

## **MEMORANDUM**

Agenda Item No. 8(N)(1)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 20, 2012

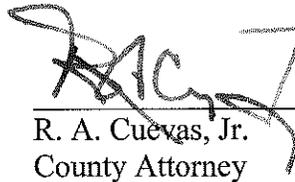
**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution authorizing  
the County Mayor  
to execute the attached  
Contract Award for  
Design-Build Services for the  
Lehman Center Test Track /  
Lehman Yard Rehabilitation-  
Expansion Phase 1

Resolution No. R-982-12

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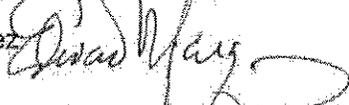
The accompanying resolution was prepared by the Miami-Dade Transit Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/lmp

**Date:** November 20, 2012

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Edward Marquez  
Deputy Mayor 

**Subject:** Executive Summary for the Contract Award Recommendation for Design-Build Services  
for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1

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It is recommended that the Board of County Commissioners (Board) approve a \$25,147,257 award to Munilla Construction Management, LLC (MCM) for Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1, Project No: DB10-MDT-01 PTP, Contract No: CIP028-CT1-TR09.

#### **Background on Solicitation Process**

Due to budget constraints, the proposed test track and additional storage tracks were not included in the Lehman Center facilities contract which was awarded prior to 1983. In 2002, the test track and storage tracks were included in Miami-Dade Transit's (MDT's) Capital Improvement Plan approved by the Board for financing by the People's Transportation Plan Bond Program.

The Request to Advertise (RTA) for this project was approved by the Assistant County Manager on May 29, 2010 and was subsequently certified by the Clerk of the Board on June 2, 2010. The Notice to Proceed with Design-Build Services was issued on June 11, 2010 for a two-step selection process. The first step was to evaluate four proposals received on October 25, 2010 based on the prime firm's qualifications and experience, technical qualifications and certifications of the prime's design team members, compliance with licensing agreements; ability to meet insurance and bond requirements; and the firm's commitment to comply with the County's programs. One of the proposers, Herzog Contracting Corporation, was deemed non-compliant and the Competitive Selection Committee evaluated the remaining three proposals, which were ranked in the following order: 1) Odebrecht Construction, Inc (Odebrecht), 2) Kiewitt Infrastructure South Company (Kiewitt), and 3) MCM.

The second step of the process included scoring the technical proposals and oral presentations for project design and construction approach, and the ability to provide the services within budget and on schedule. Odebrecht advised the County that it would not submit a technical and price proposal and the remaining two firms submitted their proposals on December 6, 2010. Kiewitt was ranked first and initial negotiations were held with the firm, during which Kiewitt was asked to reduce its original price proposal to an amount similar to the engineer's cost estimate. Kiewitt requested a site visit, and as a result of the visit determined that a price reduction was not feasible. After further opportunities to reduce their price proposal, negotiations were discontinued with Kiewitt and negotiations began with MCM, the second ranked firm. MCM agreed to reduce their based contract amount by \$993,560 but it was still 18.24 percent higher than the engineer's cost estimate. It was determined by the Selection Committee that MCM's price proposal was fair and reasonable given the amount of time that had elapsed by that point since the 2009 cost estimate and the limited contractor participation.

#### **Background on Lehman Center Test Track/Lehman Yard Rehabilitation Project**

Currently, new vehicle testing and acceptance cannot take place during normal service hours in an effort to avoid a train accident. There are only three productive non-revenue service hours currently available per day for testing of repaired vehicles, which is inadequate to support ongoing maintenance and future testing and acceptance programs. The Lehman Yard expansion to be performed under this award includes design.

Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
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and construction of test track, siding track, inspection building, new storage tracks, maintenance tracks, a train control and communication house. Expansion of the yard will improve MDT's vehicle performance testing and maintenance, in accordance with peak vehicle requirements, by eliminating the need to wait for specific times to move vehicles for repairs and testing without impacting the movement of other vehicles. This will result in improved rail operations and decreased MDT's operating expenses.



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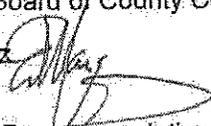
Alina T. Hudak  
Deputy Mayor/County Manager

# Memorandum



**Date:** November 20, 2012

**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Edward Marquez   
Deputy Mayor

**Subject:** Contract Award Recommendation for Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1 - Project No: DB10-MDT-01 PTP; Contract No: CIP028-CT1-TR09, to MUNILLA CONSTRUCTION MANAGEMENT LLC D/B/A MCM

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## Recommendation

It is recommended that the Board of County Commissioners (Board) approve an award for Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1, Project No: DB10-MDT-01 PTP, Contract No: CIP028-CT1-TR09 between Munilla Construction Management, LLC, hereinafter referred to as MCM, and Miami-Dade County, in the amount of \$25,147,257.00. This award recommendation has been prepared by Miami-Dade Transit (MDT) and recommended for approval pursuant to Section 2-8.2.7 of the Code of Miami Dade County.

This contract award recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This contract award recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or forty-five (45) days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and forty-five (45) days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item.

**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.

## Scope

**PROJECT NAME:** Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1

**PROJECT NO:** DB10-MDT-01 PTP

**CONTRACT NO:** CIP028-CT1-TR09

**PROJECT DESCRIPTION:** Design and construction services are required at the Lehman Center in order to build a test track, siding track, storage tracks, inspection building, train control and communication house.

The Design-Build team will manage the final design, permitting, construction, equipment furnish and installation, testing, operating system implementation, system integration and acceptance of the following project components: test track, siding track, inspection building, five new storage tracks, two maintenance of way tracks, a train control and communication house. This work includes implementation of a train control system, Closed Circuit Television CCTV, telephone systems and traction power connection along with the addition of track switches remotely controlled by the existing control panel at the Lehman Yard Tower.

Implementation of the test track will significantly improve rail operations, decrease MDT's operating expenses, and enhance vehicle testing and maintenance performance, in accordance with Peak Vehicle Requirements. The Lehman Yard expansion will provide 24/7 testing capability for the existing fleet, increase efficiency, and will support the transition from decommissioning the old fleet to acceptance of the new fleet.

In 2002, the test track and storage tracks were included in MDT's Capital Improvement Plan approved by the Board for financing by the People's Transportation Plan Bond Program.

**PROJECT LOCATION:** 6601 NW 72 Avenue, Miami, Florida 33166

<b>PROJECT SITES:</b>	<b>SITE #</b>	<b>LOCATION 1</b>	<b>DIST</b>	<b>AWARD ESTIMATE</b>	<b>T-S-R</b>
	#75611	Lehman Test Track 6601 NW 72 <sup>nd</sup> Avenue, 33166	12	\$14,612,401.78	0-0-0
	#75964	Lehman Yard. Rehabilitation. 6601 NW 72 <sup>nd</sup> . Avenue, 33166	12	\$10,534,855.22	0-0-0
	Total:			\$25,147,257.00	

**PRIMARY COMMISSION DISTRICT:** District 12      Jose "Pepe" Diaz

**APPROVAL PATH:** Board of County Commissioners

**OCI A&E PROJECT NUMBER:** DB10-MDT-01 PTP

**USING DEPARTMENT:** Transit

**MANAGING DEPARTMENT:** Transit

**Fiscal Impact / Funding Source**

<b>FUNDING SOURCES:</b>	<b>SOURCE</b>	<b>PROJECT NUM</b>	<b>SITE #</b>
	People's Transportation Plan Bond Program	678220	#75611
	People's Transportation Plan Bond Program	674560	#75964

**OPERATIONS COST  
 IMPACT / FUNDING:**

MDT has identified the annual project's Florida Power & Light (FPL) electrical cost estimate is \$480,000, of which \$360,000 is for the Lehman Center Test Track and \$120,000 for the Lehman Yard Rehabilitation - Expansion Phase 1. This cost will be funded through MDT operating funds.

**MAINTENANCE COST  
 IMPACT / FUNDING:**

MDT has identified the project's annual preventive maintenance and repair cost estimate of \$585,000, of which \$325,000 is for the Lehman Center Test Track and \$260,000 for the Lehman Yard Rehabilitation - Expansion Phase 1. This cost will be funded through MDT operating funds.

**LIFE EXPECTANCY  
 OF ASSET:**

The Project, once completed, will have a life expectancy of approximately 100 years for the building structure and tracks and 30 years for the electrical components.

**PTP FUNDING:**

Yes

**GOB FUNDING:**

No

**ARRA FUNDING:**

No

**CAPITAL BUDGET  
 PROJECTS:**

<u>CAPITAL BUDGET PROJECT # - DESCRIPTION</u>	<u>AWARD ESTIMATE</u>
678220- TEST TRACK FOR METRORAIL Book Page: 108 Funding Year: Adopted Capital Budget Book for 2011-12, Prior Years' Funds through FY 2012-13.	\$14,612,401.78
674560- LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1 Book Page: 95 Funding Year: Adopted Capital Budget Book for 2011-12, Prior Years' Funds through FY 2012-13.	\$10,534,855.22
<b>CAPITAL BUDGET PROJECTS TOTAL:</b>	<b>\$25,147,257.00</b>

**PROJECT  
 TECHNICAL  
 CERTIFICATION  
 REQUIREMENTS:**

<u>TYPE</u>	<u>CODE</u>	<u>DESCRIPTION</u>
Prime	16.00	GENERAL CIVIL ENGINEERING
Other	2.01	MASS TRANSIT SYSTEMS - MASS TRANSIT PROGRAM (SYSTEMS) MANAGEMENT
Other	2.04	MASS TRANSIT SYSTEMS - MASS TRANSIT CONTROLS, COMMUNICATIONS & INFORMATION SYSTEMS
Other	2.05	MASS TRANSIT SYSTEMS - GENERAL QUALITY ENGINEERING

Other	2.06	MASS TRANSIT SYSTEMS - MASS TRANSIT SAFETY CERTIFICATION FOR SYSTEM ELEMENTS
Other	9.02	SOILS, FOUNDATIONS AND MATERIALS TESTING - GEOTECHNICAL AND MATERIALS ENGINEERING SERVICES
Other	10.05	ENVIRONMENTAL ENGINEERING - CONTAMINATION ASSESSMENT AND MONITORING
Other	11.00	GENERAL STRUCTURAL ENGINEERING
Other	12.00	GENERAL MECHANICAL ENGINEERING
Other	13.00	GENERAL ELECTRICAL ENGINEERING
Other	14.00	ARCHITECTURE
Other	15.01	SURVEYING AND MAPPING - LAND SURVEYING
Other	17.00	ENGINEERING CONSTRUCTION MANAGEMENT

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

Did the Notice to Professional Consultants contain Specific Language requiring compliance with the Sustainable Buildings Program?  
 Yes

**NTPC'S DOWNLOADED:** 271

**PROPOSALS RECEIVED:** 4

**ESTIMATED ORIGINAL CONTRACT PERIOD:** 538 Days

**TOTAL CONTRACT PERIOD:** 538 Days Excludes Warranty Administration Period Estimated Construction Period: 404 Calendar Days Estimated Design Period: 134 Calendar Days

**CONTINGENCY PERIOD:** 54 Calendar Days

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

**ART IN PUBLIC PLACES:** No

**BASE ESTIMATE:** \$19,670,984.00 Estimated Design Cost: \$805,310  
 Estimated Construction Cost: \$18,865,674

**BASE CONTRACT AMOUNT:** \$23,295,000.00 Design Cost: \$1,750,140  
 Construction Cost: \$21,544,860

CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	TYPE	PERCENT	AMOUNT	COMMENT
	Design Build	15%	\$1,252,257.00	TEST TRACK FOR METRORAIL: Estimated Design Cost: \$1,020,331.62 x 10% (\$102,033.16) Estimated Construction Cost: \$12,561,940.00 x 5 % (\$628,097.00)
				LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1: Estimated Design Cost \$729,808.38 x 10% (\$72,980.84) Estimated Construction Cost: \$8,982,920.00 x 5 % (\$449,146.00)

**ENVIRONMENTAL REMEDIATION :** \$200,000.00 0.80%

**SPARE PARTS :** \$400,000.00 1.59%

**TOTAL DEDICATED ALLOWANCE:** \$600,000.00

**TOTAL AMOUNT:** \$25,147,257.00

Track Record / Monitor

**SBD HISTORY OF VIOLATIONS:** None  
 According to the Sustainability, Planning & Economic Development Department's Small Business Development (SPEED / SBD) division's violations report as of February 17, 2012, there have been no violations reported for Munilla Construction Management, LLC. (See attached report)

**EXPLANATION:**  
 The Request to Advertise (RTA) for this project was approved by the Assistant County Manager on May 29, 2010 and was subsequently certified by the Clerk of the Board on June 2, 2010. The Notice to Proceed for Design-Build Services was issued on June 11, 2010. A two-step selection process was utilized for this solicitation.

