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

Memorandum

MIAMI-DADE COUNTY

Date: March 3, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 8(H)(2)

From: Carlos A. Gimenez
Mayor

Subject: Retroactive Change Order No. One and Final for Arcola Lakes Park - Senior Center and Pool - Project No: 311106-05-003 GOB ESP; Contract No: 311106-05-003 GOB ESP, to Carivon Construction Company.

Resolution No. R-212-15

RECOMMENDATION

The attached Retroactive Change Order No: 1 and Final to a contract between **Carivon Construction Company** and Miami-Dade County has been prepared by the Parks, Recreation and Open Spaces Department (PROS) and is recommended for approval.

CHANGE ORDER NUMBER: One (1) and Final

SCOPE

PROJECT NAME: Arcola Lakes Park - Senior Center and Pool

PROJECT NO: 311106-05-003 GOB ESP

CONTRACT NO: 311106-05-003 GOB ESP

PROJECT DESCRIPTION: The awarded scope consists of the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping.

PROJECT LOCATION: 8401 NW 14th Avenue, Miami, Florida 33147

PRIMARY COMMISSION DISTRICT: District 2 Jean Monestime

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Parks, Recreation, and Open Spaces Department

MANAGING DEPARTMENT: Parks, Recreation, and Open Spaces Department

FISCAL IMPACT / FUNDING SOURCE:

SOURCE	PROJECT NUM	SITE #	AMOUNT
BBC GOB Interest	938870	#70158	$222,250.00
BBC GOB Series 2011A	938870	#70158	$700,424.38
BBC GOB Series 2013A	938870	#70158	$2,927,427.58
		Total Funding:	$3,850,101.96

CHANGE ORDER FUNDING SOURCE: Building Better Communities General Obligation Bond Program (GOB)

PTP FUNDING: No

GOB FUNDING: Yes

ARRA FUNDING: No

CHANGE ORDER DESCRIPTION: Increase the contract amount by $61,132.33 from $3,788,969.63 to $3,850,101.96; and increase the contract duration by two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014.

MONETARY JUSTIFICATION: The Department recommends an increase of $61,132.33 to the contract amount as follows:

a. Request for Contract Change Order (RCO) No. 13R consisted of the installation of a customized Sail Shade Structure System including (6) columns (due to the sandy nature of the soils additional foundation work was necessary) and (4) canopies to provide a shade over the pool deck's entire surface area. The materials were provided by the County, and the installation was done by the Contractor. The installation cost for this system, including the concrete foundations was negotiated at $61,132.33.

The $61,132.33 increase to the contract represents a 1.6 % increase to the original contract amount. The Department has reviewed the scope and associated quantities for the additional work and confirms that the amounts being charged are both within the range of industry as reasonable and within the allowable mark-up stated in the contract.

TIME JUSTIFICATION: The Department recommends a retroactive non-compensable time extension of two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014. This time extension (which represents a 79.2% increase) is classified as "concurrent delays" (combination of Contractor and Department caused delays occurring at the same time), and is further broken down as follows:

- The first thirty-seven (37) calendar days are utilized from the available time contingency.
- The remaining two-hundred and eighty-nine (289) calendar days of time extension impacting the construction schedule for the design; engineering; soils analysis; permitting; procurement; construction of the Sail Shade Structure System that included foundation work; and miscellaneous work needed to complete the original scope of the work represent the net time increase recommended within the subject change order.

Time contingency summary:

Beginning Balance:	37 calendar days
Total Amount Used to Date:	37 calendar days
Requested Replenishment:	00 calendar days
Ending Bal. after Change Order:	00 calendar days

	Original Contract Values	Previous Adjustments To Values	This Change Order Values	Current Totals	Total Paid	Balance After Change Order
BASE:	$3,530,000.00	$0.00	$61,132.33	$3,591,132.33	$3,522,858.00	$68,274.33
CONTINGENCY:	$176,500.00	$0.00	$0.00	$176,500.00	$160,837.43	$15,662.57
DEDICATED:	$82,469.63	$0.00	$0.00	$82,469.63	$12,777.85	$69,691.78
TOTALS:	$3,788,969.63	$0.00	$61,132.33	$3,850,101.96	$3,696,473.28	$153,628.68

	Original Contract Duration	Previous Adjustments To Duration	This Change Order Duration	Current Totals
BASE DURATION:	365	0	289	654
CONTINGENCY:	37	0	37	74
TOTAL DURATION:	402	0	326	728

