

Memorandum



Date: April 4, 2023
To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Agenda Item No. 8(N)(9)

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Contract Award Recommendation in the Amount of \$14,835,037.25 to General Asphalt Co. LLC for Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) to execute a contract award for the project titled "Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard" in the amount of \$14,835,037.25 to General Asphalt Co. LLC. NE 151st Street from Biscayne Boulevard to Bay Vista Boulevard serves as the main entrance to educational institutions such as Florida International University Biscayne Bay Campus, the David Lawrence Jr. K-8 School, and the Alonzo & Tracy Mourning Senior High School.

This corridor expansion would relieve the current traffic congestion and provide improved mobility for the planned enhancements to Florida International University by reconstructing the existing NE 151 Street four-lane road to a six-lane road, from Biscayne Boulevard to Bay Vista Boulevard. These improvements include, but are not limited to: raising medians; adding widened sidewalks and dedicated bicycle lanes; improvements to the stormwater drainage system, as well as curbs and gutters; new pavement marking and signage; and roadway lighting and environmental mitigation. The project addresses capacity for the anticipated growth of the other educational institutions along the route and other planned growth in the area. The project will also enhance safety for pedestrians, cyclists and other users, aligning with the goals of the County's Vision Zero initiative, enhancing the pedestrian experience as part of a Complete Streets design. Last, the project ensures ADA compliance, providing facilities for multiple modes of transportation. The project is being funded by Road Impact Fees (RIF), as it is taking place to alleviate congestion that has resulted from increased development in the area.

Recommendation

This contract award recommendation for the project titled "Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard," Project No. 20210092, in the amount of \$14,835,037.25 to General Asphalt Co. LLC was prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval by the Board.

Delegation of Authority

The authority of the County Mayor or County Mayor's designee to execute and implement this contract and to exercise the termination and other provisions therein is consistent with those authorities granted under the Code of Miami-Dade County. No additional authority is being requested within the body of this contract.

SCOPE

PROJECT NAME: Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard

PROJECT NO: 20210092

CONTRACT NO: 20210092

PROJECT DESCRIPTION: Work includes, but is not limited to, reconstructing the existing NE 151 Street four-lane road to a six-lane road from Biscayne Boulevard to Bay Vista Boulevard. These improvements include, but are not limited to, raised medians, sidewalks, bike lanes, curb and gutters, storm drainage system, pavement marking and signage, roadway lighting and environmental mitigation. The project length is approximately 0.876 miles.

PROJECT LOCATION: NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard

PROJECT:	<u>PROJECT#</u>	<u>LOCATION</u>	<u>DIST</u>	<u>ESTIMATE</u>
	3002522	NE 151 Street from East of Railroad to Bay Vista Boulevard Street	4	\$14,835,037.25

PRIMARY COMMISSION DISTRICT: District 4, Commissioner Micky Steinberg

APPROVAL PATH: Board of County Commissioners

USER DEPARTMENT: DTPW

MANAGING DEPARTMENT: DTPW

Fiscal Impact / Funding Source

The fiscal impact will be \$14,835,037.25 with the total amount being inclusive of contingency and dedicated allowance amounts. The base contract amount is \$13,329,304.32 This project is being funded by Road Impact Fee (RIF) District 03, FY 2022-23 Adopted Budget, Program No. 2000000540, Project No. 3002522.

FUNDING SOURCES:	<u>SOURCE</u>	<u>PROGRAM NO.</u>	<u>PROJECT NO.</u>	<u>AMOUNT</u>
	RIF	2000000540	3002522	\$14,835,037.25

OPERATIONS COST IMPACT / FUNDING: \$1,149.09

MAINTENANCE COST IMPACT / FUNDING: \$5,866.44

LIFE EXPECTANCY OF ASSET: The life expectancy of the roadway is approximately 25 years.

