Memorandum WIAMI



Date:

July 23, 2019

To:

Honorable Chairwoman Audrey M. Edmonson

and Members, Board of County Commissioners

Agenda Item No. 8(F)(1)

From:

Carlos A. Gimenez

Subject:

Approval of Recommendation for Award of Construction Contract for the Construction of

the Larcenia J. Bullard Plaza, ISD Project No. Z00099A-R GOB ESP, ISD Contract No.

Z00099A-R

Recommendation

It is recommended that the Board of County Commissioners (Board) approve award of a contract for the construction of the Larcenia J. Bullard Plaza. Board approval is required under the County's Economic Stimulus Plan Ordinance, as the awarded contract amount exceeds the County's initial base estimate by more than 10 percent. Committee review is not required in accordance with Section 2-8.2.7 of the Code of Miami-Dade County.

Delegation of Authority:

The authority of the County Mayor or County Mayor's designee to execute and implement this contract is consistent with those authorities granted under Ordinance No. 08-92 and Resolution No. R-832-15, which added the Larcenia J. Bullard Plaza project to the approved list of economic stimulus projects contained in the County's Economic Stimulus Plan.

Scope

PROJECT NAME:

Construction of the Larcenia J. Bullard Plaza

PROJECT NO .:

Z00099A-R GOB ESP

CONTRACT NO .:

Z00099A-R

PROJECT DESCRIPTION:

The project consists of the construction of a new two-story building with approximately 14,000 square feet of total constructed area, fully airconditioned, reinforced masonry or concrete block structure. The building will be utilized as a catalyst for civic events in a designated museum and exhibit space for the use by, and the display of exhibits provided by, the local neighborhood and community, among other uses, such as five multi-purpose spaces on the first floor to be rented out to not-for-profit and for-profit entities, along with a takeout restaurant and office spaces on the second floor to be used and rented out to government agencies and community/non-profit service providers in order to increase the neighborhood's access to services. The subject property will continue to be owned by Miami-Dade County and the County anticipates that it will be operated by a non-profit organization. The new facility will incorporate accessible design

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standards to accommodate users with disabilities. The new center is

designed to attain a minimum LEED Silver certification.

PROJECT LOCATION:

14518/14508 Lincoln Boulevard, Miami, Florida

PRIMARY COMMISSION

DISTRICT:

District 9, Dennis C. Moss

APPROVAL PATH:

Board of County Commissioners

USING DEPARTMENT:

Internal Services Department

MANAGING DEPARTMENT:

Internal Services Department

Fiscal Impact/Funding Source

FUNDING SOURCES:

The work resulting from this construction contract will be funded through Building Better Communities General Obligations Bond (BBC-GOB) Proceeds and Quality Neighborhood Improvement Program

2017

OPERATIONS COST IMPACT/FUNDING:

N/A (Tenant, not County, will operate)

MAINTENANCE COST.
IMPACT/FUNDING:

N/A (Tenant, not County, will maintain)

LIFE EXPECTANCY OF

ASSET:

50 Years

PTP FUNDING:

Νo

GOB FUNDING:

Yes

CAPITAL BUDGET

PROJECTS:

CAPITAL BUDGET PROJECT DESCRIPTION AMOUNT

BBC GOB CAPITAL BUDGET PROJECT NO. 2000001199

ISD Z00099 - Redevelopment of Richmond

\$4,850,005

Heights Shopping Center (renamed the Larcenia J.

Builard Plaza per No. R-487-14)

Book Page: V.3 P. 218 Funding Year: Adopted Budget

and Multi-Year Capital Plan

Book for FY 2018-19, All Years' Funding

BBC GOB CAPITAL BUDGET PROJECT NO. 936310

West Perrine Senior Center

\$ 489,000

Book Page: V.2 P. 281 Funding Year: Adopted Budget

and Multi-Year Capital Plan

Book for FY 2018-19, All Years' Funding

CAPITAL BUDGET PROJECT NO. 603370

BBC GOB Infrastructure Improvements

Commission District 9

\$ 725,000

Book Page: V.2 P. 168 Funding Year: Adopted Budget

and Multi-Year Capital Plan

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Book for FY 2018-19, All Years' Funding

CAPITAL BUDGET

Quality Neighborhood Improvement Program 2017

91,000

Book Page: V.3 P. 260 Funding Year: Adopted Budget

and Multi-Year Capital Plan

Book for FY 2018-19, All Years' Funding

CAPITAL BUDGET PROJECTS TOTAL

\$6,155,005

PROJECT TECHNICAL CERTIFICATION REQUIREMENTS:

Miami-Dade County Contractor's Certification is required in one of the following categories: General Building, General Engineering, or other certified categories as applicable to Chapter 10 of the Code of Miami-Dade County and/or State of Florida General Contractor's License, or as required to successfully complete the work under contract.

