

Memorandum



Date: July 1, 2014

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

From: Carlos A. Gimenez
Mayor 

Subject: Hialeah Reverse Osmosis Water Treatment Plant Status

At the June 10, 2014 meeting of the Infrastructure and Capital Improvements Committee, a status report was requested regarding the Hialeah Reverse Osmosis Water Treatment Plant (Plant), a water supply project undertaken jointly by the City of Hialeah (City) and Miami-Dade County (County).

The subject project was developed to meet water supply needs identified in the County's Water Use Permit issued by the South Florida Water Management District in November of 2007, and anticipated development of the area annexed by the City bounded by NW 154 Street, NW 186 Street, NW 97 Avenue, and the Turnpike. A Joint Participation Agreement (Agreement) between the City and the County, approved by the Board of County Commissioners (Board) on July 24, 2007, called for the design, construction, and operation of a water treatment plant constructed in the annexation area and supplied by the brackish Floridan aquifer to produce initially 10 million gallons per day (MGD) with the capacity to expand to 17.5 MGD. The City and the County were to share equally in the construction and operating costs of the plant, with each jurisdiction receiving half of the water produced. The total capital cost of the project was estimated at \$160 million for the full 17.5 MGD facility. It is important to note that, per the Agreement, the City would serve as the lead on the project and was to develop, procure, and administer a design/build/operate (DBO) contract for the project. The County was to assist with technical review and concurrence with technical decisions and any contract modifications through the construction phase, as well as participate on an oversight board to review the annual budget and operation of the facility throughout the life of the contract. To date, the County has approved \$43.8 million in disbursements to the City, with approximately \$3 million outstanding.

The City entered into a DBO contract with Inima USA Corporation (Inima) on August 18, 2010 for a 15 year term with a five year renewal option. Inima subsequently contracted with AECOM, as well as multiple subcontractors to provide design services for this project. Please refer to Attachment A as provided by the City.

The original design and construction schedule called for the initial 10 MGD production capacity to be in place by March of 2012; however, the City, with the County's concurrence, agreed to amend the service contract with Inima to extend the project substantial completion date to October 2012 due to delays as a result of right-of-way acquisitions for wells and piping for various design and construction features necessary to meet code requirements; the removal of an injection well requirement; the need to meet a grant deadline for funds from the South Florida Water Management District; and also due to the postponement of additional phases as a result of reduced demand. Claims for costs incurred as a result of these delays were filed by Inima in January 2013 and continue to be negotiated. These claims have ranged between approximately \$4 million and \$6 million.

A temporary certificate of occupancy was received by Inima in October of 2013 at which time there was a completion ceremony at the site. Approval from the Florida Department of Health to produce and distribute water was received in November and some water was produced; however, various production problems, including ineffective operation of the bio-filter system, produced some taste and odor complaints, and the City stopped water production.

It is important to note that the water supplied by the plant meets all public health standards as required per federal, state and local regulations. Earlier this year, the facility successfully achieved the 14-day "run-in" period, a pre-condition to the 14-day Acceptance Test, required per the service contract with Inima. The run-in period produced 7.5 MGD of water and complied with the water quality standards and requirements of the contract. Acceptance Testing is expected to be underway in the next few weeks, and, if completed successfully, will initiate the operational phase of the project at 7.5 MGD, increasing to 10 MGD in 2015 when construction of additional wells is expected to be completed. In addition, a plan to make the bio-filter system, a requirement of the Contract, operational by the fall of 2014 has been developed.

Still outstanding is the resolution of claims between the City and Inima with respect to delays and resulting costs, various performance standards, and a revised substantial completion date that will determine to what extent liquidated damages against the contractor may apply. From the original claim amounts listed above, the City and County have recognized dollar amounts ranging from \$2.1 million to \$2.7 million, pending adequate documentation from Inima. Finalization of these claims is anticipated in the next 30 days, and the Office of the Inspector General (OIG), at the request of the County, is independently reviewing their claims. If, for any reason the claims issues are not resolved to the satisfaction of the City and the County, the project bond can be called and the provisions of the contract can, and will be, legally enforced. The plant can, and is expected to, be operational as these claims are being resolved. The total expected cost of the plant and the four additional water supply wells and associated piping to produce and achieve the full 10 MGD plant capacity is about \$100 million, of which about \$95 million has already been expended. The claims at this point represent a relatively small percentage of the total facility costs. Once the plant is completed and fully operational, the annual operating cost is expected to be approximately \$12 million, shared equally by the City and County. I am attaching for your reference two updates (Attachment B and Attachment C) provided by the City to our Water and Sewer Department (WASD).

It should be noted that the delays associated with completing the plant and initiating operations have not impaired the County's or City's ability to meet water supply needs in their respective service areas, due to the success of our water conservation program and a period of low growth.

As indicated above, several issues have been identified, which is not unusual for projects of this scale. It is expected that these issues will be resolved by the City in consultation with the County and that the Plant will operate satisfactorily within the next few weeks. At this point, there has been no determination that Inima and/or its consultants and contractors, including AECOM, have failed to perform with respect to the water treatment plant. With specific regard to AECOM, the due diligence review conducted by the Internal Services Department as part of the Program Management Contract necessitated by the Consent Decree, and the reports prepared by the OIG, did not identify any pattern of non-performance by AECOM that impaired their eligibility for the program management contract. All of the work performed by AECOM pursuant to contracts with the County received satisfactory ratings by the user departments. To the best of our knowledge, there are no reports of non-performance for the contractor or design professional for the Plant.

The County and the City, with feedback from the OIG, are developing additional revisions to the Agreement governing the Plant. These modifications clarify issues of ownership, the use of any contractor payments such as liquidated damages, the method for undertaking future expansion of the plant to its full 17.5 MGD capacity, and a framework for the City and the County to work together on other water and sewer projects jointly in order to maximize cost-effectiveness. The Agreement was previously amended by Board action in January of 2009 to incorporate credit to the County for land provided for the water plant. As well, a separate item was approved by the Board in April of 2013, related to the location of additional wells on property conveyed by the Graham Companies.

If you have any questions, please contact Bill Johnson, Director of Miami-Dade Water and Sewer Department, at 786-552-8200 or me at 305-375-1808.

Attachments

- c: Honorable Carlos Hernandez, Mayor, City of Hialeah
- R. A. Cuevas, Jr., County Attorney
- Alina T. Hudak, Deputy Mayor and Interim Director of Public Works and Waste Management
- Bill Johnson, Director, Miami-Dade Water and Sewer Department
- Lester Sola, Director, Internal Services Department
- Mary Cagle, Esq., Inspector General
- Armando Vidal, Director, Public Works, City of Hialeah
- Michael Hernandez, Director of Communications, Office of the Mayor, Miami-Dade County

| CHECK DATE | CHECK # | VENDOR NAME | VENDOR # | AMOUNT | |
|------------|---------|-------------------------------|----------|---------------------|------------------------|
| | | FROM SEPT/30/10 | | | \$13,442,096.05 |
| 10/4/2010 | 1058 | FL SPECTRUM ENV. SERV. | 19269 | \$807.00 | |
| 10/4/2010 | 1059 | HOLLAND & KNIGHT LLP. | 19381 | \$3,752.65 | |
| 10/4/2010 | 1060 | PARSONS WATER AND INFR. | 20082 | \$204,992.03 | |
| 10/7/2010 | 1061 | GONZALEZ PAVEMENT EQ. | 19157 | \$1,500.00 | |
| 10/7/2010 | 1062 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$156,080.54 | |
| 10/7/2010 | 1063 | R. W. BECK, INC. | 20083 | \$13,034.71 | |
| 10/18/2010 | 1064 | DERM (DADE COUNTY) | 10921 | \$1,846.25 | |
| 10/18/2010 | 1065 | DERM (DADE COUNTY) | 10921 | \$44.00 | |
| 10/18/2010 | 1066 | DERM (DADE COUNTY) | 10921 | \$200.00 | |
| 10/18/2010 | 1067 | DERM (DADE COUNTY) | 10921 | \$52.50 | |
| 10/18/2010 | 1068 | DERM (DADE COUNTY) | 10921 | \$200.00 | VOID ON 6/30/11 |
| | | TOTAL OCTOBER/10 | | \$382,509.68 | \$13,824,605.73 |
| 11/4/2010 | 1069 | ALBERNI CABALLERO & CO., LLC. | 20110 | \$11,000.00 | |
| 11/8/2010 | 1070 | HOLLAND & KNIGHT LLP. | 19381 | \$835.00 | |
| 11/15/2010 | 1071 | FL SPECTRUM ENV. SERV. | 19269 | \$488.00 | |
| 11/23/2010 | 1072 | HOLLAND & KNIGHT LLP. | 19381 | \$1,715.00 | |
| | | TOTAL NOVEMBER/10 | | \$14,038.00 | \$13,838,643.73 |
| 12/22/2010 | 1073 | ENV. CONSULTANTS, LLC (ECO) | 21145 | \$8,724.75 | |
| 12/28/2010 | 1074 | HOLLAND & KNIGHT LLP. | 19381 | \$2,782.00 | |
| 12/29/2010 | 1075 | FLORIDA POWER & LIGHT CO. | 11896 | \$8,400.00 | |
| | | TOTAL DECEMBER/10 | | \$19,906.75 | \$13,858,550.48 |
| 1/6/2011 | 1076 | FL SPECTRUM ENV. SERV. | 19269 | \$807.00 | |
| 1/6/2011 | 1077 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$32,534.80 | |
| 1/10/2011 | 1078 | PARSONS WATER AND INFR. | 20082 | \$23,408.31 | |
| 1/20/2011 | 1079 | FL SPECTRUM ENV. SERV. | 19269 | \$807.00 | |
| 1/20/2011 | 1080 | INIMA USA CONST CORP. | 21411 | \$575,411.68 | |
| 1/31/2011 | 1081 | FIRST SOUTHWEST COMP. | 21428 | \$9,809.24 | |
| | | TOTAL JANUARY/11 | | \$642,778.03 | \$14,501,328.51 |
| 2/3/2011 | 1082 | HOLLAND & KNIGHT LLP. | 19381 | \$1,330.00 | |
| 2/3/2011 | 1083 | MD COUNTY INSPECTOR GENERAL | 0 | \$800.29 | |
| 2/10/2011 | 1084 | FL SPECTRUM ENV. SERV. | 19269 | \$2,027.00 | |
| 2/10/2011 | 1085 | PARSONS WATER AND INFR. | 20082 | \$43,564.07 | |
| 2/28/2011 | 1086 | PARSONS WATER AND INFR. | 20082 | \$228,837.15 | |
| | | TOTAL FEBRUARY/11 | | \$276,558.51 | \$14,777,887.02 |
| 3/7/2011 | 1087 | FL SPECTRUM ENV. SERV. | 19269 | \$807.00 | |
| 3/7/2011 | 1088 | INIMA USA CONST CORP. | 21411 | \$1,255,352.66 | |
| 3/7/2011 | 1089 | R. W. BECK, INC. | 20083 | \$115,772.62 | |
| 3/7/2011 | 1090 | MD COUNTY INSPECTOR GENERAL | 0 | \$574.06 | |
| 3/7/2011 | 1091 | MD COUNTY INSPECTOR GENERAL | 0 | \$170.62 | |
| 3/7/2011 | 1092 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,001.29 | |
| 3/14/2011 | 1093 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$9,365.05 | |
| 3/14/2011 | 1094 | HOLLAND & KNIGHT LLP. | 19381 | \$4,108.25 | |

