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

MEMORANDUM

MIAMI-DADE

Date: January 22, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 8(P)(1)(G)

From: George M. Burgess
County Manager

Resolution No. R-59-09

Subject: Contract Award Recommendation in the Amount of $3,910,709.12 between WRS Infrastructure & Environment, Inc. and Miami-Dade County for the People's Transportation Plan (PTP) Project Entitled NW 74 Street Improvements - Contamination Assessment and Remediation Work, Located Within Commission District 12 (Project No: 20070610 PTP; Contract No: 20070610)

This item was amended on December 10, 2008 at the Transit Committee meeting to recommend award to the second lowest bidder, WRS Infrastructure and Environment, Inc. Further clarification as to the Committee's decision is detailed within the explanation section of this item.

Recommendation

This Recommendation to Award Construction Contract No: 20070610 has been prepared by the Public Works Department (PWD) and is recommended for approval. Proceeds from the Charter County Transit System Sales Surtax (the Surtax) will be used to fund this project, therefore, approval by the Board of County Commissioners (BCC) and Citizens' Independent Transportation Trust (CITT) is required.

Delegation of Authority - The authority of the County Mayor or County Mayor's designee to execute and implement this contract is consistent with those authorities granted under the Code of Miami-Dade County. Additional delegation of authorities requested for this contract are as follows:

No additional authority is being requested within the body of this contract.

Scope

PROJECT NAME: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work, located within Commission District 12

PROJECT NO: 20070610 PTP

CONTRACT NO: 20070610

PROJECT DESCRIPTION: The project consists of furnishing all supervision, labor, required materials, equipment and tools and performing all operations necessary to conduct preliminary road construction activities to be accomplished within identified solid waste areas along NW 74 Street. Work consists of installing approximately 1,750 linear feet of temporary retaining wall, relocating fencing, conducting tree relocation and/or mitigation, abandoning monitoring

wells, removing approximately 25,435 tons of solid waste from the northeast corner of the former NW 58 Street Landfill and disposing of the excavated solid waste at a Class 1 landfill.

Also includes various construction activities within the remediation area such as: clearing and grubbing, furnishing and installing drainage structures, installing lateral lines between drainage structures, backfilling/compacting excavated areas, conducting a methane survey and evaluating, designing and installing a methane venting system (if required).

PROJECT LOCATION: NW 74 Street, from NW 107 Avenue to NW 87 Avenue

PROJECT SITES:

LOCATION	DIST	ESTIMATE	T-S-R
NW 74 St from NW 107 Ave to NW 87 Ave	12	$3,910,709.12	53-40-18

PRIMARY COMMISSION DISTRICT: District 12 Jose "Pepe" Diaz

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Public Works Department

MANAGING DEPARTMENT: Public Works Department

Fiscal Impact / Funding Source

OPERATIONS COST IMPACT/FUNDING: This contract is for remediation work only; therefore, this information is not applicable.

MAINTENANCE COST IMPACT/FUNDING: N/A

LIFE EXPECTANCY OF ASSET: N/A

FUNDING SOURCE:

SOURCE	AMOUNT
PTP revenues, including but not limited to the Charter County Transit System Sales Surtax, financing proceeds as listed in Ordinance No. 02-116, provision for implementation of the PTP. This contract, like all PTP contracts, will not be awarded without approval of CITT. The proposed improvements qualify under the allowable work categories included in the PTP Major Highway and Roadway Improvements Section. This site-specific project is included in the PTP Ordinance under the Board	$3,910,709.12

	Requested Projects in Commission District 12. Any other applicable funding sources except GOB as noted below, may subsidize this contract subject to Board approval.			
PTP FUNDING:	Yes			
GOB FUNDING:	No			
CAPITAL BUDGET PROJECT:	**BUDGET PROJECT / DESCRIPTION**			**AWARD ESTIMATE**
	6036590-WIDEN NW 74 STREET FROM THE HOMESTEAD EXTENSION OF THE FLORIDA TURNPIKE (HEFT) TO STATE ROAD 826 Book Page: 81 Funding Year: Adopted Capital Budget Book for FY 2008-09, from Prior Years' Funds. (The total available funding from prior years' funds is $4,797,000.00).			$3,910,709.12
BID PACKAGES ISSUED:	32			
BIDS RECEIVED:	7			
CONTRACT PERIOD:	276 Days.			
CONTINGENCY PERIOD:	28 Days.			
IG FEE INCLUDED IN BASE CONTRACT:	Yes			
ART IN PUBLIC PLACES:	No			
BASE ESTIMATE:	$3,233,570.00			
BASE CONTRACT AMOUNT:	$3,257,776.00			
CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	**TYPE**	**PERCENT**	**AMOUNT**	**COMMENT**
	Infrastructure	10%	$325,777.60	
PERMIT FEES :	$10,000.00	0.31%		
OFF-DUTY LAW ENFORCEMENT :	$2,000.00	0.06%		
MAINTENANCE OF	$65,155.52	2.00%		

TRAFFIC :

METHANE VENTING SYSTEM :	$250,000.00	7.67%
TOTAL DEDICATED ALLOWANCE:	$327,155.52	
TOTAL AMOUNT:	$3,910,709.12	

Track Record / Monitor

SBD HISTORY OF VIOLATIONS: None. WRS Infrastructure & Environment, Inc. has no violations on file.

EXPLANATION: The project's Request to Advertise (RTA) for $3,826,927.00 was approved on August 7, 2007. However, after approval of the RTA the project's cost estimate increased due to the addition and modification of the following items: the Off-Duty Law Enforcement allowance account was added, the Maintenance of Traffic was modified from a lump sum amount to 2% of base price, and Temporary Barricades, Work Zone Signs and Class 1 Concrete were added. Consequently, the additional items increased the project's cost estimate from $3,826,927 to $3,895,119.35.

The recommendation of this award was subject to and was being processed along with the Joint Participation Agreement (JPA) with FDOT for $22.5 million in Transportation Regional Incentive Program (TRIP) funds for this phase of the NW 74 Street Project (Resolution No. 236-08). The JPA was approved on March 4, 2008 by the BCC and March 26, 2008 by the CITT.

On October 10, 2007, seven (7) engineering contractor firms proffered bids for the referenced project. The apparent lowest bidder, American Earth Movers, Inc. (AEM) proffered a base bid of $2,682,645.00. In correspondence dated February 7, 2008, PWD advised AEM that it had a Community Small Business Enterprise (CSBE) make-up requirement that needed to be addressed as a condition of award. On April 8, 2008, AEM submitted a CSBE make-up plan to the Department of Small Business Development (SBD) for approval. In the plan AEM proposed to utilize Pabon Engineering, Inc. to perform the make-up. However, on May 5, 2008, SBD notified PWD and AEM that their make-up plan could not be approved based on a prior violation relating to their utilization of Pabon on Project No. VKRP-06-01. Following, the SBD issued a Notice of Violation for Project No. VKRP-06-01, Virginia Key Wetlands Restoration, dated May 24, 2008. AEM was cited for non-compliance with the Miami-Dade County Code (Chapter No. 10-33) for failing to meet the assigned CSBE goal and make-up requirements applicable to this project through misrepresenting their compliance. This was done by not subcontracting with the CSBE and reporting payment to the CSBE for work it did not perform. AEM disputed these findings and petitioned for a hearing to appeal the violations. Subsequently, in November 2008, AEM

withdrew its hearing request, opting to accept SBD's recommended penalties and sanctions, and agreed to the terms of a compliance agreement to address the violations.

After careful consultation with SBD as to the nature of the violation and their satisfaction with the compliance agreement, and in keeping with County rules and procedures, PWD moved forward in recommending award to American Earth Movers, Inc whose base bid was $575,131 lower than the second lowest bidder. On December 10, 2008 the subject item was presented to the Transportation Committee (TC). The Committee, citing AEM's history within the CSBE program, rejected the award recommendation and directed the Department to negotiate the bid price and to ultimately award the project to the second lowest bidder, WRS Infrastructure and Environment, Inc. (WRS)..

On December 12, 2008, PWD held a conference call with WRS and requested a best and final offer. The firm agreed to revisit the project and provide an updated bid. On December 19, 2008, PWD and WRS held a negotiation meeting for the company to present its updated bid prices. In the meeting, WRS graciously declined to lower the prices they proffered in their original submitted bid of $3,257,776.00. In their presentation, WRS outlined how the project costs have changed in the past 15 months that while certain costs have gone down these reductions have been offset by the rise in the cost of materials for sheet piles as well as cost of living increases for employees in keeping with the County's Responsible Wages. However, WRS did offer to voluntarily increase the goal amount by nearly twice the prescribed goal of $107,506.61 (3%) goal to $204,262.56 (5.7%). WRS also cited their history and experience of working with The De Moya Group, Inc. on numerous Florida Department of Transportation (FDOT) projects as a benefit to avoid any delays to the roadway project. The three (3) lowest responsive, responsible bids were as follows: the lowest bidder, WRS proffered a base bid of $3,257,776.00, less than half of a percent above the County's cost estimate, the second lowest bidder, Solo Construction Corp., proffered a base bid of $3,434,274.00, 5% over the lowest bidder; the third lowest bidder, H & R Paving, Inc., proffered a base bid of $3,672,015.00, 7% over the second lowest bidder. Therefore, PWD recommends that WRS, the lowest responsive, responsible bidder, be awarded the subject contract for the sum of $3,910,709.12.

The contractor, WRS, has not performed work for PWD. However, the Office of Capital Improvement (OCI) database lists 2 awarded construction contracts from the Department of Environmental Resources Management (DERM). The referenced database lists 2 contractor performance evaluations with an overall performance rating of satisfactory (3.5) out of a possible superior performance (4) rating.

Following PWD's standard operating procedures, after award of this contract a pre-construction meeting will be scheduled. Throughout all PTP projects,

	the responsible staff person in PWD will be the PTP Coordinator, Mr. Frank Aira, P.E. Following completion of the award process, the project will be assigned to Mr. Juan Paan, Project Manager, for day to day responsibilities.
BID OPEN DATE:	10/12/2007
BID BOND EXPIRES:	3/11/2009
BID VALID UNTIL:	3/11/2009
ESTIMATED NOTICE TO PROCEED:	3/2/2009
PRIME CONTRACTOR:	WRS Infrastructure & Environment, Inc.
COMPANY PRINCIPAL:	Luke A. Frantz, Michael G. Copeland, Kathleen M. Shanahan, Diane Anderson, Brian A. Finn, Brent W. Anderson
COMPANY QUALIFIERS:	Andrew J. Hooper, P.E.
COMPANY EMAIL ADDRESS:	sbrashers@wrsie.com
COMPANY STREET ADDRESS:	100050 NW 116 Way, Suite 18
COMPANY CITY-STATE-ZIP:	Medley, Florida 33178
YEARS IN BUSINESS:	23 years
PREVIOUS EXPERIENCE WITH COUNTY IN THE LAST FIVE YEARS:	According to the Firm History Report as provided by SBD, the contractor has received one (1) contract with total value of $1,227,187.51 with a BCC approved Change Order valued at $11,834,515 (Resolution #45-04).
SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	Waste Management Corp., Shoreline Foundation, Inc., MCO Construction & Services, Inc., SoilTech Corp.
MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS:	No
STANDARD PAYMENT AND PERFORMANCE BOND:	Yes
REVIEW COMMITTEE:	**MEETING DATE:** 5/9/2007 **SIGNOFF DATE:** 5/9/2007

RESUBMIT DATE: 8/22/2007 **RESUBMIT SIGNOFF:** 8/22/2007

RESPONSIBLE WAGES:	Yes			
REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	**TYPE**	**GOAL**	**ESTIMATED VALUE**	**COMMENT**
	CSBE	3.00%	$107,506.61	
	CWP	0.00%	0	Not applicable.
MANDATORY CLEARING HOUSE:	Yes			
CONTRACT MANAGER NAME/PHONE/EMAIL:	Frank Aira		305-375-2930	AiraF@miamidade.gov

PROJECT MANAGER NAME/PHONE/EMAIL: Juan Paan 305-375-2116 JuanP@miamidade.gov

Background

BACKGROUND: The NW 74 Street Project is a Major Roadway project listed in Exhibit 1 of the PTP Ordinance. The subject project is the environmental phase of the roadway improvement project along NW 74 Street, from NW 107 Avenue to NW 87 Avenue. The project is needed in order to remediate any contaminated soils in the above location and to prepare the roadway for the future construction activities.

