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

Memorandum

MIAMI-DADE COUNTY

Date: June 3, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Agenda Item No. 8(O)(4)

Consent Decree
Resolution No. R-528-14

Subject: Resolution approving Amendment Number Two to non-exclusive Professional Services Agreement Number 07CH2M005: Miami-Dade Water and Sewer Department Project No. E06-WASD-14 with CH2M Hill, Inc. increasing total compensation by $4,500,000.00, from $8,800,000.00 to $13,300,000.00

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing execution of Amendment Number Two to non-exclusive Professional Services Agreement 07CH2M005: Miami-Dade Water & Sewer Department (WASD) Project No. E06-WASD-14 with CH2M Hill, Inc. Amendment Number Two increases total compensation by $4,500,000.00, bringing the total from $8,800,000.00 to $13,300,000.00. It will provide CH2M Hill, Inc. with additional monies needed to start work on significant capital improvement projects and assist WASD in-house staff with time sensitive wastewater projects required by the Consent Decree for the South District Wastewater Plant and its appurtenant facilities.

Two (2) other amendments to non-exclusive professional services agreements requesting the same amount of additional monies to commence work on pending Consent Decree projects at the County's North and Central District Wastewater Treatment Plants are also included on this Agenda. Like CH2M Hill, Inc., the other two consultants were awarded the original agreement in October 2007. All three (3) agreements originally had total compensation amounts of $8,800,000.00, and all three (3) originally had six (6) year terms, which, through Board approved prior amendments, have been extended to eight (8) year terms.

SCOPE OF AGENDA ITEM

The South District Wastewater Treatment Plant is located at 8950 S.W. 232 Street, Goulds, Florida in Commission District 8, Lynda Bell.

FISCAL IMPACT/FUNDING SOURCE

The funding sources for Amendment Number Two are a combination of the Department's 1) Wastewater Renewal Fund, 2) WASD 2013 Revenue Bond, 3) WASD Revenue Bonds Sold and 4) Future WASD Revenue Bond. The capital project number is 9655481- South District Upgrades Wastewater Treatment Plant. Sufficient funding is available in the County's current and future budgets until the eight (8) year term of this non-exclusive Professional Services Agreement is completed and final payment is made to CH2M Hill, Inc.

Of the original $8,800,000.00 contract amount, $5,725,095.22 has been authorized to be paid to CH2M Hill, Inc. for ongoing work and work completed. The remaining balance of $2,900,000.00 has already been allocated for other needed renewal and replacement projects at the South District Wastewater Treatment Plant and for two (2) time sensitive Consent Decree Projects: FOG Removal Facility and Digester and Control Building. The remaining balance of approximately $174,904.78 is available to use

however, it is an insufficient dollar amount to fund any of WASD's needed capital projects at the South District Wastewater Treatment Plant.

The requested $4,500,000.00 will be utilized for the projects listed below, which are all necessary to sustain the reliability of the operations at the South District Wastewater Treatment Plant. These projects include one (1) renewal and replacement project and five (5) Consent Decree projects as shown below.

Project Name	Type of Project
Design-Build Operate Finance Biosolids Processing Facility: Design-Build Criteria Professional Services Phase II Construction Design Support and Construction Management Services	Renewal and Replacement
54-inch Force Main Rehabilitation and 48-inch/54-inch By-Pass Force Main Improvements: Design-Build Criteria Professional Services	Consent Decree
Pump Station 691 Improvements: Basis of Design Report	Consent Decree
Pump Station 692 Upgrades Design-Build Criteria Package Professional Services	Consent Decree
Sea Level Rise Hardening Improvement: Design-Build Criteria Package	Consent Decree
Asbestos Cement Force Main Replacement and Rehabilitation Project: Basis of Design Report	Consent Decree

TRACK RECORD/MONITOR

WASD's Deputy Director of Capital Improvements and Regulatory Compliance, Juan Carlos Arteaga, AIA, NCARB, and WASD's Assistant Director of Wastewater, Ralph Terrero, P.E., will continue to monitor this non-exclusive Professional Services Agreement with CH2M Hill, Inc.