INITIATING FACTOR(S) FOR CHANGE ORDER

Reason	Cost	Duration
Other Agency Requested Change	$0.00	0
Design Errors Change	$0.00	0
Design Omissions Change	$0.00	0
County Requested Change	$61,132.33	289
Unforeseen / Unforeseeable Change	$0.00	0
Other	$0.00	0
	$61,132.33	289

TRACK RECORD / MONITOR

PERFORMANCE RECORD:	There are seven (7) performance evaluations in CIIS reflecting that the Contractor has an Overall Performance Average of 3.5 out of 4.
PRIME CONTRACTOR:	Carivon Construction Company
COMPANY PRINCIPAL:	Ivonne Munne, President
COMPANY QUALIFIERS:	Carlos Hernandez
COMPANY EMAIL ADDRESS:	immune@carivon.com
COMPANY STREET ADDRESS:	12171 S.W. 131st Ave.
COMPANY CITY-STATE-ZIP:	Miami, Florida 33186

YEARS IN BUSINESS AT TIME OF AWARD: 17

PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS AT TIME OF AWARD: According to the Firm History Report as provided by the Internal Services Department, Carivon Construction Company has received five (5) construction contracts with a dollar value of $6,713,225.76.

SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE): A&A Fonte, Inc., DTC Stairs, Inc., Machi Construction Corp., Century Fire, Inc.

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:

TYPE	GOAL	ESTIMATED VALUE	ACHIEVED
CSBE	20.93%	TBD	28.89%
CWP	12.10%	TBD	TBD (Pending SBD's response)

CONTRACT MANAGER NAME / PHONE / EMAIL: John Gutierrez (305) 755-7830 Jgx@miamidade.gov

PROJECT MANAGER NAME / PHONE / EMAIL: Guillermo Peña (305)755-7914 williep@miamidade.gov

BACKGROUND:

This contract's Notice to Proceed was dated August 1st, 2012 with duration of three-hundred and sixty-five (365) calendar days. The original contract expiration date was August 1st, 2013.

This change order reflects the negotiated terms of additional time (289 calendar days), and additional scope of work to provide a shade structure system over the pool area for a cost of $61,132.33.

After the project was designed and permitted and the construction contract was awarded, senior members from the community requested consideration for shading the pool and pool deck areas. To avoid costly and unnecessary demolition and re-construction later, the scope was negotiated, the material purchased, and the installation cost was added to this construction contract.

The project is 100% completed. Submission of this item was delayed due to the review and analysis that staff had to perform on the multiple claims submitted by the contractor, and subsequent negotiations that lead to this mutual accord final change order.

BUDGET APPROVAL
FUNDS AVAILABLE: _____ 1/8/15
AG **OMB DIRECTOR** **DATE**

APPROVED AS TO
LEGAL SUFFICIENCY: _____ 1/12/15
COUNTY ATTORNEY **DATE**

_____ 1/16/15
SENIOR ADVISOR **DATE**
OFFICE OF THE MAYOR

CLERK DATE: _____
DATE

MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: March 3, 2015

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

SUBJECT: Agenda Item No. 8(H)(2)

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(H)(2)
3-3-15

RESOLUTION NO. R-212-15

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NUMBER ONE AND FINAL WITH CARIVON CONSTRUCTION COMPANY FOR A NON-COMPENSABLE TIME EXTENSION OF 289 DAYS AND AN INCREASE TO THE CONTRACT AMOUNT IN THE AMOUNT OF $61,132.33 FUNDED FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS FOR CONSTRUCTION OF ARCOLA LAKES PARK – SENIOR CENTER AND POOL - CONTRACT NO: 311106-05-003 GOB ESP; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE 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 approves Retroactive Change Order Number One and Final to construction Contract No. 311106-05-003 GOB ESP between Carivon Construction Company and Miami-Dade County for Arcola Lakes Park – Senior Center and Pool Project in order to authorize a non-compensable time extension of 289 days to June 23, 2014 and to increase the contract amount by $61,132.33, in substantially the form attached hereto and made part hereof; and authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein.

