this irregularity per the requirements listed in the Instructions to Bidders.

## Additional Qualifications of Bidders Evaluation

Additional experience qualification requirements were included within the contract documents for bidders to demonstrate their ability to perform the specified work. Per the Special Provisions SP.1.0,

Additional Qualification of Bidders, the Bidder is required to meet the following minimum experience requirements and submit satisfactory proof and qualifications demonstrating compliance with the following:

- a) The Bidder or Bidder's electrical subcontractor must have successfully completed a minimum of one (1) project demonstrating experience with the installation of electrical equipment rated for 4160V and 13,800V power supply.
- b) Bidder or Bidder's mechanical or specialty contractor must have successfully completed a minimum of one (1) project demonstrating experience in the installation of multi-stage integrally geared centrifugal compressors for gas service with a motor size greater than or equal to 500 hp within the last fifteen (15) years.

Poole and Kent submitted a list of projects with detailed project descriptions as proof of experience to meet the minimum qualifications. Jacobs has reviewed this information and confirmed the submitted projects meet the minimum experience requirements.

### Recommendation

Poole and Kent Contractors is the lowest bidder and meets the minimum experience requirements. Jacobs recommends that Miami-Dade WASD award the project to Poole and Kent Contractors for Contract No. S-882R – CD 1.02 Oxygen Production Upgrades.

**Attachment 1 – CD 1.02 Oxygen Production Upgrades Bid Breakdown and Comparison Evaluation**





## 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>
WS	<u>S-812 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	9/28/2009	Mario Garcia	Interim	<u>3.5</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	9/29/2009	Mario Garcia	Interim	<u>3.3</u>
WS	<u>S-816 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	9/10/2009	Mario Garcia	Completion of construction	<u>4.0</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	6/30/2010	Mario Garcia	Interim	<u>3.8</u>
WS	<u>S-829 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	6/30/2010	Mario Garcia	Interim	<u>3.4</u>
WS	<u>S-817 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	7/2/2010	Mario Garcia	Interim	<u>3.6</u>
WS	<u>S-812 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	7/2/2010	Mario Garcia	Interim	<u>3.6</u>
WS	<u>S-829 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/3/2011	Mario Garcia	Interim	<u>2.5</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/3/2011	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-817 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/12/2011	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-812 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/12/2011	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-812 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/23/2011	Mario Garcia	Project conclusion or closeout	<u>3.8</u>
WS	<u>S-817 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/23/2011	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/23/2011	Mario Garcia	Interim	<u>3.8</u>
WS	<u>S-829 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/23/2011	Mario Garcia	Interim	<u>3.0</u>
WS	<u>W-857 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	10/7/2011	Robert Stebbins Jr.,	Interim	<u>3.8</u>
WS	<u>S-829 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	1/31/2012	Mario Garcia	Project conclusion or closeout	<u>3.0</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	2/24/2012	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-817 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	10/1/2012	Mario Garcia	Interim	<u>3.8</u>
WS	<u>W-857 (A)</u> <u>WO: 1</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	11/30/2012	Robert Stebbins Jr.,	Project conclusion or closeout	<u>3.8</u>
WS	<u>DB09-WASD-05</u>	DES	<u>Poole &amp; Kent Company of Florida</u>	11/25/2013	Mario Garcia	Interim	<u>3.9</u>
WS	<u>S-805 (A)</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	2/7/2014	Mario Garcia	Completion of construction	<u>3.7</u>
WS	<u>S-863</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/20/2014	Mario Garcia	Interim	<u>4.0</u>
WS	<u>DB09-WASD-05</u>	DES	<u>Poole &amp; Kent Company of Florida</u>	5/20/2014	Mario Garcia	Interim	<u>4.0</u>
WS	<u>DB09-WASD-05</u>	DES	<u>Poole &amp; Kent Company of Florida</u>	8/6/2014	Mario Garcia	Interim	<u>3.7</u>
WS	<u>S-863</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/7/2014	Mario Garcia	Interim	<u>3.8</u>
WS	<u>S-863</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	10/23/2014	Mario Garcia	Project conclusion or closeout	<u>3.0</u>
WS	<u>S-863</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	10/23/2014	Mario Garcia	Interim	<u>4.0</u>
WS	<u>S-863</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	2/18/2015	Mario Garcia	Project conclusion or closeout	<u>4.0</u>
WS	<u>S-852</u> <u>WO: 1</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	3/12/2015	Augustin J Durand	Interim	<u>2.8</u>
WS	<u>DB09-WASD-05</u>	DES	<u>Poole &amp; Kent Company of Florida</u>	5/5/2015	Mario Garcia	Project conclusion or	<u>4.0</u>