Step 1 included the evaluation of the prime firm's qualifications and experience; technical qualifications and certifications of the prime's design team members; compliance with all licensing requirements; commitment to meet the goals of both the Community Business Enterprise and Community Small Business Enterprise programs; and ability to meet insurance and bond requirements.

For Step 1, a total of four proposals were received on October 25, 2010. Herzog Contracting Corporation was non-compliant with the technical certification requirements and therefore eliminated from further evaluation. On November 17, 2010, the Competitive Selection Committee evaluated the three remaining firms and ranked them as follows: (1) Odebrecht Construction, Inc.; (2) Kiewitt Infrastructure South Company (Kiewitt); and (3) Munilla Construction Management, LLC, (MCM).

On December 6, 2010, Odebrecht Construction, Inc. forwarded correspondence advising the Internal Services Department (ISD) that they would not be submitting a technical and price proposal for the project and was therefore eliminated from further consideration.

Step 2 included scoring the technical proposals and oral presentations in accordance with the following criteria: project design approach, project construction approach, and ability to provide required services on schedule and within budget.

Two firms submitted proposals to ISD on December 6, 2010, and oral presentations took place on December 21, 2010.

Pursuant to the negotiation authorization approved on July 26, 2011, the following firms were selected in order of ranking: (1) Kiewitt and (2) MCM.

An initial negotiations meeting was held with Kiewitt on August 9, 2011, during which Kiewitt was requested to reduce its original price proposal to an amount closer to the engineer's cost estimate. Kiewitt requested a site visit to evaluate the feasibility of a price reduction. As a result, a site visit was held on August 23, 2011. On September 9, 2011, Kiewitt sent the Committee formal notification that a price reduction was not feasible based on its analysis of site conditions and other considerations. As a result, the Committee held a procedural meeting on September 20, 2011 to evaluate whether to pursue further negotiations with Kiewitt. The Committee coordinator provided advance notice to Kiewitt about the meeting and advised its attendance was optional. The Committee gave Kiewitt a final opportunity to reduce its price during the second negotiations meeting held on September 29, 2011, but negotiations were discontinued once Kiewitt advised that no reduction from its original price of \$26,464,069 would be forthcoming.

Pursuant to Florida Statutes 287.055, Miami-Dade County Code 2-10.4 and Administration Order 3-39, authorization to terminate negotiations with Kiewitt and approval to begin negotiations with the second highest ranked design-builder, MCM, was approved on October 12, 2011.

The Committee began negotiations with MCM, on November 1, 2011. A second negotiations meeting was held on December 1, 2011, and a site visit was held on December 15, 2011 at MCM's request. A third negotiations meeting was held on January 10, 2012 and negotiations were concluded during the final meeting on February 3, 2012. The Committee successfully negotiated a new base contract amount of \$23,295,000.00, representing a net discount of \$993,560.00 from MCM's original base price of \$24,288,560.00. Once negotiations with MCM were finalized, MCM's price was 18.24% higher than the engineer's cost estimate. However, the Committee found it reasonable for a

design builder to perform the original scope of work at a higher price due to escalation of electrical, mechanical, train control, and communication system equipment prices since the 2009 cost estimate and necessary to maintain product integrity. Limited contractor participation and relatively small contract size for this type of work also contributed to the higher cost proposal. As such, the Committee determined MCM's negotiated price was fair and reasonable, and in the best interests of the County.

**SUBMITTAL DATE:** 10/25/2010

**ESTIMATED NOTICE TO PROCEED:** 7/20/2012

**PRIME CONSULTANT:** MUNILLA CONSTRUCTION MANAGEMENT LLC DBA MCM

**COMPANY PRINCIPAL:** Juan Munilla

**COMPANY QUALIFIERS:** Juan Munilla

**COMPANY EMAIL ADDRESS:** aleal@mcmcorp.com

**COMPANY STREET ADDRESS:** 6201 S.W. 70th Street, 2nd Floor

**COMPANY CITY-STATE-ZIP:** Miami, FL 33143

**YEARS IN BUSINESS:** 30 Years

**PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS:** According to the firm history report provided by SPEED/SBD, MCM has received seven contracts from Miami-Dade County valued at \$179,475,358.11 and one change order in the amount of \$16,590,872.04.

**SUBCONSULTANTS:** Nifah and Partners Consulting Engineers, Inc.  
B&C Transit, Inc.  
Stantec Consulting Services Inc.  
PJB Associates, P.A.  
SDM Consulting Engineers, Inc.  
Gannett Fleming, Inc.  
C.H. Perez & Associates Consulting Engineers, Inc.  
Southern National Track Services, Inc.  
D.C. Electric, Inc.

**DUE DELIGENCE:** Due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine Consultant responsibility, including verifying corporate status and that there are no performance or compliance issues. The lists that were referenced include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to Consultant responsibility. This information is being provided pursuant to Resolution R-187-12.

**MINIMUM  
QUALIFICATIONS  
EXCEED LEGAL  
REQUIREMENTS:**

Yes

In addition to the required licenses, the Design Build team must comply with all of the technical certifications listed herein and be able to demonstrate, through prior experience, their ability to manage the design and construction of complex rail transit projects of similar size and scope, as described in the project description. The Design Build team must be experienced in the application of the American Rail Engineering & Maintenance Association (AREMA) standards and guidelines and must demonstrate experience in the four disciplines listed below.

**Trackwork:**

Demonstrate that the trackwork team has been responsible for the design, furnish, construction and installation of trackwork on projects of similar size and scope, as described in the project description. The team must demonstrate engineering experience with track switches, turnouts, ties, ballast, rail welding, tamping and track surfacing, along with civil design and construction experience that includes earthwork, grading, concrete and asphalt placement, with associated materials testing.

**Communications:**

Demonstrate that the communications team has been responsible for the design, installation, testing, and acceptance of a communications system, on projects of similar size and scope, as described in the project description. Must demonstrate experience with network/associated equipment, Closed Circuit Television and telephone systems.

**Train Control:**

Demonstrate that the train control team has been responsible for the design, installation, testing, and acceptance of a train control systems, on projects of similar size and scope, as described in the project description. The team must demonstrate experience with Automatic Train Protection, Automatic Train Operation, Automatic Train Supervision and Train-to-Wayside Communications systems.

**Traction Power:**

Demonstrate that the traction power team has been responsible for the design, installation, testing, and acceptance of a 750 Volts Direct Current or similar rail traction power system with third rail and electrical distribution for control and facility power on projects of similar size and scope, as described in the project description.

**REVIEW COMMITTEE:**

**MEETING DATE:**

3/31/2010

**SIGNOFF DATE:**

3/31/2010

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

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	TYPE	GOAL	ESTIMATE/ VALUE	COMMENT
	CSBE	20.00%	\$4,308,972	(\$21,544,860 CONSTRUCTION)
	CBE	25.00%	\$437,535	(\$1,750,140 - DESIGN)
	CWP	0.00%	0	No Measure

MANDATORY CLEARING HOUSE: Yes

CONTRACT MANAGER NAME / PHONE / EMAIL: Jesus Valderrama (786) 469-5291 jvalder@miamidadade.gov

PROJECT MANAGER NAME / PHONE / EMAIL: Daniel Mondesir (786) 469-5267 MDS@miamidadade.gov

**Background:**

Due to budget constraints, the proposed test track and additional storage tracks were not included in the Lehman Center facilities contract awarded prior to 1983. In 2002, the test track and storage tracks were included in MDT's Capital Improvement Plan approved by the Board for financing by the People's Transportation Plan Bond Program.

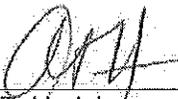
The Lehman Yard expansion includes design and construction of test track, siding track, inspection building, new storage tracks, maintenance tracks, a train control and communication house. Expansion will improve MDT's vehicle performance testing and maintenance, in accordance with peak vehicle requirements. MDT's rail operations and maintenance capability will significantly improve by eliminating the need to wait for specific times to move vehicles for repairs and testing without impacting the movement of other vehicles.

New vehicle testing and acceptance cannot take place during normal service hours to avoid the occurrence of a train accident. There are only three productive non-revenue service hours currently available per day for testing of repaired vehicles. This is inadequate to support ongoing maintenance and any future testing and acceptance programs.

The project will support delivery, qualification, acceptance, and safety certification testing of new Metrorail vehicles presently under procurement. The vehicles will be safety certified on the new test track and mainline before being placed into revenue service. The test track will improve vehicle maintenance and operations, allowing

MDT to maintain its testing schedule and acceptance of six new vehicles per month.

The Test Track will provide 24/7 testing capability for the existing fleet and acceptance of new fleet, enabling a quick turnaround for repair and return of vehicles to service. The track will relieve the existing maintenance shop of overcrowding, and eliminate the need for using the mainline tracks to test vehicle performance after repairs and overhauls are completed.



