OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

MIAMI-DADE COUNTY

Date: June 3, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(R)(1)(D)

From: George M. Burgess
County Manager

Resolution No. R-668-08

Subject: Contract Award Recommendation for South District Wastewater Treatment Plant, HLD Upgrade to 285 MGD, Filter System - Project No: N/A; Contract No: S-805 (A), to Poole and Kent Company of Florida in the amount of $134,253,006.15

RECOMMENDATION

This Recommendation to Award a construction Contract No. S-805 (A) between Poole & Kent Company of Florida and Miami-Dade County in the amount of $134,253,006.15 has been prepared by the Miami-Dade Water and Sewer Department (WASD) and is recommended for approval pursuant to Miami-Dade County Code, Section 2-8.2.11, WASD Contracting Authority. This project is one in a series of projects under the High Level Disinfection (HLD) Program to comply with Consent Order No. 03-1376 negotiated by the County and the Florida Department of Environmental Protection (FDEP), and to adhere to regulatory requirements resulting from a rule change implemented by the U.S. Environmental Protection Agency (USEPA) to meet effluent quality standards for deep well disposal. Upon the completion of the entire project, the South District Wastewater Treatment Plant (SDWWTP) will be rated as a 285 million gallons per day (MGD) plant.

DELEGATION OF AUTHORITY

The authority of the County Mayor or his designee to execute and implement this contract is consistent with those authorities granted under the Code of Miami-Dade County.

SCOPE

PROJECT NAME: South District Wastewater Treatment Plant, HLD Upgrade to 285 MGD, Filter System

PROJECT NO: N/A

CONTRACT NO: S-805 (A)

PROJECT DESCRIPTION: The work consists of furnishing all materials, labor, and equipment necessary for the construction of a deep bed filter system for further treatment of effluent from the existing secondary wastewater treatment facility, at the South District Wastewater Treatment Plant, located at 23300 SW 88th Avenue, in Miami-Dade County, Florida.

The project includes, but is not limited to the following: furnishing all materials, labor, and equipment necessary to construct flocculation tanks with flash mixing followed by slow mixing for enhancement of solids removal by the filters; 30 deep bed sand, mono-media wastewater filter systems including reinforced concrete tanks, sub-drain piping, filter under-drain system, sand media, influent flow control weirs and related work; a filter backwash supply system including eight (8) backwash supply pumps, piping, and three (3) backwash supply storage tanks; a backwash air scour system including seven (7) blowers, piping, air filters, and silencers; a filter backwash waste system including eight (8) backwash waste pumps, piping, and three (3) backwash waste storage tanks; filter system channels; piping systems in various sizes up to 108-inch diameter; gates, valves and appurtenances; North and South Filter Buildings including structural, architectural, electrical, HVAC, plumbing; polymer system including Polymer Building, polymer mixing systems, dry and liquid polymer storage, dilution tanks, and polymer pumps and related systems; complete electrical systems for all filter facilities including transformers, switchgear, duct banks, conduits and miscellaneous, with connection to primary service 13 KV to 4160 V transformers furnished, installed and wired on the primary side by others); complete instrumentation and control systems, remote terminal units (RTUs) with all accessories, to ensure local control and also future connection by others to plant wide data highway; roadways, drainage systems, and site work around the filter system; testing, startup, training, and warrantees of equipment; coordination with multiple ongoing construction contracts; coordination with plant personnel to avoid interruption of service; complying with security restrictions; and all other appurtenant and miscellaneous items and work for a complete installation.

It is WASD's intent to obtain a complete functional, and satisfactory installation under this project, and any items of labor, equipment or materials which may be reasonably assumed as necessary to accomplish this end shall be supplied whether or not they are specifically shown on the plans or stated in the specifications. The contractor shall provide all sheeting, shoring, bracing and all other labor, material or equipment required to preclude damage to, or loss of functionality of, any existing facility or system.

PROJECT LOCATION: 23300 SW 88th Avenue, in Miami-Dade County, Florida

PROJECT SITES:

LOCATION	DIST	ESTIMATE	T-S-R
23300 SW 88 AVE 33032	8	$134,253,006.15	56-21-40

PRIMARY COMMISSION DISTRICT: District 8 Katy Sorenson

APPROVAL PATH:	Special	Section 2-8.2.11 of the Code
USING DEPARTMENT:	Miami-Dade Water and Sewer Department	
MANAGING DEPARTMENT:	Miami-Dade Water and Sewer Department	

FISCAL IMPACT / FUNDING SOURCE

OPERATIONS COST IMPACT/FUNDING:	$6,515,000 per year. The funding source is the Operations and Maintenance (O & M) from WASD.	
MAINTENANCE COST IMPACT/FUNDING:	$6,515,000 per year. The funding source is the Operations and Maintenance (O & M) from WASD.	
LIFE EXPECTANCY OF ASSET:	50 years	
FUNDING SOURCE:	**SOURCE**	**AMOUNT**
	WASD Revenue Bonds Sold, High Level Disinfection-Special Construction Fund, and Plant Expansion Fund - Wastewater	$134,253,006.15
PTP FUNDING:	No	
GOB FUNDING:	No	
CAPITAL BUDGET PROJECT & AWARD ESTIMATE:	$134,253,006.15 96510240-SOUTH DISTRICT WASTEWATER TREATMENT PLANT - HIGH LEVEL DISINFECTION Book Page: 288 Funding Year: Adopted Capital Budget Book for 2007-08 from Prior Years' Funds	
PROJECT TECHNICAL CERTIFICATION REQUIREMENTS:	One of the following licenses is required: General Engineering, General Contractor, and/or other categories as applicable by Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.	
BID PACKAGES ISSUED:	85	
BIDS RECEIVED:	2	
CONTRACT PERIOD:	1,825 Days	
CONTINGENCY PERIOD:	183 Days	
IG FEE INCLUDED IN BASE CONTRACT:	Yes	

ART IN PUBLIC PLACES:	No		
BASE ESTIMATE:	$122,123,894.00		
BASE CONTRACT AMOUNT:	$117,878,766.50		
CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	**TYPE**	**PERCENT**	**AMOUNT**
	Infrastructure	10%	$11,787,876.65
PERMIT FEES:	$3,536,363.00	3.00%	
SELLING FILTER PANELS, HARDWARE, SOFTWARE PROGRAMMING AND SUPERVISORY LABOR UNDER BRISTOL, INC. PROPOSAL TO THE FILTER PACKAGE SUPPLIER:	$850,000.00	0.72%	
SELLING HARDWARE, AND PROVIDING PROGRAMMING AND SUPERVISORY LABOR UNDER BRISTOL, INC. PROPOSAL TO THE CONTRACTOR FOR POLYMER FEED EQUIPMENT AND ASSOCIATED SYSTEMS:	$100,000.00	0.08%	
ADDITIONAL SOFTWARE PROGRAMMING CHANGES, FACTORY ACCEPTANCE, OR START-UP SERVICES REQUESTED OF BRISTOL, INC. BY THE COUNTY:	$50,000.00	0.04%	

ALL COSTS OF EXCAVATING, REMOVAL, STOCKPILING, LOADING INTO TRUCKS AND HAULING OFF-SITE TO AN APPROVED DISPOSAL SITE, BOULDERS, RUBBLE, AND DEBRIS NOT PREVIOUSLY IDENTIFIED ON THE PLANS:	$50,000.00	0.04%
TOTAL DEDICATED ALLOWANCE:	$4,586,363.00	
TOTAL AMOUNT:	$134,253,006.15	

TRACK RECORD / MONITOR

SBD HISTORY OF VIOLATIONS: No

EXPLANATION: WASD received two bids for this project. The low bidder, SKANSKA USA Building, Inc., was found to be not responsive. It is recommended to award this contract to the low responsive and responsible bidder, Poole & Kent Company of Florida, whose bid is 2.8 percent under the Engineer's estimate.

Poole & Kent Company of Florida was formed in 2004 to service the same geographic region that the southern division of The Poole & Kent Company used to serve. The personnel who operated the southern division of The Poole & Kent Company, which has received County contracts for a total value of $111,525,866.50 from March 1994 to March 2002, operate Poole & Kent Company of Florida. The Office of Capital Improvements CIIS database contains two evaluations for The Poole and Kent Company of Florida averaging 3.1 points out of a possible 4 points.

BID OPEN DATE: 2/12/2008

BID BOND EXPIRES: 6/11/2008

BID VALID UNTIL: 6/11/2008

ESTIMATED NOTICE TO PROCEED: 6/9/2008

PRIME CONTRACTOR: Poole & Kent Company of Florida

COMPANY PRINCIPAL:	Steven C. Jordan
COMPANY QUALIFIERS:	David A. Strickland
COMPANY EMAIL ADDRESS:	'robert_oates@emcorgroup.com'
COMPANY STREET ADDRESS:	1781 NW North River Drive
COMPANY CITY-STATE-ZIP:	Miami, Florida 33125
YEARS IN BUSINESS:	4 years
PERFORMANCE HISTORY:	According to the Firm History Report provided by the Department of Small Business Development, Poole & Kent Company of Florida has received one contract with a total value of $8,830,950.
SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	DODEC, Inc., Scammel Construction, Central Florida Equipment, American Electric, Moss-Kelley, Price Brothers, American Cast Iron, Lehman Pipe, and HD Supply
MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS:	No
STANDARD PAYMENT AND PERFORMANCE BOND:	Yes
REVIEW COMMITTEE DATE & SIGN-OFF:	10/31/2007
RESPONSIBLE WAGES:	Yes

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:

TYPE	GOAL	ESTIMATED VALUE
CSBE	11.00%	$14,263,330.75
CWP	0.00%	$0.00

MANDATORY CLEARING HOUSE:	Yes
CONTRACT MANAGER NAME/PHONE/EMAIL:	Alma M. Santiago, P.E. (786)552-8243 AS1@miamidade.gov

PROJECT MANAGER NAME/PHONE/EMAIL: John W. Chorlog, Jr. (786) 552-8102 jwcho01@miamidade.gov

Background

BACKGROUND: This project consists of furnishing all materials, labor, and equipment necessary for the construction of a deep bed filter system for further treatment of effluent from the existing secondary wastewater treatment facility at the SDWWTP. This project is one in a series of projects under the HLD Program to comply with Consent Order No. 03-1376 negotiated by Miami-Dade County and the FDEP, and to adhere to regulatory requirements resulting from a rule change implemented by the USEPA to meet effluent quality standards for deep well disposal. Upon the completion of the entire project, the SDWWTP will be rated as a 285 MGD plant.

BUDGET APPROVAL FUNDS AVAILABLE: For JRM _____ 4/28/08 JS OK
OSBM DIRECTOR **DATE**

APPROVED AS TO LEGAL SUFFICIENCY: _____ 4/23/08
COUNTY ATTORNEY **DATE**

CAPITAL IMPROVEMENTS CONCURRENCE: Johnny Martinez, P.E. 5-14-08
OCI DIRECTOR **DATE**

_____ 5/19
ASSISTANT COUNTY MANAGER **DATE**

CLERK DATE _____
DATE

MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: June 3, 2008

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

SUBJECT: Agenda Item No. 8(R)(1)(D)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

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

_____ Housekeeping item (no policy decision required)

✓ No committee review

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(R)(1)(D)
6-3-08

RESOLUTION NO. **R-668-08**

RESOLUTION APPROVING CONSTRUCTION CONTRACT NO. S-805 (A) IN THE AMOUNT OF $134,253,006.15 TO POOLE & KENT COMPANY OF FLORIDA FOR THE CONSTRUCTION OF A FILTER SYSTEM FOR FURTHER TREATMENT OF EFFLUENT AT THE HIGH LEVEL DISINFECTION FACILITY AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE SAME AND EXERCISE THE TERMINATION PROVISIONS CONTAINED HEREIN

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 hereby approves award of Contract No. S-805 (A) for the construction of a filter system for further treatment of effluent at the High Level Disinfection Facility at the South District Wastewater Treatment Plant in the amount of $134,253,006.15 to Poole & Kent Company of Florida, in substantially the form on file with the Clerk, an excerpt of which is attached hereto and made a part hereof; and authorizes the County Mayor or his designee to execute same and to exercise the termination provisions contained therein.