WS	<u>S-877</u> WO: <u>1</u>	CON	<u>Florida</u> <u>Poole &amp; Kent Company of Florida</u>	11/8/2017	Jules Durand	closeout Interim	<u>3.8</u>
WS	<u>S-871</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	11/14/2017	Huren An (Jeff)	Interim	<u>3.3</u>
WS	<u>S-903</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	12/8/2017	Huren An (Jeff)	Interim	<u>3.4</u>
WS	<u>S-889</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	1/18/2018	Huren An (Jeff)	Interim	<u>3.5</u>
WS	<u>S-903</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	3/2/2018	Daniel Edwards	Interim	<u>3.6</u>
WS	<u>S-889</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/16/2018	Huren An (Jeff)	Interim	<u>3.4</u>
WS	<u>S-903</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/18/2018	Huren An (Jeff)	Interim	<u>3.4</u>
WS	<u>S-905R</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/21/2018	Huren An (Jeff)	Interim	<u>4.0</u>
WS	<u>S-852</u> WO: <u>1</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	5/29/2018	Augustin J Durand	Project conclusion or closeout	<u>3.6</u>
WS	<u>S-889</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/3/2018	Huren An (Jeff)	Interim	<u>3.6</u>
WS	<u>S-877</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/22/2018	Jules Durand	Project conclusion or closeout	<u>3.8</u>
WS	<u>S-890</u>	CON	<u>Poole &amp; Kent Company of Florida</u>	8/21/2018	Huren An (Jeff)	Interim	<u>2.8</u>
WS	<u>P0141</u>	7360	<u>Poole &amp; Kent Company of Florida</u>	7/20/2015	Augustin J Durand	Interim	<u>3.3</u>
WS	<u>P0141</u>	7360	<u>Poole &amp; Kent Company of Florida</u>	11/13/2015	Joaquin O. Roa	Project conclusion or closeout	<u>4.0</u>

Evaluation Count: 45 Contractors: 1 Average Evaluation: 3.6

Exit

*Je*

CONTRACT



THIS CONTRACT, made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between Miami-Dade County, Florida, acting by and through the Office of the Mayor, party of the first part (hereinafter sometimes called the "County"), and     **Poole & Kent Company of Florida**    , party of the second part (hereinafter sometimes called "Contractor");

WITNESSETH

That the parties hereto, for and in consideration of the covenants and agreements hereinafter set forth, mutually agree as follows, to wit:

- 1. That the Contractor shall furnish all labor, materials and equipment and perform all work in the manner and form provided by the Contract Documents covering the Project of the County known and identified as

**CD 1.02 OXYGEN PRODUCTION UPGRADES  
SDWWTP, CONTRACT NO. S-882R**

for the aggregate amount reflected by the Proposal, said aggregate amount being of **Nine Million Eighty Four Thousand Three Hundred Thirty Dollars and No Cents (U.S. Dollars) \$9,084,330.00.**

- 2. That the Contractor shall begin the work to be performed under this Contract on a day to be specified in a written order issued by the Engineer, and shall fully complete all work hereunder within the time or times stated in the Proposal.

- 3. That the County shall pay to the Contractor for the faithful performance of this Contract, in lawful money of the United States, and subject to additions and deductions as provided in the Contract Documents, the total amount of the Proposal as set forth above at the times and in a manner stated in the General Covenants and Conditions of the Contract Documents.

- 4. It is further mutually agreed that if at any time after the execution of this Contract, Surety Performance and Payment Bond, the County shall deem the surety upon such bonds to be unsatisfactory, or if for any reason such bond shall become inadequate to cover the performance of the work, the Contractor shall at its own expense, within five (5) days after the receipt of notice from the County to do so, furnish an additional bond or bonds in such form and amount and with such surety or sureties as shall be satisfactory to the County. In such event, no further payment to the Contractor shall be deemed to be due under this Contract until such new or additional security shall have been furnished in a manner and form satisfactory to the County.