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| 3/14/2011 | 1095 | R. W. BECK, INC. | 20083 | \$153,784.25 | |
| 3/21/2011 | 1096 | ALBERNI CABALLERO & CO., LLC. | 20110 | \$14,131.25 | |
| 3/21/2011 | 1097 | HOLLAND & KNIGHT LLP. | 19381 | \$4,185.00 | |
| 3/24/2011 | 1098 | FL SPECTRUM ENV. SERV. | 19269 | \$218.40 | |
| 3/24/2011 | 1099 | OFFICE DEPOT | 12962 | \$18.00 | |
| 3/31/2011 | 1100 | INIMA USA CONST CORP. | 21411 | \$357,432.18 | |
| 3/31/2011 | 1101 | MD COUNTY INSPECTOR GENERAL | 0 | \$497.12 | VOID |
| 3/31/2011 | 1102 | PETTY CASH | 14853 | \$214.74 | |
| | | TOTAL MARCH/11 | | \$1,917,632.49 | \$16,695,519.51 |
| 4/18/2011 | 1103 | FL SPECTRUM ENV. SERV. | 19269 | \$963.00 | |
| 4/18/2011 | 1104 | PARSONS WATER AND INFR. | 20082 | \$152,368.68 | |
| 4/18/2011 | 1105 | R. W. BECK, INC. | 20083 | \$118,412.42 | |
| 4/21/2011 | 1106 | HOLLAND & KNIGHT LLP. | 19381 | \$5,355.00 | |
| 4/28/2011 | 1107 | KEEN BATTLE MEAD & COMPANY | 1107 | \$160,809.92 | |
| 4/28/2011 | 1108 | MD COUNTY SOLID WASTE DPT. | 21478 | \$14,793.90 | |
| | | TOTAL APRIL/11 | | \$452,702.92 | \$17,148,222.43 |
| 5/12/2011 | 1109 | MD COUNTY INSPECTOR GENERAL | 0 | \$497.12 | |
| 5/12/2011 | 1110 | MD COUNTY INSPECTOR GENERAL | 0 | \$75.84 | |
| 5/12/2011 | 1111 | MD COUNTY INSPECTOR GENERAL | 0 | \$497.12 | |
| 5/16/2011 | 1111 | MD COUNTY INSPECTOR GENERAL | 0 | -\$497.12 | VOID |
| 5/16/2011 | 1112 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$12,932.08 | |
| 5/16/2011 | 1113 | HOLLAND & KNIGHT LLP. | 19381 | \$3,645.00 | |
| 5/16/2011 | 1114 | SLACK, JOHNSTON & MAG., INC. | 0 | \$3,980.00 | |
| 5/19/2011 | 1115 | CITY BUILDING DEPT. | 0 | \$4,575.40 | |
| 5/19/2011 | 1116 | FL DESIGN CONTRACTORS, INC. | 21425 | \$54,529.98 | |
| 5/19/2011 | 1117 | JCI INTERNATIONAL, INC. | 21023 | \$111,689.00 | |
| 5/19/2011 | 1118 | MD COUNTY SOLID WASTE DPT. | 21478 | \$72,217.30 | |
| 5/26/2011 | 1119 | OVERLAND CARRIER, INC. | 13504 | \$1,593.00 | |
| 5/26/2011 | 1120 | PARSONS WATER AND INFR. | 20082 | \$32,589.95 | |
| 5/26/2011 | 1121 | R. W. BECK, INC. | 20083 | \$47,505.54 | |
| 5/31/2011 | 1122 | OVERLAND CARRIER, INC. | 13504 | \$245,480.36 | |
| | | TOTAL MAY/11 | | \$591,310.57 | \$17,739,533.00 |
| 6/6/2011 | 1123 | ACOSTA TRACTORS, INC. | 15788 | \$65,795.32 | |
| 6/6/2011 | 1124 | HADONNE CORP. | 20879 | \$1,440.00 | |
| 6/6/2011 | 1125 | MD COUNTY SOLID WASTE DPT. | 21478 | \$4,471.80 | |
| 6/6/2011 | 1126 | MD COUNTY INSPECTOR GENERAL | 0 | \$91.51 | |
| 6/16/2011 | 1127 | HAZEN AND SAWYER, P.C. | 14908 | \$8,032.93 | |
| 6/16/2011 | 1128 | INIMA USA CONST CORP. | 21411 | \$1,222,766.82 | |
| 6/16/2011 | 1129 | MD COUNTY INSPECTOR GENERAL | 0 | \$86.66 | |
| 6/16/2011 | 1130 | PARSONS WATER AND INFR. | 20082 | \$188,932.58 | |
| 6/16/2011 | 1131 | R. W. BECK, INC. | 20083 | \$12,497.21 | |
| 6/16/2011 | 1132 | SCHLUMBERGER WATER SERV USA | 21453 | \$3,850.00 | |
| 6/16/2011 | 1133 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,700.65 | |
| 6/20/2011 | 1134 | PARSONS WATER AND INFR. | 20082 | \$100,670.15 | |
| 6/23/2011 | 1135 | ACOSTA TRACTORS, INC. | 15788 | \$62,305.53 | |
| 6/23/2011 | 1136 | ALL STATE ENG. & TEST CONSULT | 13649 | \$1,420.00 | |
| 6/23/2011 | 1137 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$10,555.51 | |
| 6/23/2011 | 1138 | HOLLAND & KNIGHT LLP. | 19381 | \$1,775.00 | |
| 6/23/2011 | 1139 | OVERLAND CARRIER, INC. | 13504 | \$397,410.44 | |
| 6/30/2011 | 1068 | DERM (DADE COUNTY) VOID | 10921 | -\$200.00 | VOID |

| TOTAL JUNE/11 | | | | \$2,083,602.11 | \$19,823,135.11 |
|-----------------|------|----------------------------------|-------|----------------|-----------------|
| 7/5/2011 | 1140 | SAIC ENERGY, ENV. & INFRAS.T.,LL | 20083 | \$50,023.51 | |
| 7/11/2011 | 1141 | KEEN BATTLE MEAD & COMPANY | 1107 | \$3,235.75 | |
| 7/14/2011 | 1142 | MD COUNTY SOLID WASTE DPT. | 21478 | \$16,501.09 | |
| 7/14/2011 | 1143 | OVERLAND CARRIER, INC. | 13504 | \$391,731.84 | |
| 7/18/2011 | 1144 | DERM (DADE COUNTY) | 10921 | \$200.00 | |
| 7/25/2011 | 1145 | HOLLAND & KNIGHT LLP. | 19381 | \$0.00 | VOID |
| 7/25/2011 | 1146 | HOLLAND & KNIGHT LLP. | 19381 | \$5,568.75 | |
| 7/28/2011 | 1147 | ALL STATE ENG. & TEST CONSULT | 13649 | \$6,360.00 | |
| 7/28/2011 | 1148 | FL DESIGN CONTRACTORS, INC. | 21425 | \$178,916.85 | |
| 7/28/2011 | 1149 | INIMA USA CONST CORP. | 21411 | \$1,381,683.87 | |
| 7/28/2011 | 1150 | PARSONS WATER AND INFR. | 20082 | \$124,140.74 | |
| 7/28/2011 | 1151 | SAIC ENERGY, ENV. & INFRAS.T.,LL | 20083 | \$37,392.02 | |
| 7/28/2011 | 1152 | MD COUNTY INSPECTOR GENERAL | 0 | \$75.28 | |
| 7/28/2011 | 1153 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,921.67 | |
| 7/28/2011 | 1154 | MD COUNTY INSPECTOR GENERAL | 0 | \$324.68 | |
| TOTAL JULY/11 | | | | \$2,198,076.05 | \$22,021,211.16 |
| 8/1/2011 | 1155 | ACOSTA TRACTORS, INC. | 15788 | \$54,130.90 | |
| 8/1/2011 | 1156 | HADONNE CORP. | 20879 | \$2,880.00 | |
| 8/1/2011 | 1157 | OVERLAND CARRIER, INC. | 13504 | \$49,332.36 | |
| 8/5/2011 | 1158 | MD COUNTY CLERK OF THE COURT | 0 | \$103.50 | |
| 8/9/2011 | 1159 | CITY BUILDING DEPT. | 12175 | \$100.00 | |
| 8/9/2011 | 1160 | DERM (DADE COUNTY) | 20093 | \$171.50 | |
| 8/15/2011 | 1161 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$27,861.01 | |
| 8/15/2011 | 1162 | HOLLAND & KNIGHT LLP. | 19381 | \$1,903.50 | |
| 8/18/2011 | 1163 | CITY BUILDING DEPT. | 12175 | \$211,188.17 | |
| 8/18/2011 | 1164 | MD COUNTY INSPECTOR GENERAL | 0 | \$370.73 | |
| 8/22/2011 | 1165 | ELITE FIRE & SAFETY EQ CO | 10128 | \$2,275.00 | |
| 8/22/2011 | 1166 | FL DESIGN CONTRACTORS, INC. | 21425 | \$74,146.32 | |
| 8/22/2011 | 1167 | HAZEN AND SAWYER, P.C. | 14908 | \$44,764.16 | |
| 8/22/2011 | 1168 | SERRALTA REBULL SERIG, INC. | 15679 | \$27,775.21 | |
| TOTAL AUGUST/11 | | | | \$497,002.36 | \$22,518,213.52 |
| 9/1/2011 | 1169 | HADONNE CORP. | 20879 | \$4,320.00 | |
| 9/1/2011 | 1170 | MD COUNTY INSPECTOR GENERAL | 0 | \$488.98 | |
| 9/1/2011 | 1171 | FLORIDA POWER & LIGHT CO. | 11896 | \$1,270,096.00 | |
| 9/1/2011 | 1172 | MD COUNTY INSPECTOR GENERAL | 0 | \$4,682.71 | |
| 9/8/2011 | 1173 | FL DESIGN CONTRACTORS, INC. | 21425 | \$118,128.98 | |
| 9/8/2011 | 1174 | INIMA USA CONST CORP. | 21411 | \$3,366,866.52 | |
| 9/8/2011 | 1175 | METRIC ENGINEERING, INC. | 21487 | \$51,806.97 | |
| 9/8/2011 | 1176 | SAIC ENERGY, ENV. & INFRAS.T.,LL | 20083 | \$62,149.57 | |
| 9/12/2011 | 1177 | HOLLAND & KNIGHT LLP. | 19381 | \$8,375.13 | |
| 9/15/2011 | 1178 | POWER DEPOT | 15225 | \$7,848.00 | |
| 9/20/2011 | 1179 | CITY BUILDING DEPT. | 12175 | \$174,266.00 | |
| 9/22/2011 | 1180 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$28,146.45 | |
| 9/22/2011 | 1181 | MCMILLAN OIL CO. OF FL. | 12978 | \$876.49 | |
| 9/26/2011 | 1182 | MCMILLAN OIL CO. OF FL. | 12978 | \$1,172.07 | |
| 9/26/2011 | 1183 | METRIC ENGINEERING, INC. | 21487 | \$24,973.54 | |
| 9/26/2011 | 1184 | SERRALTA REBULL SERIG, INC. | 15679 | \$9,038.12 | |
| 9/29/2011 | 1185 | ACOSTA TRACTORS, INC. | 15788 | \$83,348.31 | |
| 9/29/2011 | 1186 | ALL STATE ENG. & TEST CONSULT | 13649 | \$23,700.00 | |