The foregoing resolution was offered by Commissioner **Joe A. Martinez** , who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman **aye**
Barbara J. Jordan, Vice-Chairwoman **aye**

Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**absent**
Carlos A. Gimenez	**nay**	Sally A. Heyman	**absent**
Joe A. Martinez	**aye**	Dennis C. Moss	**aye**
Dorrin D. Rolle	**absent**	Natacha Seijas	**absent**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2008. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **Kay Sullivan**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman

SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, UPGRADE FILTER SYSTEM

CONTRACT NO: S-805(A)

BUDGET PROJECT AND DESCRIPTION: 96510240-SOUTH DISTRICT WASTEWATER TREATMENT PLANT - HIGH LEVEL DISINFECTION

FUNDING SOURCE: WASD Revenue Bonds Sold, High Level Disinfection-Special Construction Fund, and Plant Expansion Fund - Wastewater

ASSISTANT DIRECTOR, ENGINEERING AND CAPITAL IMPROVEMENTS: 4/22/2008

EDUARDO A. VEGA, PE **DATE**

BUDGET AND CAPITAL FUNDING COORDINATION: 4/23/08

PEDRO VELAR **DATE**

ASSISTANT DIRECTOR, FINANCE AND INFORMATION TECHNOLOGY: 4/23/08

DIANE CAMACHO **DATE**

DEPUTY DIRECTOR, REGULATORY COMPLIANCE AND CAPITAL IMPROVEMENTS: 4/24

DOUG YODER, PhD **DATE**

SOUTH DISTRICT UPGRADES - WASTEWATER TREATMENT PLANT **PROJECT # 9653401**

DESCRIPTION: Construct plant process improvements including injection and monitoring wells, installation of emergency generators, acquiring a land buffer, construction of a landfill gas pipeline, installation of co-Gen units, and construction of sludge handling facilities

LOCATION: 8950 SW 232 St
Unincorporated Miami-Dade County
DISTRICT LOCATED: 8
ESTIMATED ANNUAL OPERATING IMPACT: Minimal
DISTRICT(s) SERVED: Systemwide

REVENUE SCHEDULE:	PRIOR	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	FUTURE	TOTAL
Wastewater Renewal Fund	1,402	2,150	1,350	1,000	0	0	0	0	5,902
Wastewater Connection Charges	3,556	0	0	0	500	1,000	1,000	0	6,056
WASD Revenue Bonds Sold	3,862	0	0	0	0	0	0	0	3,862
Future WASD Revenue Bonds	0	0	0	2,688	0	7,500	0	4,718	14,906
TOTAL REVENUE:	**8,820**	**2,150**	**1,350**	**3,688**	**500**	**8,500**	**1,000**	**4,718**	**30,726**

EXPENDITURE SCHEDULE:	PRIOR	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	FUTURE	TOTAL
Planning and Design	611	146	314	294	82	346	573	429	2,795
Construction	6,104	1,461	3,137	2,941	818	3,454	5,727	4,289	27,931
TOTAL EXPENDITURES:	**6,715**	**1,607**	**3,451**	**3,235**	**900**	**3,800**	**6,300**	**4,718**	**30,726**

SOUTH DISTRICT WASTEWATER TREATMENT PLANT - HIGH LEVEL DISINFECTION **PROJECT # 96510240**

DESCRIPTION: Construct treatment facilities for high level disinfection to meet regulatory requirements at the South District Wastewater Treatment Plant

LOCATION: 8950 SW 232 St
Unincorporated Miami-Dade County
DISTRICT LOCATED: 8
ESTIMATED ANNUAL OPERATING IMPACT: Minimal
DISTRICT(s) SERVED: Systemwide

REVENUE SCHEDULE:	PRIOR	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	FUTURE	TOTAL
Wastewater Renewal Fund	64,825	0	0	0	0	0	0	0	64,825
Wastewater Connection Charges	0	1,311	0	0	0	0	0	0	1,311
S. Fl. Water Mgmt. District Grant	0	5,000	5,000	5,000	5,000	5,000	0	0	25,000
State Revolving Loan Wastewater Program	0	0	34,680	25,000	27,320	13,000	0	0	100,000
WASD Revenue Bonds Sold	20,808	0	0	0	0	0	0	0	20,808
Future WASD Revenue Bonds	0	0	0	212,664	0	1,377	0	0	214,041
HLD Special Construction Fund	80,000	0	0	0	0	0	0	0	80,000
TOTAL REVENUE:	**165,633**	**6,311**	**39,680**	**242,664**	**32,320**	**19,377**	**0**	**0**	**505,985**

EXPENDITURE SCHEDULE:	PRIOR	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	FUTURE	TOTAL
Planning and Design	2,655	3,395	13,188	16,856	7,594	2,317	40	0	46,045
Construction	26,519	33,918	131,733	168,378	75,855	23,140	397	0	459,940
TOTAL EXPENDITURES:	**29,174**	**37,313**	**144,921**	**185,234**	**83,449**	**25,457**	**437**	**0**	**505,985**

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Dept: Miami-Dade Water and Sewer Department 4/28/2008 7:35:38 PM

BUDGET PROJECT 96510240

Project Title: 96510240-SOUTH DISTRICT WASTEWATER TREATMENT PLANT - HIGH LEVEL DISINFECTION

Project Desc: Construct treatment facilities for high-level disinfection to meet regulatory requirements

Project($$ in 000's)	Start:	End:	Prior:	07-08:	08-09:	09-10:	10-11:	Total:
Expenditures	10/1/2002	9/30/2009	29,174	37,313	144,921	185,234	83,449	505,985
Revenue			165,633	6,311	39,680	242,664	32,320	505,985

Project Type: Capital

CDPWeb Project Milestones ($ IN 000'S)

Milestone:	Start:	End:	Prior:	07-08:	08-09:	09-10:	10-11:	Total:
Planning/Design	N/A	N/A	2,655	3,395	13,188	16,856	7,594	46,045
Construction	N/A	N/A	26,519	33,918	131,733	168,378	75,855	459,940

EXIT

Current Contracts for Project 96510240

Dept	ContractNo	Contract Name	RTA Budget Allocation	Award Budget Allocation	CIIS Award
WS	E07-WASD-02	Design and Construction Manage	$55,000,000.00	$0.00	$50,000,000.00
WS	E07-WASD-05	Construction Engineering & Ins	$6,050,000.00	$0.00	$5,500,000.00
WS	E07-WASD-05 (A)	Construction Engineering & Ins	$0.00	$6,050,000.00	$5,500,000.00
WS	S-805	South District Wastewater Trea	$130,000,000.00	$0.00	$0.00
WS	S-805 (A)	South District Wastewater Trea	$0.00	$134,253,006.15	$117,878,766.50
WS	S-805 (A)	South District Wastewater Trea	$138,000,000.00	$0.00	$117,878,766.50
WS	S-806	South District Wastewater Trea	$25,001,000.00	$0.00	$0.00
WS	S-811(A)	South District Wastewater Trea	$0.00	$92,786,510.28	$82,111,956.00
WS	S-811(A)	South District Wastewater Trea	$80,000,000.00	$0.00	$82,111,956.00
WS	S-811(A)	South District Wastewater Trea	$5,371,500.00	$0.00	$82,111,956.00
WS	S-812 A	South District Wastewater Trea	$19,413,400.00	$0.00	$0.00
WS	S-813	South District Wastewater Trea	$14,000,000.00	$0.00	$0.00
WS	S-813 (A)	South District Wastewater Trea	$0.00	$10,132,996.00	$8,967,253.10
WS	S-816 (A)	South District Wastewater Trea	$11,700,000.00	$0.00	$7,815,000.00
WS	S-816 (A)	South District Wastewater Trea	$0.00	$8,830,950.00	$7,815,000.00
WS	S-825 (A)	South District Wastewater Trea	$0.00	$11,110,940.05	$9,487,557.56
WS	S-825 (A)	South District Wastewater Trea	$8,000,000.00	$0.00	$9,487,557.56
WS	S-828	South District Wastewater Trea	$16,000,000.00	$0.00	$0.00
WS	S-828 (A)	South District Wastewater Trea	$0.00	$14,474,955.00	$12,703,500.00
		Total Allocated:	$508,535,900.00	$277,639,357.48	

Current Sites for Project 96510240

Site	Location
72970	23300 SW 88 AVE 33032

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WASTEWATER PROJECTS

1037. SOUTH DISTRICT WASTEWATER TREATMENT PLANT - HIGH LEVEL DISINFECTION

OSBM CURRENT CIP
96510240 PLV

Commission District(s)

	Budget/ Estimate Cost	Prior: Prior to 2006 - 2007	Prior: FY 2006 - 2007	Prior: Total Prior	Projections: FY 2007 - 2008	FY 2008 - 2009	FY 2009 - 2010	FY 2010 - 2011	FY 2011 - 2012	FY 2012 - 2013	Future	Total	Bond Issue
	505,985,133												
REVENUES													
		0	0	0	0	0	212,664,559	0	1,376,971	0	0	214,041,530	Future WASD Revenue Bonds
		80,000,000	0	80,000,000	0	0	0	0	0	0	0	80,000,000	HLD - Special Construction Fund
		0	0	0	1,310,741	0	0	0	0	0	0	1,310,741	Plant Expansion Fund - Wastewater
		0	0	0	5,000,000	5,000,000	5,000,000	5,000,000	5,000,000	0	0	25,000,000	South Florida Water Management District Grant
		0	0	0	0	34,679,875	25,000,000	27,320,125	13,000,000	0	0	100,000,000	State Revolving Loans - Wastewater
		20,807,699	0	20,807,699	0	0	0	0	0	0	0	20,807,699	WASD Revenue Bonds Sold
		64,825,163	0	64,825,163	0	0	0	0	0	0	0	64,825,163	Wastewater Renewal & Replacement Fund
TOTAL		165,632,862.0	0	165,632,862	6,310,741.0	39,679,875	242,664,559	32,320,125	19,376,971	0	0	505,985,133	

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2008

To: John W. Renfrow, Director
Water And Sewer Department

From: Penelope Townsely, Director
Department of Small Business Develoment

Subject: CSBE Compliance Review of Project No: S-805, South District Wastewater Treatment Plant, HLD Upgrade to 285 MGD, Filter System

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Small Business Development (SBD) has completed a compliance review for the above-referenced project with the Community Small Business Enterprise (CSBE) Program. The contract measure applicable to this project is a 2.71% first tier CSBE subcontractor goal and an 8.33% second, third, and fourth tier CSBE goal. The Construction Contracts Section of The Miami-Dade Water and Sewer Department (WASD) submitted bid documents from Skanska USA Building, Inc. and Poole and Kent Company of Florida for compliance review.

Skanska USA Building, Inc. submitted the required Schedule of Intent (SOI) Affidavit committing to utilize BCL Construction, Inc., a certified CSBE firm, to install cast-in-place concrete, formwork, rough carpentry, doors, sealants, ceilings, louvers, toilet accessories, lockers, fire extinguishers, and identification devices at 2.71% to meet the first tier CSBE subcontractor goal. A commitment letter was also submitted by Skanska USA Building, Inc. agreeing to meet the second, third, and fourth tier CSBE goal. Skanska USA Building, Inc. has fulfilled the contract measure requirement and is in compliance with the CSBE Participation Provisions.

Poole and Kent Company of Florida submitted the required SOI Affidavit committing to utilize Dodec, Inc., a certified CSBE firm, to furnish and install mechanical work at 3% to meet the first tier CSBE subcontractor goal. A commitment letter was also submitted by Poole and Kent Company of Florida agreeing to meet the second, third, and fourth tier CSBE goal. Poole and Kent Company of Florida has fulfilled the contract measure requirement and is in compliance with the CSBE Participation Provisions.

SBD staff only reviewed and addressed compliance with the CSBE program. The Construction Contracts Section of The Miami-Dade 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 Kelly Duncombe at (305) 375-3136.

c: Alma Santiago, P.E., WASD
Betty Alexander, Division Director, SBD
Patrice King, SBD
File

DEPARTMENT OF BUSINESS DEVELOPMENT

Dept. of Business Development

Project Worksheet

Project/Contract Title: SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD. FILTER SYSTEM (SIC 16)

RC Date: 10/31/2007

Project/Contract No: S-805

Funding Source: WASD REV BONDS&WW CONN CHARGE

Item No: 3-05

Department: WATER & SEWER DEPARTMENT

Resubmittal Date(s): 05.02.2007

Estimated Cost of Project/Bid: $138,000,000.00

Description of Project/Bid: TO ESTABLISH A CONTRACT THAT CONSISTS OF FURNISHING ALL MATERIALS, LABOR, AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION OF A DEEP BED FILTER SYSTEM FOR FURTHER TREATMENT OF EFFLUENT FROM THE EXISTING SECONDARY WASTEWATER TREATMENT FACILITY, AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT LOCATED AT 23300 SW 88th AVENUE IN MIAMI-DADE COUNTY, FLORIDA. THIS PROJECT IS ONE IN A SERIES OF PROJECTS UNDER THE HIGH LEVEL DISINFECTION (HLD) PROGRAM

Contract Measures Recommendation

Measure	Program	Goal Percent
Goal	CSBE	11.05%

Reasons for Recommendation

An analysis of the factors contained in Section VI C of Administrative Order 3-22 indicate that a goal is appropriate for this project.