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Alina T. Hudak  
Deputy Mayor/County Manager

# Memorandum



**Date:** October 3, 2011

**To:** Ed Marquez  
Deputy Mayor

**From:** Mayor Carlos A. Gimenez

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

**Subject:** Solicitation DB10-MDT-01

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In accordance with the letter opinion issued by Robert Meyers, Executive Director, Miami-Dade Commission on Ethics and Public Trust dated August 31, 2011 ("Ethics Opinion"), I hereby delegate to you all delegable authority relating to the administration of solicitation DB10-MDT-01 PTP Design Build Services for the Lehman Center Test Tract/Lehman Yard Rehabilitation Expansion Phase I including, but not limited to, the authority to recommend to the Board of County Commissioners the award of the solicitation to a contractor. As I will not be sponsoring any award recommendation of this solicitation under the authority of the County Mayor you should request that any recommended disposition of this solicitation which you deem to be in the best interest of Miami-Dade County be sponsored by a County Commissioner in accordance with the Commission's Rules of Procedure. I further delegate to you all delegable authority to administer any contract awarded as a result of DB10-MDT-01 PTP Design Build Services for the Lehman Center Test Tract/Lehman Yard Rehabilitation Expansion Phase I. You should exercise this authority and utilize your own judgment and should take all actions which are in the best interest of Miami-Dade County and consistent with the County Code, regulations, rules and the solicitation documents. Consistent with the Ethics Opinion, I will not be participating in any decisions made regarding this solicitation.

c: Robert A. Cuevas, Jr., County Attorney  
Joe Centorino, Executive Director, Commission on Ethics and Public Trust  
Christopher Agrippa, Clerk of the Board  
George Navarette, Director, Office of Capital Improvements

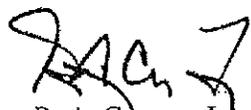


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** November 20, 2012

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

**SUBJECT:** Agenda Item No. 8(N) (1)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N)(1)  
11-20-12

RESOLUTION NO. R-982-12

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, TO EXECUTE THE ATTACHED CONTRACT AWARD FOR DESIGN-BUILD SERVICES FOR THE LEHMAN CENTER TEST TRACK / LEHMAN YARD REHABILITATION - EXPANSION PHASE 1 - PROJECT NO: DB10-MDT-01 PTP; CONTRACT NO: CIP028-CT1-TR09, BETWEEN MIAMI DADE COUNTY AND MUNILLA CONSTRUCTION MANAGEMENT LLC - MCM IN THE AMOUNT OF \$25,147,257.00; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS

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 attached Contract Award for Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation - Expansion Phase 1 - Project No: DB10-MDT-01 PTP; Contract No: CIP028-CT1-TR09, Between Miami Dade County and Munilla Construction Management LLC - MCM, in the amount of \$25,147,257.00; and authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise cancellation and renewal provisions, and any other rights contained therein, and authorizes the use of Charter County Transportation Surtax Funds.

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

Audrey M. Edmonson, Vice Chairwoman			<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Lynda Bell	<b>aye</b>
Esteban L. Bovo, Jr.	<b>aye</b>	Jose "Pepe" Diaz	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>aye</b>
Rebeca Sosa	<b>aye</b>	Sen. Javier D. Souto	<b>aye</b>
Xavier L. Suarez	<b>aye</b>	<b>Juan C. Zapata</b>	<b>absent</b>

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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



HARVEY RUVIN, CLERK

**Christopher Agrippa**

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

Approved by County Attorney as  
to form and legal sufficiency.

Bruce Libhaber

STRATEGIC AREA: Transportation  
 DEPARTMENT: Transit

\*\*\*\*\* FUNDED PROJECTS \*\*\*\*\*  
 (dollars in thousands)

RAIL VEHICLE REPLACEMENT

PROJECT # 6733001

DESCRIPTION: Overhaul and modernize existing fleet and purchase 136 new heavy rail vehicles

LOCATION: Countywide

Throughout Miami-Dade County

DISTRICT LOCATED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

DISTRICT(S) SERVED: Countywide

REVENUE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
People's Transportation Plan Bond Program	55,089	23,065	25,846	76,230	106,121	76,912	599	11,924	375,786
<b>TOTAL REVENUE:</b>	<b>55,089</b>	<b>23,065</b>	<b>25,846</b>	<b>76,230</b>	<b>106,121</b>	<b>76,912</b>	<b>599</b>	<b>11,924</b>	<b>375,786</b>
EXPENDITURE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
Equipment Acquisition	23,911	17,933	16,439	64,261	96,839	70,537	0	8,967	298,887
Project Administration	14,985	3,604	8,145	8,242	4,203	2,781	599	2,508	45,067
Project Contingency	1,962	1,028	1,012	3,527	4,960	3,594	0	449	16,532
Capital Maintenance	14,231	500	250	200	119	0	0	0	15,300
<b>TOTAL EXPENDITURES:</b>	<b>55,089</b>	<b>23,065</b>	<b>25,846</b>	<b>76,230</b>	<b>106,121</b>	<b>76,912</b>	<b>599</b>	<b>11,924</b>	<b>375,786</b>

TEST TRACK FOR METRORAIL

PROJECT # 678220

DESCRIPTION: Construct a test track at the Lehman Center for Metrorail

LOCATION: 6601 NW 72 Ave

Unincorporated Miami-Dade County

DISTRICT LOCATED: 12

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

DISTRICT(S) SERVED: Countywide

REVENUE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
People's Transportation Plan Bond Program	7,404	7,655	1,531	0	0	0	0	0	16,590
<b>TOTAL REVENUE:</b>	<b>7,404</b>	<b>7,655</b>	<b>1,531</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,590</b>
EXPENDITURE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
Planning and Design	136	0	0	0	0	0	0	0	136
Construction	5,336	6,969	1,394	0	0	0	0	0	13,699
Construction Management	307	179	36	0	0	0	0	0	522
Project Administration	1,323	293	59	0	0	0	0	0	1,675
Project Contingency	301	214	43	0	0	0	0	0	558
<b>TOTAL EXPENDITURES:</b>	<b>7,403</b>	<b>7,655</b>	<b>1,532</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16,590</b>

STRATEGIC AREA: Transportation  
 DEPARTMENT: Transit

\*\*\*\*\* FUNDED PROJECTS \*\*\*\*\*  
 (dollars in thousands)

GRAPHICS AND SIGNAGE UPGRADE

PROJECT # 678800

DESCRIPTION: Design-build signage system that will unify the new Earlington Heights Miami Intermodal Center Connector with the existing Metrorail system

LOCATION: Throughout Miami-Dade County

Throughout Miami-Dade County

DISTRICT LOCATED: 1, 2, 6, 12

DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
FTA Section 5307/5309 Formula Grant	5,704	1,796	0	0	0	0	0	0	7,500

<b>TOTAL REVENUE:</b>	<b>5,704</b>	<b>1,796</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,500</b>
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EXPENDITURE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
Planning and Design	702	0	0	0	0	0	0	0	702
Construction	2,368	1,015	0	0	0	0	0	0	3,383
Construction Management	125	75	0	0	0	0	0	0	200
Project Administration	475	260	0	0	0	0	0	0	735
Project Contingency	2,034	446	0	0	0	0	0	0	2,480

<b>TOTAL EXPENDITURES:</b>	<b>5,704</b>	<b>1,796</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,500</b>
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LEHMAN YARD REHABILITATION AND EXPANSION PHASE 1

PROJECT # 674560

DESCRIPTION: Construct and/or rehabilitate five storage tracks at the existing Metrorail Palmetto Yard facility

LOCATION: 6601 NW 72 Ave

Unincorporated Miami-Dade County

DISTRICT LOCATED: 12

DISTRICT(s) SERVED: Countywide

ESTIMATED ANNUAL OPERATING IMPACT: Minimal

REVENUE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
People's Transportation Plan Bond Program	3,692	4,182	839	0	0	0	0	0	8,713

<b>TOTAL REVENUE:</b>	<b>3,692</b>	<b>4,182</b>	<b>839</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,713</b>
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EXPENDITURE SCHEDULE:	PRIOR	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	FUTURE	TOTAL
Construction	2,958	3,864	773	0	0	0	0	0	7,595
Construction Management	171	99	20	0	0	0	0	0	290
Project Administration	463	148	32	0	0	0	0	0	643
Project Contingency	100	71	14	0	0	0	0	0	185

<b>TOTAL EXPENDITURES:</b>	<b>3,692</b>	<b>4,182</b>	<b>839</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8,713</b>
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**Dept. of Small Business Development**  
*Project Worksheet*

Project/Contract Title: LEHMAN CENTER TEST TRACK/ LEHMAN YARD REHABILITATION - EXPANSION PHASE I (SIC 15) RC Date: 03/31/2010  
 Project/Contract No: DR10-MDT-01 (BUILD) Funding Source: Item No: 4-02  
 Department: MIAMI DADE TRANSIT PTP  
 Estimated Cost of Project/Bid: \$20,408,966.00 Resubmittal Date(s):  
 Description of Project/Bid: TO ESTABLISH A CONTRACT TO DESIGN AND CONSTRUCT A TEST TRACK, A SIDING TRACK, STORAGE TRACKS, INSPECTION BUILDING, AND A TRAIN & COMMUNICATION HOUSE AT THE LEHMAN CENTER. THIS PROJECT WILL SUPPORT THE DELIVERY, CERTIFICATION AND ACCEPTANCE OF THE NEW METROPOLITAN VEHICLES EXPECTED TO BE RECEIVED BY THE SECOND QUARTER OF 2013.

**Contract Measures Recommendation**

<u>Measure</u>	<u>Program</u>	<u>Goal Percent</u>
Goal	CSBE	20.00%

**Reasons for Recommendation**

An analysis of the factors contained in Section VI.C of Administrative Order 3-22 as amended indicates that a 20% CSBE goal is appropriate in the following categories: concrete-2.7%, metals-3.88%, site preparation-7.45%, plumbing & mechanical-9%, electrical-4.1% and doors/flooring/painting(all other special trade)-1.15%.

A further analysis indicates that a Community Workforce Program (CWP) goal does not apply.  
 CWP Not Applicable: Not in DTA.

**Analysis for Recommendation of a Goal**

<u>Subtrade</u>	<u>Cat.</u>	<u>Estimated Value</u>	<u>% of Items to Base Bid</u>	<u>Availability</u>
Concrete Contractors	CSBE	\$531,042.08	2.70%	7
Structural Steel Erection Contractors	CSBE	\$791,867.88	3.88%	59
Site Preparation Contractors	CSBE	\$1,520,467.97	7.45%	204
Plumbing, Heating, and Air-Conditioning Contractors	CSBE	\$81,635.88	0.40%	74
Electrical Contractors	CSBE	\$836,767.61	4.10%	92
All Other Special Trade Contractors	CSBE	\$234,703.11	1.15%	700
<b>Total</b>		<b>\$4,016,484.51</b>	<b>19.68%</b>	

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

*Ordinance 90-173 is applicable to all construction projects over \$100,000 that do not utilize Federal Funds*

**REVIEW COMMITTEE RECOMMENDATION**

Tier 1 Set Aside \_\_\_\_\_  
 Set Aside Level 1 \_\_\_\_\_ Level 2 \_\_\_\_\_ Level 3 \_\_\_\_\_  
 Trade Set Aside (MCC) \_\_\_\_\_ Goal CSBE = 20% Bid Preference \_\_\_\_\_  
 No Measure \_\_\_\_\_ Deferred \_\_\_\_\_ Selection Factor \_\_\_\_\_

Chairperson/Review Committee  
 Date: 3/31/10

County Manager/Designee  
 Date: 3/31/10



**Dept. of Small Business Development**  
*Project Worksheet*

Project/Contract Title: LEHMAN CENTER TEST TRACK / LEHMAN YARD REHABILITATION - EXPANSION PHASE I (SIC 871)  
 Project/Contract No: DB10-MDT-01 (DESIGN) Funding Source: Item No: 4-01  
 Department: MIAMI DADE TRANSIT PTP Resubmittal Date(s):  
 Estimated Cost of Project/Bid: \$885,850.00  
 Description of Project/Bid: TO ESTABLISH A DESIGN-BUILD CONTRACT FOR THE DESIGN AND CONSTRUCTION SERVICES AT THE LEHMAN CENTER IN ORDER TO BUILD A TEST TRACK, A SIDING TRACK, STORAGE TRACKS, INSPECTION BUILDING, A TRAIN CONTROL AND COMMUNICATION HOUSE. THIS PROJECT WILL SUPPORT THE DELIVERY, CERTIFICATION AND ACCEPTANCE OF THE NEW METRO RAIL VEHICLES EXPECTED TO BE RECEIVED BY THE SECOND QUARTER OF 2013.