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| 9/29/2011 | 1187 | HADONNE CORP. | 20879 | \$4,320.00 | |
| 9/29/2011 | 1188 | INIMA USA CONST CORP. | 21411 | \$551,630.52 | |
| 9/29/2011 | 1189 | MCMILLAN OIL CO. OF FL. | 12978 | \$805.41 | |
| 9/29/2011 | 1190 | OVERLAND CARRIER, INC. | 13504 | \$1,038,986.08 | |
| | | TOTAL SEPTEMBER/11 | | \$6,836,025.85 | \$29,354,239.37 |
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**R.O. WATER TREATMENT PLANT
CHECK REGISTER
FY 2012**

| <u>CHECK DATE</u> | <u>CHECK #</u> | <u>VENDOR NAME</u> | <u>VENDOR #</u> | <u>AMOUNT</u> | |
|------------------------|----------------|---------------------------------|-----------------|-----------------------|------------------------|
| FROM SEPT/30/11 | | | | | \$29,354,239.37 |
| 10/3/2011 | 1191 | MACMILLAN OIL CO. OF FL. | 12978 | \$787.19 | |
| 10/6/2011 | 1192 | HOLLAND & KNIGHT LLP. | 19381 | \$4,717.63 | |
| 10/6/2011 | 1193 | INIMA USA CONST. CORP. | 21411 | \$1,320,136.58 | |
| 10/6/2011 | 1194 | MACMILLAN OIL CO. OF FL. | 12978 | \$911.95 | |
| 10/6/2011 | 1195 | PARSONS WATER AND INFRASTR. | 20082 | \$197,511.10 | |
| 10/6/2011 | 1196 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$123,936.36 | |
| 10/11/2011 | 1197 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,110.86 | |
| 10/11/2011 | 1198 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,836.07 | |
| 10/11/2011 | 1199 | MD COUNTY INSPECTOR GENERAL | 0 | \$767.22 | |
| 10/13/2011 | 1200 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,004.08 | |
| 10/13/2011 | 1201 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$13,547.81 | |
| 10/13/2011 | 1202 | SERRALTA REBULL SERIG, INC. | 15679 | \$6,636.53 | |
| 10/20/2011 | 1203 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,198.45 | |
| 10/20/2011 | 1204 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 10/31/2011 | 1205 | FL DESIGN CONTRACTORS, INC. | 21425 | \$200,491.80 | |
| 10/31/2011 | 1206 | MACMILLAN OIL CO. OF FL. | 12978 | \$3,193.97 | |
| 10/31/2011 | 1207 | METRIC ENGINEERING, INC. | 21487 | \$47,026.43 | |
| 10/31/2011 | 1208 | MD COUNTY INSPECTOR GENERAL | 0 | \$767.83 | |
| OCTOBER/11 | | | | \$1,934,429.86 | \$31,288,669.23 |
| 11/8/2011 | 1209 | FL DEPT OF ENV. PROTECTION | 0 | \$100.00 | |
| 11/10/2011 | 1210 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$15,000.00 | |
| 11/10/2011 | 1211 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,316.60 | |
| 11/10/2011 | 1212 | MD COUNTY INSPECTOR GENERAL | 0 | \$139.61 | |
| 11/10/2011 | 1213 | PARSONS WATER AND INFRASTR. | 20082 | \$157,254.93 | |
| 11/10/2011 | 1214 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 11/10/2011 | 1215 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$49,691.92 | |
| 11/10/2011 | 1216 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,655.67 | |
| 11/10/2011 | 1217 | MD COUNTY INSPECTOR GENERAL | 0 | \$92.68 | |
| 11/10/2011 | 1218 | MD COUNTY INSPECTOR GENERAL | 0 | \$691.98 | |
| 11/10/2011 | 1219 | MD COUNTY INSPECTOR GENERAL | 0 | \$10,908.32 | |
| 11/16/2011 | 1220 | DERM (DADE COUNTY) | 10921 | \$490.00 | |
| 11/16/2011 | 1221 | FL DEPT OF ENV. PROTECTION | 0 | \$100.00 | |
| 11/17/2011 | 1222 | MACMILLAN OIL CO. OF FL. | 12978 | \$771.75 | |
| 11/17/2011 | 1223 | PARSONS WATER AND INFRASTR. | 20082 | \$50,611.13 | |
| 11/17/2011 | 1224 | SCHLUMBERGER WATER SERV USA | 21453 | \$775.00 | |
| 11/17/2011 | 1225 | SERRALTA REBULL SERIG, INC. | 15679 | \$28,203.79 | |
| 11/21/2011 | 1226 | FL DESIGN CONTRACTORS, INC. | 21425 | \$548,496.08 | |
| 11/21/2011 | 1227 | MACMILLAN OIL CO. OF FL. | 12978 | \$607.32 | |
| 11/23/2011 | 1228 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$934.73 | |
| 11/28/2011 | 1229 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$141.50 | |
| 11/29/2011 | 1230 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$387.80 | |
| NOVEMBER/11 | | | | \$878,218.81 | \$32,166,888.04 |

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|------------|------|---------------------------------|-------|-----------------------|------------------------|
| 12/1/2011 | 1231 | DERM (DADE COUNTY) | 10921 | \$500.00 | |
| 12/1/2011 | 1232 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,987.03 | |
| 12/1/2011 | 1233 | MD WATER & SEWER DEPT | 12113 | \$50.00 | |
| 12/5/2011 | 1234 | METRIC ENGINEERING, INC. | 21487 | \$13,831.88 | |
| 12/7/2011 | 1235 | FL DEPT OF ENV. PROTECTION | 0 | \$150.00 | |
| 12/8/2011 | 1236 | M. VILA & ASSOCIATES, INC | 20008 | \$3,525.00 | |
| 12/8/2011 | 1237 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,895.94 | |
| 12/8/2011 | 1238 | MD COUNTY INSPECTOR GENERAL | 0 | \$156.61 | |
| 12/8/2011 | 1239 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 12/12/2011 | 1240 | GONZALEZ PAVEMENT EQ. | 19157 | \$62,644.00 | |
| 12/12/2011 | 1241 | HADONNE CORP. | 20879 | \$2,880.00 | |
| 12/12/2011 | 1242 | SOLID WASTE DEPT. | 0 | \$2,809.28 | |
| 12/15/2011 | 1243 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$4,936.57 | |
| 12/19/2011 | 1244 | ACOSTA TRACTORS, INC. | 15788 | \$93,937.37 | |
| 12/19/2011 | 1245 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,881.02 | |
| 12/19/2011 | 1246 | MD COUNTY INSPECTOR GENERAL | 0 | \$5,565.31 | |
| 12/19/2011 | 1247 | MILLIAN SWAIN & ASSOC., INC. | 19214 | \$12,265.76 | |
| 12/19/2011 | 1248 | SERRALTA REBULL SERIG, INC. | 15679 | \$17,521.37 | |
| 12/21/2011 | 1249 | INIMA USA CONST. CORP. | 21411 | \$4,001,457.57 | |
| 12/22/2011 | 1250 | MD COUNTY INSPECTOR GENERAL | 0 | \$11,773.83 | |
| 12/22/2011 | 1251 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,903.64 | |
| 12/22/2011 | 1252 | MD COUNTY INSPECTOR GENERAL | 0 | \$125.00 | |
| 12/22/2011 | 1253 | MD COUNTY INSPECTOR GENERAL | 0 | \$125.00 | |
| 12/22/2011 | 1254 | MD COUNTY INSPECTOR GENERAL | 0 | \$125.00 | |
| 12/22/2011 | 1255 | MD COUNTY INSPECTOR GENERAL | 0 | \$78.31 | |
| 12/27/2011 | 1256 | HOLLAND & KNIGHT LLP. | 19381 | \$2,877.33 | |
| 12/27/2011 | 1257 | PARSONS WATER AND INFRASTR. | 20082 | \$15,126.31 | |
| 12/27/2011 | 1258 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$56,614.22 | |
| 12/27/2011 | 1259 | SERRALTA REBULL SERIG, INC. | 15679 | \$14,562.00 | |
| 12/29/2011 | 1260 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$3,334.71 | |
| 12/29/2011 | 1261 | MD COUNTY INSPECTOR GENERAL | 0 | \$66.41 | |
| 12/29/2011 | 1262 | MD COUNTY INSPECTOR GENERAL | 0 | \$146.11 | |
| 12/29/2011 | 1263 | MD COUNTY INSPECTOR GENERAL | 0 | \$65.30 | |
| 12/29/2011 | 1264 | MD COUNTY INSPECTOR GENERAL | 0 | \$6.53 | |
| | | DECEMBER/11 | | \$4,342,772.41 | \$36,509,660.45 |
| 1/3/2012 | 1265 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,249.76 | |
| 1/5/2012 | 1266 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,533.81 | |
| 1/9/2012 | 1267 | HAZEN AND SAWYER, P.C. | 14908 | \$26,249.91 | |
| 1/12/2012 | 1268 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,313.24 | |
| 1/17/2012 | 1269 | MACMILLAN OIL CO. OF FL. | 12978 | \$5,866.93 | |
| 1/19/2012 | 1270 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,229.62 | |
| 1/26/2012 | 1271 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$19,596.29 | |
| 1/26/2012 | 1272 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,639.78 | |
| 1/26/2012 | 1273 | MD COUNTY INSPECTOR GENERAL | 0 | \$8,462.77 | |
| 1/26/2012 | 1274 | MD COUNTY INSPECTOR GENERAL | 0 | \$905.10 | |
| 1/26/2012 | 1275 | MD COUNTY INSPECTOR GENERAL | 0 | \$14.36 | |
| 1/30/2012 | 1276 | A.C. SCHULTES OF FLORIDA, INC. | 21617 | \$40,713.38 | |
| 1/30/2012 | 1277 | FL DESIGN CONTRACTORS, INC. | 21425 | \$414,116.06 | |
| 1/30/2012 | 1278 | GALLARDO CONSTRUCTION, INC. | 21667 | \$11,484.00 | |
| 1/30/2012 | 1279 | INIMA USA CONST. CORP. | 21411 | \$6,084,732.32 | |
| 1/30/2012 | 1280 | MACMILLAN OIL CO. OF FL. | 12978 | \$3,170.36 | |

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|-----------|------|----------------------------------|-------|-----------------------|------------------------|
| 1/30/2012 | 1281 | METRIC ENGINEERING, INC. | 21487 | \$61,226.76 | |
| 1/30/2012 | 1282 | MD COUNTY INSPECTOR GENERAL | 0 | \$56.63 | |
| 1/30/2012 | 1283 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$10,370.94 | |
| 1/30/2012 | 1284 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 1/30/2012 | 1285 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$23,266.63 | |
| 1/30/2012 | 1286 | SERRALTA REBULL SERIG, INC. | 15679 | \$18,610.13 | |
| | | JANUARY/12 | | \$6,743,656.78 | \$43,253,317.23 |
| 2/2/2012 | 1287 | DERM (DADE COUNTY) PERA | 0 | \$5,610.00 | |
| 2/2/2012 | 1288 | FL DEPT OF ENV. PROTECTION | 0 | \$7,710.00 | |
| 2/2/2012 | 1289 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$10,454.28 | |
| 2/2/2012 | 1290 | PARSONS WATER AND INFRASTR. | 20082 | \$64,884.70 | |
| 2/2/2012 | 1291 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 2/9/2012 | 1292 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,584.59 | |
| 2/13/2012 | 1293 | ALL STATE ENG. & TESTING C.,INC | 13649 | \$75.00 | |
| 2/13/2012 | 1294 | PARSONS WATER AND INFRASTR. | 20082 | \$294,778.64 | |
| 2/14/2012 | 1295 | DERM (DADE COUNTY) | 0 | \$490.00 | |
| 2/16/2012 | 1296 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,569.41 | |
| 2/16/2012 | 1297 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$175.14 | |
| 2/16/2012 | 1298 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$487.00 | |
| 2/16/2012 | 1299 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$7,475.03 | |
| 2/21/2012 | 1300 | GALLARDO CONSTRUCTION, INC | 21667 | \$32,589.00 | |
| 2/21/2012 | 1301 | MD COUNTY INSPECTOR GENERAL | 0 | \$40.74 | |
| 2/23/2012 | 1302 | ALL STATE ENG. & TESTING C.,INC | 13649 | \$75.00 | |
| 2/23/2012 | 1303 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,835.52 | |
| 2/27/2012 | 1304 | METRIC ENGINEERING, INC. | 21487 | \$35,811.56 | |
| | | FEBRUARY/12 | | \$474,493.61 | \$43,727,810.84 |
| 3/1/2012 | 1305 | ALL STATE ENG. & TESTING C.,INC | 13649 | \$90.00 | |
| 3/1/2012 | 1306 | MACMILLAN OIL CO. OF FL. | 12978 | \$18,861.09 | |
| 3/1/2012 | 1307 | MIAMI-DADE COUNTY | 0 | \$490.00 | |
| 3/1/2012 | 1308 | MIAMI-DADE COUNTY ZONING DPT | 0 | \$158.52 | |
| 3/1/2012 | 1309 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 3/8/2012 | 1310 | AC SCHULTES OF FLORIDA, INC. | 21617 | \$5,989.72 | |
| 3/8/2012 | 1311 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,726.91 | |
| 3/8/2012 | 1312 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$3,266.71 | |
| 3/8/2012 | 1313 | OVERLAND CARRIER, INC. | 13504 | \$137,161.16 | |
| 3/12/2012 | 1314 | ACOSTA TRACTOR, INC. | 15788 | \$10,154.86 | |
| 3/12/2012 | 1315 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,103.00 | |
| 3/12/2012 | 1316 | SOLID WASTE DEPARTMENT | 0 | \$1,423.81 | |
| 3/15/2012 | 1317 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$75.00 | |
| 3/15/2012 | 1318 | HOLLAND & KNIGHT LLP. | 19381 | \$1,943.00 | |
| 3/20/2012 | 1319 | DERM (DADE COUNTY) | 0 | \$300.00 | |
| 3/20/2012 | 1320 | FL POWER & LIGHT CO. | 11896 | \$15,000.00 | |
| 3/22/2012 | 1321 | HOLLAND & KNIGHT LLP. | 19381 | \$3,757.50 | |
| 3/22/2012 | 1322 | INIMA USA CONST. CORP. | 21411 | \$2,276,631.12 | |
| 3/26/2012 | 1323 | AC SCHULTES OF FLORIDA, INC. | 21617 | \$475,994.23 | |
| 3/26/2012 | 1324 | FL DESIGN CONTRACTORS, INC. | 21425 | \$286,294.73 | |
| 3/26/2012 | 1325 | GALLARDO CONSTRUCTION, INC | 21667 | \$31,882.50 | |
| 3/26/2012 | 1326 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$13,983.00 | |
| 3/26/2012 | 1327 | PARSONS WATER AND INFRASTR. | 20082 | \$19,543.60 | |
| 3/26/2012 | 1328 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$95,901.04 | |

