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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 8(A)(6)

Date: April 5, 2016

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

From: Carlos A. Gimenez
Mayor

Subject: Sixth Amendment to Consultant Agreement for Project Support Services for the North Terminal Development Program with Sequeira & Gavarrete, Inc. in the Amount of $3.3 Million

Resolution No. R-265-16

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached Sixth Amendment to the Consultant Agreement for Project Support Services at Miami International Airport (MIA) with Sequeira & Gavarrete, Inc. (S&G) to add $3.3 million to the agreement for the purposes described below.

PROJECT NAME: North Terminal Development Program (NTDP)

PROJECT NO.: B701D

CONTRACT NO.: B701D

PROJECT DESCRIPTION: The consultant provides professional, technical and administrative support personnel to work with, support, and augment the Miami-Dade Aviation Department (MDAD) and its other consulting staff in completing the remaining design, construction, installation, and commissioning work of the NTDP. Consultant staff manages engineering, architectural, construction and other technical support requirements. MDAD-issued service orders to the consultant may include program management; quality assurance for design and construction; detailed project programming and management; construction management; maintenance of program controls including scheduling, budgeting, estimating, reporting, and monitoring of comprehensive small business processes including Disadvantaged Business Enterprise (DBE), Community Business Enterprise (CBE), Community Small Business (CSBE) programs and other specialty consultant services.

PROJECT LOCATION:	MIA
PRIMARY COMMISSION DISTRICT:	MIA is located primarily within District 6, which is represented by Commissioner Rebeca Sosa; however, the impact of this agenda item is countywide, as MIA is a regional asset.
APPROVAL PATH:	Board of County Commissioners
USING DEPARTMENT:	MDAD
MANAGING DEPARTMENT:	MDAD

Fiscal Impact/Funding Source

MODIFICATION FUNDING SOURCE:	MDAD Operating Budget
PTP FUNDING:	No
GOB FUNDING:	No
AMENDMENT DESCRIPTION:	Allocate additional funds to continue providing services at MIA.

Justification

The Concourse E program is a significant project and is critical to the continued success of MIA and its airline partners. This project is of particular importance due to the expansion of American Airlines' operations at Concourse E. MDAD needs S&G to continue providing support services for the refurbishment of lower Concourse E and E Satellite.

This amendment allocates additional funds to the consultant agreement to continue the administration of contracts for the design, construction and installation of goods and materials relating to the completion and close out of the Concourse E program and to assist MDAD with other areas of the MIA Terminal Complex, as may be necessary within the terms of the existing agreement.

There is a solicitation being advertised for the selection of the new professional consultant to assume and continue providing similar support services to complete the MIA Terminal Optimization Program (TOP).

ORIGINAL AGREEMENT AMOUNT:	$60,784,902.00
PREVIOUS COUNTY MODIFICATIONS:	The First Amendment for $2,500,000.00 (BCC approval November 17, 2009, under the NTD Expedite Ordinance 08-87) funded cost

estimating, code research for Life Safety Master Plan, and additional support staff for baggage system; and exercised three (3) one-year renewal options for $45,150,000.00 to extend the term by three (3) years to September 30, 2013. The Second Amendment modified the terms of the agreement to allow utilization of the available balance in the Basic Services account to fund work authorized as Dedicated Services or Reimbursable Expenses, as long as the funds are used in a manner consistent with the described intent of the service category scope to which the funds are being transferred. The Third Amendment extended the term to September 30, 2014. The Fourth Amendment extended term to January 31, 2015. The Fifth Amendment extended the term to January 31, 2018, and expanded the scope of work.

PREVIOUSLY ADJUSTED AGREEMENT AMOUNT: $108,434,902.00

AMOUNT OF RECOMMENDED MODIFICATION: $3,300,000.00

PERCENT CHANGE THIS MODIFICATION: 3.04 percent

TOTAL PERCENT INCREASE ALL MODIFICATIONS: 83.8 percent

INITIATING FACTOR(S) FOR AMENDMENT:

- ☐ Regulatory Change
- ☐ Other Agency Request Change
- ☐ Design Errors Change
- ☐ Design Omissions Change
- ☐ County Requested Change
- ☒ Unforeseen/Unforeseeable

Track Record/Monitor
FIRM: Sequeira & Gavarrete, Inc.

COMPANY PRINCIPAL(S) Roberto Sequeira and Fernando Gavarrete

COMPANY QUALIFIER(S): Fernando Gavarrete

COMPANY EMAIL ADDRESS: fgavarre@heery-sg.com

COMPANY STREET ADDRESS:	7650 Corporate Center Drive, Suite 300 Miami, Florida 33126
YEARS IN BUSINESS IN FLORIDA:	29 Years
PREVIOUS EXPERIENCE WITH COUNTY (PAST FIVE YEARS):	Current agreement
CONSULTANT PERFORMANCE:	Sequeira & Gavarrete has a 3.5 average rating for the 21 items listed in the Capital Improvement Information System database.
CONTRACT MEASURES:	8 percent ($8,149,967.69) SBE Goal
CONTRACT MEASURES ACHIEVED:	14.26 percent ($14,187,507.74) SBE Goal based on payments through January 2016.
COMPLIANCE DATA:	There have been no violations listed against this firm on this project or any other County projects.
DELEGATIONS OF AUTHORITY:	The Mayor or Mayor's designee may exercise the provisions of the Change Order.
PROJECT MANAGER:	Pedro F. Hernandez
NAME/PHONE/EMAIL:	305-876-7928 phernandez@miami-airport.com
SBD REVIEW:	Yes
LEGAL SUFFICENCY:	Yes

Jack Osterholt, Deputy Mayor

MEMORANDUM

(Revised)

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

DATE: April 5, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(A)(6)