**Contract Measures Recommendation**

<u>Measure</u>	<u>Program</u>	<u>Goal Percent</u>
Goal:	CBE	25.00%

**Reasons for Recommendation**

This project meets all the criteria set forth in A.D. 3-32, Section V:  
 Funding Source(s): People's Transportation Plan  
 A "Set-aside" was considered for the design component; however, insufficient availability of CBE firms in the Mass Transit Categories precluded such a measure.  
 SIC 871 - Architectural and Engineering Services

**Analysis for Recommendation of a Goal**

<u>Subtrade</u>	<u>Cat.</u>	<u>Estimated Value</u>	<u>% of Items to Base Bid</u>	<u>Availability</u>
GENERAL MECHANICAL ENGINEERING	CBE	\$88,585.00	10.00%	3
SURVEYING AND MAPPING-LAND SURVEYING	CBE	\$24,292.50	5.00%	7
ARCHITECTURE	CBE	\$88,585.00	10.00%	10
<b>Total</b>		<b>\$221,462.50</b>	<b>25.00%</b>	

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

*Ordinance 90-193 is applicable to all construction projects over \$100,000 that do not utilize Federal Funds.*

**REVIEW COMMITTEE RECOMMENDATION**

Tier 1 Set Aside: \_\_\_\_\_  
 Set Aside: Level 1 \_\_\_\_\_ Level 2 \_\_\_\_\_ Level 3 \_\_\_\_\_  
 Trade Set Aside (MCC) \_\_\_\_\_ Goal: 25% CBE Bid Preference \_\_\_\_\_  
 No Measure \_\_\_\_\_ Deferred \_\_\_\_\_ Selection Factor \_\_\_\_\_

 \_\_\_\_\_ 3/31/10 \_\_\_\_\_ 3/31/10  
 Chairman, Review Committee Date County Manager / Designee Date



# Department of Small Business Development Violations Report as of 2/17/2012

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
<b>ADVENTURE ENVIRONMENTAL, INC.</b>									
	9/11/2007	CCDR3	DE	97-52			\$56,913.06	Prime failed to meet CSBE subcontractor goal	Open
	9/11/2007	CCDR5	DE	97-52			\$72,841.44	Prime failed to meet CSBE subcontractor goal	Open
	9/11/2007	CCDR1	DE	97-52			\$68,828.24	Prime failed to meet CSBE subcontractor goal	Open
<b>AMERICAN EARTH MOVERS INC.</b>									
	1/16/2007	CCDR2	DE	97-52			\$337,836.00	Utilization of a non-certified CSBE	Open
	5/24/2008	VKRP-06-01	DE	97-52			\$475,556.00	Prime failed to meet CSBE subcontractor goal	Open
<b>AMS- A PERSONNEL MANAGEMENT SERVICE CORP</b>									
	4/28/2009	EPP5388-4/10-3	XX	99-44	\$23,224.70	\$23,224.70	\$0.00	Underpayment of Employee (LW)	Closed 6/19/2009
	4/28/2009	6181-4/10-2	XX	99-44	\$102,611.48	\$102,611.48	\$0.00	Underpayment of Employee (LW)	Closed 6/19/2009
	4/28/2009	5185-4/12-1	XX	99-44	\$4,176.38	\$4,176.38	\$0.00	Underpayment of Employee (LW)	Closed 6/19/2009
	4/28/2009	5662-3/10-1	WS	99-44	\$23,374.51	\$23,374.51	\$0.00	Underpayment of Employee (LW)	Closed 6/19/2009
<b>BANKS ENVIRO CLEANING, INC.</b>									
	9/25/2008	6763-4/11-2	WS	99-44	\$1,570.80	\$2,782.02	\$0.00	Underpayment of Employee	Closed 9/9/2009
	9/25/2008	6750-3/10	MT	99-44	\$89,131.92	\$74,469.32	\$0.00	Underpayment of Employee	Closed 5/14/2011
<b>BUADE CONSTRUCTION COMPANY, INC.</b>									
	1/9/2001	98016	PR	97-52			\$7,000.00	Prime failed to meet CSBE subcontractor goal	Open
<b>BUDGET CONSTRUCTION CO., INC.</b>									
	6/22/2007	40570103006	PR	97-52			\$748,572.00	Prime failed to meet CSBE subcontractor goal	Open
	2/12/2008	40070103005	PR	90-143	\$13,794.65	\$13,794.55		Underpayment of Employee	Closed 5/29/2009

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
	7/2/2008	40070-05-004	PR	97-52			\$170,575.40	Prime failed to meet CSBE subcontractor goal	Open
<b>C &amp; W LAWN CARE, INC.</b>									
	6/16/2011	7030-4/11-2	FR	99-44	\$1,369.51	\$1,369.51	\$0.00	Underpayment of Employee (LW)	Closed 6/27/2011
<b>C-W CONSTRUCTION, INC.</b>									
	1/5/2011	S-825 (A)	WS	97-52			\$0.00	Deviation from the Schedule of Intent	Closed 2/4/2011
<b>CLEAR JANITORIAL SERVICE INC.</b>									
	8/30/2007	PERMITEE-PX-754	AV	99-44	\$180.00	\$180.00		Underpayment of Employee	Closed 2/19/2008
<b>COASTAL WELDING AND FABRICATIONS, INC.</b>									
	9/29/2003	W665B	WS	90-143	\$14,093.42	\$0.00		Underpayment of Employee	Closed 10/6/2010
<b>COGNISA SECURITY, INC.</b>									
	7/29/2005	PERMITEE-PC-886	AV	99-44	\$47,250.11	\$0.00		Underpayment of Employee	Closed 10/6/2010
<b>COVE CONSTRUCTION GROUP LLC</b>									
	3/16/2010	BP NO. 3-C	NDBASE	97-52			\$0.00	Attempting to comply with the CSBE requirements through fraud and/or misrepresentation	Closed 4/21/2010
<b>DACA ENVIRONMENTAL, INC.</b>									
	1/17/2003	W799R	WS	97-52			\$171,283.66	Prime failed to meet CSBE subcontractor goal	Open
<b>DATO ELECTRIC, INC.</b>									
	10/31/2006	MIA-737H	AV-AA	97-52			\$996,145.00	Prime failed to meet CSBE subcontractor goal	Open
<b>DEVELOPMENT &amp; COMMUNICATION GROUP OF FL, INC.</b>									
	4/6/2005	POSW0400740	SW	97-52			\$55,000.00	Prime failed to meet CSBE subcontractor goal	Closed 9/23/2011
	12/20/2006	POWS0607759 TD708	WS	97-52			\$600,000.00	Utilization of non certified CSBE firm for CSBE/Set Aside work	Closed 9/23/2011
<b>EDWARD GENERAL STEEL ERECTORS, INC.</b>									
	3/17/2008	9722A/9722B	CU	90-143	\$77,167.58	\$77,167.58		Underpayment of Employee	Closed 1/12/2010
<b>ENVIRONMENTAL SCIENCE ASSOCIATES CORPORATION</b>									

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status	
F C E ENGINEERING, INC.	3/9/2007	502-MBAD-01, E (HO84A)	AV	01-103			\$6,129.46	Prime failed to meet CSBE subcontractor goal	Closed 6/18/2009	
	1/31/2002	662257	PW	97-52			\$135,930.77	Prime failed to meet CSBE subcontractor goal	Open	
	1/31/2002	630121C	PW-Q	97-52			\$281,748.52	Prime failed to meet CSBE subcontractor goal	Open	
	1/31/2002	662460	PW	97-52			\$455,423.32	Prime failed to meet CSBE subcontractor goal	Open	
	1/31/2002	671703	PW	97-52			\$99,950.01	Prime failed to meet CSBE subcontractor goal	Open	
	1/31/2002	653136Q	PW	97-52			\$113,765.07	Prime failed to meet CSBE subcontractor goal	Open	
	1/31/2002	693203Q	PW	97-52			\$360,536.68	Prime failed to meet CSBE subcontractor goal	Open	
	FISK ELECTRIC COMPANY	7/10/2007	MIA-739F (16.1)	AV-AA	97-52			\$1,437,000.00	Attempting to comply with the CSBE requirements through fraud and/or misrepresentation	Closed
		7/10/2007	MIA-737-R-8 (WS 16.1)	AV-AA	97-52			\$1,353,000.00	Attempting to comply with the CSBE requirements through fraud and/or misrepresentation	9/29/2011 Closed
		7/10/2007	MIA-739C-3 WS 16.1	AV-AA	97-52			\$52,000.00	Attempting to comply with the CSBE requirements through fraud and/or misrepresentation	9/29/2011 Closed
2/3/2009		POGS0706361 AD0136-RE-BID	DA	97-52			\$169,251.66	Prime deviated from the Schedule of Participation	Open	
FOSTER CONSTRUCTION OF SOUTH FLORIDA, INC.	6/18/2007	PERMITEE-PC-693	AV	89-44				Failure to respond to requests for information.	Closed 10/26/2010	
	12/14/2006	PERMITEE-PX-843	AV	99-44			\$0.00	Failure to respond to requests for information.	Closed 10/26/2010	
GATE GOURMET										
GATE SAFE, INC.										

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
	4/26/2007	PERMITEE-PX-000843	AV	99-44				Failure to respond to requests for information.	Closed 10/26/2010
GLOBAL MAX ENTERPRISES, INC.									
	8/15/2007	PERMITEE-PC-740	AV	99-44				Failure to respond to requests for information.	Closed 2/26/2010
GLOBETEC CONSTRUCTION LLC									
	3/14/2007	05C006	SW	03-1				Failure to submit a workforce plan inclusive of required documentation.	Closed 3/6/2009
	10/26/2010	W-847R (A)	WS	97-52	\$1,514,415.95			Deviation from the Schedule of Intent	Open
GROUP II, INC.									
	5/6/2002	8123-203- POAPGS0109436	GS	90-143	\$556.96	\$0.00	\$0.00	Underpayment of Employee.	Closed 10/5/2010
H & R PAVING, INC.									
	3/6/2007	RM-8-01/03	AV	97-52			\$24,562.00	Prime failed to meet CSBE subcontractor goal	Closed 6/24/2009
	3/6/2007	20030266 (861007)	PW	97-52			\$131,487.00	Prime failed to meet CSBE subcontractor goal	Closed 6/24/2009
	3/6/2007	20030249	PW	97-52			\$64,933.00	Prime failed to meet CSBE subcontractor goal	Closed 6/24/2009
HARRY PEPPER & ASSOCIATES, INC.									
	1/5/2011	S-825 (A)	WS	97-52			\$3,853,852.00	Prime failed to meet CSBE subcontractor goal	Open
HORSEPOWER ELECTRIC, INC.									
	2/7/2002	871050A	PW	97-52			\$39,583.38	Prime failed to meet CSBE subcontractor goal	Closed 1/27/2010
	10/19/2010	20070567	PW	03-1			\$0.00	Failure to submit a workforce plan.	Closed 1/18/2011
M E V CONSTRUCTION, INC.									
	2/21/2002	6123-203- POAPGS0101963	GS	97-52			\$17,470.00	Prime failed to meet CSBE subcontractor goal	Closed 9/23/2011
M. VILA & ASSOCIATES, INC.									
	8/10/2001	CDQNP 1	CD	97-52			\$203,912.67	Prime failed to meet CSBE subcontractor goal	Open