- 5. The "Contract Documents" are hereby defined as the Questionnaire, the Advertisement for Bids, the Instructions to Bidders, the Proposal, the Certified Resolution (Proposal/Prescribed Bid Bond), the Prescribed Bid Bond, the Contract, the Surety Performance and Payment Bond, the Certified Resolution (Contract/ Surety Performance and Payment Bond), the General Terms and Conditions, the General Covenants and Conditions, the Supplemental General Conditions (if Ordinance 90-143 is applicable) including Wage and Benefit Schedules, the Specifications, the Plans, any Addenda which may be issued, the Subcontractor /Supplier Listing Form (Ordinance 97-104 as amended by Ordinance 00-30), the Reporting Subcontracting Policies and Procedures (Ordinance 98 -159), the Small Business Enterprise (SBE) Program Participation Provisions and Forms (if applicable), and the provisions for the following: Vendors Affidavit (Uniform County Affidavits); Bidder's (Debarment) (Ordinance 93-129); Code of

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## CONTRACT

Business Ethics (Ordinance 01-96); Criminal Record (Felony) (as amended by Ordinance 00-30); Community Workforce Program County Code Section 2-1701; Due Fees or Taxes Paid (Ordinance 95-178 as amended by Ordinance 00-30); Metro-Dade Employment Drug-Free Workplace (Ordinance 92-15 as amended by Ordinance 00-30); Metro-Dade Employment Family Leave Plan (Ordinance 91-142 as amended by Resolution R-183-00); Fair Wage (Ordinance 90-143 as amended by Ordinance 95-183); Mandatory Clearinghouse for Posting Notice of Job Opportunities (Resolution R-937-98 as amended by R-1145-99); Obligation (Ordinance 99-162); Office of Miami-Dade County Inspector General (IG) (if Ordinance 97-215 as amended by Ordinance 99-15 is applicable); Sworn Statement - Public Entity Crimes [Florida Statute Sect. 287.133 (3) (a)]; Change Orders; Notice to Proceed, Referenced Codes and Standards, Warranties and Guarantees, all related correspondence, field notes, logs, and other documents.

The terms and conditions of said Contract Documents are incorporated herein by reference and made a part hereof as though fully set forth herein. The Contract Documents are complementary, so that a recital in one is tantamount to a recital in all, and the Contractor specifically acknowledges that it has read and understands all of said Contract Documents.

6. The various indemnities of the Contractor contained in the Contract Documents indemnifying the County from liability for damages to persons or property caused by acts, omissions, or defaults in the performance of the Contract Documents shall have a monetary limitation of the larger of the following: \$1,000,000.00, or the entire amount of the Contract.

7. The County retains the right to audit any and all information regarding this Contract as described in the General Covenants and Conditions, Section 41 "Audit Rights and Review of Records".

8. Notwithstanding and prevailing over any other provision of the Contract Documents to the contrary, the County Mayor or Mayor's designee's, may exercise the provisions of Section 2-8.2.12 (4)(d) and (e) of the Code of Miami-Dade County. Any change orders or amendments shall not exceed 10 percent of the base contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster and the foregoing change orders and amendments shall require ratification by the Board; provided further that the County Mayor or his designee may reduce in any amount the scope and compensation payable under this Contract and grant compensable and non-compensable time extensions thereunder. Pursuant to Section 2-8.2.12 (5), the County Mayor or the County Mayor's designee's award and execution of this Contract is subject to ratification by the Board of County Commissioners. If the Mayor or the Mayor's designee's action is not ratified, and such legislative action becomes final, this Contract shall be deemed terminated without further notice. In such event, the Contractor shall not be entitled to recovery of any lost profits or other consequential or indirect damages. However, the Contractor is eligible for payment for any work done prior to failure of the ratification, in accordance with General Terms and Conditions Article 11D(1) Termination for Convenience.

**CONTRACT**

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four (4) counterparts, each of which shall be deemed an original Contract, all as of the day and year first hereinbefore written.

(OFFICIAL SEAL)

ATTEST: Harvey Ruvin  
Clerk of the Board

MIAMI DADE COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Mayor

(PARTY OF THE FIRST PART)

Approved as to Form and Legal Sufficiency

\_\_\_\_\_  
Assistant County Attorney  
Miami-Dade Water and Sewer Department

**WHEN THE CONTRACTOR IS A CORPORATION**

(CORPORATION SEAL)

Pooler & Kent Company of Florida

(Name of Corporation)

ATTEST

\_\_\_\_\_  


(Secretary)  
David A. Strickland,  
Assistant Secretary  
\_\_\_\_\_  
(Print or type name)

By:   
(Signature of Officer)

Patrick H. Carr  
\_\_\_\_\_  
(Print or type name)

President & CEO  
\_\_\_\_\_  
(Official Title)

1781 N.W. North River Drive

Miami, FL 33125  
(Address)  
(PARTY OF THE SECOND PART)

\* Attach to each counterpart a certified copy of a resolution of the Board of Directors of the corporation authorizing the officer who signs the Contract and Surety Performance and Payment Bond to do so in its behalf.



