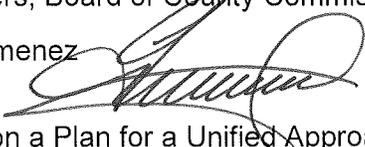


# Memorandum



**Date:** February 19, 2015

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

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Information on a Plan for a Unified Approach to Construction Work

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This serves as a response to Resolution R-820-14, sponsored by Commissioner Rebeca Sosa, which directed that representatives of various County departments be appointed to a working group to make recommendations and prepare a plan for a unified approach to construction work throughout the County.

The major County departments that are regularly involved in the implementation of construction contracts, such as the Internal Services, Public Works and Waste Management, Water and Sewer, Miami-Dade Aviation, Port Miami and Transit departments, among others, coordinate with each other as well as with appropriate federal, state, and municipal agencies, including the Florida Department of Transportation and the Miami-Dade Expressway, in meeting permit requirements, coordinating work scheduling, and minimizing duplication of efforts.

Furthermore, in August 2012, the Board of County Commissioners adopted Implementing Order 3-57 through Resolution R-895-12, which established a Standard Construction Contract to standardize contract language and policies. The Standard Construction Contract has provided numerous benefits including: (a) uniformity in the management of construction projects Countywide, (b) the ease of use for contractors doing business with the County, (c) more efficient contractual reviews by the County Attorney's Office, and (d) ease of use by County staff throughout the County. For your reference, Implementing Order 3-57 is attached.

Minimizing duplication of efforts on every County construction project and working in concert with internal and external agencies is a part of the County's standard operating procedures. As such, I believe the concerns sought to be remedied with passage of R-820-14 are being addressed vigilantly and the convening of a working group is not necessary at this time.

If you have any questions or concerns, please feel free to contact Deputy Mayor Edward Marquez at 305-375-1451, or me directly.

## Attachment

c: Robert A. Cuevas, Jr., County Attorney  
Office of the Mayor Senior Staff  
Department Directors  
Charles Anderson

## Implementing Order

MIAMI-DADE

**Implementing Order No.:** IO 3-57

**Title:** ADOPTION OF STANDARD CONSTRUCTION CONTRACT

**Ordered:** 11/08/2012

**Effective:** 11/18/2012

### **AUTHORITY:**

The Miami-Dade County Code Section 2-8.1 (c), Miami-Dade County Charter Section 5.03(d), and Resolution No. R-1203-10.

### **SCOPE:**

This Implementing Order (IO) establishes a policy for the use of standard construction general conditions to be used by all County departments. A Standard Construction Contract has inherent benefits to the County, addresses Resolution No. R-1203-10 relating to standardization of County construction documents, and the construction industry's long-standing request for standardized construction contract language. This Implementing Order is applicable to all County capital departments as the standard construction contract language for capital construction projects.

### **POLICY:**

It is County policy to develop standardized contract language and related documents to be used by all County departments. This standardization ensures ease of use both internally and by the construction industry when performing capital construction projects and increases the efficiency of contract review times, promotes fairness, transparency, and uniformity in contract compliance.

### Special Provisions

Unique contractual requirements for individual departments (such as security and Federal requirements at Miami International Airport, and, Federal and State requirements for Transit and Housing) will be addressed in Special Provisions to the contract that are specific to the respective department. These Special Provisions will be prepared by the department and shall be complementary to the Standard Construction Contract. Prior to including such complementary Special Provisions in a bid solicitation, the user department shall provide these provisions to the Internal Services Department (ISD) for review and approval.

### Standard Forms and Practices

In accordance with Resolution No. R-1203-10, ISD, as part of the second phase of this standardization initiative, will develop standard forms and practices, including but not limited to standard instructions to bidders, invitations to bid, bid forms, change order forms, invoice forms, record keeping practices, scheduling practices and invoicing practices. The standard forms and practices shall be developed by ISD, working collaboratively with user departments, the CAO and the construction industry.

### **PROCEDURES:**

#### Adoption

Sixty (60) days after the effective date of this IO, the Standard Construction Contract shall be adopted by all County departments with capital projects as their standard

construction contract language for all of their capital construction projects. Upon approval by the ISD Director, the standard forms and practices shall also be adopted by all County departments with capital projects.

Updates

Updates to the Standard Construction Contract, forms and practices adopted pursuant to this IO shall be incorporated on an annual update cycle. Annual updates to the contract shall be prepared and issued by ISD, working in conjunction with the CAO, user departments and the construction industry. Adopted updates, forms and practices shall bear the signature of the ISD Director and the date of issue of such document(s). By exception, the ISD Director may adopt an update at any time to address a change in the law or upon his or her determination that protecting the interests of the County requires adoption of the update on an expedited basis.

The following documents have been approved for use by all County departments under this IO:

1. The standard conditions of contract which bear the signature of the Mayor or the Mayor's designee and are attached to the resolution adopting this IO (the "Standard Construction Contract"), are hereby adopted, to be used and updated as provided in this IO. Upon approval of this IO, all County departments with capital projects shall be required to adopt the latest version of the Standard Construction Contract for use on their capital construction projects within 60 days of the IO's effective date, or as updated by the ISD Director or designee in accordance with this IO. The latest version of the Standard Construction Contract will be available on-line on the ISD website.

This Implementing Order is hereby submitted to the Board of County Commissioners of Miami-Dade County, Florida.

Approved by the County Attorney as  
to form and legal sufficiency \_\_\_\_\_