SUSTAINABLE BUILDINGS ORDINANCE (I.O. NO. 8-8):

The project qualifies for compliance with the Sustainable Buildings Ordinance.

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

The impact of sea level rise was considered as part of the design of this Project.

NO, VENDORS ISSUED ADVERTISEMENT:

2.354

BIDS RECEIVED:

8, including submissions from AARYA Construction and Design, Inc., Builcore, Inc., Burke Construction Group, Inc., Critical Path Services, Inc., Lemartec Corporation, Lunacon Construction Group, Corp., Stonehenge Construction, LLC, and West Construction, Inc.

ESTIMATED ORIGINAL CONTRACT PERIOD:

480 calendar days for Substantial Completion, plus an additional 48 calendar days contingency for unforeseen conditions. Excludes Warranty Administration Period.

IG FEE INCLUDED IN **BASE CONTRACT:**

Yes

ART IN PUBLIC PLACES:

Yes

BASE ESTIMATE:

\$4,156,190

BASE CONTRACT AMOUNT:

\$5,932,341

DEDUCTIVE ALTERNATE 1

AMOUNT:

\$ (180,000)

BASE LESS ALTERNATE 1:

\$5,752,341

CONTINGENCY 2-8.1 CODE OF MIAMI- TYPE: New

Five Percent **\$287.617**

COMMENT:

ALLOWANCE (SECTION DADE COUNTY):

County Ordinance 00-65

Construction

PERMIT FEES:

Two Percent \$115,047

REIMBURSABLE EXPENSES:

N/A

PERCENT:

AMOUNT:

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TOTAL DEDICATED

N/A (\$35,000 for FPL

ALLOWANCE:

included in Base Bid)

TOTAL

CONTRACT AMOUNT:

\$6,155,005

ART IN PUBLIC.

1.5 Percent <u>\$117,080</u>

Administrative Order

PLACES (APP):

3-11

(Amount not part of the Contract but Contractor to Coordinate APP) Total eligible costs Include Design and Administrative

Costs and Construction

Costs

TOTAL AMOUNT:

\$6,272,085

Track Record/Monitor

SBD HISTORY OF

VIOLATIONS: **EXPLANATION:** None. Lunacon Construction Group, Corp. has no prior violation

records with the County.

In accordance with Resolution No. R-187-12, due diligence was conducted by Internal Services staff to determine responsibility, including verifying corporate status and performance and compliance data. The lists that were reviewed include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. In accordance with Resolution No. R-1181-18, due diligence was also conducted to determine contractor and subcontractor responsibility, including reviewing corporate OSHA Form 300 safety records. There were no adverse findings relating to Lunacon

Construction Group, Corp.

BID OPEN DATE:

03/08/2019

BID BOND EXPIRES:

09/04/2019

BID VALID UNTIL:

09/04/2019

ESTIMATED NOTICE TO

PROCEED:

08/05/2019

PRIME CONTRACTOR:

Lunacon Engineering Group, Corp. dba Lunacon Construction Group,

Corp.

COMPANY PRINCIPAL:

Patricia Bonilla, President

COMPANY QUALIFIERS:

Patricia Bonilla, President

COMPANY EMAIL ADDRESS:

pbonilla@lunaconcorp.com

COMPANY STREET

ADDRESS:

16890 South Dixie Highway

COMPANY CITY-STATE-

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ZIP:

Miami, FL 33157

YEARS IN BUSINESS:

12

PREVIOUS

EXPERIENCE WITH COUNTY IN THE LAST

THREE YEARS:

According to the Firm History Report provided by the Division of Small Business Development, Lunacon Construction Group, Corp. has been awarded two contracts with the County in the last three years, for a total

amended amount of \$8,936,130.

SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI-DADE COUNTY CODE):

Quamec Corp. Volt Electric Corp. Al Hill Plumbing Corp.

Luis & Luigi Concrete, LLC JJAS Door Installations, Inc.