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|-----------|------|----------------------------------|-------|-----------------------|------------------------|
| 3/26/2012 | 1329 | SERRALTA REBULL SERIG, INC. | 15679 | \$28,467.76 | |
| 3/29/2012 | 1330 | DERM (DADE COUNTY) | 0 | \$490.00 | |
| 3/29/2012 | 1331 | FL DEPT OF ENV. PROTECTION | 0 | \$7,710.00 | |
| 3/29/2012 | 1332 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$3,192.22 | |
| 3/29/2012 | 1333 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,365.78 | |
| 3/30/2012 | 1334 | CK RUN #55 (CANCELLED) | 0 | \$0.00 | |
| 3/30/2012 | 1335 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$3,685.00 | |
| 3/30/2012 | 1336 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$1,317.00 | |
| 3/30/2012 | 1337 | CITY OF HIALEAH BUILDING DEPT. | 12175 | \$212.00 | |
| | | MARCH/12 | | \$3,458,019.26 | \$47,185,830.10 |
| 4/9/2012 | 1338 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$3,697.72 | |
| 4/9/2012 | 1339 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$43,451.87 | |
| 4/12/2012 | 1340 | BOARD OF COUNTY COMMISSION. | 3155 | \$10,188.15 | |
| 4/12/2012 | 1341 | DERM (DADE COUNTY) | 0 | \$490.00 | |
| 4/12/2012 | 1342 | INIMA USA CONST. CORP. | 21411 | \$4,063,852.69 | |
| 4/12/2012 | 1343 | MD COUNTY INSPECTOR GENERAL | 0 | \$5,656.83 | |
| 4/12/2012 | 1344 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$72,339.17 | |
| 4/13/2012 | 1345 | BOARD OF COUNTY COMMISSION. | 3155 | \$170.00 | |
| 4/13/2012 | 1346 | FPL EVERGLADES MITIGATION BK | 0 | \$5,100.00 | |
| 4/16/2012 | 1347 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$380.00 | |
| 4/19/2012 | 1348 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$530.00 | |
| 4/19/2012 | 1349 | GALLARDO CONSTRUCTION, INC | 21667 | \$11,583.00 | |
| 4/19/2012 | 1350 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 4/26/2012 | 1351 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$6,442.62 | |
| 4/26/2012 | 1352 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 4/26/2012 | 1353 | SERRALTA REBULL SERIG, INC. | 15679 | \$61,668.00 | |
| 4/30/2012 | 1354 | SERRALTA REBULL SERIG, INC. | 15679 | \$58,266.15 | |
| | | APRIL/12 | | \$4,359,512.20 | \$51,545,342.30 |
| 5/3/2012 | 1355 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$685.00 | |
| 5/3/2012 | 1356 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$1,800.00 | |
| 5/7/2012 | 1357 | FL DESIGN CONTRACTORS, INC. | 21425 | \$2,000.00 | |
| 5/7/2012 | 1358 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$5,009.68 | |
| 5/7/2012 | 1359 | HOLLAND & KNIGHT LLP. | 19381 | \$5,017.50 | |
| 5/7/2012 | 1360 | DERM/PERA (DADE COUNTY) | 0 | \$490.00 | |
| 5/9/2012 | 1361 | DERM/PERA (DADE COUNTY) | 0 | \$490.00 | |
| 5/10/2012 | 1362 | ACOSTA TRACTOR, INC. | 15788 | \$210,300.66 | |
| 5/10/2012 | 1363 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$670.00 | |
| 5/10/2012 | 1364 | MACMILLAN OIL CO. OF FL. | 12978 | \$742.22 | |
| 5/14/2012 | 1365 | AC SCHULTES OF FLORIDA, INC. | 21617 | \$245,032.53 | |
| 5/14/2012 | 1366 | FL DESIGN CONTRACTORS, INC. | 21425 | \$446,428.09 | |
| 5/14/2012 | 1367 | INIMA USA CONST. CORP. | 21411 | \$6,108,980.79 | |
| 5/14/2012 | 1368 | METRIC ENGINEERING, INC. | 21487 | \$8,895.12 | |
| 5/14/2012 | 1369 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,961.00 | |
| 5/14/2012 | 1370 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$80,979.89 | |
| 5/14/2012 | 1371 | MD COUNTY INSPECTOR GENERAL | 0 | \$958.58 | |
| 5/14/2012 | 1372 | MD COUNTY INSPECTOR GENERAL | 0 | \$8,504.03 | |
| 5/16/2012 | 1373 | DERM/PERA (DADE COUNTY) | 0 | \$1,144.00 | |
| 5/24/2012 | 1374 | ALBERNI CABALLERO & CO, LLC. | 20110 | \$11,156.25 | |
| 5/24/2012 | 1375 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$4,677.33 | |
| 5/29/2012 | 1376 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 5/31/2012 | 1377 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,563.00 | |

| MAY/12 | | | | \$7,156,333.67 | \$58,701,675.97 |
|-----------|------|----------------------------------|-------|----------------|-----------------|
| 6/4/2012 | 1378 | HOLLAND & KNIGHT LLP. | 19381 | \$4,500.00 | |
| 6/4/2012 | 1379 | MACMILLAN OIL CO. OF FL. | 12978 | \$4,417.64 | |
| 6/7/2012 | 1380 | DERM/PERA (DADE COUNTY) | 0 | \$490.00 | |
| 6/7/2012 | 1381 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$19,471.67 | |
| 6/7/2012 | 1382 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,157.61 | |
| 6/7/2012 | 1383 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,224.05 | |
| 6/7/2012 | 1384 | MD COUNTY INSPECTOR GENERAL | 0 | \$4,024.89 | |
| 6/11/2012 | 1385 | AC SCHULTES OF FLORIDA, INC. | 21617 | \$127,864.83 | |
| 6/11/2012 | 1386 | INIMA USA CONST. CORP. | 21411 | \$4,866,679.63 | |
| 6/11/2012 | 1387 | MACMILLAN OIL CO. OF FL. | 12978 | \$8,604.12 | |
| 6/11/2012 | 1388 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$55,717.11 | |
| 6/11/2012 | 1389 | SERRALTA REBULL SERIG, INC. | 15679 | \$25,923.53 | |
| 6/14/2012 | 1390 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,273.31 | |
| 6/21/2012 | 1391 | AC SCHULTES OF FL...(ADJ.) | 21617 | \$0.00 | |
| 6/21/2012 | 1392 | GALLARDO CONSTRUCTION, INC. | 21667 | \$22,461.50 | |
| 6/21/2012 | 1393 | HOLLAND & KNIGHT LLP. | 19381 | \$4,162.50 | |
| 6/21/2012 | 1394 | POWER DEPOT, INC. | 15225 | \$7,848.00 | |
| 6/26/2012 | 1395 | DERM/PERA (DADE COUNTY) | 0 | \$2,640.00 | |
| 6/28/2012 | 1396 | MACMILLAN OIL CO. OF FL. | 12978 | \$5,901.51 | |
| JUNE/12 | | | | \$5,164,361.90 | \$63,866,037.87 |
| 7/5/2012 | 1397 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$2,060.00 | |
| 7/5/2012 | 1398 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,817.37 | |
| 7/12/2012 | 1399 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$1,460.00 | |
| 7/12/2012 | 1400 | MACMILLAN OIL CO. OF FL. | 12978 | \$5,349.99 | |
| 7/12/2012 | 1401 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$6,045.64 | |
| 7/12/2012 | 1402 | PARSONS WATER AND INFRASTR. | 20082 | \$780,817.55 | |
| 7/13/2012 | 1403 | WILLIAMS PAVING CO., INC. | 5631 | \$921,663.28 | |
| 7/19/2012 | 1404 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$150.00 | |
| 7/19/2012 | 1405 | ACOSTA TRACTORS, INC. | 15788 | \$644,461.11 | |
| 7/23/2012 | 1406 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,939.21 | |
| 7/23/2012 | 1407 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,969.80 | |
| 7/23/2012 | 1408 | A.C. SCHULTES OF FLORIDA, INC. | 21617 | \$290,482.96 | |
| 7/23/2012 | 1409 | FL DESIGN CONTRACTORS, INC. | 21425 | \$6,679.20 | |
| 7/23/2012 | 1410 | GONZALEZ PAVEMENT EQ. | 19157 | \$36,985.60 | |
| 7/23/2012 | 1411 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$49,182.64 | |
| 7/26/2012 | 1412 | INIMA USA CONST. CORP. | 21411 | \$1,251,438.21 | |
| 7/26/2012 | 1413 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,383.12 | |
| 7/30/2012 | 1414 | YAPI INC. | 21882 | \$14,100.00 | |
| 7/30/2012 | 1415 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,648.80 | |
| JULY/12 | | | | \$4,023,634.48 | \$67,889,672.35 |
| 8/2/2012 | 1416 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$1,050.00 | |
| 8/2/2012 | 1417 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$14,716.65 | |
| 8/2/2012 | 1418 | HOLLAND & KNIGHT LLP. | 19381 | \$1,225.95 | |
| 8/6/2012 | 1419 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$8,275.28 | |
| 8/6/2012 | 1420 | MACMILLAN OIL CO. OF FL. | 12978 | \$3,056.65 | |
| 8/9/2012 | 1421 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,318.14 | |
| 8/13/2012 | 1422 | MILIAN SWAIN & ASSOC., INC. | 19214 | \$3,618.70 | |
| 8/17/2012 | 1423 | FPL EVERGLADES MITIGATION BK | 0 | \$133,750.00 | |
| 8/17/2012 | 1424 | MD COUNTY INSPECTOR GENERAL | 0 | \$53,303.92 | |
| 8/20/2012 | 1425 | HOLLAND & KNIGHT LLP. | 19381 | \$724.50 | |