**CERTIFIED RESOLUTION**

I, David A. Strickland, the duly elected <sup>Assistant</sup> Secretary of  
(Name)

Poole & Kent Company of Florida, a Corporation organized and existing under the laws of the State of Delaware, do hereby certify that the following Resolution was unanimously adopted and passed by a quorum of the Board of Directors of the said Corporation at a meeting held in accordance with law and the by-laws of the said Corporation:

"IT IS HEREBY RESOLVED that Patrick H. Carr, the duly  
(Name)  
elected President & CEO of Poole & Kent Company of Florida  
(Title of Officer)

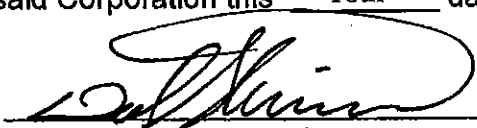
be and is hereby authorized to execute and submit a Contract and Surety Performance and Payment Bond to Miami-Dade County, Florida, and the Miami-Dade Water and Sewer Department, respectively, for a certain Project entitled

**CD 1.02 OXYGEN PRODUCTION UPGRADES  
SDWWTP, CONTRACT NO. S-882R**

and such other instruments in writing as may be necessary in behalf of the said Corporation, and that the Contract, Surety Performance and Payment Bond and other such instruments signed by him shall be binding upon the said Corporation as its own acts and deeds."

I further certify that the above Resolution is in force and effect and has not been revised, revoked or rescinded.

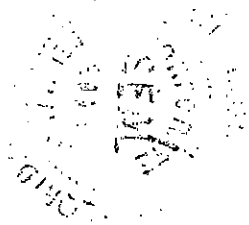
Given under my hand and the Seal of the said Corporation this 18th day  
of July, 2018.  
(Month) (Year)

By:   
Assistant (Secretary)

David A. Strickland  
(Print or type name)

Poole & Kent Company of Florida  
(Corporate Title)

(SEAL)



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**COLLUSION AFFIDAVIT**

**(Code of Miami-Dade County Section 2-8.1.1 and 10-33.1) (Ordinance No. 08-113)**

BEFORE ME, A NOTARY PUBLIC, personally appeared Patrick H. Carr who being duly sworn states: (insert name of affiant)

I am over 18 years of age, have personal knowledge of the facts stated in this affidavit and I am an owner, officer, director, principal shareholder and/or I am otherwise authorized to bind the bidder of this contract.

I state that the bidder of this contract:

is not related to any of the other parties bidding in the competitive solicitation, and that the contractor's proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named, and that the contractor has not, directly or indirectly, induced or solicited any other proposer to put in a sham proposal, or any other person, firm, or corporation to refrain from proposing, and that the proposer has not in any manner sought by collusion to secure to the proposer an advantage over any other proposer.

**OR**

is related to the following parties who bid in the solicitation which are identified and listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Any person or entity that fails to submit this executed affidavit shall be ineligible for contract award. In the event a recommended contractor identifies related parties in the competitive solicitation its bid shall be presumed to be collusive and the recommended contractor shall be ineligible for award unless that presumption is rebutted by presentation of evidence as to the extent of ownership, control and management of such related parties in the preparation and submittal of such bids or proposals. Related parties shall mean bidders or proposers or the principals, corporate officers, and managers thereof which have a direct or indirect ownership interest in another bidder or proposer for the same agreement or in which a parent company or the principals thereof of one (1) bidder or proposer have a direct or indirect ownership interest in another bidder or proposer for the same agreement. Bids or proposals found to be collusive shall be rejected.

By:   
Signature of Affiant

Patrick H. Carr, President & CEO  
Printed Name of Affiant and Title

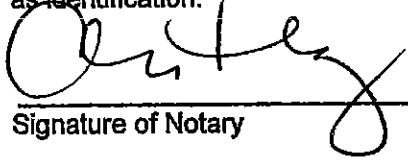
Poole & Kent Company of Florida  
Printed Name of Firm

July 18, \_\_\_\_\_ 20 18  
Date

7 / 5 - 3 / 1 / 6 / 3 / 4 / 6 / 6 /  
Federal Employer Identification Number  
1781 NW North River Drive,  
Miami, FL 33125  
Address of Firm

SUBSCRIBED AND SWORN TO (or affirmed) before me this 18 day of July, 2018

He/She is personally known to me or has presented \_\_\_\_\_  
as identification. Type of identification

  
\_\_\_\_\_  
Signature of Notary

GG 037935  
Serial Number

Christine Mendez  
Print or Stamp Name of Notary

October 31, 2020  
Expiration Date

Notary Public -- State of Florida





Miami-Dade County

# VENDOR AFFIDAVITS FORM

(Uniform County Affidavits)



## Internal Services Department (ISD) Procurement Management Services Division Vendor Services Section

111 NW 1<sup>st</sup> Street, Suite 1300, Miami, Florida 33128-1974  
Telephone: 305-375-5773  
[www.miamidade.gov/procurement](http://www.miamidade.gov/procurement)

The completion of the Vendor Affidavits Form allows vendors to comply with affidavit requirements outlined in Section 2-8.1 of the Code of Miami-Dade County. Vendors are required to have a complete Vendor Registration Package on file, including required affidavits, prior to the award of any County contract. It is the vendor's responsibility to keep all affidavit information up to date and accurate by submitting any updates to the ISD, Procurement Management Services Division, Vendor Services Section.

### FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN)

In order to establish a file for your firm, you must enter your firm's FEIN. This number becomes your "County Vendor Number". Please enter your Federal Employee Identification Number (FEIN) or if none, then enter the owner's Social Security Number (SSN).

FEIN 75-3163466

### NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS)

The North American Industry Classification System (NAICS) is the standard used by the federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. business economy.

NAICS Code \_\_\_\_\_

## SECTION 2: VENDOR AFFIDAVITS FORM (pages 5-8)

Poole & Kent Company of Florida

A) Name of Entity, Individual(s), Partners or Corporation		B) Doing Business As (if same as line A, leave blank)		
1781 NW North River Drive		Florida	U.S.A.	33125
Street Address (P.O. Box Number is not permitted)		City	State (U.S.A.)	Country
				Zip Code

### 1. MIAMI-DADE COUNTY OWNERSHIP DISCLOSURE AFFIDAVIT (Sec. 2-8.1 of the Miami-Dade County Code)

Firms registered to do business with Miami-Dade County, shall require the person contracting or transacting such business with the County to disclose under oath his or her full legal name, and business address. Such contract or transaction shall also require the disclosure under oath of the full legal name and business address of all individuals having any interest (legal, equitable, beneficial or otherwise) in the contract other than subcontractors, materialmen, suppliers, laborers or lenders. Post office box addresses shall not be accepted hereunder. If the contract or business transaction is with a corporation the foregoing information shall be provided for each officer and director and each stockholder holding, directly or indirectly, five (5) percent or more of the outstanding stock in the corporation. If the contract or business transaction is with a partnership, the foregoing information shall be provided for each partner. If the contract or business transaction is with a trust, the foregoing information shall be provided for the trustee and each beneficiary of the trust. The foregoing disclosure requirements shall not apply to contracts with publicly-traded corporations, or to contracts with the United States or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State. Use duplicate page if needed for additional names.

If no officer, director or stockholder owns (5%) or more of stock, please write "None" below.

PRINCIPALS				CHECK BOXES BELOW											
FULL LEGAL NAME	TITLE	ADDRESS		GENDER		RACE / ETHNICITY									
				M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Alaskan Native	Other				
Please refer to the attached															
If a percentage of the firm is owned by a publicly traded corporation or by another corporation, indicate below in the space "Other Corporations".															
OTHER CORPORATIONS			% of OWNERSHIP												
EMCOR Group, Inc.			100%	301 Merritt Seven, Norwalk, CT 06851											

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**2. MIAMI-DADE COUNTY EMPLOYMENT DISCLOSURE AFFIDAVIT**

(County Ordinance No. 90-133, amending Section 2.8-1(d)(2) of the Miami-Dade County Code)

The following information is for compliance with all items in the aforementioned Section:

- 1. Does your firm have a collective bargaining agreement with its employees? Yes X No \_\_\_\_\_
- 2. Does your firm provide paid health care benefits for its employees? Yes X No \_\_\_\_\_
- 3. Provide a current breakdown (number of persons) in your firm's work force indicating race, national origin and gender.

		NUMBER OF EMPLOYEES	
		Males	Females
White		93	7
Black		20	0
Hispanic		28	9
Asian/Pacific Islander		3	0
Native American/Alaskan Native		0	0
Other		1	
<b>Total Number of Employees</b>		<b>145</b>	<b>16</b>

Total Employees **161**

**3. MIAMI-DADE COUNTY EMPLOYMENT DRUG-FREE WORKPLACE CERTIFICATION**

(Section 2-8.1.2(b) of the Miami-Dade County Code)

All persons and entities that contract with Miami-Dade County are required to certify that they will maintain a drug-free workplace and such persons and entities are required to provide notice to employees and to impose sanctions for drug violations occurring in the workplace.