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
M.C.O. CONSTRUCTION AND SERVICES, INC.	10/26/2010	V4847R (A)	WS	97-52			\$0.00	Deviation from the Schedule of Intent	Closed 11/30/2010
MAKEOVERS UNLIMITED DEVELOPERS, INC.	1/5/2011	RPQ NO. T1402	WS	97-52			\$1,000.00	Utilization of non-certified CSBE firm for CSBE/Set Aside work	Closed 9/23/2011
MAR'S CONTRACTORS, INC.	8/15/2000	S-661	WS	90-143	\$1,669.95	\$0.00		Underpayment of Employee	Closed 10/6/2010
METRO EQUIPMENT SERVICE, INC.	8/30/2007	602201-01-002	PR	97-52			\$40,372.40	Prime failed to meet CSBE subcontractor goal	Closed 2/19/2009
METRO EXPRESS INC.	1/4/2006	630022	DE	97-52			\$398,840.90	Prime failed to meet CSBE subcontractor goal	Open
	5/4/2007	20060220 (7360)	PW	90-143	\$30.48			Submission of inaccurate payrolls	Closed 4/7/2009
	10/26/2007	20060150 (7360)	PW	90-143				Submission of inaccurate payrolls	Closed 4/7/2009
	10/26/2007	20040516	PW	90-143				Submission of inaccurate payrolls	Closed 4/7/2009
OAC ACTION CONSTRUCTION, CORP.	9/2/2009	RPQ NO. 2008-136.09C	SP	97-52			\$0.00	Failed to enter into a written subcontract agreement	Closed 5/26/2011
OCEAN - CROWN ENVIRONMENTAL, INC.	2/27/2007	EIMS164-1/06	SN	99-44	\$4,912.02	\$4,912.02		Underpayment of Employee	Closed 1/27/2010
PABON ENGINEERING, INC.	5/24/2008	V/KRP-06-01	DE	97-52			\$0.00	Attempting to comply with the CSBE requirements through fraud and/or misrepresentation	Closed 9/16/2011
PETRO HYDRO, INC.	6/30/2006	20030760	PW	97-52			\$293,656.56	Prime failed to meet CSBE subcontractor goal	Closed 9/24/2010
	2/6/2007	20030059	PW	97-52			\$254,000.00	Utilization of a non-certified CSBE	Closed 9/24/2010

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
	4/10/2007	20050291	PW	97-52			\$320,248.48	Failure to contract with CSBE firm after listing SOI	Closed 9/24/2010
<b>PROJECT 1 CONSTRUCTION, INC.</b>									
	1/21/2011	RPQ NO. 200003	GS	97-52			\$61,178.00	Prime failed to meet CSBE subcontractor goal	Open
<b>QUEST SECURITY SERVICES</b>									
	8/26/2004	PERMITEE-PC-486	AV	99-44	\$23,100.28	\$0.00		Underpayment of Employee	Closed 10/6/2010
<b>R &amp; G ENGINEERING, INC.</b>									
	9/27/2011	RPQ NO. T1198-R	WS	97-52			\$67,560.00	Utilization of non certified CSBE firm for CSBE/Set Aside work	Open
<b>RAYDAN ELECTRIC, INC.</b>									
	1/28/2007	20090015	PW	97-52			\$16,632.00	Prime failed to meet CSBE subcontractor goal	Open
<b>SIGNAL TECHNOLOGY, INC.</b>									
	12/20/2002	610040	PW	90-143	\$61.07	\$0.00		Underpayment of Employee	Closed 10/6/2010
<b>NOLCO CONSTRUCTION CORP.</b>									
	2/4/2008	95087M11	AV	97-52			\$2,451,556.00	Prime failed to meet CSBE subcontractor goal	Closed 9/23/2011
<b>SOLUTION CONSTRUCTION, INC.</b>									
	9/23/2007	POPR0701050-46440	PR	97-52			\$175,935.10	Utilization of non certified CSBE firm for CSBE/Set Aside work	Open
<b>SOUTH FLORIDA MAINTENANCE SERVICE, INC. (SFM)</b>									
	9/17/2007	PERMITEE-PC-002952	AV	99-44	\$13,119.66		\$13,119.66	Underpayment of Employee	Closed 5/19/2010
<b>SUN-TECH PLUMBING CONTRACTORS, INC.</b>									
	5/30/2007	9722A/9722B	CU	90-143	\$116,909.50		\$102,718.55	Underpayment of Employee	Closed 12/7/2011
<b>TRANSAMERICA CONSTRUCTION COMPANY</b>									
	8/13/2007	POSM0706112 06N017	SW	97-52				Deviation from the Schedule of Intent	Closed 6/4/2009
<b>UNITECH BUILDERS CORP</b>									
	10/25/2006	AD0094	GS	03-1				Failure to obtain DBD approval of workforce plan by 25% proj. completion	Closed 4/23/2010
<b>WEEKLEY ASPHALT PAVING, INC.</b>									

Firm	Date of Violation	Project #	Department	Ord.	Amount Identified	Amount Recovered	Amount Makeup	Reason	Status
	7/16/2002	671906	PW	97-52			\$40,015.76	Prime failed to meet CSBE subcontractor goal	Open
	7/5/2005	629604-1Q	PW-O	97-52			\$49,992.12	Prime failed to meet CSBE subcontractor goal	Open
WORKERS TEMPORARY STAFFING, INC.	2/27/2007	5164-1/08	SW	99-44	\$6,443.21	\$0.00		Underpayment of Employee	Closed 10/6/2010

**Grand Total \$564,758.19 \$443,900.38 \$18,611,513.62**

# Memorandum



**Date:**

**To:** Edward Marquez  
Deputy Mayor

**Thru:** George Navarrete  
Director, OCI

*George Navarrete 10/3/11*

**From:** Mike Ramos, A&E Consultant Selection Coordinator  
Non-Voting OCI Chairperson, Standing Selection and Negotiation Committee

*Mike Ramos*

**Subject:** Authorization to Terminate Negotiations  
with Kiewit Infrastructure South Co.  
Miami-Dade Transit (MDT) Department  
Design-Build Services for the Lehman Center Test Track / Lehman Yard  
Rehabilitation Expansion Phase 1  
OCI Project No. DB10-MDT-01 PTP

---

Pursuant to the October 3, 2011 memorandum from Mayor Carlos A. Gimenez, (see attachment A), regarding an Ethics Opinion rendered, please be advised that this memorandum involves MCM (Munilla Construction Management, LLC).

On July 29th, 2011, the Office of Capital Improvements (OCI) received authorization to enter into negotiations, (see attachment B), with Design-Builder Kiewit Infrastructure South Co. (Kiewit), for design-build services for the Lehman Center Test Track / Lehman Yard Rehabilitation Expansion Phase I.

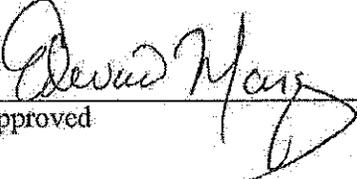
The appointed Negotiation Committee (Committee) met on three occasions; two of the three meetings were with Kiewit. In addition to the negotiation meetings, a site visit (August 23, 2011) was requested by Kiewit. These publicly noticed meetings occurred between August 09, 2011 and September 29, 2011. Throughout the various sessions, in which Kiewit was in attendance, the Committee attempted to negotiate a reduction of Kiewit's original price proposal of \$26,464,069. Kiewit's price proposal is \$5,169,271 in excess of the \$21,294,798 estimated total budget for this project. On September 09, 2011 OCI received a letter from Kiewit (see attachment C) indicating that based on their August 23<sup>rd</sup> site visit, they would not be able to reduce their price.

During negotiation meeting no. 3, Kiewit indicated to the Committee that they would not be able to further reduce their price. As such, the Committee unanimously agreed to recommend to the County Mayor to terminate negotiations with Kiewit.

Pursuant to Florida Statutes 287.055, Miami Dade Code Section 2-10.4 and Administrative Order 3-39, upon your approval of the Committee's recommendation to terminate negotiations with Kiewit, the Committee will proceed to enter into negotiations with the second ranked design builder MCM.

Authorization to Terminate Negotiations  
with Kiewit Infrastructure South Co.  
OCI Project No. DB10-MDT-01 PTP  
Page 2 of 2

Authorization to terminate negotiation is:

	<u>10/12/11</u>		
Approved	Date	Not Approved	Date

- c: Clerk of the Board of County Commissioners
- Alina Hudak, Deputy Mayor/County Manager
- Ysela Llort, Interim Director, MDT
- George Navarrete, Director, OCI
- Luisa Millan, Chief, Professional Services Division, OCI
- Negotiation Committee

Attachments:

- A - October 3, 2011 Memorandum
- B - Negotiation Authorization
- C - September 9, 2011 Letter from Kiewit Infrastructure South, Co.

**Attachment A**  
**October 3, 2011 Memorandum**

# Memorandum



**Date:** October 3, 2011

**To:** Ed Marquez  
Deputy Mayor

**From:** Mayor Carlos A. Gimenez

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name.

**Subject:** Solicitation DB10-MDT-01

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In accordance with the letter opinion issued by Robert Meyers, Executive Director, Miami-Dade Commission on Ethics and Public Trust dated August 31, 2011 ("Ethics Opinion"), I hereby delegate to you all delegable authority relating to the administration of solicitation DB10-MDT-01 PTP Design Build Services for the Lehman Center Test Tract/Lehman Yard Rehabilitation Expansion Phase I including, but not limited to, the authority to recommend to the Board of County Commissioners the award of the solicitation to a contractor. As I will not be sponsoring any award recommendation of this solicitation under the authority of the County Mayor you should request that any recommended disposition of this solicitation which you deem to be in the best interest of Miami-Dade County be sponsored by a County Commissioner in accordance with the Commission's Rules of Procedure. I further delegate to you all delegable authority to administer any contract awarded as a result of DB10-MDT-01 PTP Design Build Services for the Lehman Center Test Tract/Lehman Yard Rehabilitation Expansion Phase I. You should exercise this authority and utilize your own judgment and should take all actions which are in the best interest of Miami-Dade County and consistent with the County Code, regulations, rules and the solicitation documents. Consistent with the Ethics Opinion, I will not be participating in any decisions made regarding this solicitation.

- c: Robert A. Cuevas, Jr., County Attorney
- Joe Centorino, Executive Director, Commission on Ethics and Public Trust
- Christopher Agrippa, Clerk of the Board
- George Navarette, Director, Office of Capital Improvements

**Attachment B**  
**Negotiation Authorization**

# Memorandum



**Date:** July 25, 2011

**To:** Carlos A. Gimenez  
Mayor

**Thru:** George Navarrete  
Director, OCI

*George Navarrete 7/26/11*

**From:** *Mike Ramos*  
Mike Ramos, A&E Consultant Selection Coordinator  
Chairperson, Competitive Selection Committee

**Subject:** NEGOTIATION AUTHORIZATION  
Miami Dade Transit (MDT) Department  
People Transportation Plan (PTP)  
Design-Build Services for the Lehman Center Test Track  
/ Lehman Yard Rehabilitation Expansion Phase 1  
OCI Project No. DB10-MDT-01 PTP

The Competitive Selection Committee (CSC) has completed the evaluation of the proposals submitted in response to the above referenced OCI Project on December 21, 2010 following the guidelines published in the Request for Design-Build Services (RDBS) Volume I. This request for authorization to enter into negotiations was held in abeyance pending coordination and funding issues relative to the procurement of the new Metrorail cars.

