

## Memorandum

To: Gary Hartfield, Director  
Small Business Development (SBD) Division, Internal Services Department, Miami-Dade County

From:   
Kenneth Robertson, Director of Procurement Construction Services  
Procurement Construction Department, Jackson Health System (Trust)

CC: Miriam Singer, Rosa Costanzo

Date: July 29, 2014

Re: ITB 13-11538-JE – Job Order Contracts (JOC) GC-01, GC-02, GC-03, GC-04, GC-05, EC-06, EC-07, EC-08, MC-09, MC-10, MC-11, RC-12 and RC-13

---

### Background:

The Trust is in the process of recommending awards of Job Order Contracts (JOC) to qualified general, electrical, mechanical and roofing contractors to provide various construction-related services. The majority of the work will be performed at Jackson Main, South and North campuses. The majority scope of work shall be to accomplish various small-to medium-sized projects. The typical work is anticipated to include, but not be limited to, projects such as: interior renovations/modifications of office space, lobbies, waiting areas, clinical spaces and patient care areas; painting; window replacements and hardening; ADA compliant building and site modifications; roof replacement; electrical upgrades and modifications; emergency generator replacements; mechanical and plumbing upgrades; chiller and cooling tower replacements; AHU and other miscellaneous HVAC equipment replacements; exterior lighting upgrades; parking lot resurfacing; parking garage repairs; etc. The estimated annual capacity of these contracts is \$48M/year.

In error, the Trust inadvertently failed to obtain Small Business Development's (SBD) review and concurrence for the subject ITB's CSBE measures. The Trust apologizes for the oversight and this will not occur again. In good faith, however, and, in full support of the CSBE Program, concurrence and approval of the subject ITB's CSBE measures as recommended will afford millions of dollars of job order awards annually to our local CSBE small business community.

### Minimum Qualifications and Requirements:

The Trust's solicitation identifies individual contract identifiers for five (5) General Contractor (GC) opportunities, three (3) Electrical Contractor (EC) opportunities, three (3) Mechanical Contractor (MC) opportunities, and two (2) Roofing Contractor (RC) opportunities. Of these 13 opportunities, 5 are set-aside for CSBE contractors. The Open Market GC contracts will require a minimum 25% CSBE sub-contracting goal, which is an increase from the Trust's current 2011 JOC GC Contract's 20% CSBE sub-contracting goal. All CSBE Contracts will require a 100% set-aside goal for sub-contracting work. If there are no CSBE contractors available for specialized sub-trade types of work on individual work orders, the contractors must work with Miami-Dade County Small Business Development Division for an exception. The specialty trade (electrical, mechanical and roofing) Open Market contracts do not contain a CSBE sub-contracting goal; however, the Trust strongly encourages the utilization of CSBE contractors whenever possible.

All Bidders, except roofing contractors, shall provide evidence of working in a hospital environment and have a working knowledge of Infection Control precautions for active patient care areas (ICRA) and must provide evidence of successfully completed projects which had review and/or oversight by the State of Florida Agency for Health Care Administration (ACHA).

For CSBE Set-Aside Contracts GC-03, GC-04, EC-08, MC-11 and RC-13, the following language is stated in Section 5.2 (Page 10 of 260), and again in Section 12, Paragraph 7 (Page 42 of 260):

**All CSBE contracts require all Work (prime and sub-contractors) to be performed by certified CSBE contractors only (100% CSBE set-aside).** If there are no CSBE contractors available for specialized sub-trade types of work on individual work orders, the contractors must work with Miami-Dade County Small Business Development Division for an exception. Note that this provision applies to Job Order Contracts (JOC) GC-03, GC-04, EC-08, MC-11 and RC-13.

Regarding Responsible Wages, the following language is stated in Section 17 of the ITB (Page 44 of 260):

**17) RESPONSIBLE WAGES AND BENEFITS ORDINANCE 90-143 (SEE APPENDIX 16)**

In accordance with Ordinance 90-143, all Contractors who enter into this contract agree to pay all laborers and mechanics employed or working upon a Job Order wherein the Job Order Amount is in excess of \$100,000, the full amount of wages and fringe benefits (or Cash Equivalent thereof) computed at rates not less than those contained in the Miami-Dade County Responsible Wages and Benefits **published and in effect at the time each respective Job Order is issued to the Contractor** (see Responsible Wages and Benefits section of ITB Documents for wage rates and benefits in effect at the time of the ITB), regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination (i.e., building construction or highway) for the classification of work actually performed without regard to skill. In the event of an underpayment of the required wage rates, the contractor shall be liable to the underpaid employee for the amount of such underpayment. Underpayment by a contractor or subcontractor of the stipulated wages constitutes a wage violation pursuant to Ordinance 90-143. **Note that all Job Orders will require payment of Miami Dade County Responsible Wages.**

The Contractor agrees to submit all payroll records or other documentation, as the Trust requests, to allow the Trust or Miami-Dade County representatives to monitor compliance with this requirement.