DEPARTMENT FINANCE: DEPT. FINANCE OFFICER: 9/25/08 DATE

INDEX CODES: ~~CPA001DE1821~~ CPEPHP212745

BUDGET APPROVAL FUNDS AVAILABLE: OSBM DIRECTOR 9/25/08 DATE

APPROVED AS TO LEGAL SUFFICIENCY: COUNTY ATTORNEY 9/29/08 DATE

CAPITAL IMPROVEMENTS CONCURRENCE: OCI DIRECTOR 10-1-08 DATE

ASSISTANT COUNTY MANAGER 10-25-08 DATE

CLERK DATE _____

DATE

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: January 22, 2009

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

SUBJECT: Agenda Item No. 8(P)(1)(G)

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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(G)
1-22-09

RESOLUTION NO. R-59-09

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $3,910,709.12 BETWEEN WRS INFRASTRUCTURE & ENVIRONMENT, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED NW 74 STREET IMPROVEMENTS – CONTAMINATION AND REMEDIATION WORK, LOCATED WITHIN COMMISSION DISTRICT 12 (PROJECT – NO. 20070610)

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves the Contract Award Recommendation in the amount of $3,910,709.12 between WRS Infrastructure & Environment, Inc. and Miami-Dade County for the People's Transportation Plan (PTP) Project Entitled NW 74 Street Improvements – Contamination Assessment and Remediation Work, located within Commission District 12 in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Carlos A. Gimenez** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	aye		
Jose "Pepe" Diaz, Vice-Chairman	nay		
Bruno A. Barreiro	nay	Audrey M. Edmonson	absent
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	aye	Joe A. Martinez	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 22nd day of January, 2009. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

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.

Hugo Benitez

MIAMI-DADE COUNTY

Public Works
111 NW 1st Street • Suite 1510
Miami, Florida 33128-1970
T 305-375-2930 F 305-375-2931

miamidade.gov

Carlos Alvarez, Mayor

January 5, 2009

CERTIFIED MAIL NO.
7005 1820 0004 0569 8724

FACSIMILE: TELEPHONE No.
813-684-9177; 813-684-4400

Mr. Michael G. Copeland
WRS Infrastructure & Environment, Inc.
10050 N.W. 116th Way, Suite 116
Miami, Florida 33178

Re: Bid Extension Letter
Project No. 20070810
People's Transportation Plan (PTP)
N.W. 74th Street Improvements - Contamination Assessment & Remediation Work

Dear Mr. Copeland:

The Public Works Department (PWD) is still in the final stages of the Recommendation of Award for the referenced project. However, we require additional time to finalize our process. Therefore, PWD requests your firm, if wishing to remain in consideration for the award of this contract, extend the bid prices an additional sixty (60) calendar days honoring the unit prices and other terms and conditions as originally submitted on October 12, 2007 for the referenced project.

Please acknowledge your concurrence by signing in the space provided below no later than January 9, 2009. Should your concurrence not be received by the stated deadline, it will be an affirmation that your firm does not wish to be considered for award. Should you have any questions call me at 305-375-2930.

Sincerely,

Frank Aira, P.E., CFM
Public Works Department, Manager

By committing your signature below, your firm hereby extends the unit prices an additional 60 calendar days from January 10, 2009 to March 11, 2009, and hereby commits to furnish a revised bid bond in 14 calendar days from the date this letter is returned.

Delivered to: Public Works Department, Contracts and Specifications Section 15th Floor, or Facsimile (305) 375-2931, followed by original document, Attn: Frank Aira.

Concurrence – WRS Infrastructure & Environment, Inc.

Delivering Excellence Every Day

C: Antonio Cotarelo, P.E., Clerk of the Board, Project File, Reading File

Memorandum

MIAMI-DADE COUNTY

Date: November 1, 2007

To: Esther Calas, P.E., Director
Public Works Department

From: Penelope Townsley, Director
Department of Small Business Development

Subject: CSBE Compliance Review of Project Number 20070610, PTP NW 74th Street Improvements - Contamination Assessment and Remediation Work

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The Department of Small Business Development (SBD) has completed its review of the referenced project for compliance with the Community Small Business Enterprise (CSBE) Program. The contract measure applicable to this project is a three percent (3%) CSBE subcontractor goal.

The Contracts & Specifications Section of the Public Works Department submitted bid documents from American Earth Movers, Inc., WRS Infrastructure and Environment, Inc. (WRS), and Solo Construction Corporation (Solo) for compliance review.

American Earth Movers, Inc. submitted the required Schedule of Intent (SOI) Affidavit committing to utilize Pabon Engineering, a certified CSBE firm, to perform transportation work at 3%. Pabon Engineering signed the SOI Affidavit in agreement with the information listed. American Earth Movers, Inc. has fulfilled the contract measure requirement and is in compliance with the CSBE Participations. American Earth Movers, Inc. has a goal deficit make-up in the amount of $337,836 from Project No. CCDR2. Please note the aforementioned does not impact the firm's pre-award compliance on this project. However, please contact Alecia Anderson, Contract Compliance Specialist 2, Contract Review and Compliance Division, at 305-375-3157 prior to awarding a contract to this firm to ensure that the make up requirement is met prior to award.

WRS submitted the required SOI Affidavit committing to utilize MCO Construction, a certified CSBE firm, for the transportation of solid waste at 3%. MCO Construction signed the SOI Affidavit in agreement with the information listed. As such, WRS has fulfilled the contract measure requirement and is in compliance with the CSBE Participation Provisions.

Solo submitted the required SOI Affidavit committing to utilize Hecol LLC, a certified CSBE firm, to perform storm drainage work at 3%. Hecol LLC signed the SOI Affidavit in agreement with the information listed. As such, Solo 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 Contracts & Specifications Section of the Public Works 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: Rodney McMillian, SPA 1, PWD
Betty Alexander, Division Director, SBD
Patrice King, SBD

Dept. of Business Development

Project Worksheet

DEPARTMENT OF BUSINESS DEVELOPMENT

Project/Contract Title:	NW 74TH STREET PHASE II IMPROVEMENTS		RC Date: 05/09/2007
Project/Contract No:	20040355-PWD	Funding Source:	Item No: 3-06
Department:	PUBLIC WORKS DEPARTMENT	PTP	
Estimated Cost of Project/Bid:	$3,576,121.00		Resubmittal Date(s):

Description of Project/Bid: PROJECT #20040355-PWD CONSISTS OF THE EXCAVATION AND REMOVAL OF CONTAMINATED SOLID WASTE AND INSTALLATION OF DRAINAGE PIPING ALONG NW 74TH STREET, BETWEEN 107TH AVENUE AND 87TH AVENUE, AT THE FORMER 58TH STREET LANDFILL. ACTIVITIES INCLUDE SITE CLEARING, TRENCHING, TEMPORARY INSTALLATION OF SHEET PILE RETAINING WALLS AND FENCING, EXCAVATION AND DISPOSAL OF SOLID WASTE, BACKFILLING AND COMPACTION AND INSTALLATION OF DRAINAGE PIPING AND ASSOCIATED ANCILLARY EQUIPMENT AND METHANE MONITORING/SURVEY.

Contract Measures Recommendation

Measure	Program	Goal Percent
Goal	CSBE	3.29%

Reasons for Recommendation

An analysis of the factors contained in section VI C of Administrative Order 3-22 indicate that a 3% CSBE goal is appropriate for this project in the trade categories of All Other Heavy Construction (clearing and grubbing - 1.39%) and All Other Specialty Trade Contractors (fence relocation - 1.9%).

CWP Not Applicable: Not in DTA

Analysis for Recommendation of a Goal

Sub-trade	Cat.	Estimated Value	% of Items to Base Bid	Availability
All Other Special Trade Contractors	CSBE	$67,946.30	1.90%	35
All Other Heavy Construction	CSBE	$49,708.08	1.39%	13
	Total	$117,654.38	3.29%	

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 3% CSBE Bid Preference _____

No Measure _____ Deferred _____ Selection Factor _____

Chairperson, Review Committee — Date 5/9/07

County Manager — Date

DBDR0000 v. 20061010

Dept. of Business Development
Project Worksheet

DEPARTMENT OF BUSINESS DEVELOPMENT

Project/Contract Title: PEOPLE'S TRANSPORTATION PLAN (PTP) NW 74TH STREET IMPROVEMENTS - CONTAMINATION ASSESSMENT AND REMEDIATION WORK (FORMERLY 20040355-PWD) (SIC 16)

RC Date: 08/22/2007
3-01

Project/Contract No: 20070610 (FORMERLY 20040355-PWD)

Funding Source: PTP

Item No: 05/09/2007

Department: PUBLIC WORKS DEPARTMENT

Resubmittal Date(s):

Estimated Cost of Project/Bid: $3,826,121.00

Description of Project/Bid: TO ESTABLISH A CONTRACT THAT CONSISTS OF INSTALLING APPROXIMATELY 1,750 LINEAR FEET OF TEMPORARY RETAINING WALL, RELOCATING FENCING, CONDUCTING TREE RELOCATION AND/OR MITIGATION, ABANDONING MONITORING WELLS, REMOVING APPROXIMATELY 25,435 TONS OF SOLID WASTE FROM THE NORTHEAST CORNER OF THE FORMER NW 38 STREET LANDFILL AND DISPOSING OF THE EXCAVATED SOLID WASTE AT A CLASS I LANDFILL. ALSO INCLUDES VARIOUS CONSTRUCTION ACTIVITIES WITHIN THE REMEDIATION AREA.

Contract Measures Recommendation

Measure	Program	Goal Percent
Goal	CSBE	3.08%

Reasons for Recommendation

An analysis of the factors contained in Section VI C of Administrative Order 3-22 indicate that a 3% CSBE goal is appropriate for this project in the trade categories of All Other Heavy Construction (clearing and grubbing - 1.78%) and All Other Specialty Trade Contractors (fence relocation - 1.30%).

This project is a resubmittal from 05/09/07. The cost estimate increased from $3,576,121 to 3,826,121.