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

Jean Monestime, Chairman			**aye**
Esteban L. Bovo, Jr., Vice Chairman			**absent**
Bruno A. Barreiro	**absent**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**aye**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**absent**
Dennis C. Moss	**aye**	Rebeca Sosa	**aye**
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 March, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Monica Rizo

MIAMI-DADE COUNTY, FLORIDA

PARKS, RECREATION AND OPEN SPACES

CHANGE ORDER TO ORIGINAL CONTRACT

CHANGE ORDER NO: 1 **CONTRACT NO:** 311106-05-003 GOB ESP **DATE:** 12/09/2014

PROJECT TITLE: Arcola Lakes Park - Senior Center and Pool

TO CONTRACTOR: Carlvon Construction Company 12171 SW 131 AVE MIAMI FL 33186

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: Increase the contract amount by $61,132.33 from $3,788,969.63 to $3,850,101.96; and increase the contract duration by two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014.

Monetary Justification: The Department recommends an increase of $61,132.33 to the contract amount as follows:

a. Request for Contract Change Order (RCO) No. 13R consisted of the installation of a customized Sail Shade Structure System including (6) columns (due to the sandy nature of the soils additional foundation work was necessary) and (4) canopies to provide a shade over the pool deck's entire surface area. (Continued below)

Time Justification: The Department recommends a retroactive non-compensable time extension of two-hundred and eighty-nine (289) calendar days in addition to the thirty-seven (37) calendar days in the time contingency, from the original completion date of August 1st, 2013, to June 23rd, 2014. This time extension (which represents a 79.2% increase) is classified as "concurrent delays" (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT	$3,788,969.63
COST OF CHANGES PREVIOUSLY ORDERED	$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE	$3,788,969.63
COST OF CHANGES WITH THIS DOCUMENT	$61,132.33
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE	$3,850,101.96
PERCENT INCREASE WITH THIS CHANGE	2%
TOTAL PERCENT INCREASE TO DATE	2%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	365 / 0 / 289
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	37 / 0 / 37
ADJUSTED DURATION INCLUDING THIS CHANGE	728

CERTIFYING STATEMENT: *The Contractor certifies that the changes and supporting cost data included is in its considered opinion necessary and accurate and that the prices quoted are fair and reasonable.*

Accepted By:

Organization	Name	Title	Date
Carlvon Construction Company	Carlos Jiménez	Contractor	12-22-2014
Surety Great American Insurance Company	Michael A. Bonet, Attorney-In-Fact	Surety	December 19, 2014

Title	Name	Date
Approved By: **County Attorney** (for legal sufficiency)	_____	_____
Approved By: **County Mayor**	_____	_____
Attested By: **Clerk of the Board**	_____	_____

Time Justification: (Continued)

(combination of Contractor and Department caused delays occurring at the same time), and is further broken down as follows:

• The first thirty-seven (37) calendar days are utilized from the available time contingency.

• The remaining two-hundred and eighty-nine (289) calendar days of time extension impacting the construction schedule for the design; engineering; soils analysis; permitting; procurement; construction of the Sail Shade Structure System that included foundation work; and miscellaneous work needed to complete the original scope of the work represent the net time increase recommended within the subject change order.

Time contingency summary:

Beginning Balance: 37 calendar days
Total Amount Used to Date: 37 calendar days
Requested Replenishment: 00 calendar days
Ending Bal. after Change Order: 00 calendar days

Monetary Justification: (Continued)

The materials were provided by the County, and the installation was done by the Contractor. The installation cost for this system, including the concrete foundations was negotiated at $61,132.33.

The $61,132.33 increase to the contract represents a 1.6 % increase to the original contract amount. The Department has reviewed the scope and associated quantities for the additional work and confirms that the amounts being charged are both within the range of industry as reasonable and within the allowable mark-up stated in the contract.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than ONE

No. 0 19968

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
MICHAEL BONET	OF MIAMI, FLORIDA	$100,000,000

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 24TH day of SEPTEMBER, 2013.