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| 8/20/2012 | 1426 | MACMILLAN OIL CO. OF FL. | 12978 | \$3,739.08 | |
| 8/20/2012 | 1427 | MD COUNTY INSPECTOR GENERAL | 0 | \$97.47 | |
| 8/20/2012 | 1428 | MD COUNTY INSPECTOR GENERAL | 0 | \$51.37 | |
| 8/20/2012 | 1429 | MD COUNTY INSPECTOR GENERAL | 0 | \$78.31 | |
| 8/20/2012 | 1430 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,413.41 | |
| 8/23/2012 | 1431 | MD COUNTY INSPECTOR GENERAL | 0 | \$316.13 | |
| 8/23/2012 | 1432 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,020.05 | |
| 8/23/2012 | 1433 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,396.54 | |
| 8/28/2012 | 1434 | MACMILLAN OIL CO. OF FL. | 12978 | \$4,249.10 | |
| 8/28/2012 | 1435 | POWER DEPOT, INC. | 15225 | \$27,128.00 | |
| 8/30/2012 | 1436 | FL DESIGN CONTRACTORS, INC. | 21425 | \$22,518.58 | |
| 8/30/2012 | 1437 | GONZALEZ PAVEMENT EQ. | 19157 | \$65,772.52 | |
| 8/30/2012 | 1438 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,136.17 | |
| 8/30/2012 | 1439 | PARSONS WATER AND INFRASTR. | 20082 | \$303,923.34 | |
| 8/30/2012 | 1440 | SAIC ENERGY, ENV & INFRASTR, LL | 20083 | \$21,789.22 | |
| 8/30/2012 | 1441 | WILLIAMS PAVING CO., INC. | 5631 | \$155,700.81 | |
| 8/30/2012 | 1442 | MD COUNTY INSPECTOR GENERAL | 0 | \$91.35 | |
| | | AUGUST/12 | | \$832,461.24 | \$68,722,133.59 |
| 9/4/2012 | 1443 | MACMILLAN OIL CO. OF FL. | 12978 | \$1,469.53 | |
| 9/4/2012 | 1444 | DERM/PERA (DADE COUNTY) | 0 | \$1,260.00 | |
| 9/4/2012 | 1445 | DERM/PERA (DADE COUNTY) | 0 | \$536.00 | |
| 9/4/2012 | 1446 | FLORIDA POWER & LIGHT CO | 11896 | \$95,500.00 | VOID |
| 9/4/2012 | 1447 | FPL EVERGLADES MITIGATION BK | 0 | \$95,500.00 | |
| 9/6/2012 | 1448 | MACMILLAN OIL CO. OF FL. | 12978 | \$464.92 | |
| 9/6/2012 | 1449 | MD COUNTY INSPECTOR GENERAL | 0 | \$3,376.35 | |
| 9/6/2012 | 1450 | MD COUNTY INSPECTOR GENERAL | 0 | \$7,851.94 | |
| 9/6/2012 | 1451 | MD COUNTY INSPECTOR GENERAL | 0 | \$448.23 | |
| 9/13/2012 | 1452 | A.C. SCHULTES OF FLORIDA, INC. | 21617 | \$261,501.04 | |
| 9/13/2012 | 1453 | GONZALEZ PAVEMENT EQ. | 19157 | \$71,787.86 | |
| 9/13/2012 | 1454 | INIMA USA CONST. CORP. | 21411 | \$2,661,744.33 | |
| 9/13/2012 | 1455 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$1,890.00 | |
| 9/13/2012 | 1456 | MACMILLAN OIL CO. OF FL. | 12978 | \$7,704.78 | |
| 9/13/2012 | 1457 | ACOSTA TRACTORS, INC. | 15788 | \$703,494.53 | |
| 9/13/2012 | 1458 | MD COUNTY INSPECTOR GENERAL | 0 | \$503.18 | |
| 9/13/2012 | 1459 | MD COUNTY INSPECTOR GENERAL | 0 | \$3,506.92 | |
| 9/13/2012 | 1460 | MD COUNTY INSPECTOR GENERAL | 0 | \$99.70 | |
| 9/13/2012 | 1461 | MD COUNTY INSPECTOR GENERAL | 0 | \$1,066.58 | |
| 9/20/2012 | 1462 | DABBY GROUP, INC. | 21925 | \$2,672.00 | |
| 9/24/2012 | 1463 | GONZALEZ PAVEMENT EQ. | 19157 | \$10,916.50 | |
| 9/24/2012 | 1464 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$1,890.00 | |
| 9/27/2012 | 1465 | ALL STATE ENG. & TESTING C, INC. | 13649 | \$530.00 | |
| 9/27/2012 | 1466 | MACMILLAN OIL CO. OF FL. | 12978 | \$2,580.22 | |
| 9/27/2012 | 1467 | METRIC ENGINEERING, INC. | 21487 | \$2,250.00 | |
| | | SEPTEMBER/12 | | \$3,940,544.61 | \$72,662,678.20 |

CHECK REGISTER (RO PLANT)
FISCAL YEAR 2013

| CHECK DATE | CHECK # | VENDOR NAME | VENDOR # | AMOUNT | |
|------------|---------|--------------------------------|----------|-----------------------|------------------------|
| | | FROM SEPT/30/12 | | | \$72,662,678.20 |
| 10/1/2012 | 1468 | MACMILLAN OIL OF FL. | 12978 | \$2,730.59 | |
| 10/1/2012 | 1469 | POWER DEPOT INC. | 15225 | \$23,184.00 | |
| 10/4/2012 | 1470 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$2,979.09 | |
| 10/9/2012 | 1471 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$2,025.00 | |
| 10/12/2012 | 1472 | MACMILLAN OIL OF FL. | 12978 | \$3,186.95 | |
| 10/19/2012 | 1473 | ACOSTA TRACTORS, INC. | 15788 | \$326,245.20 | |
| 10/19/2012 | 1474 | WILLIAMS PAVING CO., INC. | 5631 | \$104,066.92 | |
| 10/22/2012 | 1475 | MD COUNTY INSPECTOR GENERAL | 0 | \$126.96 | |
| 10/25/2012 | 1476 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$16,784.66 | |
| 10/25/2012 | 1477 | HOLLAND & KNIGHT LLP | 19381 | \$2,412.50 | |
| 10/29/2012 | 1478 | MACMILLAN OIL OF FL. | 12978 | \$4,209.11 | |
| 10/29/2012 | 1479 | MD COUNTY INSPECTOR GENERAL | 0 | \$10.55 | |
| 10/29/2012 | 1480 | MD COUNTY INSPECTOR GENERAL | 0 | \$3.26 | |
| 10/29/2012 | 1481 | MD COUNTY INSPECTOR GENERAL | 0 | \$88.36 | |
| 10/29/2012 | 1482 | MD COUNTY INSPECTOR GENERAL | 0 | \$537.89 | |
| 10/29/2012 | 1483 | MD COUNTY INSPECTOR GENERAL | 0 | \$297.33 | |
| | | OCTOBER/12 | | \$488,888.37 | \$73,151,566.57 |
| 11/1/2012 | 1484 | A.C. SCHULTES OF FLORIDA, INC. | 21617 | \$70,686.69 | |
| 11/1/2012 | 1485 | MACMILLAN OIL OF FL. | 12978 | \$1,065.83 | |
| 11/5/2012 | 1486 | ALL STATE ENG. & TESTING CONS | 13649 | \$545.00 | |
| 11/5/2012 | 1487 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$1,459.22 | |
| 11/5/2012 | 1488 | PARSONS WATER AND INFR., INC. | 20082 | \$101,564.23 | |
| 11/8/2012 | 1489 | ACOSTA TRACTORS, INC. | 15788 | \$93,489.70 | |
| 11/8/2012 | 1490 | ALL STATE ENG. & TESTING CONS | 13649 | \$250.00 | |
| 11/8/2012 | 1491 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$96,344.53 | |
| 11/8/2012 | 1492 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$268,629.31 | |
| 11/8/2012 | 1493 | SERRALTA REBULL SERIG, INC. | 15679 | \$12,229.10 | |
| 11/8/2012 | 1494 | MD COUNTY INSPECTOR GENERAL | 0 | \$120.43 | |
| 11/8/2012 | 1495 | MD COUNTY INSPECTOR GENERAL | 0 | \$24.65 | |
| 11/8/2012 | 1496 | MD COUNTY INSPECTOR GENERAL | 0 | \$116.86 | |
| 11/8/2012 | 1497 | MD COUNTY INSPECTOR GENERAL | 0 | \$2,357.72 | |
| 11/19/2012 | 1498 | ALBERNI CABALLERO & CO., LLC | 20110 | \$1,250.00 | |
| 11/19/2012 | 1499 | INIMA USA CONST. CORP. | 21411 | \$1,789,512.13 | |
| 11/29/2012 | 1500 | METRIC ENGINEERING, INC. | 21487 | \$750.00 | |
| 11/29/2012 | 1501 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$729.61 | |
| 11/29/2012 | 1502 | SERRALTA REBULL SERIG, INC. | 15679 | \$7,470.41 | |
| 11/29/2012 | 1503 | KEEN BATTLE INS., INC. | 1107 | \$42,001.01 | |
| | | NOVEMBER/12 | | \$2,490,596.43 | \$75,642,163.00 |
| 12/6/2012 | 1504 | ACOSTA TRACTORS, INC. | 15788 | \$164,538.91 | |
| 12/6/2012 | 1505 | HOLLAND & KNIGHT LLP | 19381 | \$382.50 | |
| 12/6/2012 | 1506 | INIMA USA CONST. CORP. | 21411 | \$984,054.56 | |