**OCI Project No.:** OCI Project No. DB10-MDT-01 PTP

**Project Title:** Design-Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation Expansion Phase 1

**Scope of Services:** Professional design and construction services are required at the Lehman Center, located at 6601 Northwest 72<sup>nd</sup> Avenue, Miami-Dade, Florida, in order to build a test track, siding track, storage track, inspection building, train control and communication house.

The Design-Build team will be responsible for the management of the final design, permit, construction, equipment, furnishing, installation, testing, operating system implementation, system integration, and acceptance of the following project components:

- Test track
- Siding track
- Inspection building
- Five (5) new storage tracks
- Two (2) maintenance of way tracks
- Train control and communication house.

Page Two (2)  
Negotiations Authorization  
Miami-Dade Transit Department  
OCI Project No. DB10-MDT-01 PTP

This work includes implementation of a train control system, closed circuit television (CCTV), telephone systems, and traction power connection along with the addition of track switches remotely controlled by the existing control panel at the Yard Tower.

Submitter(s) must design, build and substantially complete the project within five hundred and thirty eight (538) calendar days after the Owner issues the Notice to Proceed (NTP) to the Design-Builder. It will be the responsibility of the Submitter(s) to secure all permits and to provide signed and sealed architectural and engineering (A/E) construction documents which comply with all regulatory requirements as well as meeting the needs of MDT.

**BACKGROUND:**

**Term of contract:** One Design-Build Contract will be awarded under this solicitation. The estimated project cost is nineteen million, six hundred seventy thousand, nine hundred and eighty four dollars (\$19,670,984.00).

**Review Committee:** The Review Committee recommended at their March 31, 2010 meeting that the following goals shall be applied: 25% Community Business Enterprise Program (CBE) Subconsultant Goal and 20% Community Small Business Enterprise Program (CSBE) Goal.

**Date of County Manager's approval to advertise/initiate:** April 10, 2010.

**Request to Advertise (RTA) Stamped by the Clerk of the Board:** June 2, 2010.

**Number of proposals received:** Four.

**Name of Proposer(s):** Please refer to the attached List of Respondents (LOR).

**SELECTION PROCESS:**

A two-step selection process was utilized for this design-build solicitation, Step 1 – Evaluation of Qualifications and Step 2 – Evaluation of Technical and Price Proposal. Step 1 is the evaluation of the design-build team's qualifications based on the teams' completed submittal. Step 2 is the evaluation of competitive technical and price proposals from those Advancing Firms (those firms deemed responsive and responsible at Step 1) who choose to offer a responsive and responsible proposal.

**Step 1:**

The Step 1 process is the evaluation of qualifications of the teams. Such qualifications included the experience and qualifications of the team, design team's technical certification and pre-qualification, Design-Builder's complying with the solicitation's licensing requirements, assurance in meeting the Community Business Enterprise and Community Small Business Enterprise goals, Design-Builder's capability to provide a Payment and Performance Bond and acknowledgement of insurance coverage.

The experience and qualifications required for this solicitation were as follows:

- (1) The Design-Build Team must be able to demonstrate, through prior experience, the ability to manage the design and construction of complex rail transit projects of similar size and scope, as described in the Scope of Services.
- (2) This Design-Build Team must be experienced in applying the American Rail Engineering & Maintenance Association (AREMA) standards and guidelines and must demonstrate experience in the disciplines listed below, as applicable:

Trackwork:

Demonstrate that the Trackwork Team has been responsible for the design, furnishing, construction and installation of trackwork on projects of similar size and scope, as described in the Scope of Services.

The Trackwork Team must demonstrate engineering experience with track switches, turnouts, ties, ballast, rail welding, tamping and track surfacing, along with civil design and construction experience that includes earthwork, grading, concrete and asphalt placement with associated materials testing.

Communications:

Demonstrate that the Communications Team has been responsible for the design, installation, testing and acceptance of communication systems, on projects of similar size and scope, as describes in the Scope of Services.

Communication Team must demonstrate experience with Network/Associates equipment, CCTV and Private Automatic Branch Exchange (PABX) telephone systems.

Train Control:

Demonstrate that the Train Control Team has been responsible for the design, installation, testing and acceptance of train control systems, on projects of similar size and scope, as described in the Scope of Services.

The Control Team must demonstrate experience with Automatic Train Protection (ATP), Automatic Train Operation (ATO), Automatic Train Supervision (ATS) and Train-to-Wayside Communications (TWC) systems.

Traction Power:

Demonstrate that the Traction Power Team has been responsible for the design, installation, testing and acceptance of a 750 Volts Direct Current (VDC) of a similar rail traction power system with third rail and electrical distribution for control and facility power, on projects of similar size and scope, as described in the Scope of Services.

Page Four (4)  
Negotiations Authorization  
Miami-Dade Transit Department  
OCI Project No. DB10-MDT-01 PTP

Supervisory Control and Data Acquisition (SCADA):

Demonstrate that the SCADA Team has been responsible for the design, installation, testing and acceptance of a SCADA system to interface with control tower, on projects of similar size and scope, as described in the Scope of Services.

Four proposals were received for Step 1 (please refer to the attached List of Respondents). One respondent, Herzog Contracting Corporation, was found non-compliant with the technical certification requirements and therefore was eliminated from further evaluation by the CSC. The CSC evaluated and scored the remaining three respondents based upon the four criteria denoted in the attached Step 1 Ranking Report and found the three respondents to be qualified. The CSC motioned to invite the three respondents to submit a technical and price proposal for Step 2.

Step 2:

On December 6, 2010 OCI received correspondence from Odebrecht Construction, Inc. advising that they would not be submitting a technical and price proposal for the project. Technical and price proposals were received from Kiewit Infrastructure South Co. and Munilla Construction Management LLC / dba MCM.

The technical proposals were evaluated and scored by the CSC. Upon completion of the Step 2 scores by the CSC, the sealed envelopes containing the price proposals and bid guarantees were opened and read into the record. Each Design-Builder's proposed price was divided by the total CSC's Step 2 scores, to obtain the Adjusted Bid. The CSC motioned that Kiewit Infrastructure South Co., the top ranked Design-Builder with the lowest Adjusted Bid be recommended to the County Mayor or County Mayor's designee for negotiations of a design-build contract.

**STEP 1 AND STEP 2 RESULTS:**

**Step 1 Results:** See attached Step 1 Ranking Report

**Step 2 Results:** See attached Step 2 Ranking Report

**REQUEST FOR APPOINTMENT OF NEGOTIATION COMMITTEE:**

Pursuant to Section 2-10.4 (6) of the Code of Miami-Dade County, OCI hereby requests the following Negotiation Committee be approved by the County Mayor or County Mayor's designee for the purpose of negotiating a design-build contract with the top ranked firm, as listed below:

1. Daniel Mondesir, MDT
2. Surinder Sahota, MDT
3. Lee Emard, MDT
4. Mario Ventura, MDT
5. Humberto Codispoti, WASD

Page Five (5)  
Negotiations Authorization  
Miami-Dade Transit Department  
OCI Project No. DB10-MDT-01 PTP

**REQUEST FOR AUTHORIZATION TO ENTER NEGOTIATIONS:**

Pursuant to Section 2-10.4 (6) of the Code of Miami-Dade County, it is hereby requested that the County Mayor or County Mayor's designee approve the selection of the following firms, in the following order of preference, for negotiations:

**RANKING OF RESPONDENTS  
SELECTION FOR DESIGN-BUILD NEGOTIATION  
ONE (1) DESIGN-BUILD CONTRACT - 25% CBE GOAL & 20% CSBE GOAL**

1. Kiewit Infrastructure South, Co.
2. Munilla Construction Management LLC / dba MCM

This request for authorization to enter into negotiations was held in abeyance pending coordination and funding issues relative to the procurement of the new Metrorail cars.

If approved, the Negotiation Committee is to proceed with the contract negotiations pursuant to Section 6 of the above-mentioned Code, and submit the signed contract ready to be presented to the County Commission for final approval to this office no later than 60 days from the date of this memorandum.

If a satisfactory agreement cannot be reached within the 60 day period, a report is required to be prepared fully explaining all problems resulting from the negotiations. If negotiations are proceeding within a reasonable timeframe, then negotiations are to continue and the report is to be submitted upon completion. The final contract and report should be sent to this office.

Pursuant to the Code of Silence Legislation included in the Conflict of Interest and Code of Ethics Ordinance and Section 2-11.1 of the County Code, the County Mayor, or designee will report to the Board of County Commissioners any of the following instances:

- When negotiations do not commence, or other affirmative action is not taken, within 30 days of the Selection Committee's recommendation.
- When the County Mayor or designee's recommendation to award or reject is not made within 90 days from the date of the Selection Committee's recommendation.

Authorization to negotiate is:

  
Approved  
Carlos A. Gimenez, Mayor

7/26/11  
Date

Not Approved  
Carlos A. Gimenez, Mayor  
Date

Page Six (6)  
Negotiations Authorization  
Miami-Dade Transit Department  
OCI Project No. DB10-MDT-01 PTP

Attachments:

1. List of Respondents
2. Step 1 Ranking Report
3. Step 2 Ranking Report

c: Clerk of the Board of County Commissioners  
Ysela Llort, Office of the Mayor  
Jennifer Moon, Budget Director, Office of Management and Budget  
Georgé Navarrete, Director, OCI  
Luisa Millan, Chief, Professional Services Division, OCI  
Competitive Selection Committee



**MIAMI DADE COUNTY  
OFFICE OF CAPITAL IMPROVEMENTS**

**LIST OF RESPONDENTS**

**OCI Project Name:** Design-Build Services for the Lehman Center Test Track/Lehman Yard Rehabilitation-Expansion  
Phase 1

**OCI Project No.:** DB10-MDT-01PTP

**Measures:** CBE 25% & CSBE 20%

**Number of Agreements:** 1

**Contract Type:** DESIGN BUILD

**Submittal Date:** 10/25/2010

**Submittal No:** 1

**Prime Local Preference:** Yes

**Prime Name:** KIEWIT INFRASTRUCTURE SOUTH CO.

**FEIN No.:** 470530367

**Trade Name:** KIEWIT SOUTHERN COMPANY

<b>Subs Name</b>	<b>Trade Name</b>	<b>Subs FEIN No.</b>
a. STV INCORPORATED		131986759
b. GCME, INC.		651140436
c. ACB2 ENGINEERING, INC.		650834654
d. GES CONSULTANTS, INC.		650792884
e. INDIGO SERVICE CORPORATION		650057379
f. J BONFILL AND ASSOCIATES INC.		650133546
g. CORRPRO COMPANIES, INC.		341422570
h. MASS ELECTRIC CONSTRUCTION CO.		041590230

**Submittal No:** 2

**Prime Local Preference:** Yes

**Prime Name:** MUNILLA CONSTRUCTION MANAGEMENT, LLC

**FEIN No.:** 592373403

**Trade Name:** MCM / MAGNUM CONSTRUCTION MANAGEMENT CORP.

<b>Subs Name</b>	<b>Trade Name</b>	<b>Subs FEIN No.</b>
a. NIFAH AND PARTNERS CONSULTING ENGINEERS, INC.		650604266
b. B & C TRANSIT, INC.		650307428
c. STANTEC CONSULTING SERVICES, INC.		112167170
d. PJB ASSOCIATES, P.A.		650809550
e. SDM CONSULTING ENGINEERS, INC.		592346110
f. GANNETT FLEMING, INC.		251613591
g. C.H. PEREZ & ASSOCIATES CONSULTING ENGINEERS, INC.		550866252
h. SOUTHERN NATIONAL TRACK SERVICES, INC.		651003504
i. D. C. ELECTRIC, INC.		650816092