In compliance with Ordinance No. 92-15 of the Code of Miami-Dade County, the above named firm is providing a drug-free workplace. A written statement to each employee shall inform the employee about:

- 1. Danger of drug abuse in the workplace
- 2. The firm's policy of maintaining a drug-free environment at all workplaces
- 3. Availability of drug counselling, rehabilitation and employee assistance programs
- 4. Penalties that may be imposed upon employees for drug abuse violations

The firm shall also require an employee to sign a statement, as a condition of employment that the employee will abide by the terms of the drug-free workplace policy and notify the employer of any criminal drug conviction occurring no later than five (5) days after receiving notice of such conviction and impose appropriate personnel action against the employee up to and including termination. Firms may also comply with the County's Drug Free Workplace Certification where a person or entity is required to have a drug-free workplace policy by another local, state or federal agency, or maintains such a policy of its own accord and such policy meets the intent of this ordinance.

**4. MIAMI-DADE COUNTY DISABILITY AND NONDISCRIMINATION AFFIDAVIT**

(Article 1, Section 2-8.1.5 Resolution R182-00 Amending R-385-95 of the Miami-Dade County Code)

Firms transacting business with Miami-Dade County shall provide an affidavit indicating compliance with all requirements of the Americans with Disabilities Act (A.D.A.).

I, state that this firm, is in compliance with and agrees to continue to comply with, and assure that any subcontractor, or third party contractor shall comply with all applicable requirements of the laws including, but not limited to, those provisions pertaining to employment, provision of programs and services, transportation, communications, access to facilities, renovations, and new construction.

The American with Disabilities Act of 1990 (A.D.A.), Pub. L. 101-336, 104 Stat 327, 42 U.S.C. Sections 225 and 611 including Titles I, II, III, IV and V.

The Rehabilitation Act of 1973, 29 U.S.C. Section 794

The Federal Transit Act, as amended, 49 U.S.C. Section 1612

The Fair Housing Act as amended, 42 U.S.C. Section 3601-3631

I hereby affirm that I am in compliance with the below sections:

Section 2-10.4(4)(a) of the Code of Miami-Dade County (Ordinance No. 82-37), which requires that all properly licensed architectural, engineering, landscape architectural, and land surveyors have an affirmative action plan on file with Miami-Dade County.

Section 2-8.1.5 of the Code of Miami-Dade County, which requires that firms that have annual gross revenues in excess of five (5) million dollars have an affirmative action plan and procurement policy on file with Miami-Dade County. Firms that have a Board of Directors that are representative of the population make-up of the nation may be exempt.

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**5. MIAMI-DADE COUNTY DEBARMENT DISCLOSURE AFFIDAVIT**  
(Section 10.38 of the Miami-Dade County Code)

Firms wishing to do business with Miami-Dade County must certify that its contractors, subcontractors, officers, principals, stockholders, or affiliates are not debarred by the County before submitting a bid.

I, confirm that none of this firms agents, officers, principals, stockholders, subcontractors or their affiliates are debarred by Miami-Dade County.

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**6. MIAMI-DADE COUNTY VENDOR OBLIGATION TO COUNTY AFFIDAVIT**  
(Section 2-8.1 of the Miami-Dade County Code)

Firms wishing to transact business with Miami-Dade County must certify that all delinquent and currently due fees, taxes and parking tickets have been paid and no individual or entity in arrears in any payment under a contract, promissory note or other document with the County shall be allowed to receive any new business.

I, confirm that all delinquent and currently due fees or taxes including, but not limited to, real and personal property taxes, convention and tourist development taxes, utility taxes, and Local Business Tax Receipt collected in the normal course by the Miami-Dade County Tax Collector and County Issued parking tickets for vehicles registered in the name of the above firm, have been paid.

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**7. MIAMI-DADE COUNTY CODE OF BUSINESS ETHICS AFFIDAVIT**

(Article 1, Section 2-8.1(i) and 2-11(b)(1) of the Miami-Dade County Code through (6) and (9) of the County Code and County Ordinance No 00-1 amending Section 2-11.1(c) of the County Code)

Firms wishing to transact business with Miami-Dade County must certify that it has adopted a Code that complies with the requirements of Section 2-8.1 of the County Code. The Code of Business Ethics shall apply to all business that the contractor does with the County and shall, at a minimum; require the contractor to comply with all applicable governmental rules and regulations.

I confirm that this firm has adopted a Code of business ethics which complies with the requirements of Sections 2-8.1 of the County Code, and that such code of business ethics shall apply to all business that this firm does with the County and shall, at a minimum, require the contractor to comply with all applicable governmental rules and regulations.

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**8. MIAMI-DADE COUNTY FAMILY LEAVE AFFIDAVIT**  
(Article V of Chapter 11, of the Miami-Dade County Code)

Firms contracting business with Miami-Dade County, which have more than fifty (50) employees for each working day during each of twenty (20) or more work weeks in the current or preceding calendar year, are required to certify that they provide family leave to their employees.