Attest

GREAT AMERICAN INSURANCE COMPANY

Assistant Secretary

Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 24TH day of SEPTEMBER, 2013, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

KAREN L. GROSHEIM
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES 02-20-16

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisonal Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 19 day of DECEMBER, 2014

Assistant Secretary

S1029AC (4/11)

MIAMI DADE COUNTY
Department of Small Business Development
Firm History Report

DEPARTMENT OF BUSINESS DEVELOPMENT

From: 06/01/2007 **To:** 06/01/2012

FIRM NAME: CARIVON CONSTRUCTION CO.
12171 SW 131st Ave
Miami, FL 33186

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT
* RPQ NO. T1041	1	WS	SET ASIDE CSBE 100%	07/10/2008	$204,306.76
RESTORATION REPAIR OF 48-INCH WATER MAIN AT CORAL GABLES WATERWAY (C - 3)					
					$204,306.76
* 592401-03-001 GOB ESP	1	PR	GOAL CSBE 24%	05/07/2009	$2,145,426.75
DEERWOOD BONITA LAKES PARK-MEDIUM ALTERNATE RECREATION CENTER, LIGHTED PARKING LOT (SIC 15)					
					$2,145,426.75
* W70209 (7360)	1	GS	GOAL CSBE 22%	06/05/2009	$284,016.70
STOCKADE OUTDOOR COOLER REPLACEMENT (SIC 15)					
					$284,016.70
20120021 (23-08/08)	1	PW	NO MEASURE	11/04/2011	$290,505.92
JPA BETWEEN MDC AND THE CITY OF MIAMI BEACH SAFETY PROJECT ALONG PINE TREE DRIVE AND LA GORCE DR					
					$290,505.92
311106-05-003 GOB ESP	1	PR	GOAL CSBE 20.93%	06/01/2012	$3,788,969.63
ARCOLA LAKES PARK - SENIOR CENTER & POOL (SIC 15)					
					$3,788,969.63

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

DBDR0210_E

Monday, February 3, 2014

Ver: 1

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MIAMI DADE COUNTY
Department of Small Business Development
Firm History Report

DEPARTMENT OF BUSINESS DEVELOPMENT

From: 06/01/2007 **To:** 06/01/2012

FIRM NAME: CARIVON CONSTRUCTION CO.
12171 SW 131st Ave
Miami, FL 33186

PRIMES

PROJECT #	CONTRACT	DEPT.	MEASURES	AWARD DATE	AWARD AMOUNT

Total Award Amount	$6,713,225.76
Total Change Orders Approved by BCC	$0.00
	$6,713,225.76

13

13

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

DBDR0210_E

Monday, February 3, 2014

Ver: 1

MIAMI DADE COUNTY
Department of Small Business Development
Firm History Report

From: 06/01/2007 **To:** 06/01/2012

SUBCONTRACTORS

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ATTACHMENT 3

10/17/11

Arcola Lakes Park Senior Center and Pool
P R Project # 311106-05-003 GOB ESP
Bid Tabulation

	Latest Approved Cost Estimate Prior To Bidding	Contractor Name					
		Grace & Naeem Uddin, Inc.	Jcon Group	Carivon Construction	J.R.T. Construction	Perez-Gurri dba N&J Construction	TGSV Enterprise, Inc.
Base Est.	**$4,786,162**	$2,956,840	$3,432,000	$3,530,000	$3,578,697	$3,599,000	$3,669,000
Bidder variance from Parks base estimate		***-38%***	***-28%***	***-26%***	***-25%***	***-25%***	***-23%***

	Latest Approved Cost Estimate Prior To Bidding	Contractor Name					
		Allied Contractors, Inc.	Siltek Group Inc.	Merkury Development	GEC Associates	Recreational Design & Construction	Aarya Construction
Base Est.	**$4,786,162**	$3,988,966	$4,129,941	$4,160,996	$4,270,000	$4,348,500	$4,396,700
Bidder variance from Parks base estimate		***-17%***	***-14%***	***-13%***	***-11%***	***-9%***	***-8%***

NOTE:

The Base Bid excludes Contingency and Dedicated Allowances.
The bid submittals have not been reviewed for responsiveness/responsibility.
Bid tabulation reflects the apparent lowest Base Bid up to the highest Base Bid.

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Memorandum

MIAMI-DADE COUNTY

CLERK OF THE BOARD

2012 JUN -1 PM 2:29

CLERK, CIRCUIT & COUNTY CTS
MIAMI-DADE COUNTY, FLA.
#1

Date: 5/3/2012

To: Carlos A. Gimenez
Mayor

From: Jack Kardys
Director
Parks, Recreation and Open Spaces Department

GN
5/4/12

Attn: Lester Sola
Director
Internal Services Department

Subject: Contract Award Recommendation for Arcola Lakes Park – Senior Center and Pool - Project No: 311106-05-003 GOB ESP; Contract No: 311106-05-003 GOB ESP, to **Carivon Construction Company.**

Recommendation

This Recommendation for Award for Construction Contract number 311106-05-003 GOB ESP between Miami-Dade County and **Carivon Construction Company** in the amount of $3,788,969.63 has been prepared by the Parks, Recreation and Open Spaces Department and is recommended for approval.