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**

_____ **Statement of social equity 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(A)(6)
4-5-16

RESOLUTION NO. R-265-16

RESOLUTION WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE; APPROVING THE SIXTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT FOR PROJECT SUPPORT SERVICES FOR THE NORTH TERMINAL DEVELOPMENT PROGRAM FOR MIAMI-DADE AVIATION DEPARTMENT BETWEEN SEQUEIRA & GAVARRETE, INC. AND MIAMI-DADE COUNTY, INCREASING THE CONTRACT VALUE BY $3,300,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE ALL RIGHTS PROVIDED FOR IN THE AMENDMENT

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 finds it in the best interests of Miami-Dade County to waive competitive bidding by a two-thirds vote of the members present, pursuant to Section 5.03(D) of the Miami-Dade County Home Rule Charter and Section 2-8.1 of the Code of Miami Dade County; approves the Sixth County Amendment to the Consultant Agreement for Project Support Services for the North Terminal Development Program between Sequeira & Gavarrete, Inc. and Miami-Dade County, Contract Number B701D, increasing the contract value by $3,300,000.00 in substantially the form attached hereto; and authorizes the County Mayor or County Mayor's designee to execute same and exercise all rights and enforce the terms of such Sixth Amendment.

The foregoing resolution was offered by Commissioner **Xavier L. Suarez**, who moved its adoption. The motion was seconded by Commissioner **Bruno A. Barreiro** and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman **nay**
Esteban L. Bovo, Jr., Vice Chairman **aye**

Bruno A. Barreiro	**aye**	Daniella Levine Cava	**aye**
Jose "Pepe" Diaz	**absent**	Audrey M. Edmonson	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
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 5th day of April, 2016. 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.

David M. Murray

SIXTH COUNTY AMENDMENT TO THE CONSULTANT AGREEMENT WITH SEQUEIRA & GAVARRETE, INC. FOR THE PROJECT SUPPORT SERVICES FOR THE NORTH TERMINAL DEVELOPMENT PROGRAM FOR THE MIAMI-DADE AVIATION DEPARTMENT

THIS SIXTH COUNTY AMENDMENT, entered into this _____ day of _____, 2016 by and between Miami-Dade County, a political subdivision of the State of Florida, hereinafter referred to as the "County" and Sequeira & Gavarrete, Inc. (formerly known as Sequeira & Gavarrete P.A.), herein referred to as the "Consultant".

WITNESSETH:

WHEREAS, the Board of County Commissioners ("Board") approved the Fourth Amendment to the Lease, Construction, and Financing Agreement between American Airlines and Miami-Dade County by Resolution No. R-735-05, passed and adopted June 21, 2005, that in part directed Aviation staff to assume American's obligations for the design and construction of the North Terminal Development Program; and

WHEREAS, on July 6, 2006 the Board by its adoption of Resolution R807-06 approved the Consultant Agreement for project support services to include management, cost, and schedule control services for the North Terminal Development Program with the Consultant; and

WHEREAS, the County approved the First County Amendment increasing the funds to replenish the agreement for additional staff and tasks for Estimating, Life Safety Master Plan, and Baggage Handling System (BHS) oversight; and

WHEREAS, the County approved the Second County Amendment Modifying Contract Terms and Conditions to utilize the Services funds to fund work authorized as Dedicated Services or Reimbursable Expenses; and

WHEREAS, the County approved the Third County Amendment extending the term of the agreement in order for the consultant and its sub-consultants continue completing all phases of its Services for the Project; and

WHEREAS, the County approved the Fourth County Amendment extending the term of the agreement for the consultant and its sub-consultants continue completing all phases of its Services for the Project; and

WHEREAS, the County approved the Fifth County Amendment extending the term of the agreement for the consultant and its sub-consultants to continue providing services and performing work in other areas of the Miami International Airport Terminal Complex, as may be necessary during and after the completion of the North Terminal Development Program, to accommodate changes in operational needs, space modification and other facilities requirements as may be determined by Miami-Dade Aviation Department; and

NOW, THEREFORE, in consideration of the premises contained herein, the parties hereto agree as follows:

1. Increase the Total Authorized Amount by Three Million Three Hundred Thousand dollars and no cents ($3,300,000.00) from One Hundred Eight Million Four Hundred Thirty Four Thousand Nine Hundred Two dollars and no cents ($108,434,902.00) to One Hundred Eleven Million Seven Hundred Thirty Four Thousand Nine Hundred Two dollars and no cents ($111,734,902.00) to continue providing services.

2. It is understood between the parties that this Sixth Amendment is necessary to fund the services in order that the Consultant and its sub-consultants can provide continuing services for the administration of contracts for the design, construction and installation of goods and materials relating to the construction and close out of the Concourse E Program and to assist the department with other consulting services in other areas of the MIA Terminal Complex. Notwithstanding the preceding, this Sixth Amendment does not guarantee that the Consultant shall earn all such amounts provided for in this Sixth Amendment, and payment for Additional Services shall be made pursuant to the contract terms and as ordered by the County.

3. In all other respects, the Agreement shall remain in full force and effect in accordance with the terms and conditions specified herein.

4. This Sixth Amendment shall become effective as of the date first written above.

IN WITNESS WHEREOF, the parties hereto have caused this Sixth County Amendment to Agreement to be executed by their respective and duly authorized officers, as of the day and year first above written.

ATTEST:

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

MIAMI-DADE COUNTY, FLORIDA
a political subdivision of the State of Florida

BY ITS BOARD OF COUNTY COMMISSIONERS

_____
County Mayor

(MIAMI-DADE COUNTY SEAL)

ATTEST:

By:_____

Sequeira & Gavarrete, Inc.
a Florida Corporation.

(CORPORATE SEAL)

Approved for Form and Legal Sufficiency

By:_____
Assistant County Attorney