Firms with less than the number of employees indicated above are exempt from this requirement, but must indicate by letter (signed by an authorized agent) that it does not have the minimum number of employees required by the County Code.

I confirm that if applicable, this firm complies with Article V of Chapter 11 of the County Code, which requires that firms contracting business with Miami-Dade County which have more than fifty (50) employees for each working day during each of twenty (20) or more work weeks in the current or preceding calendar year are required to certify that they provide family leave to their employees.

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**9. MIAMI-DADE COUNTY LIVING WAGE AFFIDAVIT**  
(Section 2-8.9 of the Miami-Dade County Code)

All applicable contractors entering into a contract with the County shall agree to pay the prevailing living wage required by this section of the County Code.

I confirm that if applicable, this firm complies with Section 2-8.9 of the County Code, which requires that all applicable employers entering a contract with Miami-Dade County shall pay the prevailing living wage required by the section of the County Code.

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**10. MIAMI-DADE COUNTY DOMESTIC LEAVE AND REPORTING AFFIDAVIT**  
(Article 8, Section 11A-60 - 11A-67 of the Miami-Dade County Code)

Firms wishing to transact business with Miami-Dade County must certify that it is in compliance with the Domestic Leave Ordinance.

I confirm that if applicable, this firm complies with the Domestic Leave Ordinance. This ordinance applies to employers that have, in the regular course of business, fifty (50) or more employees working in Miami-Dade County for each working day during the current or preceding calendar year.

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**AFFIRMATION**

I, being duly sworn, do attest under penalty of perjury that the entity is in compliance with all requirements outlined in these Miami-Dade County Vendor Affidavits.

I also attest that I will comply with and keep current all statements sworn to in the above affidavits and registration application. I will notify the Miami-Dade County, Vendor Services Section immediately if any of the statements attested hereto are no longer valid.

*Patrick H. Carr*

(Signature of Affiant)

July 18, 2018

(Date)

Patrick H. Carr, President & CEO

Printed Name of Affiant and Title

**NOTARY PUBLIC INFORMATION**

Notary Public - State of: Florida

State

Miami-Dade

County of

SUBSCRIBED AND SWORN TO (or affirmed) before me this 18 day of July 20 18.

by Patrick H. Carr

He or she is personally known to me

Or has produced identification

Type of Identification Produced

*Christine Mendez*

Signature of Notary Public

GG 037935

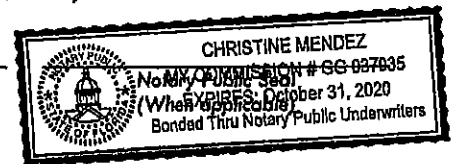
(Serial Number)

Christine Mendez

Print or Stamp of Notary Public

October 31, 2020

Expiration Date



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**MIAMI DADE COUNTY**  
**Small Business Development**  
**Firm History Report**

PRIMES

From: 09/01/2013 To: 09/13/2018

**FIRM NAME: POOLE & KENT COMPANY OF FLORIDA**  
 1781 NW North River Dr  
 Miami, FL 33125-0000

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
S-852	1	WS	GOAL CSBE 2.59% MAKE_UP GOAL CSBE 3%	02/19/2014	\$21,976,500.00
MASTER PUMP STATION NO. 3					
	Change Order #	1	FEB-02-16	225 days	-\$500,000.00
					<u>\$21,476,500.00</u>
* P0141 (7360)	1	WS	NO MEASURE	05/28/2014	\$2,906,360.00
CENTRAL DISTRICT WASTEWATER TREATMENT PLANT DIGESTER P-2/D-3 COVER REPLACEMENT					
					<u>\$2,906,360.00</u>
S-871	1	WS	GOAL CSBE 5.78% GOAL SBE .97%	10/22/2015	\$17,895,350.00
NORTH DISTRICT WASTEWATER TREATMENT PLANT PRETREATMENT/SLUDGE TRANSFER REHABILITATION					
					<u>\$17,895,350.00</u>
S-890	1	WS	GOAL CSBE 5% GOAL SBE 1.75%	04/18/2016	\$13,413,000.00
GDWWTP CHLORINATION FACILITIES CONSENT DECREE PROJECT 2.17					
					<u>\$13,413,000.00</u>
S-880	1	WS	GOAL CSBE 10.85% GOAL SBE 2.2%	08/24/2016	\$15,083,160.00
CD 2.03 AND 2.04 PLANT 1 AND PLANT 2 HEADWORKS UPGRADES, 2.18(1) ODOR CONTROL SYSTEMS AND 2.25(2) VENTILATION IMPROVEMENTS					
					<u>\$15,083,160.00</u>