BACKGROUND

The South District Wastewater Treatment Plant is the newest wastewater treatment facility which began its operations in the 1980's. It has undergone a major regulatory mandated renovation to construct a High Level Disinfection upgrade, however, there are still structures, processes and equipment which have deteriorated and require immediate attention.

CH2M Hill, Inc. was awarded the original six (6) year, $8,800,000.00 non-exclusive Professional Services Agreement on October 11, 2007 to provide engineering and construction management services at the South District Wastewater Treatment Plant. On September 17, 2013, in order to provide CH2M Hill, Inc. with additional time to complete various engineering and construction management projects at the Plant, the Board approved Amendment Number One via Resolution R-751-13 which extended the Agreement two (2) additional years to an end date of October 11, 2015. At that time, no additional monies were added to this non-exclusive Professional Services Agreement.

Because the selection of the Program and Construction Management Services Consultant for the County's Consent Decree work has been delayed, the selection of the three (3) design consultants for several time-sensitive projects under the Consent Decree has also been delayed. Notably, work will be assigned on an as-needed basis and consistent with WASD's approved budget.

A Community Business Enterprise goal of thirty-five percent (35%) was established as a part of the original contract and will also be applied to the additional compensation in Amendment Number Two. A memorandum from the Small Business Development Division dated March 18, 2014 (as attached) indicates that CH2M Hill, Inc. is in compliance with the thirty-five percent (35%) goal at this time.

Alina T. Hudak
Deputy Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: June 3, 2014

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

SUBJECT: Agenda Item No. 8(O)(4)

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 Mayor'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(O)(4)
6-3-14

RESOLUTION NO. R-528-14

RESOLUTION APPROVING AMENDMENT NUMBER TWO TO THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT NUMBER 07CH2M005, PROJECT NUMBER E06-WASD-14 WITH CH2M HILL, INC. PROVIDING FOR ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR THE DESIGN OF UPGRADES TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT'S SOUTH DISTRICT WASTEWATER TREATMENT PLANT, AND ITS APPURTENANT FACILITIES; INCREASING TOTAL COMPENSATION BY $4,500,000.00, FROM $8,800,000.00 TO $13,300,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby approves Amendment Number Two to the non-exclusive Professional Services Agreement Number 07CH2M005, Project Number E06-WASD-14, with CH2M Hill, Inc. in substantially the form attached hereto and made a part hereof. Amendment Two authorizes CH2M Hill, Inc. to continue to provide engineering and construction management services for the design of upgrades to the Miami-Dade Water and Sewer Department's South District Wastewater Treatment Plant and its appurtenant facilities with an increase of total compensation by $4,500,000.00, from $8,800,000.00 to $13,300,000.00. The Board authorizes the County Mayor or County Mayor's designee to execute same and exercise the provisions contained therein for and on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of June, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

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

HARVEY RUVIN, CLERK

By: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman

Memorandum

MIAMI-DADE COUNTY

Date: March 18, 2014

To: John Renfrow, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Division Director
Small Business Development
Internal Services Department

Subject: Project No. E06-WASD-14, Design of Upgrades to Miami- Dade Water and Sewer Department's Wastewater Treatment Plants (SIC 871)

The subject project was reviewed by Small Business Development (SBD), for compliance with the 35% Community Business Enterprise (CBE) goal. This contract is approximately 37.38% complete based on paid to date to the prime. To date, the Community Business Enterprise firms meeting the goal have been paid $700,857.00 or 21.30% of the dollars paid to the prime consultant. The prime is in compliance with the CBE goal at this time.