CWP Not Applicable: Not in DTA

Analysis for Recommendation of a Goal

Subtrade	Cat.	Estimated Value	% of Items to Base Bid	Availability
All Other Heavy Construction	CSBE	$49,739.37	1.30%	21
All Other Special Trade Contractors	CSBE	$68,104.95	1.78%	36
	Total	$117,844.53	3.08%	

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

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

Ordinance 99-143 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** 3% CSBE **Bid Preference** _____

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

Chairperson, Review Committee — Date 8/23/07 — County Manager — Date

DBD\Worksheet v. 2005101

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

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

miamidade.gov

May 24, 2008

Mr. George Munne
American Earth Movers, Inc.
821 NE 79th Street
Miami, Florida 33138

Sent Via Fax and U.S. Mail
(305) 867-5050

Mr. Anibal Pabon
Pabon Engineering, Inc.
23200 SW 212 Avenue
Homestead, Florida 33031

(305) 242-5502

NOTICE OF VIOLATION TO SUBCONTRACTOR

Re: Project No. VKRP-06-01, Virginia Key Wetlands Restoration

Dear Messrs. Munne and Pabon:

The Department of Small Business Development (SBD) is responsible for monitoring awarded contracts for compliance with the Community Small Business Enterprise (CSBE) Program, § 10-33.02 *et seq.*, Code of Miami Dade County. Pursuant to the CSBE Program:

- A subcontractor goal is a portion of a prime contract value stated as a percentage to be subcontracted to a CSBE to perform a commercially useful function.
- To remain eligible for certification, CSBEs must perform a commercially useful function.
- Commercially useful function means a contractual responsibility for the execution of a distinct element of the work of a contract by a business enterprise and the carrying out of the contractual responsibilities be actually performing, managing, and supervising the work involved. Acting as a broker is not a commercially useful function.
- It is a violation for a CSBE to serve as a conduit for CSBE work awarded to it as a CSBE but which is being performed by a non-CSBE.

As part of the monitoring process SBD conducts audits of CSBE participation on contracts with CSBE participation requirements and payroll information on contracts with wage requirements.

Our records indicate the subject project was awarded to American Earth Movers, Inc. (AEM) with Pabon Engineering, Inc. (Pabon) scheduled to meet the 16% CSBE goal through the performance of excavation work for $280,000 and a CSBE make-up which increased Pabon's participation to 19% or $332,500. After award, AEM submitted a copy of its subcontract with Pabon for $340,000 an increase of $7,500. Pabon's scope on the Schedule of Intent Affidavits (SOI) was Excavation and Land Clearing.

In order to review AEM's and Pabon's compliance with the required CSBE goal, SBD staff requested copies of invoices from Pabon to AEM for work performed, corresponding cancelled checks from AEM to Pabon, and documentation from Pabon to support its invoices. SBD's staff also visited the project site regularly to determine if Pabon was actually on site performing work. AEM and Pabon reported and provided documentation to support payments to Pabon of $340,019.65 in order to comply with the 19% CSBE participation requirement. Upon review of the documentation submitted, review of the DERM project file, discussions with DERM project staff, and sworn interviews with the owner and a project manager of Pabon, and the owner of AEM, SBD staff determined that Pabon did not perform any work on this project and that documentation was prepared by both AEM and Pabon to make it appear that Pabon had worked on the job in compliance with the goal.

Based on the findings of the compliance review, a copy of the report is attached and made part of this Notice of Violation, Pabon Engineering, Inc. is hereby found in non-compliance with the CSBE Code for not performing a commercially useful function; serving as a conduit for CSBE work awarded to it as a CSBE but which was performed by a non-CSBE; and, for attempting to comply with CSBE requirements though misrepresentation.

Penalties/sanctions applicable to Pabon Engineering, Inc. are decertification of principal owners and qualifying agents from the CSBE program; termination or cancellation of any contracts or first tier subcontracts the CSBE has on County projects, wherever practicable; and debarment of the firm, its principal owners and qualifying agents from any County work, the term of which to be determined in accordance with the Miami-Dade County Debarment process. Please note, a CSBE contractor, its individual officers, its shareholders with significant interests, its qualifying agent or its affiliated businesses that has been denied recertification or that has been decertified is not eligible to apply for certification for up to twelve (12) months from the time of the denial or decertification. The re-application waiting period is dependent on the severity of the cause of denial or decertification.

In the event Pabon is in disagreement with this violation, it has the right to request a

compliance meeting or appeal this decision within 30 days of receipt of this notice to the Director of SBD. The appeal will be heard by an Administrative Hearing Officer. The Hearing Officer shall render a final decision, including where appropriate a determination of the sanction to be imposed. Firms requesting an administrative hearing must submit request in writing along with a $250.00 nonrefundable filing fee. Unsuccessful appellants will incur all administrative costs associated with conducting the hearing. The Mayor or designee may appeal the hearing officer's decision to the Board of County Commissioners (BCC). The decision of the hearing officer or the BCC may be reviewed by an appropriate court in the manner provided in the Florida Rules of Appellate Procedure. Failure to respond within the due date specified shall constitute a waiver of the right to such meeting/appeal hearing, and such waiver shall constitute an admission of the complaint/violation. **Please respond to this Notice by June 19, 2008.**

At this time we are offering the principals of your firm an opportunity to come in to receive training on CSBE participation procedures and compliance with Code requirements. It is recommended that you familiarize yourself with the CSBE Program requirements, § 10-33.02 *et seq.,* of the Code that can be requested from the County Clerk or found at http://www.municode.com/resources/gateway.asp?pid=10620&sid=9. Should you have any questions or to schedule training, please contact Alice Hidalgo-Gato, Division Director, Contract Review and Compliance at (305) 375-3111.

Sincerely,

Penelope Townsley
Director

Attachments: Comprehensive Compliance Review Report with Exhibits

c: Carlos Espinosa, Director, DERM (w/out exhibits)
Juan Curiel, Section Chief, DERM (w/out exhibits)
Betty Alexander, BPD Division Director, SBD (w/out exhibits)
Rudolph Griffith, SPA1, SBD (w/out exhibits)
Laurie Johnson, AFM Division Manager, SBD (w/out exhibits)
CRC Violation File

MIAMI-DADE COUNTY

Carlos Alvarez, Mayor

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

miamidade.gov

May 24, 2008

Mr. George Munne
American Earth Movers, Inc.
821 NE 79th Street
Miami, Florida 33138

Sent Via Fax and U.S. Mail
(305) 867-5050

NOTICE OF VIOLATION

Re: Project No. VKRP-06-01, Virginia Key Wetlands Restoration

Dear Mr. Munne:

The Department of Small Business Development (SBD) is responsible for monitoring awarded contracts for compliance with the Community Small Business Enterprise (CSBE) Program, § 10-33.02 *et seq.*, Code of Miami Dade County. Pursuant to the CSBE Program:

- A subcontractor goal is a portion of a prime contract value stated as a percentage to be subcontracted to a CSBE to perform a commercially useful function.
- Commercially useful function means a contractual responsibility for the execution of a distinct element of the work of a contract by a business enterprise and the carrying out of the contractual responsibilities be actually performing, managing, and supervising the work involved. Acting as a broker is not a commercially useful function.
- It is a violation for a CSBE to serve as a conduit for CSBE work awarded to it as a CSBE but which is being performed by a non-CSBE.
- Successful bidders on contracts with CSBE measures must submit Monthly Utilization Reports (MURs) on or before the tenth working day of each month listing all work performed in the past month by the CSBEs on the Schedules of Intent (SOI) and all expenditures requisitioned by and paid to the CSBEs.
- Expenditures to subcontracting CSBEs shall be counted toward meeting specified goals as follows: One hundred percent (100%) of the expenditures to a subcontracting CSBE shall be counted toward meeting specified goals only if the CSBE performs a commercially useful function in the supply of services required for the fulfillment of the contract and performs actual work with its own forces. None of the expenditures to a CSBE that acts essentially as a conduit to transfer funds to a non-CSBE unless bid documents expressly and specifically permit such transfers as consistent with normal industry practice or the bidder or CSBE requests and receives prior to bid award an approval letter from SBD.

As part of the monitoring process SBD conducts audits of CSBE participation on contracts with CSBE participation requirements and payroll information on contracts with wage requirements.

Our records indicate the subject project was awarded to American Earth Movers, Inc. (AEM) with Pabon Engineering, Inc. (Pabon) scheduled to meet the 16% CSBE goal through the performance of excavation work for $280,000 and a CSBE make-up of 3% which increased Pabon's participation to 19% or $332,500. After award, AEM submitted a copy of its subcontract with Pabon for $340,000, an increase of $7,500, for a total make-up of $60,000. Pabon's scope on the SOI was Excavation and Land Clearing.

In order to review AEM's and Pabon's compliance with the required CSBE goal, SBD staff requested copies of invoices from Pabon to AEM for work performed, corresponding cancelled checks from AEM to Pabon, and documentation from Pabon to support its invoices. SBD's staff also visited the project site regularly to determine if Pabon was actually on site performing work. AEM and Pabon reported and provided documentation to support payments to Pabon of $340,019.65 in order to comply with the 19% CSBE participation requirement. Upon review of the documentation submitted, review of the DERM project file, discussions with DERM project staff, and sworn interviews with the owner and a project manager of Pabon, and the owner of AEM, SBD staff determined that Pabon did not perform any work on this project and that documentation was prepared by both AEM and Pabon to make it appear that Pabon had worked on the job in compliance with the goal.

Based on the findings of the compliance review, a copy of the report is attached and made part of this Notice of Violation, American Earth Movers, Inc. is hereby found in non-compliance with the CSBE Code for not meeting the CSBE goal and make-up requirement applicable to this project; attempting to comply with CSBE requirements through misrepresentation; submitting MURs that report payments to a CSBE for work it did not perform; and, not subcontracting with a CSBE to perform a commercially useful function. Penalties/sanctions applicable to American Earth Movers, Inc., are debarment of its principal owners and qualifying agents from any County work, the term of which to be determined in accordance with the Miami-Dade County Debarment process; and, termination of all contracts AEM has with the County, wherever practicable.

In addition, AEM will be required to make-up of double the amount of the deficit for the 16% CSBE goal applicable to this project as a condition of any

future award and the 3% make-up will be added back to AEM's make-up balance. DERM reports final payments to AEM on this project will equal $1,486,113. Based on this amount the deficit is $237,778 and the double make-up will be $475,556. AEM's current make-up balance $245,836. As a result of this violation, the balance will increase to $781,392 ($245,836+$60,000+$475,556).

In the event AEM is in disagreement with this violation, it has the right to request a compliance meeting or appeal this decision within 30 days of receipt of this notice to the Director of SBD. The appeal will be heard by an Administrative Hearing Officer. The Hearing Officer shall render a final decision, including where appropriate a determination of the sanction to be imposed. Firms requesting an administrative hearing must submit request in writing along with a $250.00 nonrefundable filing fee. Unsuccessful appellants will incur all administrative costs associated with conducting the hearing. The Mayor or designee may appeal the hearing officer's decision to the Board of County Commissioners (BCC). The decision of the hearing officer or the BCC may be reviewed by an appropriate court in the manner provided in the Florida Rules of Appellate Procedure. Failure to respond within the due date specified shall constitute a waiver of the right to such meeting/appeal hearing, and such waiver shall constitute an admission of the complaint/violation. **Please respond to this Notice by June 19, 2008.**

At this time we are offering the principals of your firm an opportunity to come in to receive training on CSBE participation procedures and compliance with Code requirements. It is recommended that you familiarize yourself with the CSBE Program requirements, § 10-33.02 *et seq.,* of the Code that can be requested from the County Clerk or found at http://www.municode.com/resources/gateway.asp?pid=10620&sid=9. Should you have any questions or to schedule training, please contact Alice Hidalgo-Gato, Division Director, Contract Review and Compliance at (305) 375-3111.