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



**MIAMI DADE COUNTY**  
**Small Business Development**  
**Firm History Report**

From: 09/01/2013 To: 09/13/2018

PRIMES

**FIRM NAME: POOLE & KENT COMPANY OF FLORIDA**  
**1781 NW North River Dr**  
**Miami, FL 33125-0000**

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
S-877	1	WS	NO MEASURE	09/01/2016	\$6,300,550.00
NORTH DISTRICT WASTEWATER TREATMENT PLANT NEW PUMPS FOR EXISTING DEEP INJECTION WELL PUMPING STATION					
S-889	1	WS	GOAL CSBE 10.1% GOAL SBE 1.8% GOAL SBE 0%	10/19/2016	\$24,905,200.00
CD 2.15(1) PLANT 2 CLUSTER 1 DIGESTER UPGRADES					
S-903	1	WS	GOAL SBE 1% GOAL CSBE 4.3%	02/07/2017	\$5,798,030.00
CD 5.12 UPGRADE OF SEWAGE PUMP STATION NO. 0187					
S-870	1	WS	GOAL SBE 2.89% GOAL CSBE 4.21%	03/10/2017	\$25,982,500.00
CDWWTP INDUSTRIAL INJECTION WELL SURFACE FACILITIES					
S-891	1	WS	GOAL CSBE 5.06% GOAL SBE 1.12%	06/27/2017	\$36,003,300.00
CD 2.19(2) CO-GEN FACILITY AND 2.01(6) ELECTRICAL IMPROVEMENTS					

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**MIAMI DADE COUNTY**  
**Small Business Development**  
**Firm History Report**

**PRIMES**

From: 09/01/2013 To: 09/13/2018

FIRM NAME: POOLE & KENT COMPANY OF FLORIDA  
 1781 NW North River Dr  
 Miami, FL 33125-0000

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
S-805R	1	WS	GOAL CSBE 4.64%	08/19/2017	\$5,646,610.00
			GOAL CSBE 2.84%		
			GOAL CSBE 4.12%		
			GOAL CSBE 5.45%		
			GOAL SBE .74%		
			GOAL SBE .85%		
			GOAL SBE .27%		
			GOAL SBE .18%		
			GOAL SBE .2%		
			GOAL SBE .15%		
					<u>\$5,646,610.00</u>
P0210 (7360)	1	WS	GOAL CSBE 9%	04/06/2018	\$4,155,850.00
			GOAL SBE 1.28%		
					<u>\$4,155,850.00</u>
CD 5.5 UPGRADE OF PUMP STATION 0415					
CD 2.21 PUMP STA. 1 & CD 2.54(4) VENTILATION IMPROVEMENTS					
<b>Total Award Amount</b>					<b>\$180,066,410.00</b>
<b>Total Change Orders Approved by BCC</b>					<b>-\$500,000.00</b>
					<b>\$179,566,410.00</b>

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



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** February 5, 2019

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(0)(2)

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 \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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(0)(2)  
2-5-19

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE AWARD OF A CONSTRUCTION CONTRACT FOR CD 1.02 OXYGEN PRODUCTION UPGRADES AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT, CONTRACT NO. S-882R TO POOLE & KENT COMPANY OF FLORIDA IN THE AMOUNT OF \$9,084,330.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

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

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board ratifies the action of the County Mayor or County Mayor's designee, as authorized by Section 2-8.2.12 of the Code of Miami-Dade County, specifically the award of a Construction Contract for CD 1.02 Oxygen Production Upgrades at the South District Wastewater Treatment Plant, Contract No. S-882R, to Poole & Kent Company of Florida in the amount of \$9,084,330.00; and authorizes the County Mayor or County Mayor's designee to exercise the provisions contained in such contract, as set forth in the accompanying memorandum. The solicitation documents and resulting contract are kept on file with and are available upon request from the Procurement Division of the Miami-Dade Water and Sewer Department.

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:

- |                                |                      |
|--------------------------------|----------------------|
| Audrey M. Edmonson, Chairwoman |                      |
| Rebeca Sosa, Vice Chairwoman   |                      |
| Esteban L. Bovo, Jr.           | Daniella Levine Cava |
| Jose "Pepe" Diaz               | Sally A. Heyman      |
| Eileen Higgins                 | Barbara J. Jordan    |
| Joe A. Martinez                | Jean Monestime       |
| Dennis C. Moss                 | Sen. Javier D. Souto |
| Xavier L. Suarez               |                      |

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of February, 2019. 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.



Henry N. Gillman