FIRST TIER CSBE GOAL = 2.71%: Plumbing/HVAC and Mechanical (1.81%), Built-Up Roofing (.09%), Doors and Exterior Windows (.20%), Stucco (.10%), Stairs and Toilet/Bathroom Accessories (.04%), Handrails/Miscellaneous Metals (.47%).
2nd, 3rd, & 4th TIER CSBE GOAL = 8.33%: Electrical (5.65%) and Coatings (2.68%)

This project is being resubmitted because the six (6) month period to advertise this project is expiring. The cost estimate has increased from $130,000,000 to $138,000,000.

CWP Not Applicable: Not in DTA

Analysis for Recommendation of a Goal

Subtrade	Cat.	Estimated Value	% of Items to Base Bid	Availability
Carpentry Contractors	CSBE	$271,032.00	0.20%	16
Roofing, Siding, and Sheet Metal Contractors	CSBE	$128,892.00	0.09%	15
Concrete Contractors	CSBE	$139,932.00	0.10%	16
Commercial and Institutional Building Construction	CSBE	$61,686.00	0.04%	95
Plumbing, Heating, and Air-Conditioning Contractors	CSBE	$2,499,870.00	1.81%	23
Painting and Wall Covering Contractors	CSBE	$3,699,918.00	2.68%	34
Electrical Contractors	CSBE	$7,799,898.00	5.65%	43
Structural Steel Erection Contractors	CSBE	$643,908.00	0.47%	9
	Total	$15,245,136.00	11.05%	

Living Wages: YES [ ] NO [X] **Highway:** YES [ ] NO [X] **Heavy Construction:** YES [X] NO [ ]

Responsible Wages: YES [X] NO [ ] **Building:** YES [ ] NO [X]

Ordinance 90-143 is applicable to all construction projects over $100,000 that do not utilize Federal Funds

REVIEW COMMITTE RECOMMENDATION

Tier 1 Set Aside _____

Set Aside _____ **Level 1** _____ **Level 2** _____ **Level 3** _____

Trade Set Aside (MCC) _____ **Goal** 11% CSBE **Bid Preference** _____

No Measure _____ **Deferred** _____ **Selection Factor** _____

[signature] 10/31/07
Chairperson, Review Committee Date

[signature]
County Manager Date

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DBDR0005 v. 20[illegible]

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
HLD UPGRADE TO 285 MGD FILTER SYSTEM
CONTRACT NO. S-805

ESTIMATE: $138,000,000

TABULATION OF BIDS — Bid Date: February 12, 2008

BIDDERS			Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004		Poole & Kent Company of Florida 1781 NW North River Drive Miami, Florida 33125	
Item No.	Description	Quant.	Unit	Total	Unit	Total
1.	Performing preparatory work & operations in mobilizing for beginning the work of the project, but excluding materials & permit costs, both of which are paid under other payment items	Aggr. Sum		$5,622,866.00		$5,500,000.00
2.	All cost of Bed No. 3 (Parking Area) site clearing, demolition, milling existing asphalt liner & mixing with subgrade soils, debris removal, fill with on-site suitable fill & earthwork activities, installation of drainage works, fencing & miscellaneous civil works	Aggr. Sum		2,000,000.00		835,000.00
3.	All cost of Bed No. 7 paving upgrade including site clearing, demolition, on-site stockpiling of excavated soils, fill to new grades with on-site suitable fill & earthwork activities, installation of civil & drainage works	Aggr. Sum		1,500,000.00		125,000.00
4A.	All cost of selling & delivery of 12-inch stabilized subgrade material	25,000 S.Y.	3.40	85,000.00	2.90	72,500.00
4B.	All costs incurred in installing of 12 inch stabilized subgrade material	25,000 S.Y.	2.95	73,750.00	3.00	75,000.00
5A.	All cost of selling & delivery of 6-inch limerock base material	45,000 S.Y.	7.40	333,000.00	11.35	510,750.00
5B.	All cost incurred in installing of 6 inch limerock base material	45,000 S.Y.	2.15	96,750.00	5.35	240,750.00
6A.	All cost of selling & delivery of 8 inch limerock base material	6,500 S.Y.	9.90	64,350.00	15.15	98,475.00
6B.	All cost incurred in installing of 8 inch limerock base material	6,500 S.Y.	2.90	18,850.00	6.25	40,625.00
7A.	All cost of selling & delivery of 1 1/2-inch thick Type I asphaltic concrete mix in upaved areas	25,000 S.Y.	7.85	196,250.00	6.90	172,500.00
7B.	All costs incurred in installing of 1 1/2 inch thick Type I asphaltic concrete mix in upaved areas	25,000 S.Y.	1.20	30,000.00	3.80	95,000.00
8A.	All cost of selling & delivering to Miami Dade Water & Sewer Department ready for installation, 3 inch thick Type 1 asphaltic concrete material for Bed No. 7	25,000 S.Y.	16.20	405,000.00	13.75	343,750.00
8B.	All cost of placement & compaction of 3 inch thick Type I asphaltic concrete material in Bed No. 7	25,000 S.Y.	2.30	57,500.00	4.90	122,500.00

MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
HLD UPGRADE TO 285 MGD FILTER SYSTEM
CONTRACT NO. S-805

ESTIMATE: $138,000,000

TABULATION OF BIDS — Bid Date: February 12, 2008

BIDDERS			Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004		Poole & Kent Company of Florida 1781 NW North River Drive Miami, Florida 33125	
Item No.	Description	Quant.	Unit	Total	Unit	Total
9A.	All cost of selling & delivery of Type I asphaltic concrete material to refurbish existing 1 1/2 inch pavement	250 Ton	$95.00	$23,750.00	$83.15 *	$20,787.50
9B.	All cost of milling, placement, compaction of Type I asphaltic concrete material to refurbish existing 1 1/2 inch pavement	250 Ton	92.00	23,000.00	210.00	52,500.00
10A.	All cost of selling & delivery of suitable fill from off-site borrow pits as authorized by the Engineer	10,000 C.Y.	5.00	50,000.00	66.00	660,000.00
10B.	All cost of placement & compaction to final grade for offsite suitable fill as directed by the Engineer	10,000 C.Y.	3.00	30,000.00	7.00	70,000.00
11.	All cost incurred in the furnishing & installation of drainage works including pea gravel, fill material, piping, catch basins, manholes & appurtenances	Aggr. Sum		1,000,000.00		1,300,000.00
12.	All cost incurred in the furnishing & installation of sanitary & process works including sanitary manholes, process drains & sanitary piping, sanitary pump station & all appurtenances	Aggr. Sum		250,000.00		350,000.00
13.	All cost incurred in the furnishing & installation of potable water mains, & flushing water systems in the roadways, & piping loop in the filter works & all appurtenances	Aggr. Sum		200,000.00		1,300,000.00
14A.	All cost of selling & delivery to MDWASD all prestressed concrete cylinder pipe (P.C.C.P.) fittings & appurtenances	Aggr. Sum		3,300,000.00		3,750,000.00
14B.	All cost of installing all prestressed concrete cylinder pipe (P.C.C.P.), fittings & appurtenances	Aggr. Sum		3,150,000.00		2,100,000.00
15.	All cost incurred in furnishing & installing chemical PVC piping & fittings from the Polymer Building to the flocculation tanks & for chlorine piping in Plant Drive D and Work Road B to the filter system feed system	Aggr. Sum		850,000.00		100,000.00
16.	All earthwork activities including excavation, stockpiling cut material, hauling soil on-site, placement, compaction of general & suitable on-site fill to the final grades shown on the Plans	Aggr. Sum		1,000,000.00		1,100,000.00
17A.	All cost of furnishing & delivery of filter media material supplied by the Filter Package Supplier	Aggr. Sum		10,000.00		3,000,000.00

*REVISED DUE TO ERROR

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MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
HLD UPGRADE TO 285 MGD FILTER SYSTEM
CONTRACT NO. S-805

ESTIMATE: $138,000,000

TABULATION OF BIDS — Bid Date: February 12, 2008

BIDDERS			Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004		Poole & Kent Company of Florida 1781 NW North River Drive Miami, Florida 33125	
Item No.	Description	Quant.	Unit	Total	Unit	Total
17B.	All cost of installing filter media material supplied by the Filter Package Supplier	Aggr. Sum		$500,000.00		$800,000.00
18A.	All cost of furnishing & delivery of filter bottoms, air piping system & underdrain backwash piping & fittings & all other items (except in Item 17A) supplied by the Filter Package Supplier package	Aggr. Sum		8,000,000.00		14,000,000.00
18B.	All cost of installing filter bottoms, air piping system & underdrain backwash piping & fittings & all other items (except in Item 17B.) supplied by the Filter Package supplier package	Aggr. Sum		1,500,000.00		2,000,000.00
19A.	All cost of furnishing & delivery all foundation, structural architectural & related materials for the Polymer Building	Aggr. Sum		770,000.00		900,000.00
19B.	All cost of installing all foundation structural, architectural & related material for the Polymer Building	Aggr. Sum		330,000.00		700,000.00
20A.	All cost of furnishing & delivery of all mechanical, pumps, piping tanks, A/C plumbing, fire electrical & instrumentation systems for the Polymer Building	Aggr. Sum		500,000.00		2,200,000.00
20B.	All cost of installing all mechanical, pumps, piping, tanks, A/C plumbing, fire, electrical & instrumentation systems for the Polymer Building	Aggr. Sum		200,000.00		1,050,000.00
21A.	All cost of furnishing & delivery of all foundation work & reinforced concrete tankage materials & equipment	Aggr. Sum		28,000,000.00		18,000,000.00
21B.	All cost of installing all foundation work & reinforced concrete tankage	Aggr. Sum		12,000,000.00		11,343,629.00
22A.	All cost of furnishing & delivery of foundation, structural, architectural & related materials for the North Filter System	Aggr. Sum		3,200,000.00		4,250,000.00
22B.	All cost of installing all foundation, structural, architectural & related materials for the North Filter System Building	Aggr. Sum		1,400,000.00		3,100,000.00
23A.	All cost of furnishing & delivery of all piping, A/C, plumbing, fire & mechanical systems for the North Filter System Building	Aggr. Sum		1,100,000.00		6,100,000.00
23B.	All cost of installing all piping, A/C, plumbing, fire & mechanical systems for the North Filter System Building	Aggr. Sum		450,000.00		1,500,000.00

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MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
HLD UPGRADE TO 285 MGD FILTER SYSTEM
CONTRACT NO. S-805

ESTIMATE: $138,000,000

TABULATION OF BIDS — Bid Date: February 12, 2008

BIDDERS			Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004		Poole & Kent Company of Florida 1781 NW North River Drive Miami, Florida 33125	
Item No.	Description	Quant.	Unit	Total	Unit	Total
24A.	All cost of furnishings & installing all outside mechanical yard piping, fittings, valves & appurtenances, except as specifically defined in other Proposal Items	Aggr. Sum		$6,300,000.00		$2,550,000.00
24B.	All cost of installing all outside mechanical yard piping, fittings, valves & appurtenances, except as specifically defined in other Proposal Items	Aggr. Sum		2,700,000.00		1,000,000.00
25.	All cost of coordination & installation of electrical equipment supplied under the filter package, the coordination of instrumentation hardware & services obtained by direct purchase from Bristol, Inc., furnishing all remaining electrical, instrumentation equipment & wiring, & the installation of all electrical & instrumentation works	Aggr. Sum		5,500,000.00		8,000,000.00
26A.	All cost of furnishing & delivery of all foundation, structural architectural & related materials for the South Filter System Building	Aggr. Sum		3,200,000.00		4,500,000.00
26B.	All cost of installing all foundation, structural, architectural & related materials for the South Filter System Building	Aggr. Sum		1,400,000.00		3,200,000.00
27A.	All cost of furnishing & delivery of all piping, A/C, plumbing, fire & mechanical systems for the South Filter System Building	Aggr. Sum		1,100,000.00		7,200,000.00
27B.	All cost of installing all piping, A/C, plumbing, fire & mechanical systems for the South Filter System Building	Aggr. Sum		450,000.00		1,700,000.00
28.	All cost of selling & delivering to Miami Dade Water & & Sewer Department fourteen (14) electric cart vehicles & accessories	Aggr. Sum		150,000.00		100,000.00