PTP FUNDING: No

GOB FUNDING: No

ARRA FUNDING: No

CAPITAL BUDGET PROJECTS:	<u>CAPITAL BUDGET PROGRAM # - DESCRIPTION</u>	<u>AWARD</u>
	2000000540 – ROAD WIDENING - COUNTYWIDE Funding Years: FY 2022 – 23 Adopted Budget and Multi-Year Capital Plan, Volume 2 – Transportation and Public Works	\$14,835,037.25
	CAPITAL BUDGET PROGRAM TOTAL:	\$14,835,037.25

BID PACKAGES ISSUED: Electronic Download

BIDS RECEIVED: 6

CONTRACT PERIOD: 600 Days

CONTINGENCY PERIOD: 60 Days

IG FEE INCLUDED IN BASE CONTRACT: Yes

ART IN PUBLIC PLACES: No

BASE ESTIMATE: \$13,329,304.32

BASE CONTRACT AMOUNT: \$13,329,304.32

CONTINGENCY ALLOWANCE (SECTION 2-8.1	TYPE	PERCENT	AMOUNT	COMMENT
	Construction	10%	\$1,332,930.43	

**MIAMI DADE
COUNTY CODE):**

**OFF-DUTY LAW
ENFORCEMENT
OFFICER**

ALLOWANCE: \$73,000.00

**BITUMINOUS
MATERIAL**

**ADJUSTMENT
ALLOWANCE:** \$10,000.00

PERMIT

ALLOWANCE: \$10,000.00

**FPL CONNECTION
ALLOWANCE:**

\$1,000.00

OTHER

ALLOWANCES: \$78,802.50 (\$50,000.00 Fuel Adjustment, \$25,000.00 Material Adjustment (Aluminum, PVC and Copper), \$3,380.00 UAP fee for other allowances, \$422.5 IG fee for other allowances)

TOTAL AMOUNT: \$14,835,037.25

Track Record / Monitor

EXPLANATION:

This project was advertised on August 25, 2022. On October 5, 2022, six engineering contractor firms proffered bids. Of the six, there were three responsive and responsible bids. The lowest bidder, General Asphalt Co. LLC, proffered a base bid of \$13,328,754.32, which was 24.32 percent above the County's cost estimate. The second lowest bidder, JVA Engineering Contractor Inc., proffered a base bid of \$13,653,025.69, which was 27.34 percent above the County's cost estimate. Lastly, the third lowest bidder, Magnum Construction Management, proffered a base bid of \$13,968,000.00, which was 30.28 percent above the County's cost estimate. Price fluctuation in the context of today's volatile COVID-19 supply-chain environment accounts for the difference between preliminary cost estimates and bids proffered.

This project was bid on a unit price basis. A copy of all bids, and the bid tabulation for this project, is available by contacting the Chief of Capital Improvements, DTPW.

DTPW has reviewed the Capital Improvements Information System (CIIS) database and found a total of 25 awarded construction contracts for General Asphalt Co. LLC. In addition, a total of 46 evaluations were found in CIIS with an average rating of 3.6 out of a possible total of 4.0 points. As such, DTPW recommends that General Asphalt Co. LLC, the lowest responsive, responsible bidder, be awarded this contract for the sum of \$14,835,037.25.

Following DTPW's standard operating procedures, after award of this contract, a pre-construction meeting will be scheduled. After completion of the award process, the project will be assigned to Leo Salgueiro, Project Manager, DTPW for contract monitoring and compliance.

Pursuant to Board policy, a safety records check for the recommended awardee was conducted. Based on OSHA records from the last five years, DTPW did not find any significant issues. A copy of the OSHA reports is available upon request.