**MIAMI DADE COUNTY  
OFFICE OF CAPITAL IMPROVEMENTS**

**LIST OF RESPONDENTS**

OCI Project No.: DB10-MDT-01PTP  
Measures: CBE 25% & CSBE 20%

Number of Agreements: 1  
Contract Type: DESIGN BUILD  
Submittal Date: 10/25/2010

Submittal No: 3  
Prime Name: HERZOG CONTRACTING CORPORATION  
Trade Name:

Prime Local Preference: No  
FEIN No.: 430918005

Subs Name	Trade Name	Subs FEIN No.
a. REYNOLDS, SMITH AND HILLS, INC.		592986466
b. B & C TRANSIT, INC.		650307428
c. AVINO & ASSOCIATES, INC.		650053775
d. HR ENGINEERING SERVICES, INC.		650849633
e. BORRELLI & PARTNERS, INC.	BORRELLI & ASSOCIATES ARCHITECTS	592018056
f. JM ENGINEERS, INC.		651047798
g. KENNETH DIDONATO, INC.		592148167
h. ALDRIDGE ELECTRIC, INC.		362355856

Submittal No: 4  
Prime Name: ODEBRECHT CONSTRUCTION, INC.  
Trade Name:

Prime Local Preference: Yes  
FEIN No.: 650220703

Subs Name	Trade Name	Subs FEIN No.
a. GANNETT FLEMING, INC.		251613591
b. M.C. HARRY AND ASSOCIATES, INC.		592281430
c. B & C TRANSIT, INC.		650307428
d. CES CONSULTANTS, INC.		650792884
e. SDM CONSULTING ENGINEERS, INC.		592346110
f. BLISS & NYITRAY INC.		591203311
g. AVINO & ASSOCIATES, INC.		650053775
h. RAILWORKS TRACK SYSTEMS, INC.		411522172
i. L.K. COMSTOCK NATIONAL TRANSIT, INC.		611607105



MIAMI-DADE COUNTY				
EVALUATION/SELECTION DESIGN-BUILD SERVICES				
PROJECT: Design Build Services for the Lehman Center Test Track / Lehman Yard Rehabilitation Expansion Phase I				
DEPARTMENT: MIAMI-DADE TRANSPORT DEPARTMENT				
DESIGN-BUILD PROJECT NO. DB10-MDT-01 PTP				
STEP 2 MEETING - DECEMBER 21, 2010				
STEP 2 FINAL RANKING				
FIRMS	TOTAL PRICE	FINAL SCORE	ADJUSTED SCORE	FINAL RANK
KIEWIT INFRASTRUCTURE SOUTH CO.	\$26,464,069.00	461	57405.79	1
MCM	\$24,288,560.00	408	59530.78	2
	TOTAL PRICE	= ADJUSTED		
	FINAL SCORE	SCORE		
Milke Rantis Committee Chairperson				

STEP 2 MEETING - DECEMBER 21, 2010  
 MIAMI/DADE TRANSIT DEPARTMENT  
 REQUEST FOR DESIGN-BUILD SERVICES FOR  
 THE LEHMAN CENTER TEST TRACK / LEHMAN YARD  
 REHABILITATION EXPANSION PHASE 1  
 OCI PROJECT NO. DE10-MDT-01 P1P

TABULATION SHEET

		COMMITTEE MEMBERS														
		SURINDER SAHOTA	DANIEL MONDESIR	ILEANA QUINTANA	WILBUR MAYORCA	HUMBERTO CODISPOTI										
NAME OF BIDDING																
1	KIEWIT INFRASTRUCTURE SOUTH CO. 1B - Project Design Approach (Max. 40 Points) 2B - Project Construction Approach (Max. 40 Points) 3B - Ability to provide required services within schedule and budget (Max. 20 Points)	35 34 18 87	38 38 20 96	35 36 16 87	40 40 20 100	36 36 19 91	184 184 95 75	37 50 19 75	28 27 13 70	49 49 25 160	400					
2	BECHTEL 1B - Project Design Approach (Max. 40 Points) 2B - Project Construction Approach (Max. 40 Points) 3B - Ability to provide required services within schedule and budget (Max. 20 Points)	30 36 16 82	30 30 12 72	37 36 16 89	30 30 10 70	38 38 19 95	160 170 75 75	30 34 15 75	27 23 10 70	44 45 19 160	400					
File Name: OCI Champion																

REVISED BID PROPOSAL  
REVISED 1/11/12

MIAMI-DADE COUNTY  
OCI FORM 6  
OCI PROJECT NO. DB10-MDT-01 FTP  
Price Proposal

PRICE PROPOSAL FOR DESIGN-BUILD SERVICES FOR  
THE LEHMAN CENTER TEST TRACK /  
LEHMAN YARD REHABILITATION EXPANSION - PHASE 1

The Design-Builder shall state its price for providing services as stated in the Request for Design-Build Services (RDBS):

A BASE PRICE PROPOSAL FOR PROFESSIONAL SERVICES ..... \$ 1,755,045.00

A BASE PRICE PROPOSAL FOR CONSTRUCTION ..... \$ 21,839,955.00

(PLEASE PROVIDE A BREAKDOWN OF THE BASE PRICE PROPOSAL FOR CONSTRUCTION ON PAGES 4 AND 5)

TOTAL LUMP SUM PRICE PROPOSAL ..... \$ 23,595,000.00  
(FIGURES)

TOTAL LUMP SUM PRICE PROPOSAL Twenty Three Million Five Hundred Ninety Five Thousand DOLLARS  
(WORDS)

The total negotiated Lump Sum Price shall not exceed the amount indicated above.

LIQUIDATED DAMAGES AGAINST THE DESIGN-BUILDER - Prior to substantial completion, liquidated damages to the Owner for delays caused by the Design-Builder is accepted to be at the rate of \$3,063.52 per calendar day and will be deducted from the Contract Sum for each calendar day of Contract Time overrun. After substantial completion, liquidated damages is accepted to be at the rate of \$3,063.52 per calendar day and will be deducted from the Contract Sum for each day in excess of the agreed time to correct the punch list items.

WHEN THE DESIGN-BUILDER IS A PARTNERSHIP or JOINT VENTURE N/A  
(To be signed by each partner/venture)

ATTEST:  
Witness: \_\_\_\_\_  
Witness: \_\_\_\_\_  
Witness: \_\_\_\_\_  
Witness: \_\_\_\_\_

Legal name of Partnership/Joint Venture  
By \_\_\_\_\_  
Signature  
Name and Title  
By \_\_\_\_\_  
Signature  
Name and Title

(Seal)

REVISED 1/11/12 ~~12~~

WHEN THE DESIGN-BUILDER IS A CORPORATION N/A

ATTEST:

Secretary: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Legal Name

\_\_\_\_\_  
Legal Name

By: \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name and Title

(Corporate Seal)

WHEN THE DESIGN-BUILDER IS A LIMITED LIABILITY COMPANY (LLC)

ATTEST:

Munilla Construction Management, LLC d/b/a MCM

Witness: \_\_\_\_\_

\_\_\_\_\_  
Legal name of LLC

Witness: Alexis Leal, Asst. Sec/Treas

By: \_\_\_\_\_  
Signature Date  
01-06-12

Jorge Munilla, President/Manager  
Name and Title

(Seal)

WHEN THE DESIGN-BUILDER IS AN INDIVIDUAL or SOLE PROPRIETORSHIP  
or OPERATES UNDER A TRADE MARK

N/A

ATTEST:

Witness: \_\_\_\_\_

By: \_\_\_\_\_  
Signature Date

Witness: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Legal Name

(Seal)

REVISED 1/11/12 A

The Design-Builder must submit the Price Proposal (one original and one copy) in a separate sealed envelope clearly marked on the sealed envelope "PRICE PROPOSAL", together with the Design-Builder's name, Project Number and Project Title.

The Design-Builder's price shall be submitted on this OCI Form 6 "Price Proposal", and in the manner stated herein, without exception or any qualification; there is no exception allowed to this requirement.

Design-Builder: Munilla Construction Management, LLC d/b/a MCM

Authorized Signature: 

Print Name & Title Jorge Munilla, President/Manager

Federal Employer Identification Number: 59-2373403

Address: 6201 SW 70 Street, 2nd Floor

City/State/Zip: Miami, FL 33143

Telephone: (305) 541-0000



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

From: 02/23/2007 To: 02/23/2012

PRIMES

**FIRM NAME: MUNILLA CONSTRUCTION MANAGEMENT, LLC**  
 6201 SW 70th St, 2nd Floor  
 Miami, FL 33143

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
ITB NO. MCC-8-10	1	AV	GOAL CSBE 18%	12/19/2011	\$50,125,000.00
INVITATION TO BID (ITB) FOR MISCELLANEOUS CONSTRUCTION CONTRACT (CONSTRUCTION MANAGEMENT) (SIC 15)					
					----- \$50,125,000.00
2011-014-05	1	SP	GOAL CSBE 10.47%	01/24/2012	\$7,700,403.50
CRUISE TERMINAL D EXPANSION (SIC 15)					
					----- \$7,700,403.50

Total Award Amount	\$179,475,358.11
Total Change Orders Approved by BCC	-\$16,590,872.04
	\$162,884,486.07

\* Indicates closed or expired contracts  
 Disclaimer: Payments shown may not reflect current information.  
 Thursday, February 23, 2012



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

PRIMES

From: 02/23/2007 To: 02/23/2012

FIRM NAME: MUNILLA CONSTRUCTION MANAGEMENT, LLC  
 6201 SW 70th St, 2nd Floor  
 Miami, FL 33143

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
D807-GSA-02 (BUILD) DESIGN/BUILD SERVICES FOR THE NEW GENERAL SERVICES ADMINISTRATION (GSA) TRADE SHOP FACILITY (SIC 15)	1	GS	GOAL CSBE 20%	09/16/2008	\$12,588,027.00
A05-FIRE-01-CON.ESP CONSTRUCTION SERVICES FOR THE MIAMI-DADE FIRE RESCUE TRAINING FACILITY (SIC 15)	1	FR	GOAL CSBE 20.91%	12/02/2008	\$25,299,169.00
B7461 MIA, BC INFL. 3RD & 4TH LEVEL TENANT IMPROVEMENTS (SIC 15)	1	AV	GOAL CSBE 29%	04/21/2009	\$7,587,626.00
S-808 (A) SOUTH DISTRICT WASTEWATER TREATMENT PLANT, HLD. UPGRADE TO 285 MGD UPGRADE ELECTRICAL DISTRIBUTION SYSTEM (SIC 16)	1	WS	GOAL CSBE 8.15%	05/05/2009	\$62,407,392.61
Change Order # 1 NOV-04-10 0 days					-\$16,590,872.04
Change Order # 2 MAY-03-11 115 days					\$0.00
					<u>\$45,816,520.57</u>
D808-GSA-01 ESP (BUILD) DESIGN/BUILD SERVICES FOR THE NEW WEST LOT-MULTIUSE FACILITY (SIC 15)	1	GS	GOAL CSBE 20%	02/08/2010	\$13,767,740.00
					<u>\$13,767,740.00</u>

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

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## Detail by Entity Name

### Florida Profit Corporation

NIFAH AND PARTNERS CONSULTING ENGINEERS, INC.