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MIAMI-DADE WATER AND SEWER DEPARTMENT
MIAMI-DADE COUNTY

SOUTH DISTRICT WASTEWATER TREATMENT PLANT
HLD UPGRADE TO 285 MGD FILTER SYSTEM
CONTRACT NO. S-805

ESTIMATE: $138,000,000

TABULATION OF BIDS — Bid Date: February 12, 2008

BIDDERS			Skanska USA Building, Inc. 1815 Griffin Road, Suite 204 Dania Beach, FL 33004		Poole & Kent Company of Florida 1781 NW North River Drive Miami, Florida 33125	
Item No.	Description	Quant.	Unit	Total	Unit	Total
29.	Total cost for all remaining work not included in other Bid Items including but not limited to the Channel Air System, earthwork, civil work, irrigation, sodding landscaping, painting, roadways, and final sitework	Aggr. Sum		$3,147,249.00		$1,500,000.00
30.	All cost associated with coordination system testing & start-up activities required for the facilities to meet Substantial Completion milestones & be available by phase for operation by MDWASD staff	Aggr. Sum		200,000.00		150,000.00
31.	Total cost for permitting site preparation, furnishing & installing an optional concrete batch plant at the designated 2 acre site	Aggr. Sum		0.00	**NO ON-SITE CONCRETE BATCH PLANT**	0.00
32.	SUBTOTAL BID ITEMS 1 through 31		*	$102,467,315.00	*	$117,878,766.50
33.	Selling filter panels, hardware, software programming & providing supervisory labor under Bristol, Inc. proposal to the Filter Package Supplier as reviewed & approved by the County	Dedicated Allowance Account		850,000.00		850,000.00
34.	Selling hardware & providing programming & supervisory labor under Bristol, Inc. proposal to the Contractor for polymer feed equipment & associated systems as reviewed & approved by the County	Dedicated Allowance Account		100,000.00		100,000.00
35.	Additional software programming changes, factory acceptance or start-up services requested of Bristol, Inc. by the County, outlined in a proposal to the Contractor, reviewed & approved by the County	Dedicated Allowance Account		50,000.00		50,000.00
36.	All cost of excavating, removal, stockpiling, loading into trucks & hauling off-site to an approved disposal site, boulders, rubble & debris not identified on the Plans & found when excavating the site to the designated grades	Dedicated Allowance Account		50,000.00		50,000.00
37.	Reimbursement of the Contractor's cost of required Construction permits & fees, calculated as three (3) percent of Bid Item 32	Dedicated Allowance Account	*	3,074,019.45		3,536,363.00
38.	Unforeseen conditions, minor construction changes & for additional work or materials not covered by other Proposal Items, calculated as ten (10) percent of Bid Item 32	Contingency Account	*	10,246,731.50	*	11,787,876.65
39.	TOTAL BID (ITEMS 32 THROUGH 38)		*	$116,838,065.95	*	$134,253,006.15

*REVISED DUE TO ERROR

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Exit

MIAMI-DADE COUNTY, FLORIDA

Capital Improvements Information System

All Contracts for FEIN 753163466

Poole and Kent Company of Florida

DST	DPT	Type	Contract	Name	Location / Contractor	Estimated Completion Date	Total Award	Last Status Date	% Complete / Status *
8	WS	CON	S-805 (A)	South District Wastewater Trea	Poole and Kent Company of Flor	N/A	$117,878,767	4/25/2008	0% / N/A
					Totals:	1	$117,878,767		

* Yellow Status=Inactive Contract

Contracts Status View Exit Projects Goto Top

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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 and Kent Company of Florida**, party of the second part (hereinafter sometimes called "Contractor");

W I T N E S S E T H

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

"South District Wastewater Treatment Plant, HLD Upgrade to 285 MGD,
Filter System,
Contract No. S-805 (A)"

for the aggregate amount reflected by the Proposal, said aggregate amount being of **One Hundred Thirty Four Million Two Hundred Fifty Three Thousand Six Dollars and Fifteen Cents (U.S. Dollars) $134,253,006.15.**

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 his 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 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 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 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 -15 9), the Community Small Business Enterprise Program (CSBE) Participation Provisions and Forms (if applicable), and the provisions for the following: Affirmative Action Plan (Ordinance 98-30) and Disclosure Form; Bidder's (Debarment) (Ordinance 93-129); Code of Business Ethics (Ordinance 01-96); Criminal Record (Felony) (as amended by Ordinance 00-30); Disability Nondiscrimination (Resolution R - 3 8 5 -95 as amended by Resolution R-182-00); Domestic Violence Leave (Ordinance 99 - 5 as amended by Resolution R-185-00); 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

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CONTRACT

(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) (Dade County Code Sec. 2-1076); Sworn Statement - Public Entity Crimes [Florida Statute Sect. 287.133 (3) (a)]; and Metro-Dade County Disclosure (Ordinance 90-133).

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.

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."

IN WITNESS WHEREOF, the parties hereto have executed this Contract in six (6) 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

By: _____
Deputy Clerk

MIAMI DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Mayor

(PARTY OF THE FIRST PART)

Approved for Sufficiency
of Execution Only:

_____
Assistant County Attorney
Miami-Dade Water and Sewer Department

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CERTIFICATE OF SECRETARY
OF
POOLE & KENT COMPANY OF FLORIDA

The undersigned, Frank Donelan, certifies that he is the duly elected, qualified and acting Secretary of Poole & Kent Company of Florida, a corporation duly organized and existing under the laws of Delaware with a business address of 1781 N. W. North River Drive, Miami, FL 33125 and that as such Secretary, he is the keeper of the corporate records and seal of said Corporation.

The undersigned further certifies:

1. Attached hereto as Exhibit A is a true, correct and complete copy of resolutions adopted upon written consent of the sole director of this Corporation dated as of December 3, 2007; and said resolutions do not contravene any provision of the certificate of incorporation or by-laws of said Corporation, and have not been rescinded or modified in any respect but still remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of December, 2007.

Frank Donelan, Secretary

STATE OF CONNECTICUT)
) SS.: Norwalk
COUNTY OF FAIRFIELD)

I, a Notary Public in and for the State and County aforesaid, do certify that Frank Donelan, whose name as Secretary of Poole & Kent Company of Florida is signed to the writing above, bearing date on the 3rd day of December, 2007, has acknowledged the same before me in the County aforesaid.

GIVEN under my hand and official seal this 3rd day of December, 2007.

Notary Public

[Notarial Seal]

Notary Public
State of Connecticut
My Commission Expires 11/30/2011

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EXHIBIT A

RESOLVED, that Steven C. Jordan, President and Patrick H. Carr, Executive Vice President and Treasurer of the Company, be and hereby are, authorized, empowered and directed to execute the South District Wastewater Treatment Plant HLD Upgrade to 285 MGD Filter System, Contract No. S-805, bid proposal and such other agreements, documents and certificates as they, in their discretion, may deem necessary or advisable and in the best interests of Corporation.

AFFIDAVIT
OF
VICE PRESIDENT AND SOLE DIRECTOR
POOLE & KENT COMPANY OF FLORIDA

The undersigned, R. Kevin Matz, being duly sworn, upon his oath, deposes and says as follows:

1. He is the duly elected and qualified Vice President and Sole Director of Poole & Kent Company of Florida, a corporation duly organized and existing under the laws of Delaware with a business address of 1781 N. W. North River Drive, Miami, FL 33125.

2. Attached hereto as Exhibit A is a true, correct and complete copy of resolutions adopted upon written consent of the sole director of this Corporation dated as of December 14, 2007; and said resolutions do not contravene any provision of the certificate of incorporation or by-laws of said Corporation, and have not been rescinded or modified in any respect but still remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of December, 2007.

R. Kevin Matz
Vice President and
Sole Director

STATE OF CONNECTICUT)
) SS.: Norwalk
COUNTY OF FAIRFIELD)

I, a Notary Public in and for the State and County aforesaid, do certify that R. Kevin Matz whose name as Vice President/Sole Director of Poole & Kent Company of Florida is signed to the writing above, bearing date on the 14th day of December, 2007, has acknowledged the same before me in the County aforesaid.

GIVEN under my hand and official seal this 14th day of December, 2007.

MARIANNE B SILEO
Notary Public
State of Connecticut
My Commission Expires 11/30/2011

Marianne B. Sileo
Notary Public

EXHIBIT A

RESOLVED, that Steven C. Jordan, President and Patrick H. Carr, Executive Vice President / Treasurer and David W. McCluskey, Vice President / Assistant Secretary of the Company, be and hereby are authorized, empowered and directed to execute the South District Wastewater Treatment Plant HLD Upgrade to 285 MGD Filter System, Contract S-805, bid proposal and such other agreements, documents and certificates as they, in their discretion, may deem necessary or advisable and in the best interests of Corporation.

MIAMI-DADE COUNTY
BOARD OF DIRECTORS DISCLOSURE FORM
(Ordinance 98-30)

)ate: February 12, 2008

'roject No. S-805

'roject Name: South District Waste Water Treatment Plant HLD Upgrade to 285 MGD Filter System

)idder/Proposer: Poole and Kent Company of Florida
(legal name, corporation, partnership, firm)

Board Member	Term Expiration	Company/Organization	Telephone Number	Race/Ethnicity/Gender
R. Kevin Matz	NDS	Poole and Kent Co. of Florida	(305) 325-1930	Caucasian/Male

This form must be submitted to Miami-Dade County's Department of Business Development

-805 29

Poole & Kent
Mechanical Contractors
An EMCOR Company

Fax Transmittal

TIME: _____ DATE: 4-7-08

TO: Jean-Marie Garcia FIRM: _____

FROM:: Steve Jordan. # OF PAGES INCLUDING COVER 2

MESSAGE:

Executed subcontractors & suppliers list.

thank you.

If any difficulty is experienced with this transmission, please contact the transmitter.

Transmitter: [signature]

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the address below via the U.S. mail.

1781 N.W. North River Drive • Miami, Florida 33125

Phone (305) 325-1930 • Fax (305) 324-0522

SUBCONTRACTOR/SUPPLIER LISTING
(ORDINANCE 97-104 as amended)
[Dade County Code Secs. 2-8.1 (f) and 10-34]

Contract No. S-805 Date: 4/7/08

Contract Name: South District Waste Water Treatment Plant HLD Upgrade to 285 MGD Filter System

Federal Employer Identification Number: 75-3163466

This form should be completed by all bidders, and 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 and respondents on County or Public Health Trust construction contracts which involve expenditures of $100,000 or more. **A bidder or respondent who is awarded the 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.**

Business Name and Address of First Tier Subcontractor/Sub-Consultant	Principal Owner	Scope of Work to be Performed by Subcontractor/ Sub-Consultant	Principal Owner Gender	Race
DODEC, Inc., Hialeah Gardens, Fl.	T. Pantry	Mechanical	M	B
Scammell Construction, Stuart, Fl.	S. Scammell	General Construction	M	W
Central Fla. Equipment, Medley, Fl	R. Baer	Sitework	M	W
American Electric, Miami, Fl.	J. Pliner	Electrical	M	W

Business Name and Address of Direct Supplier	Principal Owner	Supplies/Materials/Services to be Provided by Supplier	Principal Owner Gender	Race
Moss-Kelley, Coral Springs, Fl.	J. Kelley	Filter Equipment, Gates, Blowers	M	W
Price Brothers, Roswell, GA.	Hanson	Concrete Pipe	Public	-
American Cast Iron, Birmingham, AL.	Employee Owned	Ductile Pipe	Privately held	-
Lehman Pipe, Miami, Fl.	D. Lehman	Pipe, Valves, Fittings	M	W
HD Supply, Miami, FL.	Bain Capital	Building Materials	Public	-

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

Prime Contractor/Respondent Signature	Print Name	Print Title	Date
	Steven C. Jordan	President & CEO	4/7/08

Revised 3/5/00

SUB 100

BIDDER'S AFFIDAVIT

Project No.: S-805 Date: February 12, 2008

Project Title: South District Wastewater Treatment Plant HLD Upgrade to 285 MGD Filter System

STATE OF FLORIDA)
)SS.:
COUNTY OF DADE)

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared:

Steven C. Jordan

who, after being first duly sworn, upon oath deposes and says that he is an authorized representative of:

Poole and Kent Company of Florida (hereinafter
(Legal name, Corporation, Partnership, Firm, Individual)
called bidder) located at

1781 NW North RIver Drive, Miami, FL 33125 and,
that said bidder or his agents, officers, principals, stockholders, subcontractors or their affiliates are not debarred by Miami-Dade County.