**NOTE:** Awarded JOC Contractors initially will be required to pay Miami-Dade County (MDC) 2014 Responsible Wages for all wages and benefits. All bidders, however, when developing their adjustment factors/bids should take into consideration that, effective January 1, 2015, and on January 1 of each calendar year thereafter throughout the contract term, payment of all wages and benefits will be pursuant to MDC 2015 Responsible Wages and future MDC Responsible Wages Determinations effective in the calendar year in which the work is performed. MDC 2014 Responsible Wages are located at [www.miamidade.gov/business/library/reports/2014-rwb-building.pdf](http://www.miamidade.gov/business/library/reports/2014-rwb-building.pdf)

Please reference the following language regarding MDC Responsible Wages requirements:

Wages and benefits listed in the Wages and Benefits Schedule, previously revised every calendar quarter, will be reviewed and increased, if appropriate, once a year, on January 1st. **The rates for wages and benefits to be paid for work performed under this contract and during each subsequent calendar year will be the rate in effect on January 1st of the year in which the work is performed.**

Regarding the Community Workforce Program, the following language is stated in Section 17 of the ITB (Page 45 of 260):

**COMMUNITY WORKFORCE PROGRAM**

The Community Workforce Program (CWP) was established and approved by the Miami Dade Board of County Commissioners to provide job opportunities to local residents of traditionally underserved and underdeveloped neighborhoods. To achieve the objective of the program, all Capital Construction Projects and Work Orders are subject to the inclusion of a workforce goal. This goal is established by the County Department of Small Business Development (SBD) and is a percentage of the labor force that a County awarded contractor/subcontractor must hire from within the Designated Target Area (DTA) in which the construction project/work order is located, or from another DTA within Miami Dade County, in accordance with the governing ordinance 03-237. The workforce goal may be applied to job orders equal to or greater than \$250,000, with estimated construction duration equal to or greater than 30 Days, and located in a DTA. For job orders subject to the CWP, the Contractor shall aspire to meet the goal that 10% of their labor force is from the DTA in which the public improvement is located, or from another DTA within Miami Dade County.

**Additional information regarding the Community Workforce Program may be obtained from the Miami Dade County Website at:**

**<http://new.miamidade.gov/business/business-community-workforce.asp>**

**Contract Summary Table:**

A summary of the JOC contract identifiers and CSBE requirements is provided on the following page:

GENERAL CONSTRUCTION GC-01, GC-02 and GC-05: (Hospital Experience Required) Open Market, 25% CSBE Subcontracting Goal; 12.5% if CSBE Prime	
Annual Contract Capacity:	\$4,000,000 (per each)
CSBE Minimum Participation:	\$1,000,000 (per each)
GENERAL CONSTRUCTION GC-03: (Hospital Experience Required) CSBE Level 1 100% CSBE Set-Aside	
Annual Contract Capacity:	\$2,000,000
CSBE Minimum Participation:	\$2,000,000
GENERAL CONSTRUCTION GC-04: (Hospital Experience Required) CSBE Level 2 100% CSBE Set-Aside	
Annual Contract Capacity:	\$4,000,000
CSBE Minimum Participation:	\$4,000,000
ELECTRICAL CONSTRUCTION EC-06 and EC-07: (Hospital Experience Required) Open Market, CSBE participation encouraged (0%)	
Annual Contract Capacity:	\$2,000,000 (per each)
CSBE Minimum Participation:	\$0 (per each)
ELECTRICAL CONSTRUCTION EC-08: (Hospital Experience Required) CSBE Level 2 100% CSBE Set-Aside	
Annual Contract Capacity:	\$1,000,000
CSBE Minimum Participation:	\$1,000,000
MECHANICAL CONSTRUCTION MC-09 and MC-10: (Hospital Experience Required) Open Market, CSBE participation encouraged (0%)	
Annual Contract Capacity:	\$2,000,000 (per each)
CSBE Minimum Participation:	\$0 (per each)
MECHANICAL CONSTRUCTION MC-11: (Hospital Experience Required) CSBE Level 2 100% CSBE Set-Aside	
Annual Contract Capacity:	\$1,000,000
CSBE Minimum Participation:	\$1,000,000
ROOFING CONSTRUCTION RC-12 (No Hospital Experience Required) Open Market, CSBE participation encouraged (0%)	
Annual Contract Capacity:	\$1,000,000
CSBE Minimum Participation:	\$0
ROOFING CONSTRUCTION RC-13 (No Hospital Experience Required) CSBE Level 2 100% CSBE Set-Aside	
Annual Contract Capacity:	\$1,000,000
CSBE Minimum Participation:	\$1,000,000