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|------------|------|--------------------------------|-------|-----------------------|------------------------|
| 12/6/2012 | 1507 | PARSONS WATER AND INFR., INC. | 20082 | \$50,261.39 | |
| 12/6/2012 | 1508 | WILLIAMS PAVING CO., INC. | 5631 | \$109,732.87 | |
| 12/10/2012 | 1509 | FL DESIGN CONTRACTORS, INC. | 21425 | \$162,311.56 | |
| 12/10/2012 | 1510 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$130,320.19 | |
| 12/10/2012 | 1511 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$121,927.40 | |
| 12/13/2012 | 1512 | SERRALTA REBULL SERIG, INC. | 15679 | \$34,829.86 | |
| 12/20/2012 | 1513 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$0.00 | ADJUSTMENT |
| 12/20/2012 | 1514 | SERRALTA REBULL SERIG, INC. | 15679 | \$1,541.49 | |
| | | DECEMBER/12 | | \$1,759,900.73 | \$77,402,063.73 |
| 1/4/2013 | 1515 | MD COUNTY INSPECTOR GENERAL | 0 | \$470.47 | |
| 1/4/2013 | 1516 | MD COUNTY INSPECTOR GENERAL | 0 | \$466.11 | |
| 1/10/2013 | 1517 | A.C. SCHULTES OF FLORIDA, INC. | 21617 | \$50,439.46 | |
| 1/10/2013 | 1518 | ACOSTA TRACTORS, INC. | 15788 | \$261,899.76 | |
| 1/10/2013 | 1519 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$152,869.48 | |
| 1/10/2013 | 1520 | GS INIMA USA CONST. CORP. | 21411 | \$347,685.57 | |
| 1/10/2013 | 1521 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$23,305.30 | |
| 1/10/2013 | 1522 | WILLIAMS PAVING CO., INC. | 5631 | \$55,403.32 | |
| 1/10/2013 | 1523 | MD COUNTY INSPECTOR GENERAL | 0 | \$458.08 | |
| 1/10/2013 | 1524 | MD COUNTY INSPECTOR GENERAL | 0 | \$252.08 | |
| 1/10/2013 | 1525 | MD COUNTY INSPECTOR GENERAL | 0 | \$25.28 | |
| 1/10/2013 | 1526 | MD COUNTY INSPECTOR GENERAL | 0 | \$85.93 | |
| 1/17/2013 | 1527 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$2,918.44 | |
| 1/17/2013 | 1528 | PARSONS WATER AND INFR., INC. | 20082 | \$108,385.58 | |
| 1/24/2013 | 1529 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$16,045.59 | |
| 1/24/2013 | 1530 | HOLLAND & KNIGHT LLP | 19381 | \$315.00 | |
| 1/31/2013 | 1531 | CITY OF HIALEAH | 0 | \$16,742.00 | |
| 1/31/2013 | 1532 | WATER & SEWER DEPT. | 0 | \$33,473.00 | |
| 1/31/2013 | 1533 | WATER & SEWER DEPT. | 0 | \$4,000.00 | |
| | | JANUARY/13 | | \$1,075,240.45 | \$78,477,304.18 |
| 2/7/2013 | 1534 | ALL STATE ENG. & TESTING CONS | 13649 | \$800.00 | |
| 2/7/2013 | 1535 | SERRALTA REBULL SERIG, INC. | 15679 | \$13,041.95 | |
| 2/11/2013 | 1536 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$5,290.92 | |
| 2/19/2013 | 1537 | SERRALTA REBULL SERIG, INC. | 15679 | \$11,601.34 | |
| 2/21/2013 | 1538 | PARSONS WATER AND INFR., INC. | 20082 | \$3,608.60 | |
| 2/21/2013 | 1539 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$127,430.72 | |
| 2/21/2013 | 1540 | FLORIDA POWER & LIGHT CO. | 11896 | \$13,503.00 | |
| 2/25/2013 | 1541 | GS INIMA USA CONST. CORP. | 21411 | \$2,386,733.86 | |
| 2/25/2013 | 1542 | SERRALTA REBULL SERIG, INC. | 15679 | \$5,867.31 | |
| 2/25/2013 | 1543 | MD COUNTY INSPECTOR GENERAL | 0 | \$68.64 | |
| 2/25/2013 | 1544 | MD COUNTY INSPECTOR GENERAL | 0 | \$4,441.10 | |
| 2/28/2013 | 1545 | MD COUNTY INSPECTOR GENERAL | 0 | \$306.89 | |
| | | FEBRUARY/13 | | \$2,572,694.33 | \$81,049,998.51 |
| 3/18/2013 | 1546 | WILLIAMS PAVING CO., INC. | 5631 | VOID | |
| 3/18/2013 | 1547 | WILLIAMS PAVING CO., INC. | 5631 | \$28,949.97 | |
| 3/21/2013 | 1548 | ALL STATE ENG. & TESTING CONS | 13649 | \$900.00 | |
| 3/21/2013 | 1549 | SERRALTA REBULL SERIG, INC. | 15679 | \$9,086.59 | |
| 3/28/2013 | 1550 | SERRALTA REBULL SERIG, INC. | 15679 | \$2,852.94 | |
| | | MARCH/13 | | \$41,789.50 | \$81,091,788.01 |
| 4/4/2013 | 1551 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$8,149.66 | |
| 4/4/2013 | 1552 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$15,759.43 | |
| 4/4/2013 | 1553 | HOLLAND & KNIGHT LLP | 19381 | \$3,955.40 | |

| | | | | | |
|-----------|------|---------------------------------|-------|----------------|-----------------|
| 4/4/2013 | 1554 | MD COUNTY INSPECTOR GENERAL | 0 | \$841.52 | |
| 4/8/2013 | 1555 | A.C. SCHULTES OF FLORIDA, INC | 21617 | \$263,043.69 | |
| 4/8/2013 | 1556 | ACOSTA TRACTORS, INC. | 15788 | \$20,273.96 | |
| 4/8/2013 | 1557 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$37,548.20 | |
| 4/8/2013 | 1558 | GS INIMA USA CONST. CORP. | 21411 | \$638,710.09 | |
| 4/8/2013 | 1559 | METRIC ENGINEERING, INC. | 21487 | \$12,000.00 | |
| 4/8/2013 | 1560 | WILLIAMS PAVING CO., INC. | 5631 | \$136,589.61 | |
| 4/11/2013 | 1561 | FLORIDA POWER & LIGHT CO. | 11896 | \$0.00 | |
| 4/11/2013 | 1562 | FLORIDA POWER & LIGHT CO. | 11896 | \$1,401.91 | |
| 4/15/2013 | 1563 | ACOSTA TRACTORS, INC. | 15788 | \$219,000.00 | |
| 4/22/2013 | 1564 | GS INIMA USA CONST. CORP. | 21411 | \$1,741,053.84 | |
| | | APRIL/13 | | \$3,098,327.31 | \$84,190,115.32 |
| 5/2/2013 | 1565 | MD COUNTY INSPECTOR GENERAL | 15041 | \$2,293.88 | |
| 5/16/2013 | 1566 | ALBERNI CABALLERO & CO., LLC | 20110 | \$8,515.63 | |
| 5/23/2013 | 1567 | SERRALTA REBULL SERIG, INC. | 15679 | \$4,573.98 | |
| 5/30/2013 | 1568 | AECOM TECHNICAL SERVICES, INC | 21542 | \$15,000.00 | |
| 5/30/2013 | 1569 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$12,115.38 | |
| 5/30/2013 | 1570 | HOLLAND & KNIGHT LLP | 19381 | \$3,555.00 | |
| 5/30/2013 | 1571 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$937.12 | |
| | | MAY/13 | | \$46,990.99 | \$84,237,106.31 |
| 6/6/2013 | 1572 | CITY OF HIALEAH | 0 | \$18,264.00 | |
| 6/6/2013 | 1573 | FLOWRENTAL. COM | 22070 | \$3,793.15 | VOID |
| 6/6/2013 | 1574 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$9,270.98 | |
| 6/6/2013 | 1575 | WATER & SEWER DEPT. | 0 | \$36,516.00 | |
| 6/13/2013 | 1576 | GROSSMAN, FURLOW & BAYO, LLC | 22129 | \$750.00 | |
| 6/13/2013 | 1577 | WISS, JANNEY, ELSTNER ASS, INC. | 22068 | \$12,654.27 | |
| 6/17/2013 | 1578 | GS INIMA USA CONST. CORP. | 21411 | \$321,224.95 | |
| 6/20/2013 | 1579 | EESIFLO (CK REQ.) | 0 | \$3,793.15 | |
| 6/20/2013 | 1580 | GONZALEZ PAVEMENT EQUIPMENT | 19157 | \$52,341.86 | |
| 6/20/2013 | 1581 | PARSONS WATER AND INFR., INC | 20082 | \$145,617.74 | |
| 6/20/2013 | 1582 | SAIC ENERGY, ENV & INFR, LLC | 20083 | \$56,872.83 | |
| 6/20/2013 | 1583 | EESIFLO (CK REQ.) | 0 | \$3,325.00 | |
| 6/20/2013 | 1584 | KEEN BATTLE INS., INC. | 1107 | \$76,985.44 | |
| 6/20/2013 | 1585 | MD COUNTY INSPECTOR GENERAL | 15041 | \$15.82 | |
| 6/20/2013 | 1586 | MD COUNTY INSPECTOR GENERAL | 15041 | \$397.94 | |
| 6/20/2013 | 1587 | MD COUNTY INSPECTOR GENERAL | 15041 | \$65.43 | |
| 6/20/2013 | 1588 | MD COUNTY INSPECTOR GENERAL | 15041 | \$207.92 | |
| 6/20/2013 | 1589 | PARSONS WATER AND INFR., INC | 20082 | \$7,489.00 | |
| 6/24/2013 | 1590 | PARSONS WATER AND INFR., INC | 20082 | \$13,226.85 | |
| 6/27/2013 | 1591 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$3,476.62 | |
| | | JUNE/13 | | \$766,288.95 | \$85,003,395.26 |
| 7/11/2013 | 1592 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$41,713.39 | |
| 7/11/2013 | 1593 | HOLLAND & KNIGHT LLP | 19381 | \$1,349.18 | |
| 7/11/2013 | 1594 | WISS, JANNEY, ELSTNER ASS, INC. | 22068 | \$26,525.86 | |
| 7/15/2013 | 1595 | FL DEPT OF HEALTH (DOH) | 15091 | \$700.00 | |
| 7/18/2013 | 1596 | FL DEPT OF HEALTH (DOH) | 15091 | \$100.00 | |
| 7/18/2013 | 1597 | HOLLAND & KNIGHT LLP | 19381 | \$2,970.00 | |
| 7/22/2013 | 1598 | FL DEPT OF HEALTH (DOH) | 15091 | \$300.00 | |
| 7/22/2013 | 1599 | MD COUNTY INSPECTOR GENERAL | 15041 | \$13.92 | |
| 7/25/2013 | 1600 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$690.00 | |

CHECK REGISTER (RO PLANT)

FISCAL YEAR 2014

| CHECK DATE | CHECK # | VENDOR NAME | VENDOR # | AMOUNT | |
|------------------------|---------|---------------------------------|----------|-----------------------|------------------------|
| FROM SEPT/30/13 | | | | | \$85,806,459.11 |
| 10/3/2013 | 1621 | ALBERNI CABALLERO & CO., LLC | 20110 | \$30,917.00 | |
| 10/3/2013 | 1622 | HOLLAND & KNIGHT LLP | 19381 | \$7,936.04 | |
| 10/3/2013 | 1623 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$12,457.21 | |
| 10/4/2013 | 1624 | BENSON ELECTRIC, INC. | 0 | \$1,500.00 | |
| 10/7/2013 | 1625 | ALL STATE ENG & TESTING CONS. | 13649 | \$5,890.00 | |
| 10/10/2013 | 1626 | ELECTRIC POWER SYSTEM INT. | 22180 | \$17,000.00 | |
| 10/25/2013 | 1627 | ELITE TENT COMPANY | 22032 | \$12,813.75 | |
| 10/31/2013 | 1628 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$67,162.47 | |
| 10/31/2013 | 1629 | HOLLAND & KNIGHT LLP | 19381 | \$4,130.00 | |
| OCTOBER/13 | | | | \$159,806.47 | \$85,966,265.58 |
| 11/7/2013 | 1630 | ELECTRIC POWER SYSTEM INT. | 22180 | \$4,000.00 | |
| 11/7/2013 | 1631 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$3,784.63 | |
| 11/14/2013 | 1632 | MDC INSPECTOR GENERAL | 15041 | \$1,523.80 | |
| 11/14/2013 | 1633 | MD WATER & SEWER DEPARTMENT | 14846 | \$1,650,000.00 | |
| 11/14/2013 | 1634 | MDC INSPECTOR GENERAL | 15041 | \$519.37 | |
| 11/18/2013 | 1635 | MDC INSPECTOR GENERAL | 15041 | \$86.15 | |
| 11/21/2013 | 1636 | 4IMPRINT, INC. | 21554 | \$775.64 | |
| 11/21/2013 | 1637 | GS INIMA USA CONSTRUC, CORP. | 21411 | \$1,523.80 | |
| 11/21/2013 | 1638 | PARSONS WATER AND INFR., INC. | 20082 | \$415,498.07 | |
| 11/21/2013 | 1639 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | \$68,916.89 | |
| 11/21/2013 | 1640 | SERRALTA REBULL SERIG, INC. | 15679 | \$3,602.54 | |
| 11/25/2013 | 1641 | BURGESS CHAMBER'S ASSOC., INC. | 21020 | \$5,622.43 | |
| 11/25/2013 | 1642 | GS INIMA USA CONSTRUC, CORP. | 21411 | \$1,219,050.02 | |
| NOVEMBER/13 | | | | \$3,374,903.34 | \$89,341,168.92 |
| 12/2/2013 | 1643 | COLE PARMER | 0 | \$1,271.89 | |
| 12/2/2013 | 1644 | PETTY CASH | 14853 | \$234.43 | |
| 12/5/2013 | 1645 | FLORIDA POWER AND LIGHT | 296 | \$68,942.86 | |
| 12/13/2013 | 1646 | ACOSTA TRACTORS, INC. | 15788 | VOID | |
| 12/13/2013 | 1647 | ACOSTA TRACTORS, INC. | 15788 | \$4,518.18 | |
| 12/26/2013 | 1648 | KEEN BATTLE INS., INC. | 1107 | \$427,205.94 | |
| DECEMBER/13 | | | | \$502,173.30 | \$89,843,342.22 |
| 1/2/2014 | 1649 | ENVIR. CONSULTANTS, LLC (ECO) | 21145 | \$1,455.00 | |
| 1/2/2014 | 1650 | FAST SIGNS | 12455 | \$2,321.28 | |
| 1/3/2014 | 1651 | FLORIDA POWER AND LIGHT | 296 | \$68,427.40 | |
| 1/6/2014 | 1652 | SERRALTA REBULL SERIG, INC. | 15679 | \$1,820.23 | |
| 1/9/2014 | 1653 | ALL STATE ENG & TESTING CONS. | 13649 | \$1,160.00 | |
| 1/9/2014 | 1654 | J. BONFILL & ASSOCIATES, INC. | 19025 | \$1,305.00 | |
| 1/9/2014 | 1655 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$3,784.63 | |
| 1/13/2014 | 1656 | W.W. GRAINGER, INC. | 249 | \$166.56 | |
| 1/30/2014 | 1657 | DADE EQUIPMENT GOLF CARTS | 22260 | \$700.00 | |