ATTEST:

Julia Manero

Margarita Carneado

Poole and Kent Company of Florida
(Legal name of Bidder)

(Signature)
President & CEO

SUBSCRIBED AND SWORN TO BEFORE ME this 12th day of February, 2008

(Seal)

Notary Public, State of Florida at Large

My Commission Expires:

October 31, 2008

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

ATTACH TO PROPOSAL

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55

SWORN STATEMENT UNDER SECTION 287.133(3)(a),
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICER AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted with Proposal Form for Project No. S-805
for South District WWTP HLD Upgrade to 285 MGD Filter System

2. This sworn statement is submitted by Poole and Kent Company of Florida
[name of entity submitting sworn statement]

whose business address is 1781 NW N. River Drive, Miami, FL 33125

_____ and

(if applicable) its Federal Employer Identification Number (FEIN) is 75-3163466

(If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

3. My name is Steven C. Jordan and my relationship to the
[please print name of individual signing]

entity named above is President & CEO.

4. I understand that a "public entity crime" as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

5. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

6. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a), Florida Statutes, means:

   1. A predecessor or successor of a person convicted of a public entity crime: or
   2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

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7. I understand that a "person" as defined in Paragraph 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which supplies a quote on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. [Please indicate which statement applies.]

XX Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, AND [Please indicate which additional statement applies.]

_____ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted contractor list. [Please attach a copy of the final order.]

_____ The person or affiliate was placed on the convicted contractor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted contractor list. [Please attach a copy of the final order.]

_____ The person or affiliate has not been placed on the convicted contractor list. [Please describe any action taken by or pending with the Department of General Services.]

[signature]

Date: February 12, 2008

STATE OF Florida

COUNTY OF Miami-Dade

PERSONALLY APPEARED BEFORE ME, the undersigned authority,

Steven C. Jordan who, after first being sworn by me, affixed his/her signature
[name of individual signing]

in the space provided above on this 12th day of February, 20 08.

NOTARY PUBLIC

My Commission expires: 10/31/08

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

MIAMI-DADE EMPLOYMENT

DISCLOSURE AFFIDAVIT

Name of Firm: Poole and Kent Co. of FL. Contract Reference: S-805

Name of Person Completing Affidavit: Steven C. Jordan

Position: President & CEO

Phone Number: (305) 325-1930

I, Steven C. Jordan, being first duly sworn state:

That in compliance with Section 2-8.1, Sub-Section (d)(2), the following information and attachments are provided and are in compliance with all items in the aforementioned Section:

1. Does your firm have a bargaining agreement with your employees: YES or NO (circle one).

2. Provide a schedule of wage rates (including overtime) and benefits to be paid employees performing work under subject contract reference.

3. Provide description of health care benefits to be paid to employees performing work under contract reference.

4. Provide current breakdown of your firm's work force as to race, national origin and gender.

Signature

February 12, 2008

Date

State of: Florida

County of: Miami-Dade

Personally appeared before me, the undersigned authority, Steven C. Jordan who, after first being sworn by me, affixed his/her signature in the space provided above on this 12th day of February, 20 08

My Commission expires: 10/31/08

Notary Public

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

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FAIR WAGE AFFIDAVIT

Before me, the undersigned authority appeared Steven C. Jordan (print name), the President & CEO (print title) of Poole and Kent Company of Florida (print name of Bidder or Proposer), who attests that Poole and Kent Company of Florida (print name of bidder or proposer) shall pay workers on the project minimum wages rates in accordance with Section 2-11.16 of the Miami-Dade County Code, and the Labor Provisions of the contract documents.

STATE OF FLORIDA)
SS
COUNTY OF DADE)

The aforegoing instrument was acknowledged before me this 12th day of February, 2008 on behalf of Steven C. Jordan, who is personally known to me or has produced _____, as identification and who [ ] did [✓] did not take an oath.

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

AIR CONDITIONING AND REFRIGERATION PIPEFITTERS LOCAL UNION 725

Kenny Scott
Business Manager
Financial Secretary-Treasurer

13185 NW 45th Avenue
Miami, Florida 33054
www.ua725.org

Dade: (305) 681-8596
Broward: (954) 523-2424
Fax: (305) 688-1139

Jim Taylor
Business Agent

January 25, 2008

RECEIVED
JAN 28 2008
THE POOLE & KENT CO.

Mr. Steve Jordan
The Poole & Kent Company
1781 NW North River Drive
Miami, FL 33142

Dear Mr. Jordan:

Our records indicate that there are presently twenty-nine (29) members referred to and employed by The Poole & Kent Company from Local Union 725. The breakdown by race and gender is as follows:

Black	9
Caucasian	8
Hispanic	5
Total:	22
Male	22
Female:	-0-
Total:	22

If you need any additional information, please do not hesitate to contact this office.

Sincerely,

Kenneth E. Scott, Jr.
Business Manager/
Financial Secretary-Treasurer

KES/jr

UNITED ASSOCIATION
of Journeymen and Apprentices of the
Plumbing and Pipe Fitting Industry of
the United States and Canada

Founded 1889

William P. Hite
General President

Patrick R. Perno
General Secretary-Treasurer

Stephen F. Kelly
Assistant General President

Letters should be confined to one subject

UA Local Union: 519 14105 NW 58th Court Miami Lakes, FL 33014

Subject: Race and Gender Breakdown

RECEIVED
JAN 28 2008
THE POOLE & KENT CO.

January 24, 2008

The Poole and Kent Company
Mr. Steve Jordan
1742 NW North River Drive
Miami, FL. 33142

Dear Steve:

As requested here is the information you requested.

Our records indicate that there are presently seven (7) members referred to and employed by the Poole and Kent Company from Local Union 519. The break down by race and gender is as follows:

Caucasian	5	72%
Hispanic	2	28%
Total	7	100%
Male	7	100%

Phil Trucks, Jr.
Business Manager/
Financial Secretary

PT:js letter-race andgender poole and kent

MANDATORY CLEARINGHOUSE FOR POSTING NOTICE OF JOB OPPORTUNITIES RESULTING FROM THE CONSTRUCTION OR IMPROVEMENTS ON COUNTY PROPERTY
(RESOLUTION NO. R-937-98 as amended by RESOLUTION NO. R-1145-99)

Contract No. S-805 Date: February 12, 2008
Contract Name: SDWWTP HLD Upgrade to 285 MGD Filter System
Federal Employer Identification Number: 75-3163466

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Steven C. Jordan who, after being first duly sworn, upon oath deposes and says that he/she is an authorized representative of: Poole and Kent Company of Florida
(Legal Name, Corporation, Partnership, Firm, Individual)
(hereinafter called bidder) located at 1781 NW N. River Drive, Miami, FL 33125
(Address, City, State)
and that said bidder or respondent **has read the following information.**

The procedures direct the contractor to forward a notice of job vacancy(ies) (form attached) created as a result of this construction work to the Director of the Employee Relations Department, located at Stephen P. Clark Center, 111 NW 1st Street, Suite 2110, Miami, Florida 33128. The job vacancy notices should be delivered within 10 working days following the award of the contract. (A contract is considered awarded effective ten days after the date of the Board of County Commissioners meeting.) The Director of the Employee Relations Department will in turn distribute said job announcements to all Miami-Dade County facilities participating in the notification requirements of this Resolution.

Witness: [signature] (Signature) [signature] (Signature)

By: [signature] (Signature) Steven C. Jordan, President & CEO (Legal Name and Title)

The foregoing instrument was acknowledged before me this 12th day of February, 2008.

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:
By: _____

FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:
By: Steven C. Jordan having the title of President & CEO with Poole and Kent Co. of FL.

(X) a corporation ( ) partnership ( ) joint venture
on behalf of the ( ) corporation ( ) partnership ( ) joint venture

He/She is (X) personally known to me, or ( ) has produced _____ as identification.

Notary Seal:
Notary Signature: [signature] Type or print name: Christine Mendez

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524

39

DECLARATION OF POLICY

Affirmative Action Plan No: 5239
Expiration Date: 04/30/2008

POOLE AND KENT COMPANY OF FLORIDA
1781 NW North River Dr
Miami, FL 33125-0000

Phone: 305-325-1930
Fax: 305-324-0522

In accordance with the requirements of Miami-Dade County Ordinance 82-37 and/or Ordinance 98-30 and Resolution No. 1049-93, POOLE AND KENT COMPANY OF FLORIDA affirms its commitment to equal employment opportunity and has submitted an Affirmative Action Plan for the purpose of maintaining that promise with particular emphasis on the minority workforce population and the utilization of minority professional firms, consultants and/or suppliers.

MIAMI-DADE COUNTY

Delivering Excellence Every Day

Richard Harrington
Affirmative Action Officer

6-11-2007
Date

Penelope Townsley, Interim Director
Small Business Affairs/Department of Procurement Management

06/08/2007
Date

40

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

ADA Coordination
Agenda Coordination
Animal Services
Art in Public Places
Audit and Management Services
Aviation
Building
Building Code Compliance
Business Development
Capital Improvements
Citizens' Independent Transportation Trust
Commission on Ethics and Public Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Cultural Affairs
Elections
Emergency Management
Employee Relations
Empowerment Trust
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Government Information Center
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Services
Medical Examiner
Metro-Miami Action Plan
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraisal
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Task Force on Urban Economic Revitalization
Vizcaya Museum And Gardens
Water & Sewer

Business Development
111 NW 1st Street • 19th Floor
Miami, Florida 33128-1906
T 305-375-3111 F 305-375-3160

miamidade.gov

RECEIVED
JUN 8 - 2007
THE POOLE & KENT CO.

June 8, 2007

Richard Harrington
POOLE AND KENT COMPANY OF FLORIDA
1781 NW North River Dr
Miami, FL 33125-0000

RE: Affirmative Action Plan (No. 5239)

Dear Mr. Harrington:

Your Affirmative Action Plan for 2007 - 2008 has been approved. Your AAP approval is effective until April 30, 2008. Enclosed is your Affirmative Action Declaration of Policy Certificate for display in a conspicuous location within your facility.

Miami-Dade County Ordinance 98-30 requires the submission of a current Affirmative Action Plan on an annual basis. Your renewal application should be submitted to the Small Business Affairs/Department of Procurement Management thirty (30) days prior to your Plan's expiration date. The processing time for the review and approval of an AAP file is approximately ten (10) business days provided that all of the necessary information has been received.

In the event of a change in the firm's name, address, telephone number or dissolution of the firm, please notify this Department so we can update our records.

If you have any questions, please contact Orlando Rivero, Administrative Officer III, in the Affirmative Action Unit at (305) 375- 5411.

Sincerely,

Penelope Townsley, Interim Director
Small Busniness Affairs/Department of Procurement Management

Delivering Excellence Every Day

AFFIRMATIVE ACTION PLAN/PROCUREMENT POLICY AFFIDAVIT

Project No. S-805
Project Name: South District Wastewater Treatment Plant HLD Upgrade to 285 MGD Filter System

State of Florida)
) SS
County of Miami-Dade)

Before me, the undersigned authority, authorized to administer oaths and take, acknowledgments, personally appeared Steven C. Jordan, President & CEO who after first being duly sworn, upon oath, deposes and says that he/she is an authorized representative of:

Poole and Kent Company of FLorida
(legal name, corporation, partnership, firm, individual)

hereinafter called the bidder or proposer located at:

1781 NW North River Drive, Miami, FL 33125
(address, city, state)

and that said bidder or proposer has a current Affirmative Action Plan and/or Procurement Policy, as required by Ordinance 87-32 and/or 98-30, processed and approved for filing with the Miami Dade County Department of Business Development (DBD) under the file No. 5239 and the expiration date of April 30, 2008.

Witness: Julia Nano
(Signature)

(Signature)

Witness: Margarita Camacho
(Signature)

By: Stevn C. Jordan, President & CEO
(Legal Name and Title)

The foregoing instrument was acknowledged before me this 12th day of February, 200

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:
by:

FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:
by: Steven C. Jordan having the title of President & CEO
with Poole and Kent Co. of Florida,
(X) a Delaware corporation ( ) partnership ( ) joint venture.
on behalf of the ( ) corporation ( ) partnership ( ) joint venture

He/She is (xx) personally known to me, or
( ) has produced _____ as identification.