Please do not hesitate to contact Veronica Clark, Assistant to the Director, at 305-375-4770 if you need additional information.

c: Patty David, Asst. Director, Legislative and Municipal Affairs, WASD
Lester Sola, Director, ISD
Veronica Clark, Assistant to the Director, SBD, ISD
Traci Adam-Parish, Administrative Officer 2, SBD ISD

CENTRAL MIAMI-DADE WATER TRANSMISSION MAINS IMPROVEMENTS

PROJECT #: 9654041

DESCRIPTION: Replace various low pressure water mains; install a 20-inch water main at railroad crossings via microtunneling method

LOCATION: Central Miami-Dade County Area
City of Miami

District Located: Systemwide
District(s) Served: Systemwide

REVENUE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Future WASD Revenue Bonds	0	0	0	0	1,126	3,003	9,750	6,750	20,629
TOTAL REVENUES:	0	0	0	0	1,126	3,003	9,750	6,750	20,629
EXPENDITURE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Planning and Design	0	0	0	0	92	245	795	550	1,682
Construction	0	0	0	0	1,034	2,758	8,955	6,200	18,947
TOTAL EXPENDITURES:	0	0	0	0	1,126	3,003	9,750	6,750	20,629

SAFE DRINKING WATER ACT MODIFICATIONS-SWT RULE AND D-DBP

PROJECT #: 9654061

DESCRIPTION: Modify water treatment to comply with Surface Water Treatment (SWT) and Disinfectant/Disinfection By Product (D-DBP) Regulations

LOCATION: Systemwide
Various Sites

District Located: Systemwide
District(s) Served: Systemwide

REVENUE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Rock Mining Mitigation Fees	20,384	0	0	0	0	0	0	0	20,384
Water Renewal and Replacement Fund	0	500	0	0	0	0	0	0	500
Future WASD Revenue Bonds	0	0	15,300	30,047	43,158	179,762	180,711	104,984	553,962
WASD 2013 Revenue Bond	54,078	0	0	0	0	0	0	0	54,078
WASD Revenue Bonds Sold	2,500	0	0	0	0	0	0	0	2,500
TOTAL REVENUES:	76,962	500	15,300	30,047	43,158	179,762	180,711	104,984	631,424
EXPENDITURE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Planning and Design	460	245	1,549	730	1,049	4,368	4,391	2,551	15,343
Construction	18,459	9,839	62,210	29,317	42,109	175,394	176,320	102,433	616,081
TOTAL EXPENDITURES:	18,919	10,084	63,759	30,047	43,158	179,762	180,711	104,984	631,424

Estimated Annual Operating Impact will begin in FY 2018-19 in the amount of $10,000,000

SOUTH DISTRICT WASTEWATER TREATMENT PLANT EXPANSION - PHASE III

PROJECT #: 9655481

DESCRIPTION: Expand the South District Wastewater Plant and injection wells and install emergency generators

LOCATION: 8950 SW 232 St
Unincorporated Miami-Dade County

District Located: 8
District(s) Served: Systemwide

REVENUE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Wastewater Renewal Fund	1,249	0	0	0	0	0	0	0	1,249
Future WASD Revenue Bonds	0	0	7,930	7,846	13,543	62,359	98,062	44,070	233,810
WASD 2013 Revenue Bond	1,529	0	0	0	0	0	0	0	1,529
WASD Revenue Bonds Sold	422	0	0	0	0	0	0	0	422
TOTAL REVENUES:	3,200	0	7,930	7,846	13,543	62,359	98,062	44,070	237,010
EXPENDITURE SCHEDULE:	PRIOR	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	FUTURE	TOTAL
Planning and Design	207	189	983	973	1,679	7,733	12,160	5,465	29,389
Construction	1,464	1,340	6,947	6,873	11,864	54,626	85,902	38,605	207,621
TOTAL EXPENDITURES:	1,671	1,529	7,930	7,846	13,543	62,359	98,062	44,070	237,010