| JANUARY/14 | | | | \$81,140.10 | \$89,924,482.32 |
|-------------|------|---------------------------------|-------|---------------|------------------|
| 2/3/2014 | 1658 | GALLARDO CONSTRUCTION, INC. | 21667 | \$2,935.09 | |
| 2/4/2014 | 1659 | ALBERNI CABALLERO & CO., LLC | 20110 | \$19,845.00 | |
| 2/6/2014 | 1660 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | \$237,040.00 | |
| 2/20/2014 | 1661 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$43,204.74 | |
| 2/20/2014 | 1662 | SERRALTA REBULL SERIG, INC. | 15679 | \$1,603.15 | |
| 2/27/2014 | 1663 | FLORIDA POWER AND LIGHT | 296 | \$69,365.58 | |
| 2/27/2014 | 1664 | FLORIDA POWER AND LIGHT | 296 | \$62,374.40 | |
| FEBRUARY/14 | | | | \$436,367.96 | \$90,360,850.28 |
| 3/6/2014 | 1665 | GS INIMA USA CONSTR., CORP. | 21411 | \$534,261.90 | |
| 3/10/2014 | 1666 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$1,890.82 | |
| 3/13/2014 | 1667 | ALL STATE ENG & TESTING CONS. | 13649 | \$2,195.00 | |
| 3/13/2014 | 1668 | SERRALTA REBULL SERIG, INC. | 15679 | \$1,973.11 | |
| 3/17/2014 | 1669 | FL SPECTRUM ENV. SERV., INC. | 19269 | \$421.53 | |
| 2/6/2014 | 1660 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | -\$237,040.00 | STOP PMT.3/18/14 |
| 3/18/2014 | 1670 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | \$237,040.00 | |
| 3/20/2014 | 1671 | ALL STATE ENG & TESTING CONS. | 13649 | \$90.00 | |
| 3/27/2014 | 1672 | AECOM TECHNICAL SERVICES, INC. | 21542 | \$15,931.80 | |
| 3/27/2014 | 1673 | ENVIR. CONSULTANTS, LLC (ECO) | 21145 | \$4,515.00 | |
| 3/27/2014 | 1674 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$5,672.45 | |
| 3/27/2014 | 1675 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | \$109.98 | |
| 3/31/2014 | 1676 | ALBERNI CABALLERO & CO., LLC | 20110 | \$16,589.00 | |
| MARCH/14 | | | | \$583,650.59 | \$90,944,500.87 |
| 4/10/2014 | 1677 | BURGESS CHAMBER'S ASSOC., INC. | 21020 | \$605.62 | |
| 4/10/2014 | 1678 | FLORIDA POWER AND LIGHT | 296 | \$98,514.15 | |
| 4/14/2014 | 1679 | E&M EQUIPMENT CORP. | 21805 | \$123,552.59 | |
| 4/17/2014 | 1680 | E&M EQUIPMENT CORP. | 21805 | \$119,751.13 | |
| 4/17/2014 | 1681 | ENVIR. CONSULTANTS, LLC (ECO) | 21145 | \$9,030.00 | |
| 4/17/2014 | 1682 | SERRALTA REBULL SERIG, INC. | 15679 | \$1,744.85 | |
| 4/24/2014 | 1683 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$15,126.52 | |
| 4/28/2014 | 1684 | BURGESS CHAMBER'S ASSOC., INC. | 21020 | \$621.52 | |
| APRIL/14 | | | | \$368,946.38 | \$91,313,447.25 |
| 5/2/2014 | 1685 | FL SPECTRUM ENV. SERV., INC. | 19269 | \$534.48 | |
| 5/12/2014 | 1686 | MILIAN SWAIN & ASSOC, INC. | 19214 | VOID | |
| 5/12/2014 | 1687 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$6,918.55 | |
| 5/15/2014 | 1688 | AECOM TECHNICAL SERVICES, INC. | 21542 | \$2,689.40 | |
| 5/19/2014 | 1689 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$22,618.05 | |
| 5/22/2014 | 1690 | GS INIMA USA CONSTR., CORP | 21411 | \$347,600.51 | |
| 5/22/2014 | 1691 | HAWKINS DELAFIELD & WOOD LLP | 20304 | \$8,426.40 | |
| 5/22/2014 | 1692 | SAIC ENERGY, ENV. & INFR., LLC. | 20083 | \$84,138.72 | |
| 5/29/2014 | 1693 | PARSONS WATER AND INFR., INC. | 20082 | \$150,450.99 | |
| 5/29/2014 | 1694 | SERRALTA REBULL SERIG, INC. | 15679 | \$3,514.61 | |
| 5/29/2014 | 1695 | WILLIAMS PAVING CO., INC. | 5631 | \$56,298.91 | |
| MAY/14 | | | | \$683,190.62 | \$91,996,637.87 |
| 6/2/2014 | 1696 | FLORIDA POWER AND LIGHT | 296 | \$17,715.72 | |
| 6/12/2014 | 1697 | DERM | | 10921 | \$3,000.00 |
| 6/16/2014 | 1698 | PACE ANALYTICAL SERVICES, INC. | 21670 | \$14,896.00 | |
| 6/19/2014 | 1699 | MILIAN SWAIN & ASSOC, INC. | 19214 | \$11,847.68 | |
| 6/23/2014 | 1700 | MD COUNTY SOLID WASTE DEPT. | 21478 | \$68,085.26 | |

MEMORANDUM

Date: June 19, 2014

To: William Johnson, Director
Miami Dade Water and Sewers Department (MDWASD)

From: Armando Vidal, P.E. Director
City of Hialeah Public Works Department

CC: Mayor Carlos Hernandez, Mayor Carlos Gimenez, Alina Tejeda Hudak, Lorena Bravo, Joe Sullivan, Robert Cuevas, Luis Aguiar, Ralph Terrero, Sunil Shivaran, Joe Dysard, William Rathbun, Peter Liu

Reference: Hialeah RO Water Treatment Plant (the Project) - Status Report Update as of June 16, 2014

As requested by your staff and BCC member Commissioner Zapata the purpose of this memorandum is to provide a status of the Project as of June 19, 2014 and update my memorandum of March 4, 2014 addressed to former MDWASD Director John Renfrow. My earlier memorandum discusses the status of the Project from inception to that date; a copy is attached for your convenience.

My March 4th memorandum details a proposed settlement offer from GS Inima USA Corporation (the Company) to resolve certain claims asserted by the Company under the Project Service Contract (SC). The following summarizes what has occurred since:

1. The County completed repairs/flushing to their pipeline connection to the Project as of April 4, 2014 allowing Miami Dade to receive and introduce finished water from the Project in their distribution system. The City completed repairs/flushing to their pipeline connection to the Project as of February 20, 2014
2. The City, County and Company completed negotiations for an amendment to the SC (Draft Amendment #2) which is intended to settle the May 3, 2013 claims asserted by the Company and avoid litigation. As indicated in the March 4 memorandum, the Company had submitted a revised claim of \$4,634,731. In April 2014, the parties agreed to a

settlement amount of \$2,700,000, of which the County would pay \$1,050,000 and the City would pay \$1,650,000.

3. Draft Amendment #2 establishes the Substantial Completion Date as of April 14, 2014 and provides that the Company is not responsible for liquidated damages (LDs) for any period prior to the Substantial Completion Date. This agreement was part of the overall settlement of all claims.
4. Draft Amendment #2 requires the Company to repair or replace the Project biofilters in order to meet all applicable requirements of the SC by no later than August 1, 2014. The biofilter issues have been separated from the requirements for Substantial Completion and Project Acceptance under the amendment. However, the failure of the Company to demonstrate that the biofilters meet all applicable SC requirements on or before the August 1, 2014 deadline will result in the imposition of LDs in the amount of \$10,000 for each day of delay.
5. Draft Amendment #2 requires the Company to complete the 14-day Acceptance Test, including satisfaction of all preconditions under the SC, and achieve Project Acceptance by no later than June 21, 2014. The failure to achieve this Scheduled Acceptance Date results in the imposition of delay LDs in the amount of \$10,000 per day.
6. In February, 2014, DOH notified the City that the Facility would need to produce finished water in compliance with a 1995 directive that requires a pH range of 8.75 to 9.65, which is more stringent than the pH range specified in Table 15-2 of the SC (8.0 to 9.3). As anticipated by Draft Amendment #2, the parties recently agreed to adjustments to Table 15-2 to conform to the DOH requirements. The Company is required to meet the adjusted Table 15-2 during the performance of the Acceptance Test.
7. The Company has taken the position that the changes to Table 15-2 should serve to adjust the Service Fee payable during the Operation Period to account for increased chemical costs. The City disagrees with this position, as it appears that the DOH directive is Applicable Law (as defined in the SC). The SC requires the Company to comply with both Applicable Law and the original requirements of Table 15-2. In cases of conflict, the SC stipulates that the more stringent requirement governs.

Accordingly, Draft Amendment #2 does not include any increase to the Service Fee related to this issue.

8. As of May 13, 2014, the Company had successfully completed a 14-day run-in period, which is a required precondition to the performance of the 14-day Acceptance Test. The run-in period demonstrated the Project's ability to produce 7.5 MGD of finished water in compliance with the original requirements of Table 15-2. During the run-in period finished water was disposed into the deep injection wells and did not enter into the distributions systems of the City or County.
9. As you are aware the Project was taken out of service (with the approval and concurrence of the FDOH) in December 2013 due to numerous complaints from City/County customers about the quality of the finished water. The Company completed certain repairs and adjusted their operating protocols to meet the water quality parameters of the SC and the City and County proceeded to clean and flush their respective distribution systems to insure that water quality was not jeopardized.
10. On May 14, 2014 the City requested permission from the FDOH to re-start the plant and place it in full service. The FDOH granted permission to place the Project in service and allow finished water to enter our respective distribution systems on May 23, 2014.
11. However, subsequent to the completion of the run-in period and prior to the authorization of the FDOH to re-start the plant, the Company experienced major problems with the piping and valve systems of the two 5 MG storage tanks. These repairs are currently underway and must be completed before the Company may proceed with the Acceptance Test.
12. The Company has not met its commitment to achieve Acceptance by June 21, 2012. We are currently working with the Company to determine when the necessary repairs to the storage tanks will be completed in order to start the Acceptance Test. In the meantime, the Company is responsible for all costs necessary to achieve Acceptance, including power costs, and will not be entitled to its Service Fee until it actually achieves Acceptance.

13. Draft Amendment #2 has, of course, not yet been executed. By its terms, the Company will be responsible for \$10,000 per day in LDs for each day of failure to achieve Acceptance beyond June 21, 2014. These LDs would serve to offset the agreed upon settlement amount of \$2,700,000.
14. The alternative is to determine not to move forward with Draft Amendment #2 and to proceed in accordance with our rights under the existing SC. This would likely involve litigating both the Company's outstanding claims and our Company delay claims.