Sincerely,

Penelope Townsley
Director

Attachments: Comprehensive Compliance Review Report with Exhibits

c: Carlos Espinosa, Director, DERM (w/out exhibits)
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Rudolph Griffith, SPA1, SBD (w/out exhibits)
Laurie Johnson, AFM Division Manager, SBD (w/out exhibits)
CRC Violation File

The Department of Small Business Development's Comprehensive Compliance Review American Earth Movers, Inc. and Pabon Engineering, Inc.'s Compliance with the Community Small Business Enterprise Requirements Applicable to Project No. VKRP-06-01, Virginia Key Wetlands Restoration Project

SUMMARY

American Earth Movers, Inc. (AEM) was issued a Notice of Violation for not fully utilizing Pabon Engineering (Pabon) to meet a 10% Community Small Business Enterprise (CSBE) goal on Project No. CCDR2 issued by the Department of Environmental Resource Management (DERM). The deficit was equal to $168,918.00 and AEM was required to perform a CSBE make-up equal to double the amount of the deficit or $337,836 as a condition of award of any future County contracts. In correspondence dated January 29, 2007, AEM agreed to make up its deficit on a future County project.

On June 11, 2007, the Department of Small Business Development (SBD) approved AEM's plan to make-up a portion of the deficit as a condition of the award of DERM Project No. VKRP-06-01, Virginia Key Wetlands Restoration Project. The Schedule of Intent Affidavit (SOI) submitted by AEM for Project No. VKRP-06-01 had Pabon meeting a 16% CSBE goal performing excavation for $280,000. The make-up plan increased Pabon's participation to 19% or $332,500. Pabon's scope on the SOIs was Excavation and Land Clearing. After award, AEM submitted a copy of its subcontract with Pabon for $340,000, an increase of $7,500. (Exhibits 1-4)

Project No. VKRP-06-01 started on September 4, 2007 and ended on February 15, 2008. As part of SBD's compliance monitoring, a compliance officer visited the project site on six (6) occasions and only once saw what was reported as a Pabon employee on the site planting trees. (Exhibit 5) AEM and Pabon reported and provided supporting documentation to support payments to Pabon of $340,019.65 in order to comply with the 19% CSBE participation requirement.

Based on a review of the documentation submitted, a review of the DERM project file; discussions with DERM project staff and sworn interviews with the owner and a project manager of Pabon, SBD staff determined that Pabon did not perform any work on this project and that documentation was prepared by both AEM and Pabon to make it appear that Pabon had worked on the job in compliance with the goal. Based on these finding, SBD will be issuing Notices of Violation to both firms pursuant to the CSBE program and recommending corresponding penalties. Applicable penalties include but are not limited to double make-up of the new deficit, debarment, decertification and termination of any current contracts.

BACKGROUND

Pursuant to the CSBE Program:

- A subcontractor goal is a portion of a prime contract value stated as a percentage to be subcontracted to a CSBE to perform a commercially useful function.
- To remain eligible for certification, CSBEs must perform a commercially useful function.
- Commercially useful function means a contractual responsibility for the execution of a distinct element of the work of a contract by a business enterprise and the carrying out of the contractual responsibilities be actually performing, managing, and supervising the work involved. Acting as a broker is not a commercially useful function.
- It is a violation for a CSBE to serve as a conduit for CSBE work awarded to it as a CSBE but which is being performed by a non-CSBE.

- Successful bidders on contracts with CSBE measures must submit Monthly Utilization Reports (MURs) on or before the tenth working day of each month listing all work performed in the past month by the CSBEs on the Schedules of Intent (SOI) and all expenditures requisitioned by and paid to the CSBEs.
- Expenditures to subcontracting CSBEs shall be counted toward meeting specified goals as follows: One hundred percent (100%) of the expenditures to a subcontracting CSBE shall be counted toward meeting specified goals only if the CSBE performs a commercially useful function in the supply of services required for the fulfillment of the contract and performs actual work with its own forces. None of the expenditures to a CSBE that acts essentially as a conduit to transfer funds to a non-CSBE unless bid documents expressly and specifically permit such transfers as consistent with normal industry practice or the bidder or CSBE requests and receives prior to bid award an approval letter from SBD.

As part of its monitoring process SBD conducts audits of CSBE participation on contracts with CSBE participation requirements, and of payroll information on contracts with wage requirements.

INVESTIGATION

Project No. VKRP-06-01 started on September 4, 2007 and ended on February 15, 2008. Compliance Officer William Mitchell attended the preconstruction meeting on September 4, 2007 to explain the CSBE and wage requirements applicable to the project. In attendance at this meeting was George Munne, President of AEM. As part of our compliance monitoring, a compliance officer visited the project site on five (5) occasions between September 21, 2007 and January 31, 2008. One of the purposes of the field visits was to verify Pabon's participation. On each visit the Compliance Officer would ask the on-site DERM inspector if Pabon had been on site. The DERM inspector had not seen Pabon on site but indicated it was a large work area and may have missed them.

SBD received the first CSBE Monthly Utilization Report (MUR) from AEM on November 28, 2007, which indicated payments of $181,095.55 to Pabon for the period ending October 2007. (Exhibit 6) On December 11, 2007, SBD sent a letter to AEM requesting copies of the requisitions from Pabon to AEM and corresponding cancelled checks in order to verify the payments reported. The documents received from AEM in response to the audit on January 2, 2008 appeared to be in compliance. By this time, however, compliance staff had visited the job on three (3) occasions and had not seen Pabon on site. AEM had not submitted payrolls from Pabon with its requisitions either, although required by the contract. On January 17, 2008, the compliance officer again visited the project site to observe Pabon performing work and found they were not there.

On January 23, 2008, SBD received certified payrolls from Pabon for the period of November 5 to January 18, 2008. The payrolls for November 5 to December 29, 2007 include two employees, Joel Salinas and Denis Obregon. From December 31, 2007 to January 18, 2008 only Denis Obregon appears. (Exhibit 7)

On January 31, 2008, SBD Compliance Officer Randy Glick interviewed three employees of

Piling Plus who were on the project installing pilings for the Boardwalk, and two carpenters also working on the boardwalk, Norge Terrero and Ricardo Chinea, who identified themselves as employees of AEM. (Exhibit 5) Pursuant to the subcontract between Pabon and AEM, Pabon was to build the boardwalk. (Exhibit 4) DERM Inspector Pablo Esperon notified Compliance Officer Glick that Pabon employees were scheduled to be working on the project site on Tuesday, February 5, 2008. The DERM Inspector keeps Daily Construction Reports that include the names of all contractors and the employees they encounter on the job site. Up until this date no employees of Pabon were recorded in the DERM reports even though payrolls indicate they were working since November 5, 2007. (Exhibit 8)

On February 5, 2008, Compliance Officer Randy Glick visited the project site and interviewed Joel Salinas who indicated he was a Pabon employee. He was observed planting trees alongside other AEM employees. (Exhibit 5) DERM's Daily Report of Construction for February 2-6, 2008 include a crew of Pabon employees while payrolls indicate "no work". (Exhibits 8 and 7) On Monday, February 4, 2008, DERM Inspector Pablo Esperon includes a note in his daily report that states he met Joel Salinas and Mr. Salinas reported he had not worked on this project previous to "last Saturday, February 2, 2008". This information contradicts payrolls submitted that include Joel Salinas on the project from November to December 2007. Compliance staff met with Inspector Esperon to ask about the note on the February 4, 2008 Daily Report. Inspector Esperon indicated that SBD Compliance Officer Randy Glick had regularly been asking him if Pabon employees had been on the project site and he in turn would ask the AEM representatives. These employees recorded as Pabon employees in his reports were brought to him and introduced as the Pabon employees he had been looking for. In order to address compliance's inquiry he asked Mr. Salinas if he had worked on the project before and Mr. Salinas' replied he had not worked there before February 2, 2008. Compliance staff read the names of the Pabon employees in the Daily Report to Pabon's Project Manager Mr. Rubero, during a sworn interview, who indicated only Joel Salinas was an employee of Pabon and that he did not know who the other persons were. At an interview with Pabon on April 15, 2008, Mr. Pabon allowed compliance staff to review and copy documents from his project file. Included in the file was a November 19, 2007 Fax cover Sheet from Ms. Millie Pabon of Pabon Engineering to I. Boris Barkovic of AEM requesting hours for payrolls for "your guys" that need to be reported to Pabon's payroll service. (Exhibit 9) Both firms are familiar with SBD's monitoring practices. As such, Pabon was paying AEM employees in order to be able to provide cancelled checks if their payrolls were audited.

SBD requested that Pabon submit invoices from subcontractors and suppliers that corresponded with its requisitions to AEM. The response included invoices for materials purchased by AEM and not Pabon, invoices for materials purchased by AEM that were not part of Pabon's scope, equipment that was rented by AEM and not Pabon. One invoice submitted was for equipment rental from US Equipment Leasing for rental of Grinding Services Equipment for $30,000. US Equipment Leasing, Inc., is owned by Mr. George Munne the owner of AEM. The contact number for US Equipment Leasing belongs to Nelson Gonzalez a project manager at AEM. As additional documents were received it was noted that many subcontract agreements and/or invoices for purchases were between AEM and other companies and were being passed through Pabon in order to increase the appearance of the CSBE participation on the project. Mr. Pabon signed a Final Release of Lien on February 28, 2008 for $340,019.56

On March 11, 2008, Compliance staff met with George Munne of AEM to discuss the CSBE

participation on the project and some of the concerns raised by the documents submitted. Mr. Munne stated that Pabon built the boardwalk and performed land clearing, grinding, mulching and earthwork on the project. He deferred specific questions concerning the day to day activities on the project site to his Project Manager Nelson Gonzalez and agreed to have Mr. Gonzalez meet with SBD staff to answer any questions. Mr. Munne said he was very disturbed that SBD staff would infer that AEM would report that Pabon did work that was not actually performed by Pabon.

On March 14, 2008, Compliance staff presented some of its finding to Anibal Pabon, President of Pabon, and David Rubero, a project manager at Pabon, who reported that Pabon did earthwork, excavating, grinding and built the boardwalk with three (3) employees, Denis Obregon, Joel Salinas and Norge Terrero. All the purchasing of materials was done by AEM. Mr. Pabon also reported that AEM rented the grinder from a company called Vermeer Southeast and that Pabon rented equipment from US Equipment Leasing. When asked how they found US Equipment Leasing, they said they shopped around for rentals and found them but did not acknowledge that company was owned by Mr. Munne. They also reported that Piling Plus was hired by Pabon. After much of the findings noted above were reviewed with Mr. Pabon, he admitted that his firm did not perform the work that was presented in the documentation provided to SBD and that everything was set up to appear that way by AEM. He further added that he went along with it as a favor to the owner of AEM because Pabon was not available to work on Project No. CCDR2 where AEM's CSBE deficit occurred.

On March 21, 2008, Compliance staff met with Nelson Gonzalez, Project Manager for AEM. Mr Gonzalez reported that Pabon had built the boardwalk and performed grinding work and planting; AEM did the disposal of all materials; Piling Plus was subcontracted by Pabon; and, Norge Terrero the carpenter that built the boardwalk was an employee of Pabon. When asked if he had ever heard of US Equipment Leasing, Mr. Gonzalez indicated he knew of US Equipment Leasing as a supplier of Pabon. He did not acknowledge any affiliation with the firm nor that his phone number is listed on the invoices presented to SBD for the rental of the excavator from US Equipment Leasing.

On April 15, 2008, Compliance staff conducted a sworn interview with Anibal Pabon, President of Pabon Engineering and David Rubero, a Pabon employee who Mr. Pabon indicated was the project manager for this project. Mr. Pabon did not recall his statement to compliance staff at the March 14, 2008 meeting that Pabon did not do work on the job and insisted that Pabon did do work on this job. He indicated however he did not know the specifics concerning Pabon's participation and that Mr. Rubero handled all aspects of the job and could answer our questions in detail. The purpose of the interview was to determine the scope of work actually performed by Pabon employees and the origin/validity of many of the documents submitted by either AEM or Pabon to verify Pabon's participation on this job.