Notary signature:
Type or print name: Christine Mendez
Notary Seal:

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

Please note:
Ordinance 87-32 requires that all properly licensed architectural, engineering, landscape architectural, and surveyors and mappers have an affirmative action plan on file with the County.

Ordinance 98-30 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 the County. Firms that have Board of Directors that are representative of population the make-up of the nation are exempt.

For questions regarding these requirements contact the Department of Business Development at 305-523-2100.

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AFFIRMATIVE ACTION PLAN EXEMPTION AFFIDAVIT

Project No.
Project Name:

State of_____)
) SS
County of_____)

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared_____ who after first being duly sworn, upon oath, deposes and says that he/she is an authorized representative of:

(legal name, corporation, partnership, firm, individual) hereinafter called the bidder or proposer located at:

(address, city, state)

and that said bidder or proposer has a Board of Directors which is representative of the population make-up of the nation and hereby claims exemption in accordance with the requirements of Ordinance 98-30. Said bidder or proposer has a current Board of Directors Disclosure form, as required by Ordinance 98-30, processed and approved for filing with the Miami-Dade County Department of Business Development (DBD) under the file No. _____ and the expiration date of

Witness:
(Signature) (Signature)

Witness:_____ By:
(Signature) (Legal Name and Title)

The foregoing instrument was acknowledged before me this____day of_____, 20
FOR A CORPORATION, PARTNERSHIP OR JOINT VENTURE:

by:_____having the title of
with_____,
( ) a_____corporation ( ) partnership ( ) joint venture.
on behalf of the ( ) corporation ( ) partnership ( ) joint venture
He/She is ( ) personally known to me, or
( ) has produced _____ as identification.

Notary signature:
Type or print name:
Notary Seal:

Please note: Ordinance 98-30 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 the County. Firms that have Boards of Directors that are representative of the make-up of the nation are exempt. For questions regarding these requirements contact the Department of Business Development at 305-523-2100

This affidavit must be properly executed by the bidder and included in the proposal/bid

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MIAMI-DADE COUNTY
BOARD OF DIRECTORS DISCLOSURE FORM
(Ordinance 98-30)

Date: February 12, 2008

Project No. S-805

Project Name: South District Waste Water Treatment Plant HLD Upgrade to 285 MGD Filter System

Bidder/Proposer: Poole and Kent Company of Florida
(legal name, corporation, partnership, firm)

Board Member	Term Expiration	Company/Organization	Telephone Number	Race/Ethnicity/Gender
R. Kevin Matz	NDS	Poole and Kent Co. of Florida	(305) 325-1930	Caucasian/Male

This form must be submitted to Miami-Dade County's Department of Business Development

APPENDIX G TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SUPPLEMENTARY CONDITIONS

CERTIFICATION OF COMPLIANCE WITH 41 CFR 60-1.7: REPORTS AND OTHER REQUIRED INFORMATION

[Note: This certification is required by 41 CFR 60-1.7(b) and is applicable to all FDEP-assisted construction contracts and subcontracts with a price exceeding $10,000; this certification is to be included in all FDEP-assisted construction contracts and subcontracts with a price exceeding $10,000 and in all solicitations for such contracts and subcontracts.]

This certification relates to a construction contract proposed by Miami-Dade Water & Sewer Department, which
(insert the name of the Owner)
expects to finance the proposed construction contract with assistance from the Florida Department of Environmental Protection (which administers a State revolving fund loan program supported in part with funds directly made available by grants from the United States Environmental Protection Agency). I am the undersigned prospective construction contractor or subcontractor. I certify that:

(1) I XX have / _____ have not participated in a previous contract or subcontract subject to the Equal Opportunity Clause and

(2) if I have participated in a previous contract or subcontract subject to the Equal Opportunity Clause, I XX have / _____ have not filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements.

I understand that, if I have participated in a previous contract or subcontract subject to the Equal Opportunity Clause and have failed to file all reports due under the applicable filing requirements, I am not eligible, and will not be eligible, to have my bid or offer considered, or to enter into the proposed contract or subcontract, unless and until I make an arrangement regarding such reports that is satisfactory to the office where the reports are required to be filed.

I agree that I will obtain identical certifications from prospective lower-tier construction subcontractors when I receive bids or offers or initiate negotiations for any lower-tier construction subcontracts with a price exceeding $10,000. I also agree that I will retain such certifications in my files.

(Signature of Authorized Official) 2/12/08 (Date)

Steven C. Jordan, President & CEO

(Name and Title of Authorized Official [Print or Type])

Poole and Kent Company of Florida

(Name of Prospective Construction Contractor or Subcontractor [Print or Type])

APPENDIX H TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUPPLEMENTARY CONDITIONS

CERTIFICATION OF NONSEGREGATED FACILITIES

[Note: This certification is required by 41 CFR 60-1.8(b) and is applicable to all FDEP-assisted construction contracts and subcontracts with a price exceeding $10,000; this certification is to be included in all FDEP-assisted construction contracts and subcontracts with a price exceeding $10,000 and in all solicitations for such contracts and subcontracts.]

This certification relates to a construction contract proposed by Miami Dade Water & Sewer Dept.,
(insert the name of the Owner)
which expects to finance the proposed construction contract with assistance from the Florida Department of Environmental Protection (which administers a State revolving fund loan program supported in part with funds directly made available by grants from the United States Environmental Protection Agency). I am the undersigned prospective construction contractor or subcontractor. I certify that I do not and will not maintain any facilities I provide for my employees in a segregated manner and that I do not and will not permit my employees to perform their services at any locations under my control where segregated facilities are maintained.

I agree that I will obtain identical certifications from prospective lower-tier construction subcontractors prior to the award of any lower-tier construction subcontracts with a price exceeding $10,000. I also agree that I will retain such certifications in my files.

(Signature of Authorized Official) 2/12/08 (Date)
Steven C. Jordan, President & CEO

(Name and Title of Authorized Official [Print or Type])
Poole and Kent Company of Florida

(Name of Prospective Construction Contractor or Subcontractor [Print or Type])
1781 NW North River Drive, Miami, FL 33125 (305) 325-1930

(Address and Telephone Number of Prospective Construction Contractor or Subcontractor [Print or Type])

75-3163466

(Employer Identification Number of Prospective Construction Contractor or Subcontractor)

Poole & Kent
Mechanical Contractors
An EMCOR Company

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

February 12, 2008

Miami-Dade Water and Sewer Department
3071 SW 38th Avenue
Miami, FL 33146

Attn: Alma M. Santiago, P.E. Manager

Re: South District Waste Water Treatment Plant
HLD Upgrade to 285 MGD Filter System
Contract S-805

We hereby request bid consideration due to our participation in the Mentor-Protege Program.

Sincerely,

POOLE AND KENT COMPANY OF FLORIDA

Steven C. Jordan
President & CEO

SCJ/cm

DBD
DEPARTMENT OF
BUSINESS DEVELOPMENT

MIAMI-DADE COUNTY FLORIDA

CSBE
Enterprise Program

CERTIFICATE OF PARTICIPATION

In recognition of

Steven C. Jordan—The Poole and Kent Company

Participating as a Mentor in the Inaugural Mentor-Protégé Program

Marsha E. Jackman, Director
Department of Business Development

2/27/02
Date

Ronald E. Frazier, Chairman
CSBE Advisory Board

2/27/02
Date

Poole & Kent
Mechanical Contractors
An EMCOR Company

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

February 11, 2008

Miami-Dade Water and Sewer Department
Miami Dade County
3071 SW 38th Avenue, Fifth Floor
Miami, FL 33146

Attn: Alma M. Santiago, P.E.

Re: **South District Waste Water Treatment Plant**
HLD Upgrade to 285 MGD, Filter System Contract S-805

Subj.: **Commitment Letter for Subcontractor Goals**

Dear Ms. Santiago:

In accordance with the Community Small Business Enterprise Program (CSBE) Participation Provisions, in order to fulfill the Contract Measures for Subcontractor Goals for second, third and fourth tier subcontractors, Poole and Kent Company of Florida hereby commits to meeting the goals for second, third and fourth tier CSBE subcontractors in accordance with the percentages set forth in the in the bid form and addenda.

In accordance with the bid requirements, Poole and Kent Company of Florida, and its subcontractors will enter into written lower tier subcontracts with second, third an fourth tier CSBE subcontractors for at least 9 % of the prime contract value.

Thank you for your attention to this issue.

Respectfully,

POOLE AND KENT COMPANY OF FLORIDA

Steven C. Jordan
President & CEO

SCJ/cm

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

49

THIS FORM MUST BE COMPLETED

SCHEDULE OF INTENT AFFIDAVIT
COMMUNITY SMALL BUSINESS ENTEPRISE PROGRAM

Name of Prime Contractor Firm: Poole and Kent Company of Florida

Address: 1781 NW North River Drive, Miami, FL 33125

Contact Person: Patrick H. Carr

Phone: 305-325-1930 Fax: 305-324-0522

Project Name: South District WWTP HLD Upgrade to 285 MGD Filter System

Project Number: S-805

CSBE Contract Measure: 11%

This form must be completed by the Prime Contractor and the CSBE Subcontractor that will be utilized for scopes of work on the project. Bidders must include this form in a separate envelope at the time of bid submission.

Name of Prime Contractor	Certification No. (if applicable)	Certification Expiration Date (if applicable)	Type of CSBE work to be performed by Prime Contractor	Prime Contractor % of Bid
			Prime Contractor Total Percentage:	

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

Name of Subcontractor	Certification No.	Certification Expiration Date	Type of CSBE work to be performed by Subcontractor	Subcontractor % of Bid
Dodec, Inc.	746	4/30/08	Furnish and Install Mechanical Work	3%
		Subcontractor Total Percentage:		3%

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

Prime Signature	Prime Print Name	Prime Print Title	Date
	STEVEN JORDAN	PRESIDENT & CEO	2/12/08

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.

Subcontractor Signature	Subcontractor Print Name	Subcontractor Print Title	Date
	T. O. PANTRY	PRESIDENT	1/11/08

☐ 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 a Form DBD 305A and Form DBD 305B have been submitted in your pricing envelope.

DBD 400 (Revised 07/05)

2

Poole & Kent
Mechanical Contractors
An EMCOR Company

Poole & Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125
P.O. Box 420556
Miami, FL 33242

Phone: 305.325.1930
Fax: 305.324.0522

April 9, 2008

HAND DELIVERED

Miami-Dade Water and Sewer Department
P.O. Box 330316
Miami, FL 33233-0316

Attn: Alma M. Santiago, P.E. Manager

Re: **South District Wastewater Treatment Plant**
HLD Upgrade to 285 MGD, Filter System
Contract No. S-805 (A)

Attached as requested please find the fully executed Combined Affidavit, Checklist of Requirements, Ownership Disclosure Form, County's Clearinghouse Form and County Questionnaire documents.

Very truly yours,

POOLE AND KENT COMPANY OF FLORIDA

Patrick H. Carr
Executive Vice President &
Chief Operating Officer

PHC/cm

attach.

CONTRACTS SECTION
APR -9 P 4:23

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ICS UKAS

MIAMI-DADE COUNTY

RECEIVED
APR 8 - 2008
THE POOLE & KENT CO.

Miami-Dade Water and Sewer Department
P. O. Box 330316 • 3071 SW 38th Avenue
Miami, Florida 33233-0316
T 305-665-7471
Construction Contracts Section
Tel: (786) 552-8150 – Fax: (786) 552-8642

miamidade.gov

ADA Coordination
Agenda Coordination
Art in Public Places
Audit and Management Services
Aviation
Building Code Compliance
Building
Business Development
Capital Improvements
Citizen's Independent Transportation Trust
Communications
Community Action Agency
Community & Economic Development
Community Relations
Consumer Services
Corrections & Rehabilitation
Countywide Healthcare Planning
Cultural Affairs
Elections
Emergency Management
Employee Relations
Enterprise Technology Services
Environmental Resources Management
Fair Employment Practices
Finance
Fire Rescue
General Services Administration
Historic Preservation
Homeless Trust
Housing Agency
Housing Finance Authority
Human Services
Independent Review Panel
International Trade Consortium
Juvenile Assessment Center
Medical Examiner
Metropolitan Planning Organization
Park and Recreation
Planning and Zoning
Police
Procurement Management
Property Appraiser
Public Library System
Public Works
Safe Neighborhood Parks
Seaport
Solid Waste Management
Strategic Business Management
Team Metro
Transit
Urban Revitalization Task Force
Vizcaya Museum and Gardens
Water and Sewer

April 7, 2008 VIA OVERNIGHT DELIVERY

Steven C. Jordan, President
The Poole and Kent Company of Florida
1781 N.W. North River Drive
Miami, FL 33125

SUBJECT: "SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD UPGRADE TO 285 MGD, UPGRADE FILTER SYSTEM, CONTRACT NO. S-805 (A)"

Dear Mr. Jordan:

In reference to the subject contract, Ordinance Number 00-30 and Resolutions R-182-00, 183-00, and 185-00 stipulate that certain affidavits and forms be eliminated from the bidding process and instead make compliance with the applicable Ordinances and Resolutions a condition of award by accepting the terms of the Contract.

