

Memorandum



Date: October 5, 2021

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(F)(8)

From: Daniella Levine Cava
Mayor *Daniella Levine Cava*

Subject: Recommendation to Ratify Emergency Award: Stephen P. Clark West Side Risers

Recommendation

It is recommended that the Board of County Commissioners (Board) waive formal bid procedures pursuant to Section 5.03(D) of the Home Rule Charter and Section 2-8.1(b)(3) of the Miami-Dade County Code, by a two-thirds vote of the Board members present, and ratify an emergency contract award, *Contract No. E-10123, West Side Risers* (aka vertical domestic water and, sewer lines and vents), to Regosa Engineering Services, Inc. (Regosa) in the amount of \$608,337 for the Internal Services Department (ISD). These services are exempt from competitive bidding pursuant to Florida Statute 255.20(1)(c) because of repairs needed due to the unexpected damage that posed an immediate danger to the public health and safety of employees and visitors to the Stephen P. Clark Center (SPCC).

An emergency was declared under the delegated authority of the then Director of ISD for the sewer line that erupted in the third-floor restroom of the Stephen P. Clark Center (SPCC) on January 21, 2020. This eruption caused significant water damage to the second and third floor bathrooms, terrace, and the first-floor electrical room. Due to the severity of the damage, a complete assessment of the SPCC sewer lines and vent risers was conducted, where it was discovered that the sanitary sewer vent line had suffered cracks in multiple locations throughout SPCC, in addition to damages to several areas of the west side riser. These vertical domestic water and sewer lines, and vent allow for the proper flow of sewage and channel the sewer gases up to the roof and out of the building.

Subsequently, as a result of the discoveries made during the assessment of the SPCC west side risers, it was determined that all of the vertical domestic water and sewer lines and vents on the west side of the building needed to be immediately replaced as a result of the January eruption. To accomplish this, it was necessary for Regosa to design and obtain the proper permits and inspection for repairs to cure the deficiencies. Various revisions of the design, permitting requirements, and budget were also needed during the planning phases due to the complexity of the work. This process was delayed for several months due to unforeseen conditions related to wall restoration requirements, additional damages discovered and design and permitting requirements.

The critical deficiencies of the west side riser posed a health risk to employees and visitors due to possible flooding of the floors, elevators, and lobby. Closing restrooms in the SPCC due to these major leaks would prompt RER code compliance to shut down the building, which would affect operations and interrupt essential governmental services. Consequently, due to these critical circumstances, on December 23, 2020, the then Director of ISD determined that an emergency declaration was required in order to expedite these repairs related to the west end risers, to ensure the health, safety and welfare of the employees and visitors at the SPCC, and this item is being submitted for ratification by the Board to complete the necessary work for the SPCC west side risers. ISD will utilize the Miscellaneous Construction Contracts Program for future assessments and repairs. This will allow ISD to access these services more quickly without an emergency declaration.

Regosa was already familiar with work needed and was retained to perform the services as competition for these services was not practicable due to the urgency to effect the emergency repairs and address critical deficiencies. The importance of proceeding with repairs was paramount to effectively prevent future emergencies which could cause substantial damage to the building, including millions of dollars in water damage which could potentially promote the growth of mold and mildew thereby affecting the indoor air quality.

Scope

The SPCC building is located in Commission District 5 which is represented by Commissioner Eileen Higgins, however, the impact of this item is countywide in nature due to the nature and variety of services that the building houses which service the entire County.

Delegated Authority

There is no delegation of authority sought because this item is a ratification of a completed emergency purchase.

Fiscal Impact/Funding Source

The fiscal impact of this emergency purchase is \$608,337.

| Department | Allocation | Funding Source | Contract Manager |
|-------------------|------------------|------------------------|-------------------|
| Internal Services | \$608,337 | Internal Service Funds | Jennyfer Calderon |
| Total: | \$608,337 | | |

Track Record/Monitor

Jessica Tyrrell of the Internal Services Department is the Procurement Contracting Manager. The contract documents are on file and available upon request from the Professional Procurement Staff in the Internal Services Department, Facilities Infrastructure and Maintenance Division.

Awarded Vendors

| Vendor | Principal Address | Local Address | Number of Employee Residents | Principal |
|-----------------------------------|--------------------------------|---------------|-------------------------------|---------------|
| | | | 1)Miami-Dade 2)Percentage* | |
| Regosa Engineering Services, Inc. | 15700 NE 2 Avenue Miami, FL | Same | 6 | Gustavo Velez |
| | | | 50% | |

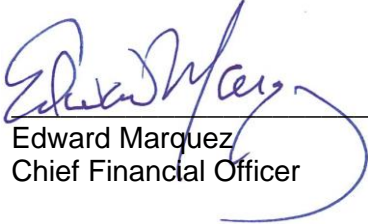
* Provided pursuant to resolution No. R-1011-15. Percentage of employee residents is the percentage of vendor’s employees who reside in Miami-Dade as compared to the vendor’s total workforce.

Due Diligence

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department’s Procurement Guidelines to determine contractor responsibility, including verifying corporate status and review of performance and compliance issues. The lists referenced include convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings relating to contractor responsibility.

Applicable Ordinances and Contract Measures

- The two percent User Access Program provision does not apply.
- There are no contract measures as this was as emergency purchase.
- The Local Preference does not apply.
- The Living Wage does not apply.



Edward Marquez
Chief Financial Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: October 5, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(F)(8)

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 present , 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(F)(8)
10-5-21

RESOLUTION NO. _____

RESOLUTION AUTHORIZING WAIVER OF FORMAL BID PROCEDURES PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 (B)(3) OF THE COUNTY CODE BY A TWO-THIRDS OF THE BOARD MEMBERS PRESENT; AND RATIFYING AN EMERGENCY PURCHASE FOR THE INTERNAL SERVICES DEPARTMENT TO REGOSA ENGINEERING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$608,337.00 FOR WEST SIDE RISERS, EMERGENCY CONTRACT NO. E-10123

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:

Section 1. This Board finds it is in the best interest of Miami-Dade County to waive formal bid procedures pursuant to section 5.03(D) of the Home Rule Charter and section 2-8.1 (b)(3) of the Code of Miami-Dade County, by two-thirds vote of the Board members present.

Section 2. This Board ratifies the emergency contract as set forth in the accompanying memorandum, in a total amount of \$608,337.00 for west side risers, Emergency Contract No. E-101123, to Regosa Engineering Services, Inc. for the Internal Services Department. Copies of the contract document are on file with and available upon request from the Internal Services Department, Strategic Procurement Division.

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:

Jose "Pepe" Diaz, Chairman

Oliver G. Gilbert, III, Vice-Chairman

Sen. René García

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. Javier D. Souto

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Rebeca Sosa

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of October, 2021. 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.



Eduardo W. Gonzalez