Summarized below are the findings gathered concerning the origin/validity of the documents submitted as evidence of Pabon's participation on this job:

<u>Excavation/Land Clearing/Grinding $136,360.51</u> - This scope was included on the approved SOIs for the goal and make-up plan and was included in the executed contract between AEM and Pabon submitted to SBD. At the April 15, 2008 interview, Mr. Rubero, the Project Manager for Pabon, could not describe how this scope of work was performed. Pabon did not have any employees performing this scope of work on the project.

Equipment Rental

- Grinder: AEM rented a grinder from Vermeer Southeast for $29,050 per month and reported it was for use by Pabon. Pabon submitted two (2) invoices to AEM for the grinder, paid Vermeer and was reimbursed by AEM. Pabon did not utilize the grinder to perform grinding work on this job. (Exhibit 10B, 10F, 10G)
- Excavator: Invoices were provided from US Equipment Leasing to Pabon. US Equipment Leasing is owned by Mr. Munne, President of AEM. One invoice was for grinding services equipment for $30,000 and lists the address for US Equipment Leasing as 821 NE 79 Street, the same office address as AEM. The second invoice was for "services" for $6,233.75 and lists the office address as 454 SE 10th Court, a property owned by Robert Munne. On April 1, 2008, Pabon submitted a copy of a rental agreement between US Equipment Leasing and Pabon for a Caterpillar Excavator for $8,750 for 3 months. There are inconsistencies with the releases of lien submitted for these expenditures. (Exhibit 10C)

Hauling

- Pabon submitted an invoice to AEM for $14,000 for hauling material. Mr. Rubero, who Mr. Pabon reported was responsible for the entire job including preparation of invoices, reported that to his knowledge Pabon did not perform any hauling services on this contract and did not know who prepared the invoice. (Exhibit 10D)

Board Walk $182,261.36

This scope was not part of the approved scopes on the SOIs for the goal or make-up plan but was included in the executed contract between AEM and Pabon submitted to SBD. The Boardwalk was not built by Pabon but rather was built by Pilings Plus, Inc. and a team of carpenters headed by Norge Terrero. Pabon paid the subcontractors that built the boardwalk but he did not hire nor supervise them. Pabon also paid for the materials needed for the boardwalk that were purchased by AEM. (Exhibits 10H, through 10L)

- Piling Plus, Inc. (subcontractor): In response to an audit of the payments reported, Pabon submitted a copy of an agreement between Pabon and Piling Plus. The fax number listed for Pabon belonged to American Earth Movers. Compliance staff contacted Piling Plus and was advised by the owner, Eric Newmark, that Piling Plus had an agreement with American Earth Movers and not Pabon. Mr. Newark indicated that he did receive payment from Pabon for work performed on this job but was not hired by Pabon. He accepted the check because he was not concerned about where the funds were coming from but rather he was interested in getting paid and reported that American Earth Movers still owes Piling Plus money for this job. In a meeting on March 14, 2008, Pabon claimed that Pabon hired Piling Plus. At the April 15, 2008 interview, Mr. Pabon allowed SBD staff to review his file for this project. Included therein was a copy of an agreement between Piling Plus and American Earth Movers. The document appeared exactly the same as the one between Piling Plus and Pabon except for the customer name which was different. The fax number job name and address were the same but written in a different handwriting. When asked about Piling Plus, Mr. Rubero confirmed they were hired by American Earth Movers. When asked about the two agreements Mr. Rubero indicated he did not alter the Piling Plus/AEM agreement and put Pabon's name. He said Pabon needed an agreement with Piling Plus and guessed the fax number on that agreement was AEM's because Piling Plus must have faxed the agreement to AEM. (Exhibit 12)

- Norge Terrero (subcontractor) – At the March 14, 2008 meeting, Mr. Rubero of Pabon indicated Norge Terrero built the boardwalk and that Mr. Terrero was an employee of Pabon. Subsequent to the meeting in correspondence dated March 21, 2008, Mr. Rubero indicated he had made a mistake and that Mr. Terrero was actually a subcontractor of Pabon and submitted a copy of a subcontractor agreement for $31,200 between Mr. Terrero and Pabon. At the April 15, 2008 interview, Mr. Rubero indicated Mr. Terrero was hired by AEM to build the boardwalk. He did not know if Mr. Terrero was an employee of AEM or a subcontractor to AEM. In an interview with Compliance Officer Glick at the project site on January 31, 2008 Mr. Terrero reported he was an employee of AEM. (Exhibit 13)

- Durable Wood Products (supplier of board walk materials) – The order confirmation shows the orders were placed and accepted by AEM. The Commercial Invoices for the materials in the order were billed to Pabon. When asked why Pabon did not place the order, Mr. Rubero indicated that Pabon does not perform this scope of work and he would not have known what to order. The Final Waiver and Release of Lien Upon progress Payment signed by Durable Woods is notarized by an employee of AEM. Mr. Rubero indicated Pabon did not collect any releases of liens for this project. (Exhibit 10A)

- Southern Pine Lumber (suppliers of board walk materials) – The invoice from this supplier was to American Earth Movers. Although Pabon paid for the materials the Final Waiver and Release of Lien Upon progress Payment signed by Southern Pine and Lumber provided to DERM indicates the services and material were provided to AEM. (Exhibit 10A)

Trees $20,397.42
This scope was not part of the approved scopes on the SOIs for the goal or make-up plan nor was it included in the executed contract between AEM and Pabon submitted to SBD. An invoice was submitted from Pabon to AEM for $20,297 for Supply and Installation of Native Species Red Mangroves, Marsh Grass and Black Rush. Supporting documentation for the invoice was an invoice from Superior Waterway Services, Inc. to AEM with the same description for $15,109.20. At the April 15, 2008 interview, Mr. Rubero indicated Pabon did not order the items in this invoice nor did they plant them. When asked why Pabon paid for the items he indicated AEM told them they needed to do it. AEM originally submitted a CSBE make-up plan to have Superior Waterway Services meet the goal. SBD denied the plan because landscaping is not a construction scope of work and Superior Waterway Services is not a certified CSBE. (Exhibit 10E)

At the conclusion of the interview once presented with most of the facts/evidence gathered Mr. Pabon indicated that none of the dollars reported as paid to Pabon could count towards the CSBE participation requirements on the project. He also stated he did not want to work with AEM any longer and was going to withdraw any SOIs submitted for participation with them on County projects. Mr. Pabon has since changed his mind on withdrawing from work with AEM and indicated he will await the outcome of SBD's compliance review.

On May 6, 2008, Compliance staff conducted a sworn interview with George Munne of AEM to discuss the findings of the review and allow him an opportunity to again provide any additional information for consideration prior to the issuance of our final report. Mr. Munne's position was

that Pabon did do work on this project as indicated in the subcontract agreement and documentation submitted to verify compliance.

APPLICABLE PENALTIES AND SANCTIONS

Pursuant to the CSBE Code, A.O. 3-22 and the CSBE Participation Provisions included in the contract specifications, the applicable penalties and sanctions include but are not limited:

i. The suspension of any payment or part thereof until such time as the issues concerning compliance are resolved;
ii. Work stoppage;
iii. Termination, suspension, or cancellation of the contract in whole or part;
iv. In the event a bidder or CSBE attempts to comply with the provisions of this ordinance through fraud, misrepresentation, or material misstatement, or is found after a hearing to have discriminated in violation of Article VII of Chapter 11A of the Miami-Dade County Code, the County shall, whenever practicable, terminate the contract or require the termination or cancellation of the first tier subcontract for the project on which the bidder or CSBE committed such acts. In addition, and as a further sanction, the County Manager or his designee may impose any of the above-stated sanctions on any other contracts or first tier subcontracts the bidder or CSBE has on County projects. In each instance, the bidder or CSBE shall be responsible for all direct and indirect costs associated with such termination or cancellation including attorney's fees and costs. The bidder or CSBE may also be subject to debarment.
v. The foregoing notwithstanding, the County Manager shall include language in all prospective contracts containing a CSBE measure which provides that, in addition to any other sanction for failure to fulfill the CSBE measure requirements, the contractor's eligibility to receive any future county contracts may be conditioned upon the contractor making up the deficit in CSBE participation in such future contracts by having CSBE(s) perform equal to double the dollar value of the deficiency in the CSBE measure in the prior contract. The foregoing obligation shall be in addition to any CSBE measure otherwise applicable to the future contract.

In addition, where SBD knows or has reason to know, SBD shall not certify an applicant, shall not recertify a CSBE, and shall decertify a CSBE that fails to comply with the criteria or procedures of CSBE Ordinances, Administrative Order and/or participation provisions. SBD shall have authority to suspend the certification of a CSBE during any appeal of a decertification decision. A CSBE contractor, its individual officers, its shareholders with significant interests, its qualifying agent or its affiliated businesses that has been denied recertification or that has been decertified is not eligible to apply for certification for up to twelve (12) months from the time of the denial or decertification. The re-application waiting period is dependent on the severity of the cause of denial or decertification.

RECOMMENDATIONS

Based on a review of the above:

Pabon Engineering, Inc. is in non-compliance with the CSBE Code for not performing a commercially useful function; serving as a conduit for CSBE work awarded to it as a CSBE but which is being performed by a non-CSBE; and, for attempting to comply with CSBE

requirements though misrepresentation. Penalties/sanction applicable to Pabon are decertification of principal owners and qualifying agents be from the CSBE program; termination of all contracts Pabon has with the County, wherever practicable; and debarment of firm, its principal owners and qualifying agents from any County work, the term of which to be determined in accordance with the Miami-Dade County Debarment process.

American Earth Movers, Inc. is in non-compliance with the CSBE Code for submitting MURs that report payments to a CSBE for work it did not perform; not subcontracting with a CSBE to perform a commercially useful function; and attempting to comply with CSBE requirements through misrepresentation. Penalties/sanction applicable to American Earth Movers, Inc., are debarment of its principal owners and qualifying agents from any County work, the term of which to be determined in accordance with the Miami-Dade County Debarment process; termination of all contracts AEM has with the County, wherever practicable; and that the firm be required to perform a make-up of double the amount of the deficit for the 16% CSBE goal applicable to this project equal to $475,556.30 as a condition of any future award.