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

There is no additional delegated authority in relation to this project.

Scope

PROJECT NAME: Arcola Lakes Park – Senior Center and Pool

PROJECT NO: 311106-05-003 GOB ESP

CONTRACT NO: 311106-05-003 GOB ESP

PROJECT DESCRIPTION: The awarded scope consists of the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping.

PROJECT LOCATION: 8401 NW 14th Avenue, Miami, Florida 33147

PROJECT SITES:	SITE # LOCATION 1	DIST	ESTIMATE	T-S-R
	#70158 8401 NW 14th Ave 33147	2	$3,788,969.63	53-11-41

PRIMARY COMMISSION DISTRICT: District 2 Jean Monestime

APPROVAL PATH: Mayor's Authority Economic Stimulus Plan

USING DEPARTMENT: Parks, Recreation and Open Spaces

MANAGING DEPARTMENT: Parks, Recreation and Open Spaces

Fiscal Impact / Funding Source

FUNDING SOURCES:

SOURCE	PROJECT NUM	SITE #	AMOUNT
GOB Interest	938870	#70158	$222,250.00
GOB Series 2011A	938870	#70158	$933,052.72
GOB Series Future Financing	938870	#70158	$2,633,666.91
		Total Funding:	$3,788,969.63

OPERATIONS COST IMPACT / FUNDING: $506,016 Total Operations Cost Impact (Attachment 1) from General Fund

MAINTENANCE COST IMPACT / FUNDING: $432,484 Total Maintenance Cost Impact (Attachment 1) from General Fund

LIFE EXPECTANCY OF ASSET: 3 assets with a life expectancy ranging from 20 years to 40 years. (Attachment 1)

PTP FUNDING: No

GOB FUNDING: Yes

ARRA FUNDING: No

CAPITAL BUDGET PROJECTS:

CAPITAL BUDGET PROJECT # - DESCRIPTION	AWARD ESTIMATE
938870- ARCOLA LAKES PARK - BUILDING BETTER COMMUNITIES BOND PROGRAM Book Page:138 Funding Year: Adopted Capital Budget Book for FY 11-12, Prior Years' Funds through FY 11-12. (Attachment 2)	$3,788,969.63
CAPITAL BUDGET PROJECTS TOTAL:	$3,788,969.63

GOB PROJECT:	GOB PROJECT # - DESCRIPTION	AWARD ESTIMATE
	92 - Unincorporated Municipal Service Area - Arcola Lakes Park	$3,788,969.63

BID PACKAGES ISSUED:	28	
BIDS RECEIVED:	12	
CONTRACT PERIOD:	365 Days.	Excludes Warranty Administration Period
CONTINGENCY PERIOD:	37 Days.	
IG FEE INCLUDED IN BASE CONTRACT:	Yes	
ART IN PUBLIC PLACES:	Yes	
BASE ESTIMATE:	$4,786,161.72	Consultant estimate
BASE CONTRACT AMOUNT:	$3,530,000.00	Submitted by Carivon Construction Company

CONTINGENCY	TYPE	PERCENT	AMOUNT	COMMENT
ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	New Construction	5%	$176,500.00	
PERMIT FEES :	$26,475.00	0.75%		of Base Contract Amount
TOTAL DEDICATED ALLOWANCE:	$26,475.00			
ART IN PUBLIC PLACES:	$ 55,994.63	1.5%		of Base, Contingency, and Dedicated Allowance
TOTAL AMOUNT:	$ 3,788,969.63			

Track Record / Monitor

SBD HISTORY OF VIOLATIONS: None

EXPLANATION: The construction bids were opened on October 17th, 2011. The base bids ranged from $2,956,840 to $4,396,700 with Grace & Naeem Uddin, Inc (GNU) submitting the apparent lowest base construction amount of $2,956,840 (See Attachment 3).