Once again, this memorandum is to be read together with my memorandum of March 4, 2014 to get a clear and full understanding of the history and status of this Project. If you have any questions or desire additional information please do not hesitate to call on me at (305)-556-3800.

Memorandum

Date: March 4, 2014

To: John Renfrow, P.E., Director
Miami Dade Water and Sewers Department

From: Armando Vidal, P.E., Director
City of Hialeah Department of Public Works

CC: Mayor Carlos Hernandez, Mayor Carlos Gimenez, William Grodnick, Joe Sullivan, Robert Cuevas, Luis Aguiar, Ralph Terrero, Sunil Shivaran, Joe Dysard, William Rathbun, Peter Liu.

Reference: Hialeah R.O. Water Treatment Plant offer of Settlement in lieu of litigation.

The following memorandum offers an overview of the general terms and conditions of an offer to settle all outstanding claims against the City of Hialeah (City) and Miami-Dade County (County) relating to the design and construction of the Hialeah RO Water Treatment Plant, which is jointly owned by the City and the County per the Joint Participation Agreement dated December 27, 2007 (JPA).

BACKGROUND:

1. The City executed a contract with Inima USA Construction Corporation (Company) for the design, construction, operations and maintenance of a 10 MGD RO Water Treatment Plant on August 18, 2010 (Service Contract).
2. The County approved the execution of the Service Contract with the Company in accordance with the JPA.
3. The Company entered into a joint venture with AECOM USA, Inc. for the design and construction of the Company Project Improvements.
4. The initial Scheduled Substantial Completion Date under the Service Contract was March 30, 2012.
5. The Service Contract required the City to design and construct certain City Project Improvements, consisting primarily of wells and pipelines, which were to be completed on a specified completion schedule and turned over to the Company for incorporation into the Project.
6. The City encountered delays in completing the City Project Improvements due to various issues, including obtaining property rights necessary for the construction of certain of the production wells and pipelines.
7. The Company also experienced delays in satisfying the required conditions to commencing construction and in the progress of the design and construction.
8. The parties entered into an amendment to the Service Contract (Amendment #1) on March 28, 2012 to adjust the completion dates for the City Project Improvements, provide for a staged approach to the completion of the Company Project

Improvements and address other matters related to the implementation of the Project.

9. Amendment #1 provided for a Scheduled Stage One Substantial Completion Date of October 15, 2012 but did not provide for any increase in the Fixed Design-Build Price payable to the Company; a no-cost change, as it related to the time extension.
10. Subsequent to the execution of Amendment #1, the parties continued to experience delays in completing both the City Project Improvements and the Company Project Improvements.
11. On January 29, 2013, the Company asserted various claims under the Service Contract, alleging:
 - a. interest due for overdue payments;
 - b. increased costs and schedule impacts related to delays by the City in completing the City Project Improvements;
 - c. increased costs and schedule impacts due to the Fire Marshall's requirement of redundant fireproofing at the Facility;
 - d. increased costs and schedule impacts due to modifications required for the emergency generator exhaust piping of the stand-by generator facility to accommodate the FPL utility building;
 - e. increased costs and schedule impacts due to the poor condition of City and County roads necessary to access the Project Site; and
 - f. increased costs and schedule impacts due to the City Electrical Inspector's requirement to install local circuit breakers on the emergency generators.
12. The total Fixed Design-Build Price Adjustment claimed by the Company was \$4,596,581. The Company also claimed a schedule adjustment of 26 weeks, reserving rights to a further adjustment if there were further delays in completing the City Project Improvements. The Company intended to preserve the \$1,000,000 timely completion bonus through the schedule adjustment, so that the total cost impact of the claims was \$5,596,581.
13. The City's response acknowledged delays in completing the City Project Improvements, but rejected all other claims and indicated that price and schedule relief for City delays would be rejected to the extent of any concurrent Company delay. The City requested additional documentation to substantiate the Company's delay claims and indicated that all cost claims would be subject to audit under the Service Contract.
14. On April 10, 2013, the City issued a Unilateral Change Directive (UCD) eliminating certain "stage two" production wells and pipelines from the Company's scope of work. The UCD obviated the need for a staged approach to the completion of the Company Project Improvements and reduced the City/County's exposure to the Company's delay claims.
15. The Company filed a revised claim on May 3, 2013, reasserting each of their original claims but reducing various claim amounts and eliminating any cost or schedule impact for stage two delays in light of the UCD. The total Fixed Design-Build Price Adjustment sought by the Company in its revised claim was \$3,634,731, and the revised schedule adjustment was 44 weeks. Again, the schedule adjustment would preserve the timely completion bonus of \$1,000,000 so that the total cost impact of the revised claims was \$4,634,731.

16. The City/County entered into negotiations with the Company in June 2013 in order to settle all Company claims, avoid the cost of litigation and reach an accord on a second amendment to the Service Contract (Amendment #2).
17. Negotiations continued through October 2013. The salient points discussed and subsequently reflected in a draft of Amendment #2 were:
 - a. a Fixed Design-Build Price Adjustment of \$2,125,000;
 - b. preservation of the \$1,000,000 bonus for timely completion;
 - c. an adjusted Scheduled Substantial Completion Date of October 26, 2013;
 - d. the agreement of the City/County to pay electrical costs for the period commencing on September 15, 2013 and ending on the earlier of the Acceptance Date or 90-days following the adjusted Scheduled Substantial Completion Date (an estimated value of approximately \$210,000);
 - e. a full release by the Company of all claims against the City/County through the date of execution of Amendment #2; and
 - f. the terms and conditions related to the subsequent incorporation of the production wells and pipelines eliminated through the UCD following separate completion by the City.
18. Amendment #2 was not executed by the parties. Pending finalization of Amendment #2, the City completed all City Project Improvements.
19. The Company received a temporary certificate of occupancy for the Facility on October 26, 2013, which required the Company to resolve all UL certification issues within six months in order to receive a final certificate of occupancy. The Company subsequently asserted a further claim for an unspecified amount, alleging that the UL certification requirements constituted an Uncontrollable Circumstance under the Service Contract. The City rejected this claim and indicated that it would need to be included in the release under Amendment #2.
20. On October 26, 2013, the Company certified that it had achieved Stage One Substantial Completion under Amendment #1.
21. The City rejected the Company's certification because the Company had not provided the required manufacturer's certification of the biofilter system. The Company disagreed, contending that its manufacturer's certification was sufficient to meet the contractual requirements.
22. With authorization from FDOH, the Company commenced providing water to the City/County water systems in November 2013 and proceeded with commissioning activities necessary prior to the commencement of formal Acceptance Testing.
23. The Company encountered difficulty in meeting the finished water quality requirements of the Service Contract during commissioning and was not able to complete a successful "run-in" period, which is a precondition to the commencement of Acceptance Testing.
24. In December 2013, the County began receiving complaints of taste, odor and color issues in the water and determined to discontinue receiving water from the Facility for delivery to its customers.
25. The City also began receiving taste, odor and color complaints in December 2013, which ultimately prompted the City to discontinue providing the water to its customers. However, the Company continued to operate the Facility to provide water to the City for cleaning and flushing activities in its pipelines.

26. In January 2014, the Company experienced performance issues with the Facility biofilter system and degasifier, resulting in the buildup of sulfur and elemental sulfates appearing as a yellowish floating substance in the wet well. These issues prompted FDOH to notify the Company and the City that further approval by FDOH will be necessary before the Facility can return to normal operations, providing water to City/County customers.
27. The Company has a number of issues to resolve prior to the achievement of Acceptance and the commencement of the 15-year Operation Period, including:
 - a. resolving issues with the biofilter system to satisfy the outstanding Substantial Completion date condition;
 - b. obtaining further approvals from FDOH;
 - c. successful completion of a 14-day "run-in" period; and
 - d. successful completion of a 14-day Acceptance Test.
28. The Company's position with regard to the taste, odor and color issues is that they are the result of problems in the City/County pipelines and not the result of any issue at the Facility itself.
29. The City has engaged Hazen & Sawyer to perform an independent water chemistry analysis and evaluate Facility performance issues generally.

SETTLEMENT OFFER

30. The parties met again to attempt to resolve the outstanding claims without litigation during the first week of February 2014. As a proposed settlement in lieu of litigation, the City/County negotiating team suggested the following:
 - a. a Fixed Design-Build Price Adjustment of \$2,100,000;
 - b. no Company entitlement to any bonus for timely completion;
 - c. a waiver of delay liquidated damages for the period commencing with an adjusted Scheduled Substantial Completion Date of October 26, 2013 until a date to be determined by which the Company must resolve all issues associated with the biofilter system or face delay liquidated damages from that date forward;
 - d. a period of 90 days following the achievement of Substantial Completion to achieve Acceptance, subject to further liquidated damages for delay; and
 - e. City/County payment of electrical power costs through February 28, 2014, with the Company responsible for all electrical power costs beginning on March 1, 2014 and ending on the achievement of Acceptance.
31. The Company's position was that they had achieved Substantial Completion as of October 26, 2013 and therefore should be entitled to the \$1,000,000 timely completion bonus. Company representatives indicated that, in any event, a total settlement number of less than \$3,100,000 would not be acceptable and would prompt them to recommend litigating the matter. However, the Company requested time to present the proposed settlement terms to their upper management.
32. On February 19, 2014, the Company made a counter-offer as follows:
 - a. A Fixed Design-Build Price Adjustment of \$2,700,000 in final settlement of the Company's May 3, 2013 revised claims, recognizing that there would be no timely completion bonus;

- b. Substantial Completion to be deemed achieved as of the date of execution of Amendment #2, with the City waiving the biofilter system from the Substantial Completion requirements and waiving any liquidated damages payable through the date of Amendment #2;
 - c. The Company proceeds to Acceptance Testing meeting all water quality requirements per the amended Service Contract with the exception of the requirement of the biofilter system; and
 - d. The City/County hold the Company harmless for biofilter system performance for a period of six months following execution of Amendment #2, with liquidated damages applicable following such period if the biofilter system is still not meeting performance requirements.
33. The Company initially requested that the City/County continue to pay for electrical power throughout the period prior to achievement of Acceptance, but then withdrew the condition on February 20, 2014.
34. The Company, as of this time, has not requested any waiver or modification of the finished water quality parameters or finished water quantity guarantees included in the Service Contract.
35. We disagree with the Company's position regarding biofilter system performance. Company representatives have separately indicated that the biofilter system should achieve compliance within a period of two weeks, provided that the Facility is being operated at its current capacity of approximately 7.5 MGD. We do not believe that a six month waiver is necessary or appropriate.
36. With regard to the proposed monetary settlement, it is clear that the Company incurred additional costs due to the extended construction schedule, which costs are in part attributable to delays in the completion of the City Project Improvements. The City/County negotiating team felt that \$2,100,000 was a reasonable amount to compensate the Company for these delay costs and eliminate the threat of litigation. The question of whether to accept the Company's counter-offer amount requires a balancing of the additional \$600,000 versus the cost and uncertainty of litigating all Company claims to date. Based on our February discussions, it is likely that any complaint filed by the Company would be in an amount in excess of their May 2013 revised claims (see ¶ 15). To date, the City/County negotiating team has acknowledged Company entitlement to cost relief only for costs attributable to delay in completing the City Project Improvements. It is possible that a court might ultimately rule in favor of the Company on its other claims (see ¶ 11 and ¶ 19).
37. Amendment #2 will need to establish the path forward for the achievement of Acceptance and the commencement of the Operation Period in a manner that will protect the City/County interests. There are issues that need to be resolved, including establishing an acceptable plan of action for the biofilter system and whether commissioning and testing activities may proceed pending completion of the Hazen & Sawyer evaluation and the further approval required by FDOH. The primary purpose of this memorandum is to provide you with the context within which to evaluate the proposed monetary settlement amount with the goal of establishing a unified City/County position on this matter and developing a joint response to the Company.

We respectfully request that after you have had an opportunity to review this memorandum, we be given an opportunity to meet and discuss our joint response to the Company.

(AV March 4, 2014)