BID SUMMARY SHEET

PROJECT NUMBER: 20070610

PWD CSS ENG: Alfredo Muñoz

BID VALIDITY: ☐ 120 ☐ 180
(Select One)

BID SUBMITTAL DUE DATE: October 10, 2007

BID OPENING DATE: October 12, 2007

PROJECT NAME: People's Transportation Plan (PTP) NW 74th Street Improvement – Contamination Assessment

COST ESTIMATE: $3,826,121.00

CSBE CONTRACT MEASURE: 3% CSBE Goal

ADDENDUM (No. issued): 4

REQUEST FOR INFORMATION (No. issued): 3

BIDDERS Firm Telephone No.	Apparent Low Bidder Position	CSBE SCHEDULE OF INTENT (√)	PROFFERED BID (US MONIES)	Remarks
American Earth Movers, Inc. 305-865-6952			2,682,645.00	
BNB Engineering Corp. 305-670-4545				
Central Florida Equipment Rental 305-888-3344			3,788,067.66	
Community Asphalt Corp. 305-829-0700			61,595,928.00	
Cortiza Construction Group, Inc. 305-447-1455				
Engineer Controls Systems Corp. 305-895-4376				
Everglades Contracting, LLC 248-374-1911				
F & L Construction, Inc. 305-207-9940				
Globetec Construction, LLC 954-590-3305				
Gonzalez & Sons Equipment 305-822-5455				
H & R Paving, Inc. 305-261-3005			3,672,015.00	

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BID SUMMARY SHEET

PROJECT NUMBER: 20070610

PWD CSS ENG: Alfredo Muñoz

BID VALIDITY: ☐ 120 ☐ 180
(Select One)

BID SUBMITTAL DUE DATE: October 10, 2007

BID OPENING DATE: October 12, 2007

PROJECT NAME: People's Transportation Plan (PTP) NW 74th Street Improvement – Contamination Assessment

COST ESTIMATE: $3,826,121.00

CSBE CONTRACT MEASURE: 3% CSBE Goal

ADDENDUM (No. issued): 4

REQUEST FOR INFORMATION (No. issued): 3

BIDDERS Firm Telephone No.	Apparent Low Bidder Position	CSBE SCHEDULE OF INTENT (√)	PROFFERED BID (US MONIES)	Remarks
Horizon Contractors, Inc. 305-828-2050				
Innviron Corp. 954-340-5270				
J.V.A. Engineering Contractors, Inc. 305-553-5178				
Kailas Corp. 305-722-0099				
Maggolc, Inc. 305-763-3100				
MCO Environmental, Inc. 305-468-1650				
Metro Equipment 305-598-7741				
Metro Express, Inc. 305-459-8286			3,925,379.00	
Miri Construction, Inc. 305-233-5266				
MVRT, Inc. 305-247-0833				
NTP Site Development, Inc. 786-236-5691				

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BID SUMMARY SHEET

PROJECT NUMBER: 20070610

PWD CSS ENG: Alfredo Muñoz

BID VALIDITY: ☐ 120 ☐ 180
(Select One)

BID SUBMITTAL DUE DATE: October 10, 2007

BID OPENING DATE: October 12, 2007

PROJECT NAME: People's Transportation Plan (PTP) NW 74th Street Improvement – Contamination Assessment

COST ESTIMATE: $3,826,121.00

CSBE CONTRACT MEASURE: 3% CSBE Goal

ADDENDUM (No. issued): 4

REQUEST FOR INFORMATION (No. issued): 3

BIDDERS Firm Telephone No.	Apparent Low Bidder Position	CSBE SCHEDULE OF INTENT (√)	PROFFERED BID (US MONIES)	Remarks
PPI Piling Products, Inc. 904-287-8000				
SCCI Piling System 813-963-1026				
Shaw Environmental, Inc. 786-299-1271				
Soares Da Costa CS, LLC 305-592-9399				
Solo Construction Corp. 305-944-3922			3,434,274.00	
The Redland Company, Inc. 305-247-3226				
Tran Construction, Inc. 305-525-2545				
URS Corp. 305-514-2463				
Williams Paving Co., Inc. 305-882-1950				
WRS Infrastructure & Environment, Inc. 305-888-4090			3,257,276.00	

Appendix J

Bid Form

Bid Form

PROJECT TITLE: TP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE *NOTICE TO PROCEED WITH CONTRACT WORK*.

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
			GENERAL CONSTRUCTION OPERATIONS			
102-74-1	2,700.00	EA/DAY	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	Two Dollars	2.00	5400.00
102-60A	1,080.00	EA/DAY	WORK ZONE SIGNS	Three Dollars	3.00	3240.00
			CLEARING AND GRUBBING, EARTHWORK			
110-1-1	1.00	L.S.	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	Seven Hundred And Thirty Three Thousand Six Hundred	733600.00	733,600.00
120-6	18,168.00	C.Y.	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	Fifteen Dollars	15.00	272,520.
125-4-3	25,435.00	TON	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	Seventy Dollars	70.00	1,780,450
			CONCRETE			
400-1-15	30.00	C.Y.	CLASS I CONCRETE [(Miscellaneous) (Trench build-up, collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	Two Hundred	200.00	6,000.00
			DRAINAGE STRUCTURES AND PIPES			
425-1-351	5.00	EA.	INLET CURB (TYPE P-5)< 10 '	Three Thousand Five Hundred	3,500.00	17,500.00
425-1-361	3.00	EA.	INLET, CURB (Type P-6)< 10'	Four Thousand	4,000.00	12,000.00
			Items 425-1-351 & 425-1-361 to be partially installed, plugged, and temporarily covered. Top of inlets by others.			
430-172-202	40.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	Seventy Dollars	70.00	2800.00

Bid Form

PROJECT TITLE: TP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
430-172-203	10.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	one Hundred Dollars	100.00	1,000.00
430-174-101	284.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	Forty Five Dollars	45.00	12,780.00
430-174-102	1,355.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	Fifty Five Dollars	55.00	74,525.
BIDDER MUST ENTER A BID PRICE FOR EACH PIPE CULVERT ITEM. BIDDER AGREES TO SUPPLY THE PIPE MATERIAL INDICATED BELOW THAT MEETS MIAMI-DADE COUNTY AND FDOT SPECIFICATIONS. **PIPE MATERIAL-SELECT ONE (FILL IN SELECTION WITH AN X)** **( ) REINFORCED CONCTRETE PIPE** **( ) CORRUGATED ALUMINUM PIPE** **(X) CORRUGATED ALUMINIZED STEEL PIPE**						
448-73-1A	1.00	L.S.	METHANE SURVEY AND REPORT	one Hundred Thousand Dollars	100,000.00	100,000.00
			WALL & FENCING			
548-10-2	79,200.00	S.F.	FURNISH AND INSTALL RETAINING WALL	Seven Dollars	7.00	554,400.00
			Pay Item #548-10-2 includes the design of the retaining wall			
550-10-228	3,800.00	L.F.	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	Eighteen Dollars & Fifty cents	18.50	70,300.00
			Fence to be relocated has barbed wire, price to be included under Fencing (Reset Existing) pay item.			
			SODDING AND LANDSCAPING			
580-327-6	51.00	EA.	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	Five Hundred Dollars	500.00	25,500.00

Appendix J

Bid Form

Bid Form

PROJECT TITLEPTP NW 74 Street Improvements - Contamination Assessment and Remediation Work PROJECT NO:20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
			GENERAL CONSTRUCTION OPERATIONS			
102-74-1_	2,700.00	EA/DAY	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	zero dollars and 60/100 cents	$0.60	$1,620.00
102-60A	1,080.00	EA/DAY	WORK ZONE SIGNS	one dollar and 00/100 cents	$1.00	$1,080.00
			CLEARING AND GRUBBING, EARTHWORK			
110-1-1	1.00	L.S.	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	eight thousand, two hundred fifty dollars and 00/100 cents	$8,250.00	$8,250.00
120-6	18,168.00	C.Y.	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	twenty four dollars and 00/100 cents	$24.00	$436,032.00
125-4-3	25,435.00	TON	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	fifty-three dollars and 00/100 cents	$53.00	$1,348,055.00
			CONCRETE			
400-1-15	30.00	C.Y.	CLASS I CONCRETE [(Miscellaneous) (Trench build-up, collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	one hundred ten dollars and 00/100 cents	$110.00	$3,300.00
			DRAINAGE STRUCTURES AND PIPES			
425-1-351	5.00	EA.	INLET CURB (TYPE P-5)< 10'	six thousand one hundred dollars and 00/100 cents	$6,100.00	$30,500.00
425-1-361	3.00	EA.	INLET, CURB (Type P-6)< 10'	six thousand two hundred dollars and 00/100 cents	$6,200.00	$18,600.00
			Items 425-1-351 & 425-1-361 to be partially installed, plugged, and temporarily covered. Top of inlets by others.			
430-172-202	40.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	two hundred thirty-eight dollars and 00/100 cents	$238.00	$9,520.00

Bid Form

PROJECT TITLEFTP NW 74 Street Improvements - Contamination Assessment and Remediation Work PROJECT NO:20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE 'NOTICE TO PROCEED WITH CONTRACT WORK'.

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
430-172-203	10.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elp/Arch) (37" to 48")	five hundred fifteen dollars and 00/100 cents	$515.00	$5,150.00
430-174-101	284.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	one hundred forty-one dollars and 00/100 cents	$141.00	$40,044.00
430-174-102	1,355.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	one hundred eighty-seven dollars and 00/100 cents	$187.00	$253,385.00
BIDDER MUST ENTER A BID PRICE FOR EACH PIPE CULVERT ITEM. BIDDER AGREES TO SUPPLY THE PIPE MATERIAL INDICATED BELOW THAT MEETS MIAMI-DADE COUNTY AND FDOT SPECIFICATIONS. **PIPE MATERIAL-SELECT ONE (FILL IN SELECTION WITH AN X)** **( ) REINFORCED CONCTRETE PIPE** **( ) CORRUGATED ALUMINUM PIPE** **(X) CORRUGATED ALUMINIZED STEEL PIPE**						
448-73-1A	1.00	L.S.	METHANE SURVEY AND REPORT	twenty-two thousand, eight hundred dollars and 00/100 cents	$22,800.00	$22,800.00
			WALL & FENCING			
548-10-2	79,200.00	S.F.	FURNISH AND INSTALL RETAINING WALL	twelve dollars and 00/100 cents	$12.00	$950,400.00
			Pay Item #548-10-2 includes the design of the retaining wall			
550-10-228	3,800.00	L.F.	FENCING (Type B) (5.1' to 6' Height) (Reset existing)	twenty dollars and 00/100 cents	$20.00	$76,000.00
			Fence to be relocated has barbed wire, price to be included under Fencing (Reset Existing) pay item.			
			SODDING AND LANDSCAPING			
580-327-6	51.00	EA.	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	one thousand, forty dollars and 00/100 cents	$1,040.00	$53,040.00

Bid Form

PROJECT TITLEPTP NW 74 Street Improvements - Contamination Assessment and Remediation Work PROJECT NO:20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
			SUB-TOTAL $ three million, two hundred fifty-seven thousand, seven hundred seventy-six dollars and 00/100 cents			$3,257,776.00

Grand Total: $3,257,776.00 (three million, two hundred fifty-seven thousand, seven hundred seventy-six dollars and 00/100 cents)

The bidder understands and agrees that the above grand total is inclusive of all work necessary to complete the job as described in the plans and specifications.
Quantities are established and are included only for the purpose of facilitating the uniform comparison of bids submitted. The County shall not be held responsible if the quantities are not accurate and all computations for compensation shall be based upon the actual work performed, whether greater or less than estimated quantities.

Tax Identification Number: 62-1260585
D.C. Certificate of competency No: CGC057960
Bidder's Name: WRS Infrastructure & Environment, Inc.
Bidder's telephone Number: 813-684-4400
Bidder's address: 221 Hobbs St., Suite 108 Tampa, FL 33619
LOCAL:
10050 NW 116 Way, Suite 18 Miami, FL 33178

Appendix J

Bid Form

Bid Form

PROJECT TITLE: TP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE *NOTICE TO PROCEED WITH CONTRACT WORK*.