Miami-Dade County is considering the award of this contract, therefore, please execute the enclosed Combined Affidavit, Checklist of Requirements, Ownership Disclosure Form, County's Clearinghouse Form and the attached County Questionnaire documents and return the originals to this office as soon as possible.

Thank you.

Very truly yours,

Alma M. Santiago, P.E., Manager
Construction Contracts Section

Enclosure

cc: Clerk of the Board
File

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Delivering Excellence Every Day

FIRM'S RESPONSIBILITY AFFIDAVIT
"Combined Affidavit"

STATE OF FLORIDA)
)SS:
COUNTY OF MIAMI-DADE)

The undersigned, being first duly sworn, states as follows:

GENERAL

1. I am a duly authorized representative of the Firm submitting a bid, proposal or other document to Miami-Dade County with the intention of being awarded a contract (referred to in this affidavit as the "Respondent").

2. This Affidavit is made of my personal knowledge. I understand that Miami-Dade County will rely on the representations made in this affidavit in determining my eligibility and responsibility to enter into a contract with Miami-Dade County. By executing this affidavit, the Respondent agrees to provide to Miami-Dade County such documentation or other proof as Miami-Dade County may require verifying the accuracy and completeness of any of the representations.

3. The Respondent is duly authorized to submit this bid or proposal, and if awarded the contract, to enter into the contract and perform the services or supply the goods contemplated in the contract.

OWNERSHIP DISCLOSURE

4. That in compliance with Section 2-8.1(d)(1) of the Miami Dade County Code, if the contract or business transaction is with a corporation, the full legal name and business address shall be provided for each officer and director and each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock. If the contract or business transaction is with a trust, the full legal name and address shall be provided for each trustee and each beneficiary. (Post Office addresses are not acceptable). The full legal names and business address shall be provided for any other individual (other than subcontractors, material men, suppliers, laborers, or lenders) that have, or will have, any interest (legal, equitable beneficial or otherwise) in the contract or business transaction with Miami-Dade County. (Post Office addresses are not acceptable). This information shall be supplied on the attached Ownership Disclosure form and signed by the Respondent.

FIRM'S RESPONSIBILITY AFFIDAVIT
"Combined Affidavit"

EMPLOYMENT DISCLOSURE

5. The following information and attachments are provided and are in compliance with all items in County Ordinance No. 90-133, amending Section 2.8-1; Subsection (d)(2):

   a. Does your firm have a collective bargaining agreement with its employees?
   [X] Yes [ ] No

   b. Does your firm provide paid health care benefits for its employees?
   [X] Yes [ ] No

   c. Provide a current breakdown (number of persons) of your firm's work force and ownership as to race, national origin and gender:

White:	_____	Males:	203	Females:	18
Asian:	_____	Males:	_____	Females:	_____
Black:	_____	Males:	39	Females:	_____
American Indian:	_____	Males:	_____	Females:	_____
Hispanics:	_____	Males:	74	Females:	6
Aleut (Eskimo):	_____	Males:	_____	Females:	_____
_____:	_____	Males:	_____	Females:	_____

EMPLOYMENT DRUG FREE WORKPLACE

6. The Respondent provides a drug-free workplace in full compliance with Section ~~2-8.1.2 of the Code of Miami-Dade County.~~

EMPLOYMENT FAMILY LEAVE

7. That in compliance with Ordinance No. 91-142 of the Code of Miami-Dade County, Florida, the following information is provided and is in compliance with all items in the aforementioned Ordinance:

An employee who has worked for the above firm for at least one (1) year shall be entitled to ninety (90) days of family leave during any twenty-four (24) month period, for medical reasons, for the birth or adoption of a child, or for the care of a child, spouse or other close relative who has a serious health condition without risk of termination of employment or employer retaliation.

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FIRM'S RESPONSIBILITY AFFIDAVIT
"Combined Affidavit"

DOMESTIC LEAVE

8. That in compliance with Ordinance No. 9-5 of the Code of Miami-Dade County, Florida, the following information is provided and is in compliance with all items in the aforementioned Ordinance:

An employee who has worked for the above firm for at least three hundred and eight (308) hours in the previous ninety (90) days shall be entitled to thirty (30) work days of unpaid domestic leave during any twelve (12) month period, for medical or dental reasons, for legal assistance, to attend court appearances, counseling or any reasons necessary to provide for the safety or well being of the employee subjected to domestic or repeat violence, without risk of termination of employment or employer retaliation.

ARREARS WITH THE COUNTY

9. That in compliance with Ordinance No. 95-178 and Section 2-8.1(c) of the Code of Miami-Dade County, the Proposer has paid all delinquent and currently due fees or taxes, including but not limited to real estate and personal property taxes, registered in the name of Proposer and which are collected in the normal course by the Miami-Dade County Tax Collector, and that County issued parking tickets for vehicles registered in the name of the above proposer, and which are collected in the normal course by the Miami-Dade Clerk of the Circuit and County Courts, have been paid.

That in compliance with Ordinance No. 99-162 and Section 2-8.1 of the Code of Miami-Dade County, the Proposer is not in arrears in any payment under contract, promissory note or other loan document with Miami-Dade County, or any of its agencies or instrumentalities, including the Public Health Trust, either directly or indirectly through a firm, corporation, partnership or joint venture in which the individual or entity has a controlling financial interest as that term in defined in Section 2-11.1(b)(8) of the Code of Miami-Dade County.

CODE OF BUSINESS ETHICS

10. I, being duly sworn, hereby state and certify that this firm has adopted a Code of Business Ethics that is fully compliant with the requirements of Section 2-8.1(i) of the Code of Miami-Dade County as amended. I further acknowledge that failure to comply with the adopted Code of Business Ethics shall render any contract with Miami-Dade County void able, and subject this firm to debarment from County work pursuant to Section 10-38 (h)(2) of the Code of Miami-Dade County as amended. I further acknowledge that failure to submit this affidavit shall render this firm ineligible for contract award.

SS

FIRM'S RESPONSIBILITY AFFIDAVIT
"Combined Affidavit"

NO CRIMINAL RECORD

11. The Respondent has not been convicted of a felony during the past ten (10) years, nor does it, as of the date of the bid or proposal submission, have an officer, director or executive who has been convicted of a felony during the past ten (10) years as defined in Section 2-8.6 of the Code of Miami-Dade County.

PUBLIC ENTITY CRIME

12. The respondent has not been convicted of a Public Entity crime as defined in Paragraph 287.133(1)(g) of the Florida Statutes. Violation of any State or Federal law with respect to the transaction of business with any public entity or with an agency or political subdivision of any State.

DEBARMENT AND SUSPENSION DISCLOSURE

13. The Respondent, and its officers, principals, stockholders, subcontractors or its affiliates are not debarred or suspended from contracting with Miami-Dade County as regulated by Section 10-38 of the Miami Dade County Code.

NON -DISCRIMINATION BASED ON DISABILITY

14. The Respondent is in compliance with and agrees to continue to comply with and assure any subcontractor, or third party contractor under this project complies with all applicable laws forbidding discrimination based on disability including, but not limited to those provisions pertaining to employment, provision of programs and services, transportation, communications. Access to facility, renovations and new construction as set forth in the Americans with Disabilities Act of 1990 (ADA), the Rehabilitation Act of 1973, the Federal Transit Act and the Fair Housing Act.

FAIR SUBCONTRACTING

15. Consistent with Section 2-8.8 of the Code of Miami-Dade County, the Respondent has adopted subcontracting policies and procedures which (a) notifies the broadest number of local subcontractors of the opportunity to be awarded a subcontract; (b) invites local subcontractors to submit bids in a practical, expedient way; (c) provides local subcontractors access to information necessary to prepare and formulate a subcontracting bid; (d) allows local subcontractors to meet with appropriate personnel of the Respondent to discuss the Respondent's requirements; and (e) awards subcontracts based on full and complete consideration of all submitted proposals and in accordance with the Respondent's stated objectives.

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FIRM'S RESPONSIBILITY AFFIDAVIT
"Combined Affidavit"

RESPONSIBLE WAGE AND BENEFITS (IF APPLICABLE)

16. If applicable, the Respondent is in full compliance with Section 2-11.16 of the Code of Miami-Dade County, and should he or she be awarded the contract, understands his or her obligation to pay the project minimum wage rates set forth in that Section and the labor provisions of the contract documents.

CLEARINGHOUSE AFFIDAVIT

17. That in compliance with Miami-Dade County Resolution Number R-1395-05, the Respondent agrees to comply with all requirements of the Clearinghouse Resolution and Job Request form for posting job opportunities. Making it a mandatory requirement for Respondents to post notice of job opportunities resulting from the construction of improvements on County property through the County's Clearinghouse process.

I STATE NOTHING FURTHER IN THIS AFFIDAVIT.

Signature: _____

Position/Title: Executive Vice President & COO

Name of Firm: Poole and Kent Company of Florida

The foregoing was sworn and subscribed before me this 9th day of April, 2008 by Patrick H. Carr, who is personally known to me or who has produced _____ as identification who being duly sworn, deposes and says that the above is true to the best of his knowledge, information and belief.

_____
NOTARY PUBLIC
STATE OF FLORIDA

My Commission expires:

CHRISTINE MENDEZ
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD367524
EXPIRES 10/31/2008
BONDED THRU 1-888-NOTARY1

COMBINED AFFIDAVIT

Appendix A

CHECKLIST OF REQUIREMENTS TO CONTRACT

The provisions in this appendix are established as a checklist to identify requirements for each Respondent to adhere in order to comply with all provisions applicable to this Contract. The applicable "check box" is electronically checked by the Department issuing this information.

In addition this listing identifies, for reference, items contained within the Combined Affidavit to be executed by the Respondent at the time of the submittal. Each page of the Combined Affidavit shall be initialed by the party(s) executing the document.

