Memorandum

MIAMI-DADE COUNTY

Date: September 5, 2018

Agenda Item No. 3(B)(2)

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

CONSENT DECREE

Subject: Resolution Ratifying Action Related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance pursuant to Section 2-8.2.12 of the Miami-Dade County Code

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Recommendation

It is recommended that the Board of County Commissioners (Board) ratify the action of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance (WASD Acceleration Ordinance) for the funded project identified below and in Exhibit A, as attached.

Consent Decree Project

Item 1 – Request to Reject all Bids for CD 5.03 Upgrades to Sewage Pump Station 0692 – Contract No. S-908. Three bids were received on April 4, 2018 in response to a solicitation issued under full and open competition, none of which are in the best interest of the County.

Scope

The commission district of the project locations is noted in Exhibit A.

Fiscal Impact/Funding Source

The fiscal impact and funding source for this project are detailed in Exhibit A. There is no fiscal impact to the County with the rejection of bids.

Track Record/Monitoring

WASD's Senior Advisor of Capital Projects & Compliance, Lynnette Ramirez, will oversee the implementation of this project.

Background

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor or County Mayor's designee to award contracts for funded projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvements Program without the need for prior Board approval but subject to ratification by the Board.

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On April 4, 2018, WASD received and opened three bids in response to an advertisement for an open competitive solicitation for Contract No. S-908. Since all bids received were over 10 percent above the engineer's base estimate, WASD recommends rejecting all bids.

The project will be re-advertised in the near future.

Exhibit A includes the details of the competitively bid award for which ratification is being requested. Exhibit A contains the information bulleted below for the contract award:

- Item Number
- Department Name
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Commission District
- Operations and Maintenance Costs
- Estimated Start Date/Estimated End Date
- Contract Measures: SBE Goods & Services; SBE-A/E; SBE-Construction; and CWP Program
- Brief Project Description

Attached as Exhibit B is the request to reject all proposals for Construction Contract Item No. 1 as referenced in this memorandum.

Attachments

Jack Osterholt
Deputy Mayor

Exhibit A

Ratification of Rejection of all Proposals Authorized by the WASD Accelerate Ordinance

Item No.	Dept. Name	Type of Solici-tation	Contract Type	Contract No. / Project No.	Project Name		Operations and Maintenance Costs	Est. Start Date / Est. End Date	Contract Measures				Brief Project Description
									SBE Goods & Services	SBE A/E	SBE Construc-tion	CWP Pro-gram	
1	WASD	County Bid Process	Construc-tion Contract	S-908	CD 5.03 Upgrades to Sewage Pump Station	District 8 (Commis-sioner Levine Cava)	N/A	N/A	N/A	N/A	N/A	N/A	This project consists of furnishing all materials, labor, and equipment necessary for the upgrade of Sewage Pump Station 0692, located at 30211 SW 147th Avenue, Homestead, Florida 33033.

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Exhibit B

CLERK OF THE BOARD

Memorandum

MIAMI-DADE COUNTY

2018 MAY 29 PM 3:19

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

Date: May 25, 2018

To: Kevin Lynskey, Director
Water and Sewer Department

From: Alissa Penaloza, Assistant Director
Intergovernmental and Internal Operations

Subject: Request to Reject All Bids for CD 5.03 Upgrades to Sewage Pump Station 0692
Project No.: N/A; Contract No.: S-908

CLERK OF THE BOARD 2018 MAY 29 PM 3:19 CLERK, CIRCUIT & COUNTY CT. MIAMI-DADE COUNTY, FLA. #1

RECOMMENDATION:
Pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's designee approve this recommendation to reject all bids received by WASD in response to the open competitive solicitation for Contract No. S-908. Three (3) bids were received and opened on April 4, 2018, none of which are in the best interest of the County. Therefore, it is recommended that the County reject all bids and re-advertise the contract.

DELEGATION OF AUTHORITY:
The County Mayor or County Mayor's designee is authorized to reject bids pursuant to the provisions of Sections 2-8.2.12 (4)(b) of the Code of Miami-Dade County.

PROJECT NAME:
CD 5.03 Upgrades to Sewage Pump Station 0692

PROJECT DESCRIPTION:
This project is one in a series of projects that are being processed under County Code Section 2-8.2.12, entitled Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance. In general, the project consists of furnishing all materials, labor, and equipment necessary for the upgrade of Sewage Pump Station 692, located at 30211 SW 147th Avenue, Homestead, Florida 33033.

The scope of work includes, but is not limited to, furnishing and installing four (4) new vertical centrifugal pumps and motors rated at 300 horsepower, new pump station control valves and piping, and building modifications to install new switchgear and variable frequency drives (VFDs). As this is a combination station (Pump Station 692A and Booster Pump Station 692B), the scope includes removing and replacing three (3) existing wet well vertical centrifugal pumps and 2-speed 100 horsepower motors with associated valves. The upgrades also include the following structural work, architectural work, construction of a new electrical room, complete with air conditioning system, replacement of louvers, partial demolition of masonry walls, concrete floors and concrete equipment supports, rehabilitation of wet well, electrical upgrades, removal of existing interior 1,000 KW Generator and installing exterior 1,500 KW Emergency Generator System and fuel storage tank.

PROJECT LOCATION:
The project is located at existing Pump Station 692A and Booster Pump Station 692B located at 30211 SW 147th Avenue, Homestead, Florida 33033, Section 21, Township 56, Range 40, Miami-Dade, Florida 33190.

FISCAL IMPACT / FUNDING SOURCE:
There is no fiscal impact for the rejection of bids

TRACK RECORD / MONITOR/SBD HISTORY OF VIOLATIONS:
Due diligence was conducted by WASD and the Internal Services Department (ISD) in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status and performance and compliance data.

EXPLANATION:
On April 4th, 2018, WASD received and opened three (3) bids in response to an advertisement for an open competitive solicitation for Contract No. S-908, with base bids summarized as follows:

Munilla Construction Management, LLC d/b/a MCM	$ 7,747,450.00
Comtech Engineering, Inc.	$ 8,846,825.00
Kiewit Infrastructure South Co.	$ 9,281,250.00

Since all bids received were over ten percent (10%) above the engineer's base estimate of $7,012,402, WASD recommends rejecting all bids. The project will be re-advertising in the near future.

APPROVED AS TO LEGAL SUFFICIENCY

HENRY GILLMAN
ASSISTANT COUNTY ATTORNEY

5-29-18
DATE

KEVIN LYNSKEY, WASD DIRECTOR
ON BEHALF OF MAYOR CARLOS A. GIMENEZ

5-25-18
DATE

MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: September 5, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 3(B)(2)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Statement of social equity required**

_____ **Ordinance creating a new board requires detailed County Mayor's report for public hearing**

✓ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(2)
9-5-18

RESOLUTION NO. _____

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY THE REJECTION OF ALL BIDS FOR CD 5.03 UPGRADES TO SEWAGE PUMP STATION 0692 – CONTRACT NO. S-908

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the action of the County Mayor or County Mayor's designee, as authorized by Section 2-8.2.12 of the Code of Miami-Dade County, specifically the rejection of all the bids for CD 5.03 Upgrades to Sewage Pump Station 0692 – Contract No. S-908, all as set forth in the accompanying memorandum.

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

Esteban L. Bovo, Jr., Chairman
Audrey M. Edmonson, Vice Chairwoman

Daniella Levine Cava	Jose "Pepe" Diaz
Sally A. Heyman	Eileen Higgins
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of September, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry N. Gillman