All Dade Fences, Inc. Five Star Roofing Corp.

Sunshine State Air Conditioning, Inc.

A&B Pipe and Supply, Inc./Global Distribution Industries

TJ Precast Corp.

MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS: Yes. The County requires that the selected Prime Contractor shall employ experienced full-time key individual personnel(s) as Construction Manager (CM) and/or Project Manager (PM) who can demonstrate verifiable CM/PM qualifications and experience with the successful construction through completion of one shopping center type facility with a minimum of two stories, and approximately 15,000 square feet or more in usable area, and located within an urban environment within the past 10 years. The CM/PM must at all times. from the bid opening date through the completion of the project, be a full time employee of the Prime Contractor. If the CM/PM assigned to the construction contract to comply with any of the afore-mentioned requirements leaves the Prime Contractor's employment at any point during the term of the construction contract, the Prime Contractor is hereby bound to acquire the services of a qualified replacement CM/PM to the satisfaction of the County. Bidders must provide a list of the following proposed major subcontractors (the "Major Subcontractors): 1) Concrete; 2) HVAC; 3) Openings (doors and windows); 4) Plumbing; and 5) Electrical. The Major Subcontractors are required to demonstrate experience contracting with and managing completed projects or projects undergoing construction consistent with the type, size, scope, and complexity of this project. The Prime Contractor must be a LEED®AP, or have a LEED®AP Consultant on staff during the entire construction phase, who can demonstrate experience in the LEED certification process of at least one completed Silver LEED-certified facility or one facility under construction, which is registered with the United States Green Building Council to pursue a minimum of Silver LEED-certified rating.

STANDARD PAYMENT AND PERFORMANCE BOND:

Yes

REVIEW COMMITTEE:

MEETING DATE: N/A

SIGNOFF DATE: 09/25/2018

APPLICABLE WAGES:

Yes

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(RESOLUTION NO. R-54-10)

REVIEW COMMITTEE	TYPE	<u>GOAL</u>	ESTIMATED VALUE	COMMENT
ASSIGNED CONTRACT	SBE-Cons	19.92 Percent	\$1,145,866	I.O. 3-22
MEASURES:	SBE-G&S	1.76 Percent		I.O. 3-41
MANDATORY CLEARING HOUSE:	Yes			
CONTRACT MANAGER NAME/PHONE/EMAIL	Julie Aden	(30	05) 375-4296	julia.aden @miamidade.gov
PROJECT MANAGER NAME/PHONE/EMAIL:	Hugo A. Velas	quez (3	05) 375-4813	hugo.velasquez @miamidade.gov

Background

On November 2, 2004, Miami-Dade County voters approved a variety of capital improvement projects through the "Building Better Communities" General Obligation Bond Program. This project (#321-ISD Z00099) is one of the capital improvement projects eligible to be funded by the GOB Program. The Project is a component of the Richmond Heights Charrette Area Plan Report, dated March 2010. The proposed building is part of the County's efforts to revitalize the Richmond Heights area by providing a place for the community to gather and enjoy cultural experiences. The building will be named after the late Larcenia J. Bullard, who served in public office as a member of the Florida State Senate representing District 39, which included parts of Miami-Dade, Monroe, Palm Beach, Hendry, and Collier Counties from 2002 through 2012. The Board approved naming the building after Bullard in June 2014 through Resolution No. R-487-14. The building will be utilized as a catalyst for civic events and showcase African-American artists in a designated museum/exhibit space among other commercial uses such as office space. The Larcenia J. Bullard Plaza will have a South Miami-Dade black history exhibition area, social services, and will serve as an arts and cultural center with commercial spaces for the community.

On January 10, 2019, the Internal Services Department received three responsive bids for the first project solicitation. The Department was unsuccessful in reaching agreement with the lowest bidder on the contract price, which exceeded the advertised estimate by 47 percent. Internal Services resolicited the project. There was more competition with the second solicitation, as eight bids were received. Internal Services staff determined that Lunacon Construction Group, Corp. was the lowest responsive and responsible bidder with a contract amount of \$6,155,005, which includes Deductive Alternate 1 Food Service Movable Equipment, five percent contingency and two percent permit fees. Lunacon Construction Group, Corp.'s bid was \$364,792 (six percent) lower than the lowest bid in the first solicitation and 38 percent above the advertised estimate. Internal Services and the Architect of Record have determined that the price is fair and reasonable. Design and Construction staff conducted a performance review, including reference checks and the contractor's past experience with the County. Reference check results were above satisfactory. Lunacon Construction Group, Corp. had three evaluations in the Capital Improvements Information System with an average rating of 3.4 points out of 4 points.