Check Box	Requirement	Resolution/ Ordinance	MDC Code	A.O.	Fed. Acq. Reg./ Florida Statute	Comments	In Combined Affidavit
☒	Ownership Disclosure		Section 2-8.1			All contracts shall require the person contracting or transacting to provide ownership information.	Attached
☒	Contractor's Debarment Affidavit		Section 10-38			Requires a signed affidavit stating the contractor is not currently debarred or in process of debarment	YES
☒	Contractor Debarment		Section 10-38			If debarred, Contractor is not eligible to bid. Failure to comply with any requirements may result in debarment	
☒	Cone of Silence		Section 2-11.1			Prohibits communication with County staff between Advertisement and Award Recommendation	
☒	Code of Business Ethics		Section 2-8.1			Requires compliance with all applicable rules and regulations	YES
☒	Public Entity Crime Affidavit				F.S. 287.133	Contractor has not been convicted of a felony during the past ten years	YES
☒	Criminal Record		Section 2-8.6			Disclosure of criminal conviction(s) in the past ten (10) years	YES
☒	County's Clearinghouse	Resolution R-1395-05				Contractor to post job opportunities with the County's Department of Business Development	

COMBINED AFFIDAVIT

Appendix A

Check Box	Requirement	Resolution/ Ordinance	MDC Code	A.O.	Fed. Acq. Reg./ Florida Statute	Comments	In Combined Affidavit
☒	Clearinghouse Affidavit	Resolution R- 1145-99				Signed affidavit stating compliance with Clearinghouse Resolution and Job Request Form	YES
☒	Disability Non-discrimination Affidavit	Resolution R-182-00				Signed affidavit stating non-discrimination against Americans with Disabilities	YES
☒	Drug Free Workplace Affidavit		Section 2-8.1.2			Signed affidavit stating that the contractor maintains a Drug Free Workplace	YES
☒	Drug Free Workplace		Section 2-8.1.2			Codification of the Drug Free Workplace, contractor requirements to notify each employee and subcontractor	
☒	Disclosure Affidavit		Section 2.8-1			Signed affidavit disclosing any Collective Bargaining agreement, Health Care benefits, Workforce Ethnicity and Gender Breakdown	YES
☒	Delinquent and Currently Fees Due		Section 2-8.1	3-29		Contractor to resolve all outstanding financial issues with the County (i.e., fines, tickets, taxes, loans, etc.)	YES
☒	Family Leave	Ordinance 92-15				Leave policy for birth, adoption and other family related, without prejudice	YES
☒	~~Domestic~~ Leave	~~Ordinance~~ 99-5				~~The firm is in compliance~~ with MDC Code 11A-60	~~YES~~
☒	False Claims Ordinance		Sections 21-255 through 21-266			False claims by contractor resulting in bid rejection, cancellation of contract and possible debarment	
☒	Prompt Payment		Sections 2-8.1.4, 10-2.02 & 10-33.02		HB 509 Engros sed 1 2005	Sets parameters for payments of Contractors, Sub-contractors, Subs of Sub-contractors and Suppliers	
☒	First-Tier Subcontracts Disclosure		Sections 2-8.1 and 10-34			Contractor supplying list of all First-Tier sub contractors at the time of Award, unless specific goals at time of Response	

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COMBINED AFFIDAVIT

Appendix A

Check Box	Requirement	Resolution/ Ordinance	MDC Code	A.O.	Fed. Acq. Reg./ Florida Statute	Comments	In Combined Affidavit
☒	Fair Subcontracting Practices		Section 2-8.8			Non-discrimination in the subcontracting process with sub contractors and suppliers	YES
☒	Local Preference		Section 2-8.5			Provision for local business utilization in Miami-Dade County contracts	
☒	License Requirements		Section 10-3		Chapter 489	Contractor possessing proper license(s) at the time of Response and throughout the contract	
☒	Quarterly Reports	Resolution R-113-94				Contractor to file financial reports quarterly	
☒	Employment and Procurement Practices		Section 2-8.1.5			Affirmative Action Plan and Procurement policy when total contracting exceeds $5 million/ year	
☒	Works in Public Right of Way		Section 2-103.1			Contractor to restore to the preexisting condition the right of way or shall be subject to a $500 per day civil fine.	
☒	Inspector General (IG)		Section 2-1076			Applies to all County Contracts at a rate of ¼ of 1% of the Contract value, unless specifically prohibited by local, state or federal law.	
☒	Independent Private Sector IG		Section 2-1076			Hired by the Audit and Management services to perform review of selected contracts.	
☒	Performance and Payment Bond	Resolution R-345-03			F.S. 255.05	Establishes the requirements of the Performance and Payment Bond for construction contracts with the County.	
☒	Bid Bond		Section 18-14			Contractor to submit a bid bond whenever a Performance and Payment bond is required.	

COMBINED AFFIDAVIT

Appendix A

Check Box	Requirement	Resolution/ Ordinance	MDC Code	A.O.	Fed. Acq. Reg./ Florida Statute	Comments	In Combined Affidavit
☒	Public Record Exemption				F.S. 119.071	Contractor to maintain a record of the distribution of all Documents, including Plans and return, in full, all Documents upon Contract completion	
☒	Evaluation of Contractor / Consultant			3-42		Requirements to formally evaluate each Contractor / Consultant and resultant review for future work or suspension	
☒	Collection of Liquidated Damages (LD's)	R-173-8				Requirement to collect LD's unless waived by Mayor with prior consent from BCC	
☐	Lobbyist Registration for Oral Presentation	Ordinance 03-107	Section 2-11.1			Standard form to be executed by the respondent to register as a company representative	
☐	Community Workforce Program		Section 2-1701	3-37		Imposes workforce hiring requirements on construction contracts	
☒	Community Small Business Enterprise (CSBE)		Section 10-33.02			When applicable, percentage of CSBE utilization or 100% set-aside	
☒	Responsible Wage and Benefits		Section 2-11.16			Establishes wages and benefits per trade, per construction category. Produced quarterly	YES
☐	Davis-Bacon Act				F.A.R. 52.222	Applies to federally funded contracts, wages & benefits	
☐	Buy American Act				F.A.R. 52.222	Applies to federally funded contracts	
☐	Working hours and Safety/ Overtime Compensation				F.A.R. 52.222	Applies to federally funded contracts	
☐	Payroll and Records				F.A.R. 52.222	Applies to federally funded contracts	
☐	Apprentices and Trainees				F.A.R. 52.222	Applies to federally funded contracts	

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COMBINED AFFIDAVIT

Appendix A

Check Box	Requirement	Resolution/ Ordinance	MDC Code	A.O.	Fed. Acq. Reg./ Florida Statute	Comments	In Combined Affidavit
☐	Copeland Act				F.A.R. 52.222	Applies to federally funded contracts	
☐	Subcontract Labor Standards				F.A.R. 52.222	Applies to federally funded contracts	
☐	Termination / Debarment				F.A.R. 52.222	Applies to federally funded contracts	
☐	Labor Standards Disputes				F.A.R. 52.222	Applies to federally funded contracts	
☐	Certification of Eligibility				F.A.R. 52.222	Applies to federally funded contracts	
☐	Disadvantaged Business Enterprise (DBE)				F.A.R. T.A.R.	Applies to federally funded contracts	

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COMBINED AFFIDAVIT
Appendix B

OWNERSHIP DISCLOSURE FORM

Name of Firm: Poole and Kent Company of Florida
Federal Employer's ID No. 75-3163466
Address of Principal Office: 1781 N.W. North River Drive
Miami, FL 33125
Managing Miami-Dade County Department: Miami Dade Water and Sewer Department
Project/Contract/Bid Number : South District WWTP, HLD Upgrade to 285 MGD,
Upgrade Filter System, Contract No. S-805 (A)

Position[1]	Name (Last, First Middle Initial)	Address	City, State	Zip	Percentage Ownership
	Stock is 100% owned by EMCOR Group, Inc. a publicly traded company				
	on the New York Stock Exchange.				

Signature of Authorized Representative [signature] Date April 9, 2008
Print/Type Representative's Name Patrick H. Carr Phone Number: 305-325-1930
Representative's Position/Title Executive Vice President & Chief Operating Officer Facsimile Number: 305-325-9586

[1] Position: P=President, VP=Vice President, TREAS=Treasurer, SECY=Corporate Secretary, D=Director, SH=Shareholder

Published 4/8/2004

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Miami-Dade County Department of Business Development
Appendix C to Combined Affidavit

NOTICE OF CONSTRUCTION CLEARINGHOUSE JOB OPPORTUNITY

Resolution No.: R-1395-05

MIAMI-DADE COUNTY PROVIDES EQUAL ACCESS OPPORTUNITY IN EMPLOYMENT AND SERVICES FOR MINORITIES/FEMALES AND APPLICANTS WITH DISABILITIES

To be completed by Employer/Contractor. Please print clearly or type. Use one form for each position title

JOB OPPORTUNITY INFORMATION

Position Title:	Application Deadline:	
Jobsite Location:	Number of Openings:	Hourly Rate:
Describe Job Duties (Knowledge, skills and abilities):		

Job Duration: ☐Permanent ☐Temporary If temporary, how long? _____ Fringe Benefits: ☐Yes ☐No

Experience Required: ☐No ☐Will Train ☐Yes If yes, how much experience is required? (Months or Years) _____

Education Required: ☐None ☐H.S. Diploma/GED ☐AA Degree ☐Bachelor's Degree ☐Master's Degree ☐Ph.D.

Certifications/Licenses Requires: ☐No ☐Yes If yes, please list; _____

Driver's License Required: ☐None ☐Operator/Class E ☐Commercial Class ____ ☐Chauffer/Class D

Language(s) Required: ☐English ☐Spanish ☐Creole ☐Other;_____

Applicants should contact employer by: ☐Phone ☐Fax Resume ☐Mail Resume ☐In person (days/hours) _____

EMPLOYER/CONTRACTOR INFORMATION

Business Name:	Contract/Project No:
Address (Street Name and Number): Suite #:	Federal ID #:
City:	Telephone Number:
Type of Business:	Fax Number:
Contact Person:	E-mail Address:

Employer/Contractor, please fax this completed form to:

Attention: Clearinghouse
Department of Business Development (DBD)
Contract Review and Compliance Division
111 NW First Street, 19th Floor
Miami, Florida 33128
Telephone: (305) 375-3111 Fax: (305) 375-3160

********** **FOR OFFICIAL USE ONLY** **********

Date and time this notice received at Miami-Dade Department of Business Development.	Received By:

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QUESTIONNAIRE

MIAMI-DADE COUNTY

Appendix D

IN ORDER TO PROVIDE INFORMATION NECESSARY IN DETERMINING THE QUALIFICATIONS OF THE PROPOSER, EACH CONTRACTOR IS REQUIRED TO ANSWER THE FOLLOWING:

#	QUESTION	ANSWER
1	Have you carefully read the Instruction To Prospective Contractors?	[X] YES [ ] NO
2	Have you carefully reviewed the entire Contract Documents as identified within the Instruction To Prospective Contractors?	[X] YES [ ] NO
3	If identified in the Contract Documents, have you carefully inspected the site of the work?	[X] YES [ ] NO [ ] N/A
4	Have you requested, in writing, of the contact person identified in the Advertisement, any clarifications necessary to submit a responsive proposal? Have you received a written response of clarification?	[X] YES [ ] NO [X] YES [ ] NO [ ] N/A
5	Are you licensed and certified to perform the work for which you are submitting this proposal? License No.: Competency No.: FEIN No.: Qualifier's Name:	[X] YES [ ] NO 536885-7 CGC061808 75-3163466 Poole and Kent Company of Florida
6	Are you registered with the Miami-Dade County Department of Procurement Management (DPM)?	[X] YES [ ] NO
7	Have you initialed each page and executed the last page of the Combined Affidavit?	[X] YES [ ] NO
8	Have you completed the Ownership Disclosure Form?	[X] YES [ ] NO
9	Have you made any changes or written any codicils to the Contract Proposal?	[ ] YES [X] NO
10	How many previous Contracts with Miami-Dade County in the past five (5) years?	5
11	Total dollar value of Contracts with Miami-Dade County in the past five (5) years?	$60,730,838
12	How many years has your Company been in business with the same Principals?	60
13	Is your Bid Bond included with your submitted proposal?	[X] YES [ ] NO [ ] N/A

QUESTIONNAIRE

Appendix D

WHEN THE CONTRACTOR IS A CORPORATION:

(CORPORATION SEAL)
(Name of Corporation)

ATTEST

By: David W. McCluskey
Asst. (Secretary)

Patrick H. Carr
(Signature of Officer)

David W. McCluskey
(Print or type name)

Patrick H. Carr
(Print or type name)

Executive Vice President & COO
(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, the Performance Bond and Payment Bond to do so in its behalf.

WHEN THE CONTRACTOR IS A JOINT VENTURE:

(Name of Joint Venture)

By: _____ (Signature of Joint Venture)

_____ (Signature of Joint Venture)

_____ (Print or type name)

_____ (Print or type name)

_____ (Title)

_____ (Title)

_____
_____
(Address)

NOTE: Complete Joint Venture in accordance with Section 5 of the Instructions to Prospective Contractors.

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QUESTIONNAIRE

Appendix D

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

_____ _____
(Name of firm if applicable) (Address)

By:_____ _____
(Witness signature) (Signature of individual)

By:_____ _____
(Print or type name) (Print or type name)

By:_____
(Witness signature)

By:_____
(Print or type name)

ACKNOWLEDGEMENT:

STATE OF)
)SS.:
COUNTY OF)

Before me personally appeared _____ to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this_____ day of_____ , AD 20__.

Notary Public _____

State of _____ at large

My Commission expires _____.

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QUESTIONNAIRE

Appendix D

WHEN THE CONTRACTOR IS AN INDIVIDUAL:

By: _____ _____
(Witness signature) (Signature of individual)

By: _____ _____
(Print or type name) (Print or type name)

_____
By: _____ (Address)
(Witness signature)

By: _____
(Print or type name)

(PARTY OF THE SECOND PART)

ACKNOWLEDGEMENT:

STATE OF)
)SS.:
COUNTY OF)

Before me personally appeared _____ to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that _____ executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, AD 20____.

Notary Public _____

State of _____ at large

My Commission expires _____.