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price*	Total*
			GENERAL CONSTRUCTION OPERATIONS			
102-74-1	2,700.00	EA/DAY	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	One Dollar & Zero Cents	$1.00	$2,700.00
102-60A	1,080.00	EA/DAY	WORK ZONE SIGNS	One Dollar & Fifty Cents	$1.50	$1,620.00
			CLEARING AND GRUBBING, EARTHWORK			
110-1-1	1.00	L.S.	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	One Hundred Fifty Thousand Dollars & zero Cents	$150,000.00	$150,000.00
120-6	18,168.00	C.Y.	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	Eighteen Dollars & zero Cents	$18.00	$327,024.00
125-4-3	25,435.00	TON	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	Fifty-Four Dollars & Zero Cents	$54.00	$1,373,490.00
			CONCRETE			
400-1-15	30.00	C.Y.	CLASS I CONCRETE [(Miscellaneous) (Trench build-up, collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	Two Hundred Dollars & zero Cents	$200.00	$6,000.00
			DRAINAGE STRUCTURES AND PIPES			
425-1-351	5.00	EA.	INLET CURB (TYPE P-5)< 10 '	Four Thousand Dollars & Zero Cents	$4,000.00	$20,000.00
425-1-361	3.00	EA.	INLET, CURB (Type P-6)< 10'	Six Thousand Dollars & zero Cents	$6,000.00	$18,000.00
			Items 425-1-351 & 425-1-361 to be partially installed, plugged, and temporarily covered. Top of inlets by others.			
430-172-202	40.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	One Hundred Dollars & Zero Cents	$100.00	$4,000.00

Bid Form

PROJECT TITLE: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total
430-172-203	10.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	One Hundred Twenty Dollars & zero cents	$120.00	$1,200.00
430-174-101	284.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	Sixty Dollars & Zero Cents	$60.00	$17,040.00
430-174-102	1,355.00	L.F.	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	Eighty Dollars & zero Cents	$80.00	$108,400.00
BIDDER MUST ENTER A BID PRICE FOR EACH PIPE CULVERT ITEM. BIDDER AGREES TO SUPPLY THE PIPE MATERIAL INDICATED BELOW THAT MEETS MIAMI-DADE COUNTY AND FDOT SPECIFICATIONS. **PIPE MATERIAL-SELECT ONE (FILL IN SELECTION WITH AN X)** **( ) REINFORCED CONCTRETE PIPE** **(X) CORRUGATED ALUMINUM PIPE** **( ) CORRUGATED ALUMINIZED STEEL PIPE**						
448-73-1A	1.00	L.S.	METHANE SURVEY AND REPORT	One Hundred Thousand Dollars & Zero Cents	$100,000.00	$100,000.00
			WALL & FENCING			
548-10-2	79,200.00	S.F.	FURNISH AND INSTALL RETAINING WALL	Fifteen Dollars & zero Cents	$15.00	$1,188,000.00
			Pay Item #548-10-2 includes the design of the retaining wall			
550-10-228	3,800.00	L.F.	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	Twenty Dollars & Zero Cents	$20.00	$76,000.00
			Fence to be relocated has barbed wire, price to be included under Fencing (Reset Existing) pay item.			
			SODDING AND LANDSCAPING			
580-327-6	51.00	EA.	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	Eight Hundred Dollars & Zero Cents	$800.00	$40,800.00

Bid Form

PROJECT TITLE: TP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

Item Number	Quantity	Unit	Description	Written Unit Amount	Unit Price	Total

SUB-TOTAL $ 3,434,274.00

Grand Total: Three Million Four Hundred Thirty-Four Thousand Two Hundred Seventy-Four Dollar and Zero Cents

The bidder understands and agrees that the above grand total is inclusive of all work necessary to complete the job as described in the plans and specifications.

Quantities are established and are included only for the purpose of facilitating the uniform comparison of bids submitted. The County shall not be held responsible if the quantities are not accurate and all computations for compensation shall be based upon the actual work performed, whether greater or less than estimated quantities.

Tax Identification Number: 59-1829336

D.C. Certificate of competency No: E1980

Bidder's Name: Solo Construction Corporation

Bidder's telephone Number: (305)944-3922

Bidder's address: 3855 Commerce Parkway Miramar, Fl 33025

Randy Pierson

Bid Form

PROJECT TITLE: TP NW 74 Street Improvements - Contamination Assessment and Remediation Work **PROJECT NO:** 20070610

IF THIS PROPOSAL IS ACCEPTED, THE UNDERSIGNED AGREES TO COMPLETE ALL WORK UNDER THIS CONTRACT WITHIN TWO HUNDRED SEVENTY SIX (276) CALENDAR DAYS AFTER THE EFFECTIVE DATE ESTABLISHED IN THE "NOTICE TO PROCEED WITH CONTRACT WORK".

BIDDER ACKNOWLEDGES THAT INCLUDED IN THE VARIOUS ITEMS OF THE PROPOSAL AND IN THE TOTAL BID PRICE ARE COSTS FOR COMPLYING WITH THE FLORIDA TRENCH SAFETY ACT (90-96), LAWS OF FLA. EFFECTIVE OCTOBER 1st, 1990. THE BIDDER FURTHER IDENTIFIES THE COSTS TO BE SUMMARIZED BELOW:

	Trench Safety Measure (Description)	Units of Measure (LF, SY)	Unit (Quantity)	Unit Cost	Extended Cost
A.	Trench Box/Shoring	LF	1500 ft	$5.00 per ft	7500
B.					
C.					
D.					

TOTAL $7,500.00

FAILURE TO COMPLETE THE ABOVE MAY RESULT IN THE BID BEING DECLARED NON-RESPONSIVE

BID TABULATION REPORT
September 16, 2008 11:44 AM

Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: WRS INFRASTRUCTURE & ENVIRONMENT, INC.

Address: 10025 N.W. 116 WAY Suite 12

City/ST/Zip: MEDLEY, FL 33178

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	0.60	1,620.00	1,620.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	1.00	1,080.00	1,080.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	8,250.00	8,250.00	8,250.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	24.00	436,032.00	436,032.00
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	53.00	1,348,055.00	1,348,055.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	110.00	3,300.00	3,300.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	6,100.00	30,500.00	30,500.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	6,200.00	18,600.00	18,600.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	238.00	9,520.00	9,520.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	515.00	5,150.00	5,150.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	141.00	40,044.00	40,044.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	187.00	253,385.00	253,385.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	22,800.00	22,800.00	22,800.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	12.00	950,400.00	950,400.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	20.00	76,000.00	76,000.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	1,040.00	53,040.00	53,040.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	325,777.60	325,777.60	325,777.60

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BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: SOLO CONSTRUCTION CORPORATION

Address: 3855 Commerce Park

City/ST/Zip: Maramar, FL 33025

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	1.00	2,700.00	2,700.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	1.50	1,620.00	1,620.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	150,000.00	150,000.00	150,000.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	18.00	327,024.00	327,024.00
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	54.00	1,373,490.00	1,373,490.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	200.00	6,000.00	6,000.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	4,000.00	20,000.00	20,000.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	6,000.00	18,000.00	18,000.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	100.00	4,000.00	4,000.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	120.00	1,200.00	1,200.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	60.00	17,040.00	17,040.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	80.00	108,400.00	108,400.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	100,000.00	100,000.00	100,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	15.00	1,188,000.00	1,188,000.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	20.00	76,000.00	76,000.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	800.00	40,800.00	40,800.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	343,427.40	343,427.40	343,427.40

BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: H&R PAVING INC.

Address: 1955 NW 110 AVE.,

City/ST/Zip: MIAMI, FL33172

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	2.00	5,400.00	5,400.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	3.00	3,240.00	3,240.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	733,600.00	733,600.00	733,600.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	15.00	272,520.00	272,520.00
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	70.00	1,780,450.00	1,780,450.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	200.00	6,000.00	6,000.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	3,500.00	17,500.00	17,500.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	4,000.00	12,000.00	12,000.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	70.00	2,800.00	2,800.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	100.00	1,000.00	1,000.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	45.00	12,780.00	12,780.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	55.00	74,525.00	74,525.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	100,000.00	100,000.00	100,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	7.00	554,400.00	554,400.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	18.50	70,300.00	70,300.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	500.00	25,500.00	25,500.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	367,201.50	367,201.50	367,201.50

BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: CENTRAL FLORIDA EQUIPMENT RENTALS, INC.

Address: 9030 NW 97TH TERRACE

City/ST/Zip: MEDLEY/FL/33178

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	0.50	1,350.00	1,350.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	0.60	648.00	648.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	295,000.00	295,000.00	295,000.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	48.77	886,053.36	886,053.36
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	44.38	1,128,805.30	1,128,805.30
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	166.00	4,980.00	4,980.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	3,700.00	18,500.00	18,500.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	4,700.00	14,100.00	14,100.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	112.00	4,480.00	4,480.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	131.00	1,310.00	1,310.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	64.00	18,176.00	18,176.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	83.00	112,465.00	112,465.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	22,000.00	22,000.00	22,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	13.50	1,069,200.00	1,069,200.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	26.00	98,800.00	98,800.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	2,200.00	112,200.00	112,200.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	378,806.77	378,806.77	378,806.77

BID TABULATION REPORT

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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: METRO EXPRESS, INC.

Address: 8095 W 21 LANE

City/ST/Zip: HIALEAH, FL 33016

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	1.50	4,050.00	4,050.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	2.00	2,160.00	2,160.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	350,000.00	350,000.00	350,000.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	18.00	*323,024.00*	*327,024.00*
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	75.00	1,907,625.00	1,907,625.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	150.00	4,500.00	4,500.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	5,800.00	29,000.00	29,000.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	6,200.00	18,600.00	18,600.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	100.00	4,000.00	4,000.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	125.00	1,250.00	1,250.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	105.00	29,820.00	29,820.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	110.00	149,050.00	149,050.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	95,000.00	95,000.00	95,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	12.00	*950,000.00*	*950,400.00*
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	10.00	38,000.00	38,000.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	300.00	15,300.00	15,300.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	392,577.90	*392,537.90*	*392,577.90*

BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: COMMUNITY ASPHALT CORPORATION.

Address: 14005 N.W. 186TH STREET.

City/ST/Zip: MIAMI, FL. 33018

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	0.50	1,350.00	1,350.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	0.50	540.00	540.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	850,000.00	850,000.00	850,000.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	50.00	908,400.00	908,400.00
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	50.00	1,271,750.00	1,271,750.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	400.00	12,000.00	12,000.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	5,800.00	29,000.00	29,000.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	6,100.00	18,300.00	18,300.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	86.00	3,440.00	3,440.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	120.00	1,200.00	1,200.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	72.00	20,448.00	20,448.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	100.00	135,500.00	135,500.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	120,000.00	120,000.00	120,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	37.50	2,970,000.00	2,970,000.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	40.00	152,000.00	152,000.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	2,000.00	102,000.00	102,000.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	659,592.80	659,592.80	659,592.80

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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: AMERICAN EARTH MOVERS, INC.