A GOB significant modification to fund a portion of the construction contract is a companion board item to this construction contract. The significant modification was approved by the CAC on July 2nd 2019. Approval of this construction contract board item is contingent on approval of the GOB significant modification board item.

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DEPARTMENT OF FINANCE: (NDEX CODE(S):

DEPARTMENT OF FINANCE:	INDEX CODE(S):
DEPARTMENT FINANCE OFFICER:	Mule DATE: 6/18/19
BUDGET APPROVAL FUNDS AVAILABLE:	DATE: 7/3/19
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:	On moder 6/19/19
MAYOR OR MAYOR'S DESIGNEE:	SaraCoffish DATE: 6/19/19
CLERK DATE:	DATE



MEMORANDUM

(Revised)

FROM: Apigail Price-Williams County Attorney	SUBJECT: Agenda Item No. 8(F)(1)
Please note any items checked.	
"3-Day Rule" for committees applicable	if raised
6 weeks required between first reading a	and public hearing
4 weeks notification to municipal official hearing	ls required prior to public
Decreases revenues or increases expendi	tures without balancing budget
Budget required	
Statement of fiscal impact required	
Statement of social equity required	
Ordinance creating a new board require report for public hearing	s detailed County Mayor's
No committee review	
Applicable legislation requires more that present, 2/3 membership, 3/5' 7 vote requirement per 2-116.1(3)(h) or (4)(c) requirement per 2-116.1(4)(c)(2)) to	s, unanimous, CDMP (4)(c), CDMP 2/3 vote , or CDMP 9 vote
Current information regarding funding balance, and available capacity (if debt i	source, index code and available s contemplated) required

Approved			<u>Mayor</u>	Agenda Item No.	8(F)(1)
Veto	<u> </u>	_		7-23-19	
Override		_			
	1	RESOLUTION NO)		

RESOLUTION APPROVING AWARD OF CONSTRUCTION CONTRACT TO LUNACON CONSTRUCTION GROUP, CORP. FOR THE LARCENIA J. BULLARD PLAZA PROJECT NO. Z00099A-R GOB ESP/CONTRACT NO. Z00099A-R, IN AN AMOUNT NOT TO EXCEED \$6,155,005.00 FUNDED IN PART FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONSTRUCTION CONTRACT, TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN, AND TO ENFORCE ALL TERMS AND CONDITIONS THEREOF

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board approves the award of construction contract to Lunacon Construction Group, Corp. for the Larcenia J. Bullard Plaza Project No. Z00099A-R GOB ESP/Contract No. Z00099A-R, in an amount not to exceed \$6,155,005.00, funded in part from Building Better Communities General Obligation Bond Program funds, for a term of 480 calendar days. A complete set of the construction contract documents are on file and available upon request from the Department of Internal Services.

<u>Section 2.</u> This Board authorizes the County Mayor or the County Mayor's designee to execute the construction contract for the Larcenia J. Bullard Plaza project attached hereto and made a part hereof, to exercise any and all rights, including termination or cancellation provisions, contained therein and to enforce all terms and conditions thereof.

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

and

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

Xavier L. Suarez

Sen. Javier D. Souto

The Chairperson thereupon declared this resolution duly passed and adopted this 23rd day of July, 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.

Eduardo W. Gonzalez

CONSTRUCTION OF THE LARCENIA J. BULLARD PLAZA ISD CONTRACT NO. Z00099A-R

SECTION 00500 - CONSTRUCTION CONTRACT

THIS CONTRACT, made and entered into on this U day of inc	, 20 <u>[우</u> , by
and between Miami-Dade County, Florida, acting by and through the Office of The Ma	ayor, party of
the first part (hereinafter sometimes called the "County"), and Lunacon Engineering G	∍roup, Corp.
dba Lunacon Construction Group, Corp., party of the second part (hereinafter some	etimes called
"Contractor");	

WITNESETH

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 plant, 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 Construction of the Larcenia J. Bullard Plaza for the amount reflected by the Proposal, based on the Contract prices shown in the Proposal heretofore provided by the County, a copy of said Proposal being a part of the Contract Documents, the aggregate amount of this not to exceed Six Million One Hundred Fifty-Five Thousand and Five U.S. Dollars (\$6,155,005.00).
- 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 within the Contract Documents.
- 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 aggregate prices for work performed 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 and the Performance Bond and Payment Bond, the County shall find 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 his 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 surety shall have been furnished in a manner and form satisfactory to the County.