BID OPEN DATE: 10/5/2022

BID BOND EXPIRES: 4/3/2023

BID VALID UNTIL: 4/3/2023

ESTIMATED NOTICE TO PROCEED: 4/3/2023

PRIME CONTRACTOR: General Asphalt Co. LLC

COMPANY PRINCIPALS: Robert Lopez

COMPANY QUALIFIER: Robert Lopez

COMPANY EMAIL ADDRESS: daniel@generalasphalt.com

COMPANY STREET ADDRESS: 4850 NW 72nd Avenue

COMPANY CITY-STATE-ZIP: Miami, Florida 33166

YEARS IN BUSINESS: 40 years

PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS: 6

SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE): Pedrail Systems LLC., & JP Landscaping and Designs, Inc.

MINIMUM QUALIFICATIONS

EXCEED LEGAL REQUIREMENTS: Yes

STANDARD PAYMENT AND PERFORMANCE BOND: Yes

REVIEW COMMITTEE: **MEETING DATE:** N/A **SIGNOFF DATE:** 4/15/2022

RESPONSIBLE WAGES:
(RESOLUTION No. R-54-10) Yes

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	<u>TYPE</u>	<u>GOAL</u>
	SBE-CONST	7.94%
	SBE-G&S	0.19%
	CWP	N/A

MANDATORY CLEARING HOUSE: Yes

SEA LEVEL RISE:
(ORDINANCE 14-79) Yes

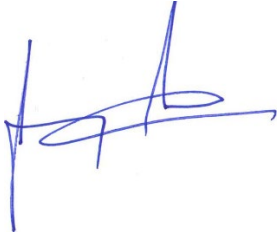
SUSTAINABLE BUILDINGS ORDINANCE:
(I.O. NO. 8-8) No

CONTRACT MANAGER NAME / PHONE / EMAIL: Alfredo E. Muñoz, P.E. 305-375-2930 Alfredo.Munoz@miamidade.gov

PROJECT MANAGER NAME / PHONE / EMAIL: Leo Salgueiro 305-375-2111 Leosalgueiro@miamidade.gov

BACKGROUND: NE 151st Street from Biscayne Boulevard to Bay Vista Boulevard serves as the main entrance to educational institutions such as Florida International University Biscayne Bay Campus, the David Lawrence Jr. K-8 School and the Alonzo & Tracy Mourning Senior High School. A feasibility study prepared in 2015 by R.J. Behar & Company, Inc. for DTPW recommended to widen the segment from four to six lanes. The study took into consideration a Planning Study prepared by Kimley-Horn and Associates, Inc. for the Miami-Dade County MPO in 2011 whose purpose was to evaluate the feasibility of adding another entrance to FIU's Biscayne Bay Campus,

concluding that the only feasible access improvement was to expand NE 151st Street from a four- to a six-lane roadway from Biscayne Boulevard to Bay Vista Boulevard. This corridor expansion will relieve the current traffic congestion and provide improved mobility for the planned enhancements to Florida International University, anticipated growth of the other educational institutions along the route, and the planned development of the Biscayne Landing Community.



Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: April 4, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(9)

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 present ____, 2/3 membership ____, 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(N)(9)
4-4-23

RESOLUTION NO. _____

RESOLUTION APPROVING CONTRACT AWARD IN THE AMOUNT OF \$14,835,037.25 TO GENERAL ASPHALT CO. LLC FOR THE PROJECT ENTITLED ROADWAY IMPROVEMENTS TO NE 151 STREET FROM EAST OF RAILROAD TRACKS TO BAY VISTA BOULEVARD (PROJECT NO. 20210092; CONTRACT NO. 20210092); AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE AND IMPLEMENT THE CONTRACT AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS 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 approves the contract award to General Asphalt Co. LLC in the amount of \$14,835,037.25 for the project entitled “Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard” (Project No. 20210092; Contract No. 20210092), and authorizing the County Mayor or County Mayor’s designee to execute and implement the contract and to exercise the termination and other provisions therein. A copy of the contract document is on file with and available upon request from the Chief of the Capital Improvements Division of the Department of Transportation and Public Works.