Parks, Recreation and open Spaces Department (PROS) project consultant,

Indigo Service Corporation (ISC), estimated the base construction amount at $4,786,161. ISC reviewed GNU's base construction amount (38% below ISC's estimate) and GNU's Schedule of Values (SOV). This review yielded that several work values were missing and thus, ISC concluded that GNU's bid was deficient and inadequate to complete the work. Therefore, GNU's bid was deemed non-responsible (See Attachment 3).

The second lowest bid price from JCON Group Corp (JCON) provided a base construction amount of $3,432,000. ISC reviewed JCON's base construction amount (28% below ISC's estimate) and JCON's SOV. This review yielded that several work values were omitted and, therefore, does not provide a high level of confidence in JCON's ability to complete the work for the stated price (See Attachment 3). In addition, PROS conducted a vendor due diligence investigation that revealed the following: 1) A litigation records search in miami-dadeclerk.com revealed sixteen (16) cases in which JCON was involved from 2009-2011. Of these sixteen (16) cases, fourteen (14) appear to be construction-related and JCON is named as a Defendant in ten (10) of these. Nine (9) cases are ongoing with filing dates ranging from August/2010 to October/2011. Of the nine (9) ongoing cases, one (1) resulted in a final judgment against the Defendants on October 24, 2011 (JCON was named as one of the Defendants) (See Attachment 4). In contradiction of the nine (9) ongoing cases found, JCON stated on their "Bidders Statement of Qualifications and Business References Form" that there were no pending litigations against their organization at the time of bid submittal (See Attachment 5, pg. 5, question 17). 2) JCON submitted financial statements prepared by an independent accountant that indicates that their financial status had deteriorated from 2009 to 2010. This is the latest account review report submitted by JCON, which shows a significant net loss for the year 2010 (See Attachment 6). 3) JCON is currently involved in two ongoing County projects, MDFRD-T-29 - Fire Station 69 and MDFRD-T-23 - Fire Station 16. A reference check on the current projects revealed that these projects with MDFR are late and liquidated damages are currently being assessed by MDFR (See Attachment 7).

Based upon the results of ISC's review of JCON's SOV and PROS due diligence evaluation which revealed ongoing litigation, changes in financial condition from 2009-2010 and two ongoing County projects currently being assessed liquidated damages. Awarding this Construction Contract to JCON poses an unreasonable risk to the County. Furthermore, in consultation with other County Departments, on other County projects regarding non-responsibility determinations for unsatisfactory past performance, this Recommendation for Award is consistent with decisions made on previous County Construction Contract Awards.

The third lowest base bid price from Carivon Construction Company (CC) provided a base construction amount of $3,530,000. ISC reviewed CC's base construction amount (26% below ISC's estimate) and CC's SOV. The review determined that CC's bid was <u>not</u> deficient and affords the County *"the highest level of confidence as far completing the work on time and within bid amount."* Considering that the three lowest bids following CC's bid price are clustered and are an average of 24.45% lower than ISC's estimate, PROS concurs with ISC's recommendation to award the project to CC (See Attachment 8).

A current Small Business Development Firm History Report was requested which shows $2,633,750.21 in contracts awarded to CC over the last five

years. The County's Capital Improvements Information System (CIIS) Database lists four (4) evaluations with an average rating of 3.5 out of 4. A "Vendor Due Diligence Investigation Summary" report revealed nothing out of the ordinary and has also been included for your convenience as well as a copy of the approved Request to Advertise (See Attachment 9).

The Department recommends that the Mayor or Mayor's designee award this project to the lowest responsive/ responsible bidder, Carivon Construction Co., and present the contract award to the Board for ratification at the next available meeting.

BID OPEN DATE:	10/17/2011
BID BOND EXPIRES:	6/21/2012
BID VALID UNTIL:	6/21/2012
ESTIMATED NOTICE TO PROCEED:	6/18/2012
PRIME CONTRACTOR:	Carivon Construction Company
COMPANY PRINCIPAL:	Ivonne Munne, President
COMPANY QUALIFIERS:	Carlos Hernandez
COMPANY EMAIL ADDRESS:	imunne@carivon.com
COMPANY STREET ADDRESS:	12171 SW 131 AVE
COMPANY CITY-STATE-ZIP:	MIAMI FL 33186
YEARS IN BUSINESS:	17

PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS: According to the Firm History Report as provided by the Sustainability, Planning & Economic Enhancement Department, the contractor has received three (3) construction contracts with a total dollar value of $2,633,750.21.

SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE): A&A Fonte, Inc., DTC Stairs, Inc., Machi Construction Corp., Century Fire, Inc.

MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS: No

STANDARD PAYMENT AND PERFORMANCE BOND: Yes

REVIEW COMMITTEE:

MEETING DATE: 6/30/2009 **SIGNOFF DATE:** 7/02/2009
RESUBMIT DATE: 7/11/2011 **RESUBMIT SIGNOFF:** 7/13/2011

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

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:

TYPE	GOAL	ESTIMATED VALUE	COMMENT
CSBE	20.93%	$775,770.45	Applicable (Attachment 9)
CBE	0.00%		Not Applicable
DBE	0.00%		Not Applicable
CWP	12.10%		Applicable (Attachment 9)

MANDATORY CLEARING HOUSE:	Yes		
CONTRACT MANAGER NAME / PHONE / EMAIL:	John Gutierrez	305-755-7830	jgx@miamidade.gov
PROJECT MANAGER NAME / PHONE / EMAIL:	Ivan Marroquin	(305) 755-7858	IvanM@miamidade.gov

Background

BACKGROUND: This project is for the construction of a one-story Senior Center Building which includes: lobby/reception area, banquet/meeting room, event services & delivery room, entertainment room, arts & crafts room, ceramics room, exercise room, restrooms, locker rooms, staff offices, equipment room, and storage. The project also includes outdoor therapeutic aquatic pool, heated whirl pool, pool deck space, pedestrian circulation, covered car drop-off area, parking lot and landscaping in compliance with the General Plan.

BUDGET APPROVAL FUNDS AVAILABLE: _____ 5/14/12
OMB DIRECTOR **DATE**

APPROVED AS TO LEGAL SUFFICIENCY: _____ 5/16/12
COUNTY ATTORNEY **DATE**

INTERNAL SERVICES CONCURRENCE: Not Applicable _____
ISD DIRECTOR **DATE**

_____ 5/22/12
LISA MARTINEZ, **DATE**
SENIOR ADVISOR
OFFICE OF THE MAYOR

CLERK DATE : _____
DATE

CLERK OF THE BOARD
2012 JUN -1 PM 2:30
CLERK, CIRCUIT & COUNTY CTS
MIAMI-DADE COUNTY, FLA.
#1

ARCOLA LAKES PARK
SENIOR CENTER BUILDING, POOL AND PARKING LOT
GOB #92-70158
PROJECT NUMBER
311106-05-003
AWARDED TO
CARIVON CONSTRUCTION COMPANY

CONTRACT AWARD BREAKDOWN	TOTAL DISTRIBUTION	GOB SERIES "A" SITE: 092-70158 INDEX CODE CPA092PR0158 $ AMOUNT	WO#	GOB SERIES "F" 2010-11 SITE: 092-70158 INDEX CODE CPF092PR1688 $ AMOUNT	WO #	GOB SERIES SERIES "G" 2012-13 SITE: 092-70158 INDEX CODE CPG092PR1688 $ AMOUNT	WO #	GOB SERIES "I" 2014-15 SITE: 092-70158 INDEX CODE CPI092PR1688 $ AMOUNT	WO #
BASE CONTRACT	$ 3,530,000.00	$ 222,250.00	79145	$ 639,499.00	84802	$ 2,375,000.53	84803	$ 293,250.47	117333
C/O #1	$ 61,132.33	$ -		$ -		$ -		$ 61,132.33	127751
PERMIT FEES	$ 26,475.00	$ -		$ 4,930.75	84808	$ 7,847.10	99535	$ 13,697.15	117357
CONTINGENCY	$ 176,500.00	$ -		$ -	84804	$ 176,500.00	84807	$ -	117336
TOTAL	$ 3,794,107.33	$ 222,250.00		$ 644,429.75		$ 2,559,347.63		$ 368,079.95	
AIPP ALLOWANCE	$ 55,994.63	$ -		$ 55,994.63	84806	$ -		$ -	
TOTAL	$ 3,850,101.96	$ 222,250.00		$ 700,424.38		$ 2,559,347.63		$ 368,079.95	

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Maria S. Diaz "FOR" M. RUIZ
Michael W. Ruiz
Chief, Budget & Financial Management Division

2014/12/23
Date

12/23/2014, 10:30 AM

Miami-Dade Parks Department

Work Order by Index & Location(CI Index)