5. The "Contract Documents" are hereby defined as: (electronic check box)

Questionnaire	⊠Proposal
⊠Advertisement for Bids	
	⊠General Covenants and Conditions
⊠Code and Ordinance Requirements	Supplemental General Covenants and Conditions
⊠Bid Protest Information	Applicable Federal Requirements
Special Provisions	Small Business Development Provisions
Vendor Affirmation Affidavit	₩ages and Benefits Provisions
Specific Code / Affidavits Applications	Specifications
Ownership Disclosure Form	⊠Standards
Community Workforce Program Job	Performance and Payment Bond
Order Request Form	(if required, Bid Bond is required)
⊠Contract .	⊠All Addenda Issued
⊠Bid Bond	Other
⊠Plans / Sketches	

- 6. 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 he has read and understands all of said Contract Documents.
- 7. 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, or the entire amount of the Contract.
- 8. The County retains the right to audit any and all information regarding this Contract as described in Article 18, "AUDIT RIGHTS BY AUDIT AND MANAGEMENT SERVICES AND BCC AUDITOR" of the Instructions to Prospective Contractors.

IN WITNESS HEREOF, the parties hereto have caused this Agreement to be executed by their appropriate officials as of the date first above written.

WHEN THE CONTRACTOR IS A CORPORATION

ATTEST: Secretary:	Signature Sull	į	-Unawn Engineering Group Legal Name of Corporation
Ву:	Legal Name of Corporation	٢	Signature Smill
20 - 10 42 20 - 10 42 20 - 10 42 20 - 20 42 20	(Corporate Seal)	-	Potricia Penilla President Legal Name and Title
Sandana Carandana	WHEN THE CONTRACTOR	IS	A PARTNERSHIP
ATTEST: Witness:	Signature		Legal Name of Partnership
Witness:	Signature		Legal Name and Title
		Зу: ှ	Signature
	(Seal)	,	Legal Name and Title
	E	Зу;	Signature

WHEN THE CONTRACTOR IS A SOLE PROPRIETORSHIP OR OPERATES UNDER A TRADE NAME

ATTEST: Witness:				
	Signature		Legal Name of Firm	
Witness:				
	Signature		Legal Name of Firm	
7	Data Circulation	By:	0	<u>-</u>
	Date Signed		Signature	
	WHEN THE CONTRAC	TOR IS	AN INDIVIDUAL	
Witness:				
	Signature		Legal Name	
Witness:				
	Signature		Signature	
ACKNOV	VLEDGEMENT:			
STATE O	F Florida) ss.:			
COUNTY	OF Miamidad			
well knowl and ackno	e personally appeared <u>PAHICIA</u> n and known to me to be the person desc owledged to and before me that <u>Pa</u> iment for the purposes therein expressed.	cribed in a	nd who executed the foregoing	to me instrument, executed
WITNESS	my hand and official seal, this da	y of	<u>/ (,</u> 2019.	
	Signature of Notary Notary Public State of Florida Juanita Morales My Commission GG 290510 Print of Sering 94/207830f	Serial	10123 Ation Date	
	State of FIAVIDA at large			

MIAMI-DADE COUNTY, FLORIDA

Approved as to In	surance Requirements:	Approved for Legal Sufficiency:
Risk Mana	gement Division	Assistant County Attorney
Date:		Date:
to be executed in of the Board of	its name by the County Mayor County Commissioners, and	COUNTY, FLORIDA, has caused this Agreement or County Mayor's designee, attested by the Clerk d has caused the seal of the Board County d attested by the undersigned this day and year first
ATTEST:		FOR: BOARD OF COUNTY COMMISSIONERS MIAMI-DADE COUNTY, FLORIDA
HARVEY RUVIN Clerk of the Cour	t	CARLOS A. GIMENEZ County Mayor
Ву:	, Clerk of the Board	Ву:
Signature	-	Signature
Date:		Date:
	ser Department esign and Construction Services nall Business Development Divi ontractor	



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