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:

Oliver G. Gilbert, III, Chairman	
Anthony Rodríguez, Vice Chairman	
Marleine Bastien	Juan Carlos Bermudez
Kevin Marino Cabrera	Sen. René García
Roberto J. Gonzalez	Keon Hardemon
Danielle Cohen Higgins	Eileen Higgins
Kionne L. McGhee	Raquel A. Regalado
Micky Steinberg	

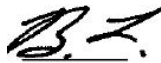
The Chairperson thereupon declared this resolution duly passed and adopted this 4th day of April, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Bruce Libhaber

THIS CONTRACT, made and entered into on the 16th day of January, 2023

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

General Asphalt Co. LLC

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 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:

Roadway Improvements to NE 151 Street from East of Railroad Tracks to Bay Vista Boulevard

for the amount reflected by the Proposal, based on the Contract unit 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 Contract (the application of unit prices to the quantities actually performed) not to exceed:

Fourteen Million, Eight Hundred Thirty-Five Thousand, Thirty-Seven dollars and Twenty-Five cents

\$14,835,037.25

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 aggregate unit 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)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Questionnaire | <input checked="" type="checkbox"/> Proposal |
| <input checked="" type="checkbox"/> Advertisement for Bids | <input checked="" type="checkbox"/> Financial Statement |
| <input checked="" type="checkbox"/> Instructions to Prospective Contractors | <input checked="" type="checkbox"/> General Covenants and Conditions |
| <input checked="" type="checkbox"/> Code and Ordinance Requirements | <input checked="" type="checkbox"/> Additional Contractor Responsibilities |
| <input checked="" type="checkbox"/> Protest Information | <input checked="" type="checkbox"/> Applicable Federal Requirements |
| <input checked="" type="checkbox"/> Special Provisions | <input checked="" type="checkbox"/> Department of Business Development Provision |
| <input checked="" type="checkbox"/> Combined Affidavit | <input checked="" type="checkbox"/> Wages and Benefits Provisions |
| <input checked="" type="checkbox"/> Specific Code / Affidavits Applications | <input checked="" type="checkbox"/> Specifications |
| <input checked="" type="checkbox"/> Ownership Disclosure Form | <input checked="" type="checkbox"/> Standards |
| <input type="checkbox"/> Community Workforce Program;
Job Order Request Form | <input checked="" type="checkbox"/> Plans / Sketches |
| <input checked="" type="checkbox"/> Contract | <input checked="" type="checkbox"/> All Addenda Issued |
| <input checked="" type="checkbox"/> Bid Bond | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Performance and Payment Bond
(if required, Bid Bond is required) | |

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: \$1,000,000.00, 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 the Appendix A – Code and Ordinance Requirements, Section 21 and in the Instructions To Prospective Contractor, Section 19.

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four counterparts, each of which shall be deemed an original Contract, all as of the day and year first herein before 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 For Sufficiency of Execution Only:

By: _____
Assistant County Attorney

WHEN THE CONTRACTOR IS A CORPORATION:


(CORPORATION SEAL)

General Asphalt Co, LLC

(Name of Corporation)

ATTEST By: 

(Secretary)



(Signature of Officer)

Mary Sanchez, CFO

(Print or type name)

ROB LOPEZ

(Print or type name)

CEO

(Official Title)

GENERAL ASPHALT CO.
4850 N.W. 72nd AVENUE
MIAMI, FL 33166

(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, the Performance Bond and Payment Bond to do so in its behalf.

CONTRACT NO. 20210092

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four counterparts, each of which shall be deemed an original Contract, all as of the day and year first herein before 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 For Sufficiency of Execution Only:

By: _____
Assistant County Attorney

WHEN THE CONTRACTOR IS A JOINT VENTURE:

(Name of Joint Venture)

By: _____
(Signature of Joint Venture)

By: _____
(Signature of Joint Venture)

(Print or type name)

(Print or type name)

(Title)

(Title)

(Address)

(Address)

(PARTIES OF THE SECOND PART)

NOTE: Complete Joint Venture in accordance with Section 16 of the Instructions to Prospective Contractors.