Work Order Number: 79145, 84802, 84808, 84803, 99535, 84807, 117333, 127751, 117357

Date Run: 12/1/2014 4:16:37 PM

Index	Fund	Location District	Work Order Class	WO Type WO Status	MRC Trade	Project GOB Project Site	Description	Budget	Expenses	Balance	End Date Index Type
CPA092PR0158											
	GOB-05	ARCOLA LAKES PARK 02	79145 HARD	Capital Cap Restricted	CAP-PROG CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	$222,250.00	$222,163.00	$87.00	ALL
		Totals WOs for Location ARCOLA LAKES PARK		1				**Budget** **$222,250.00**	**Expenses** **$222,163.00**		**Balance** **$87.00**
Totals WOs for Index CPA092PR0158			1					**$222,250.00**	**$222,163.00**		**$87.00**
CPF092PR1688											
	GOB-10	ARCOLA LAKES PARK 02	84802 HARD	Capital Completed	CAP-PROG CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	$639,499.00	$639,499.00	$0.00	6/4/13 ALL
	GOB-10	ARCOLA LAKES PARK 02	84808 HARD	Capital Completed	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)	$4,930.75	$4,930.75	$0.00	3/31/13 ALL
		Totals WOs for Location ARCOLA LAKES PARK		2				**Budget** **$644,429.75**	**Expenses** **$644,429.75**		**Balance** **$0.00**
Totals WOs for Index CPF092PR1688			2					**$644,429.75**	**$644,429.75**		**$0.00**
CPG092PR1688											

Miami-Dade Parks Department
Work Order by Index & Location(CI Index)

Date Run: 12/1/2014 4:16:37 PM

Index	Fund	Location District	Work Order Class	WO Type WO Status	MRC Trade	Project GOB Project Site	Description	Budget	Expenses	Balance	End Date Index Type
CPG092PR1688											
	GOB-13	ARCOLA LAKES PARK 02	84803 HARD	Capital Completed	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	$2,375,000.53	$2,375,000.53	$0.00	2/13/14 ALL
	GOB-13	ARCOLA LAKES PARK 02	84807 HARD	Capital Completed	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR CONTINGENCY/PARTIAL (CARIVON)	$176,500.00	$176,500.00	$0.00	2/10/14 ALL
	GOB-13	ARCOLA LAKES PARK 02	99535 HARD	Capital Completed	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)/PARTIAL	$7,847.10	$7,847.10	$0.00	11/20/13 ALL
		Totals WOs for Location ARCOLA LAKES PARK		3				**Budget** $2,559,347.63	**Expenses** $2,559,347.63	**Balance** $0.00	
Totals WOs for Index CPG092PR1688			3					$2,559,347.63	$2,559,347.63	$0.00	
CPI092PR1688											
	GOB-14	ARCOLA LAKES PARK 02	117333 HARD	Capital Cap Restricted	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE/PARTIAL (CARIVON)	$293,250.47	$286,007.31	$7,243.16	ALL
	GOB-14	ARCOLA LAKES PARK 02	117357 HARD	Capital Cap Restricted	PROJ-MGMT DESIGN-MGT	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR PERMIT FEES (CARIVON)/PARTIAL	$13,697.15	$1,107.20	$12,589.95	ALL
	GOB-14	ARCOLA LAKES PARK 02	127751 HARD	Capital Cap Restricted	PROJ-MGMT CONTRACTOR	311106-05-003 092-70158	SENIOR CTR BLDG, POOL & PRKG - CONTRACTOR BASE C/O #!1 (CARIVON)	$61,132.33	$0.00	$61,132.33	ALL

Miami-Dade Parks Department
Work Order by Index & Location(CI Index)

Date Run: 12/1/2014 4:16:37 PM

Index	Fund	Location District	Work Order Class	WO Type WO Status	MRC Trade	Project GOB Project Site	Description	Budget	Expenses	Balance	End Date Index Type
CPI092PR1688											
								Budget	**Expenses**	**Balance**	
		Totals WOs for Location ARCOLA LAKES PARK		3				**$368,079.95**	**$287,114.51**	**$80,965.44**	
Totals WOs for Index CPI092PR1688			3					**$368,079.95**	**$287,114.51**	**$80,965.44**	
Grand Total :			9					**$3,794,107.33**	**$3,713,054.89**	**$81,052.44**	

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