Exit

Capital Improvements Information System

Contractor Evaluations Report

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
PE	E01-DERM-01-1	PSA	CH2M Hill, Inc.	9/7/2006		Project conclusion or closeout	3.0
WS	E06-WASD-14 WO: 01	PSA	CH2M Hill, Inc.	12/4/2008	Humberto Codispoti	Completion of study or design	4.0
SP	E03-SEA-05 WO: 11	PSA	CH2M Hill, Inc.	1/8/2010	Leonor Ortega	Completion of study or design	3.6
WS	E06-WASD-14 WO: 5	PSA	CH2M Hill, Inc.	3/11/2011	Humberto Codispoti	Project conclusion or closeout	4.0
WS	E06-WASD-14 WO: 3	PSA	CH2M Hill, Inc.	4/11/2011	Humberto Codispoti	Completion of study or design	4.0
WS	E06-WASD-14 WO: 7	PSA	CH2M Hill, Inc.	4/4/2012	Humberto Codispoti	Project conclusion or closeout	4.0
WS	E06-WASD-14 WO: 6	PSA	CH2M Hill, Inc.	5/21/2013	Humberto Codispoti	Completion of study or design	4.0
SP	E03-SEA-04 WO: 8	PSA	CH2M Hill, Inc.	10/16/2013	Becky Hope	Project conclusion or closeout	4.0
WS	EDP-WS-SR-163	EDP	CH2M Hill, Inc.	8/16/2012	Virginia Walsh	Project conclusion or closeout	4.0
WS	EDP-WS-SR-163	EDP	GEE & Jenson	8/16/2012	Virginia Walsh	Project conclusion or closeout	4.0
SP	E03-SEA-04 WO: 8	PSA	GEE & Jenson	10/16/2013	Becky Hope	Project conclusion or closeout	4.0
WS	E06-WASD-14 WO: 6	PSA	GEE & Jenson	5/21/2013	Humberto Codispoti	Completion of study or design	4.0
WS	E06-WASD-14 WO: 7	PSA	GEE & Jenson	4/4/2012	Humberto Codispoti	Project conclusion or closeout	4.0
WS	E06-WASD-14 WO: 3	PSA	GEE & Jenson	4/11/2011	Humberto Codispoti	Completion of study or design	4.0
WS	E06-WASD-14 WO: 5	PSA	GEE & Jenson	3/11/2011	Humberto Codispoti	Project conclusion or closeout	4.0
SP	E03-SEA-05 WO: 11	PSA	GEE & Jenson	1/8/2010	Leonor Ortega	Completion of study or design	3.6
WS	E06-WASD-14 WO: 01	PSA	GEE & Jenson	12/4/2008	Humberto Codispoti	Completion of study or design	4.0
PE	E01-DERM-01-1	PSA	GEE & Jenson	9/7/2006		Project conclusion or closeout	3.0

Evaluation Count: 18 Contractors: 1 Average Evaluation: 3.8

Exit

AMENDMENT NUMBER TWO
TO
NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT
BETWEEN MIAMI-DADE COUNTY
AND
CH2M HILL, INC.

Agreement No. 07CH2M005

THIS AMENDMENT NUMBER TWO is made and entered into the _____day of _____, 2014, by and between Miami-Dade County, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY", and CH2M HILL, INC. a Florida corporation authorized to do business in the State of Florida and with offices in Miami-Dade County, hereinafter referred to as the "ENGINEER".