### Filing Information

Document Number P95000062944  
FEI/EIN Number 650604266  
Date Filed 08/15/1995  
State FL  
Status ACTIVE

### Principal Address

8785 SW 165 AVENUE  
SUITE 108  
MIAMI FL 33193 US

Changed 01/10/2012

### Mailing Address

8785 SW 165 AVENUE  
SUITE 108  
MIAMI FL 33193 US

Changed 01/10/2012

### Registered Agent Name & Address

NIFAH, SAMUEL N  
8250 SW 164 COURT  
MIAMI FL 33193 US

Address Changed: 02/18/2010

### Officer/Director Detail

#### Name & Address

Title PSTD

NIFAH, SAMUEL N  
8250 SW 164 COURT  
MIAMI FL 33193 US

### Annual Reports

#### Report Year Filed Date

2010 02/18/2010  
2011 01/17/2011  
2012 01/10/2012



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## Detail by Entity Name

### Florida Profit Corporation

B&C TRANSIT, INC.

### Filing Information

**Document Number** P99000019060  
**FEI/EIN Number** 650307428  
**Date Filed** 02/25/1999  
**State** FL  
**Status** ACTIVE  
**Last Event** AMENDMENT  
**Event Date Filed** 02/02/2010  
**Event Effective Date** NONE

### Principal Address

2300 E. OAKLAND PARK SUITE 302  
FORT LAUDERDALE FL 33304

Changed 09/13/2006

### Mailing Address

7955 EDGEWATER DR  
OAKLAND CA 94621

Changed 03/21/2011

### Registered Agent Name & Address

FERNANDEZ, ALBERTO  
2300 E. OAKLAND PARK BLVD. SUITE 302  
FORT LAUDERDALE FL 33304 US

Address Changed: 09/13/2006

### Officer/Director Detail

#### Name & Address

Title P

FERNANDEZ, ALBERTO  
417 COCONUT ISLE DRIVE  
FORT LAUDERDALE FL 33301

Title VP

FALK, STEPHEN  
7955 EDGEWATER DR  
OAKLAND CA 94621

Title S



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## Detail by Entity Name

### Foreign Profit Corporation

STANTEC CONSULTING SERVICES INC.

### Filing Information

**Document Number** F01000005948  
**FE/EIN Number** 112167170  
**Date Filed** 11/14/2001  
**State** NY  
**Status** ACTIVE  
**Last Event** MERGER  
**Event Date Filed** 12/27/2007  
**Event Effective Date** 12/31/2007

### Principal Address

10160 - 112 STREET  
 SUITE 200  
 EDMONTON AB T5K 2-L6 CN  
 Changed 04/27/2010

### Mailing Address

10160 - 112 STREET  
 SUITE 200  
 EDMONTON AB T5K 2-L6 CN  
 Changed 06/30/2006

### Registered Agent Name & Address

CORPORATE SERVICE COMPANY  
 1201 HAYS STREET  
 TALLAHASSEE FL FL323-01 US  
 Name Changed: 09/13/2004  
 Address Changed: 09/13/2004

### Officer/Director Detail

**Name & Address**  
**Title** PRES  
 GOMES, ROBERT J  
 200, 10160 - 112 STREET  
 EDMONTON AB T5K 2-L6 CN  
**Title** COO  
 ALLEN, RICHARD K



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## Detail by Entity Name

### Florida Profit Corporation

PJB ASSOCIATES, P.A.

### Filing Information

**Document Number** P97000097916  
**FEI/EIN Number** 650809550  
**Date Filed** 11/18/1997  
**State** FL  
**Status** ACTIVE  
**Last Event** AMENDMENT  
**Event Date Filed** 11/21/1997  
**Event Effective Date** NONE

### Principal Address

500 S. DIXIE HWY  
 SUITE 303  
 CORAL GABLES FL 33146 US  
 Changed 02/18/2011

### Mailing Address

500 S. DIXIE HWY  
 SUITE 303  
 CORAL GABLES FL 33146 US  
 Changed 02/18/2011

### Registered Agent Name & Address

JUNKIN, JOHN E  
 500 S. DIXIE HWY  
 SUITE 303  
 CORAL GABLES FL 33146  
 Name Changed: 03/07/2008  
 Address Changed: 03/07/2008

### Officer/Director Detail

**Name & Address**  
 Title PSTD  
 JUNKIN, JOHN E  
 500 S. DIXIE HWY., #303  
 CORAL GABLES FL 33146 US

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## Detail by FEI/EIN Number

### Florida Profit Corporation

SDM CONSULTING ENGINEERS, INC.

### Filing Information

Document Number F82627  
FEI/EIN Number 592348110  
Date Filed 05/24/1982  
State FL  
Status ACTIVE

### Principal Address

135 ALMERIA AVENUE  
CORAL GABLES FL 33134 US

Changed 01/08/2007

### Mailing Address

135 ALMERIA AVENUE  
CORAL GABLES FL 33134 US

Changed 01/08/2007

### Registered Agent Name & Address

PEREZ-MONTOYA, MANUEL R PRES  
135 ALMERIA AVENUE  
CORAL GABLES FL 33134 US

Name Changed: 01/08/2007

Address Changed: 01/08/2007

### Officer/Director Detail

#### Name & Address

Title P

PEREZ-MONTOYA, MANUEL R  
135 ALMERIA AVENUE  
CORAL GABLES FL 33134 US

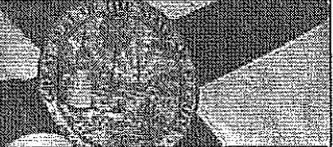
Title VT

ALOMA, ERNESTO  
135 ALMERIA AVENUE  
CORAL GABLES FL 33134 US

Title S

MARTINEZ, JOSE I  
135 ALMERIA AVENUE

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## Detail by FEI/EIN Number

### Foreign Profit Corporation

GANNETT FLEMING, INC.

#### Filing Information

Document Number P26734  
FEI/EIN Number 251613591  
Date Filed 10/30/1989  
State DE  
Status ACTIVE  
Last Event CORPORATE MERGER  
Event Date Filed 12/29/1995  
Event Effective Date 12/31/1995

#### Principal Address

207 SENATE AVE  
CAMP HILL PA 17011 US

Changed 05/01/1994

#### Mailing Address

PO BOX 67100  
HARRISBURG PA 17106 US

Changed 04/26/2006

#### Registered Agent Name & Address

DOUGHERTY, JOHN V  
10751 DEERWOOD PARK BLVD.  
STE. 140  
JACKSONVILLE FL 32256 US

Name Changed: 05/10/1999

Address Changed: 09/17/2004

#### Officer/Director Detail

##### Name & Address

Title PD

SCAER, ROBERT M  
1620 AIRPORT DRIVE  
MECHANICSBURG PA 17055

Title CD

STOUT, WILLIAM M  
220 NORTHGATE DRIVE

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## Detail by FEI/EIN Number

### Florida Profit Corporation

C.H. PEREZ &amp; ASSOCIATES CONSULTING ENGINEERS, INC.

### Filing Information

Document Number P04000071983  
 FEI/EIN Number 550866252  
 Date Filed 05/03/2004  
 State FL  
 Status ACTIVE  
 Effective Date 05/03/2004  
 Last Event AMENDMENT  
 Event Date Filed 08/26/2011  
 Event Effective Date NONE

### Principal Address

9594 NW 41 ST  
 201  
 DORAL FL 33178

Changed 01/05/2005

### Mailing Address

9594 NW 41 ST  
 201  
 DORAL FL 33178

Changed 01/05/2005

### Registered Agent Name & Address

PEREZ, CARLOS H P  
 10423 NW 56TH TERRACE  
 DORAL FL 33178 US

Name Changed: 01/05/2005

Address Changed: 01/05/2005

### Officer/Director Detail

#### Name & Address

Title P

PEREZ, CARLOS H  
 10423 NW 56TH TERRACE  
 MIAMI FL 33178

Title SEC

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## Detail by FEI/EIN Number

### Florida Profit Corporation

SOUTHERN NATIONAL TRACK SERVICES, INC.

#### Filing Information

Document Number P00000051268  
FEI/EIN Number 651003504  
Date Filed 05/24/2000  
State FL  
Status ACTIVE

#### Principal Address

6550 GRIFFIN ROAD  
SUITE 103  
DAVIE FL 33314

Changed 04/25/2007

#### Mailing Address

6550 GRIFFIN ROAD  
SUITE 103  
DAVIE FL 33314

Changed 04/25/2007

#### Registered Agent Name & Address

PLEZIA, JEAN  
6550 GRIFFIN ROAD  
SUITE 103  
DAVIE FL 33314

Name Changed: 05/03/2002

Address Changed: 04/25/2007

#### Officer/Director Detail

##### Name & Address

Title D

PLEZIA, GARY  
6550 GRIFFIN ROAD  
DAVIE FL 33314

Title P

REMENSBERGER, MARIA D  
6550 GRIFFIN ROAD  
DAVIE FL 33314



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## Detail by FEI/EIN Number

### Florida Profit Corporation

D.C. ELECTRIC, INC.

### Filing Information

Document Number: P98000018594  
 FEI/EIN Number: 650816092  
 Date Filed: 02/25/1998  
 State: FL  
 Status: ACTIVE

### Principal Address

12478 SW 117 CT  
 MIAMI FL 33186 US

Changed 03/06/2002

### Mailing Address

19150 SW 270 ST  
 HOMESTEAD FL 33031 US

Changed 03/06/1999

### Registered Agent Name & Address

COFFEY, JULIE  
 19150 SW 270TH ST  
 HOMESTEAD FL 33031 US

### Officer/Director Detail

#### Name & Address

Title: PD

COFFEY, JULIE  
 19150 SW 270TH ST  
 HOMESTEAD FL 33031

### Annual Reports

Report Year	Filed Date
2010	02/19/2010
2011	05/05/2011
2012	02/15/2012

### Document Images

02/15/2012 - ANNUAL REPORT [View image in PDF format](#)



Memorandum



**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**From:** Charles Scurr, Executive Director *C Scurr*

**Date:** May 16, 2012

**Re: CITT AGENDA ITEM 5C:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE, TO EXECUTE THE ATTACHED CONTRACT AWARD FOR DESIGN-BUILD SERVICES FOR THE LEHMAN CENTER TEST TRACK / LEHMAN YARD REHABILITATION - EXPANSION PHASE 1 - PROJECT NO: DB10-MDT-01 PTP; CONTRACT NO: CIP028-CT1-TR09, BETWEEN MIAMI DADE COUNTY AND MUNILLA CONSTRUCTION MANAGEMENT LLC - MCM IN THE AMOUNT OF \$25,147,257.00; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS (MDT – BCC Legislative File No. 121825)

On May 16, 2012, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-050. The vote was as follows:

Hon. Linda Zilber, Chairperson – Absent  
Paul J. Schwiep, Esq., 1st Vice Chairperson – Absent  
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Aye  
Joseph Curbelo – Absent  
Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Hon. James A. Reeder – Aye

Harold Braynon, Jr. – Absent  
Glenn J. Downing, CFP® – Aye  
Alfred J. Holzman – Aye  
Miles E. Moss, P.E. – Aye  
Marilyn Smith – Aye

cc: Alina Hudak, Deputy Mayor/County Manager  
Bruce Libhaber, Assistant County Attorney  
Alexander Bokor, Assistant County Attorney