Address: 821 NE 79TH STREET

City/ST/Zip: MIAMI SHORES, FL 33138

Item No	Description	Unit	Quantity			
102-74-1	BARRICADES (TEMPORARY- TYPE I, II, VP & DRUM).	EA/DAY	2,700.00	Not Responsive	5,400.00	5,400.00
102-60A	WORK ZONE SIGNS	EA/DAY	1,080.00	Not Responsive	3,240.00	3,240.00
110-1-1	CLEARING AND GRUBBING (Includes removal of existing pavement, sidewalks, driveways, drainage structures and pipes, vegetation, miscellaneous concrete. Also includes tree removal, cherry hedge removal, miscellaneous earthwork and saw cutting)	L.S.	1.00	Not Responsive	40,000.00	40,000.00
120-6	EMBANKMENT (This item is contingent upon field conditions and may be increased, decreased or eliminated by the Engineer)	C.Y.	18,168.00	Not Responsive	363,360.00	363,360.00
125-4-3	CONTAMINATED SOLID WASTE REMOVAL AND DISPOSAL	TON	25,435.00	Not Responsive	1,424,360.00	1,424,360.00
400-1-15	CLASS I CONCRETE [(Miscellaneous) (Collars, pipe plugs,structure plugs etc.) (This item is contingent upon field conditions and may be increased decreased or eliminated by the Engineer)]	C.Y.	30.00	Not Responsive	19,500.00	19,500.00
425-1-351	INLET CURB (TYPE P-5)< 10 '	EA.	5.00	Not Responsive	37,500.00	37,500.00
425-1-361	INLET, CURB (Type P-6)< 10'	EA.	3.00	Not Responsive	27,000.00	27,000.00
430-172-202	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (25" to 36")	L.F.	40.00	Not Responsive	9,000.00	9,000.00
430-172-203	PIPE CULVERT OPTIONAL MATERIAL (Cross Drain) (Other-Elip/Arch) (37" to 48")	L.F.	10.00	Not Responsive	4,300.00	4,300.00
430-174-101	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (Up to 24")	L.F.	284.00	Not Responsive	28,400.00	28,400.00
430-174-102	PIPE CULVERT OPTIONAL MATERIAL (Side Drain) (Round) (25" to 36")	L.F.	1,355.00	Not Responsive	203,250.00	203,250.00
448-73-1A	METHANE SURVEY AND REPORT	L.S.	1.00	Not Responsive	28,000.00	28,000.00
548-10-2	FURNISH AND INSTALL RETAINING WALL	S.F.	79,200.00	Not Responsive	396,000.00	396,000.00
550-10-228	FENCING (Type B) (5.1" to 6" Height) (Reset existing)	L.F.	3,800.00	Not Responsive	38,000.00	38,000.00
580-327-6	ROYAL PALM (Relocation) Quantity may be increased or decreased by the Engineer. To be relocated within the limits of the project.	EA.	51.00	Not Responsive	55,335.00	55,335.00
999	CONTINGENCY FUND (10% OF SUBTOTAL AMOUNT)	L.S.	1.00	Not Responsive	268,264.50	268,264.50

BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: WRS INFRASTRUCTURE & ENVIRONMENT, INC.

Address: 10025 N.W. 116 WAY Suite 12

City/ST/Zip: MEDLEY, FL 33178

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	65,155.52	65,155.52	65,155.52
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $3,910,709.12

Contractor's Bid Items Total: $3,910,709.12

Submitted Total From Contractor: $3,910,709.12

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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: SOLO CONSTRUCTION CORPORATION

Address: 3855 Commerce Park

City/ST/Zip: Maramar, FL 33025

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	68,685.48	68,685.48	68,685.48
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $4,108,386.88

Contractor's Bid Items Total: $4,108,386.88

Submitted Total From Contractor: $4,108,386.88

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BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: H&R PAVING INC.

Address: 1955 NW 110 AVE.,

City/ST/Zip: MIAMI, FL33172

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	73,440.30	73,440.30	73,440.30
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $4,374,656.80

Contractor's Bid Items Total: $4,374,656.80

Submitted Total From Contractor: $4,374,656.80

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BID TABULATION REPORT
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Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: CENTRAL FLORIDA EQUIPMENT RENTALS, INC.

Address: 9030 NW 97TH TERRACE

City/ST/Zip: MEDLEY/FL/33178

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	75,761.35	75,761.35	75,761.35
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $4,504,635.78

Contractor's Bid Items Total: $4,504,635.78

Submitted Total From Contractor: $4,504,635.78

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BID TABULATION REPORT
September 16, 2008 11:44 AM

Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: METRO EXPRESS, INC.

Address: 8095 W 21 LANE

City/ST/Zip: HIALEAH, FL 33016

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	78,507.58	78,507.58	78,507.58
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $4,658,864.48

Contractor's Bid Items Total: $4,654,424.48

Submitted Total From Contractor: $4,658,424.48

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BID TABULATION REPORT
September 16, 2008 11:44 AM

Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: COMMUNITY ASPHALT CORPORATION.

Address: 14005 N.W. 186TH STREET.

City/ST/Zip: MIAMI, FL. 33018

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	2,000.00	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	131,918.56	131,918.56	131,918.56
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	250,000.00	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	10,000.00	10,000.00	10,000.00

System Calculated Total: $7,649,439.36

Contractor's Bid Items Total: $7,649,439.36

Submitted Total From Contractor: $7,649,439.36

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BID TABULATION REPORT
September 16, 2008 11:44 AM

Project Name: PTP NW 74 Street Improvements - Contamination Assessment and Remediation Work

Project No: 20070610

Bid Open Date: 09/26/2007

Name: AMERICAN EARTH MOVERS, INC.

Address: 821 NE 79TH STREET

City/ST/Zip: MIAMI SHORES, FL 33138

Item No	Description	Unit	Quantity			
102-10A	OFF-DUTY LAW ENFORCEMENT OFFICER	L.S.	1.00	Not Responsive	2,000.00	2,000.00
102-1Q	MAINTENANCE OF TRAFFIC (Including traffic cones, temporary signs, flag men, etc.) This line item price shall be set at 2% of the subtotal amount listed above.	L.S.	1.00	Not Responsive	53,652.90	53,652.90
448-73-999	PASSIVE METHANE VENTING SYSTEM INSTALLATION (Allowance Account)	L.S.	1.00	Not Responsive	250,000.00	250,000.00
990	ALLOWANCE-PERMITS	L.S.	1.00	Not Responsive	10,000.00	10,000.00

System Calculated Total: $3,266,562.40

Contractor's Bid Items Total:

Submitted Total From Contractor:

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Find Contracts With Search String ==>

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OFFICE OF CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS INFORMATION SYSTEM

Thursday, January 08, 2009

All Contracts for FEIN 621260585

WRS Infrastructure & Environment, Inc.

DST	DPT	Type	Contract	Name	Location / Contractor	Estimated Completion Date	Total Award	Last Status Date	% Complete / Status *
7	DE	CON	200512457-R	Chapman Field Wetlands Restoration Project	WRS Infrastructure & Environme	10/14/2008	$1,115,625	10/27/2008	95% / On Schedule
0	DE	CON	C02-DERM-EEC 23	Removal and disposal of sediment and debris in selec	WRS Infrastructure & Environme	4/6/2005	$30,000,000	4/13/2005	100% / Complete
					Totals:	2	$31,115,625		

* Yellow Status=Inactive Contract

Contracts Status View

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Projects

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Capital Improvements Information System

Contractor Evaluations Report

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
DE	200512457-R	CON	WRS Infrastructure & Environment, Inc.	10/1/2008	Juan Curiel	Interim	3.8
DE	C02-DERM-EEC 23	CON	WRS Infrastructure & Environment, Inc.	10/1/2008	Juan Curiel	Completion of construction	3.2

Evaluation Count: 2 Contractors: 1 Average Evaluation: 3.5

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MIAMI-DADE COUNTY

DEBARRED CONTRACTORS LIST
(MONTHLY REPORT)
Report Period: November 2008

Gilberto Alonso	President/Owner	All Pest Control Service, Inc.	6854 W. Flagler St. Miami, Florida 33144	Miami-Dade County DPM	Violation of Section 10-38	Excluded from Contracting w/ Miami-Dade County	05/15/2007 - 05/14/2012	Yes
Sonia Condo Alonso	Officer/Owner	All Pest Control Service, Inc.	6854 W. Flagler St. Miami, Florida 33144	Miami-Dade County DPM	Violation of Section 10-38	Excluded from Contracting w/ Miami-Dade County	05/15/2007 - 05/14/2012	Yes
Worldwide Industries, Inc	Worldwide Industries, Inc.	Worldwide Industries, Inc.	3653 Cagney Drive Tallahassee, Fl 32309	Miami-Dade County DPM	Violation of Section 10-38	Excluded from Contracting w/ Miami-Dade County	02/01/2008 - 02/02/2013	Yes
Gloria Jones	President	Worldwide Industries, Inc.	3653 Cagney Drive Tallahassee, Fl 32309	Miami-Dade County DPM	Violation of Section 10-38	Excluded from Contracting w/ Miami-Dade County	02/01/2008 - 02/02/2013	Yes
Laraync Whitehead	Vice-President	Worldwide Industries, Inc.	3653 Cagney Drive Tallahassee, Fl 32309	Miami-Dade County DPM	Violation of Section 10-38	Excluded from Contracting w/ Miami-Dade County	02/01/2008 - 02/02/2013	Yes

MIAMI-DADE COUNTY
DEPARTMENT OF SMALL BUSINESS DEVELOPMENT
GOAL DEFICIT MAKE-UP REPORT as of: December 31, 2008

FIRM NAME	DATE OF VIOLATION	PROJECT NUMBER	DEPT	PROGRAM	MAKE-UP AMOUNT	APPROVED PLANS Amount	APPROVED PLANS Dept	MAKE-UP BALANCE
Transamerica Construction Company	8/13/2007	POSW0700112 06N01	SWM	CSBE	89,116.20			89,116.20
Weekley Asphalt Paving, Inc.	7/16/2002	671908	PWD	CSBE	40,015.76			40,015.76
	7/5/2005	629904-1Q	PWD	CSBE	49,992.12			49,992.12
TOTAL					***$ 7,776,834.53***	***$ 129,908.61***		***$ 7,652,066.70***

FOR QUESTIONS REGARDING THIS REPORT, PLEASE CONTACT ALICE HIDALGO - GATO OR ALECIA ANDERSON AT (305) 375-3111.

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Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
	3/14/2007	20040318 (671308)	PW	03-1				Failure to submit a workforce plan inclusive of required documentation.	Closed 4/3/2007
WORKERS TEMPORARY STAFFING, INC.									
	11/1/2004	MIA-741A (MIA-741-R-5)	AV-AA	90-143	$20,000.00	$20,000.00		Underpayment of Employee	Closed 4/24/2006
	2/27/2007	5164-4/08	SW	99-44	$6,443.21			Underpayment of Employee	Open
				Grand Total	*$1,193,212.22*	*$808,352.84*	*$13,063,988.55*		

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Detail by Entity Name

Foreign Profit Corporation

WRS INFRASTRUCTURE & ENVIRONMENT, INC.

Filing Information

Document Number	P13202
FEI Number	621260585
Date Filed	02/10/1987
State	NC
Status	ACTIVE
Last Event	NAME CHANGE AMENDMENT
Event Date Filed	11/03/1997
Event Effective Date	NONE

Principal Address

221 HOBBS STREET
SUITE 108
TAMPA FL 33619 US

Changed 05/04/2001

Mailing Address

221 HOBBS STREET
SUITE 108
TAMPA FL 33619 US

Changed 05/04/2001

Registered Agent Name & Address

NRAI SERVICES, INC.
2731 EXECUTIVE PARK DRIVE
SUITE 4
WESTON FL 33331 US

Name Changed: 11/17/1998

Address Changed: 02/15/2005

Officer/Director Detail

Name & Address

Title COOP

FRANTZ, P.E., LUKE A
221 HOBBS STREET, SUITE 108
TAMPA FL 33619 US

Title V

COPELAND, MICHAEL G
221 HOBBS STREET, SUITE 108
TAMPA FL 33619 US

Title CEOD

SHANAHAN, KATHLEEN M
221 HOBBS STREET, SUITE 108
TAMPA FL 33619

Title V

ANDERSON, DIANE
221 HOBBS STREET, SUITE 108
TAMPA FL 33619

Title ST

FINN, BRIAN A
221 HOBBS STREET, SUITE 108
TAMPA FL 33619 US

Title V

ANDERSON, BRENT W
221 HOBBS STREET, SUITE 108
TAMPA FL 33619

Annual Reports

Report Year	Filed Date
2007	01/03/2007
2008	01/07/2008
2009	01/06/2009

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Events **Name History** Entity Name

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