W I T N E S S E T H

WHEREAS, the Miami-Dade Water and Sewer Department, hereinafter referred to as the "Department," operates and maintains the County's water and sewer utility systems; and

WHEREAS, on October 11, 2007, the COUNTY and ENGINEER entered into a Non-exclusive Professional Services Agreement, hereinafter referred to as the "Agreement," in the amount of eight million eight hundred thousand dollars ($8,800,000.00) for a six-year term; and

WHEREAS, on September 17, 2013, the Board of County Commissioners approved Amendment Number One via Resolution R-751-13, which extended the contract term by an additional two (2) years from October 11, 2013 to October 11, 2015; and

WHEREAS, the Agreement requires the ENGINEER to provide engineering and construction management services to upgrade the infrastructure and operations at the Department's South District Wastewater Treatment Plant (the "Plant") and its appurtenant facilities; and

WHEREAS, the Agreement requires the ENGINEER to provide engineering and construction management services including design services for all Plant upgrades and expansion projects; design services for renewal and replacement projects for the Plant's existing facilities; a complete evaluation for improving the treatment process, operations, and efficiencies such as safety, energy conservation, security, biosolids management, corrosion and assessment management; and a complete evaluation of regulatory requirements; and

WHEREAS, the selection of the Program and Construction Management Services consultant for the federally-mandated Consent Decree is pending, which has consequently set back the selection of the three design consultants needed for engineering services to prepare required deliverables for Consent Decree Projects; and

WHEREAS, the Department has requested, and the ENGINEER has agreed to, continue to provide engineering and construction management services for projects at the Plant that have been identified under the Consent Decree and might be in jeopardy of failing or not meeting changing regulatory requirements and Consent Decree deadlines; and

WHEREAS, additional monies are necessary for the ENGINEER to provide the engineering and construction management services for Consent Decree and renewal and replacement projects;

WHEREAS, this Amendment Number Two to the Agreement will increase the total compensation by four million five hundred thousand dollars ($4,500,000.00), from eight million eight hundred thousand dollars ($8,800,000.00) to thirteen million three hundred thousand dollars ($13,300,000.00),

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the COUNTY and the ENGINEER hereby agree to the following:

1. Paragraph 6-D of the Agreement is hereby modified to state as follows:

   Maximum Compensation: The total of all payments to the ENGINEER pursuant to this Agreement shall not exceed thirteen million three hundred thousand dollars ($13,300.000.00). No minimum amount of compensation is guaranteed to the ENGINEER.

2. All terms, covenants and conditions of the Agreement not expressly modified or revised herein shall remain in full force and effect.

(This section was intentionally left blank)

IN WITNESS WHEREOF, the parties hereto have executed these presents the day and date first written above.

ATTEST:

HARVEY RUVIN,
CLERK OF THE BOARD

By:_____
Deputy Clerk

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

By:_____
County Mayor

ATTEST:

By:_____
Cheryl Rimas, Asst. Secretary

CH2M HILL, INC.
A Florida (SEAL)

CH2M HILL, INC. CORPORATE SEAL 1951 FLORIDA

By:_____
Matthew B. Alvarez, P.E
Vice President Florida Operations

STATE OF FL
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 3rd day of April, 2014, by Matthew B. Alvarez, as President and _____, as Secretary, of _____ Inc. a _____ Corporation, on behalf of the corporation. He/She/They is/are personally known to me or has/hasn't/have/haven't produced identification and did/did not take an oath.

Stacey Smith
Notary Public

EE73649
Serial Number

Stacey Smith
Print Name

STACEY SMITH
MY COMMISSION # EE73649
EXPIRES: March 30, 2015
FL Notary Discount Assoc. Co.
1-800-3-NOTARY

Approved by County Attorney
As to form and legal sufficiency:

_____
Assistant County Attorney

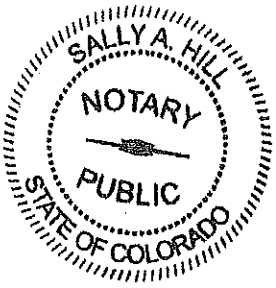
3

STATE OF COLORADO, USA)

)ss:

COUNTY OF DOUGLAS)

Signed and sworn to me this 3rd of April 2014, by Cheryl Rimas. Witness my hand and official seal.



Sally A. Hill

Notary Public

My Commission Expires
8-29-2015