

Memorandum



Date: July 7, 2022

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Approval of the Use of Up to \$12,416,812.45 of Charter County Transportation Surtax Funds for Various Roadway Resurfacing Projects

Agenda Item No. 8(N)(12)

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) to authorize the Administration’s use of up to \$12,416,812.45 in Charter County Transportation Surtax Funds for roadway resurfacing contracts awarded under the Miscellaneous Construction Contracts 7360 Plan. This item does not increase the amount of discretionary People’s Transportation Plan (PTP) funding. The intent is to prepare for an anticipated increase in spending by Commissioners of their discretionary PTP funds.

Recommendation

It is recommended that the Board approve the use of Charter County Transportation Surtax (Surtax) funds for selected roadway resurfacing projects as part of the Neighborhood Infrastructure Improvements Program. These contracts are currently approved for the use of non-Surtax funding sources via the Miscellaneous Construction Contracts (MCC) Program. The Department of Transportation and Public Works (DTPW) is seeking approval for the use of Surtax funding for the roadway improvement projects included within the PTP as approved by individual commissioners. The contracts are enumerated below and further details can be found in the accompanying attachments, Exhibit A.

Contract No. 1 – Roadway Resurfacing-Multiple Sites (RPQ No. 20210056, MCC 7360 Plan) with a total awarded amount of \$3,824,866.56 to H & J Asphalt, Inc.

Contract No. 2 – Roadway Resurfacing-Multiple Sites (RPQ No. 20210057, MCC 7360 Plan) with a total awarded amount of \$3,706,594.51 to H & R Paving, Inc.

Contract No. 3 – Roadway Resurfacing-Multiple Sites (RPQ No. 20210190, MCC 7360 Plan) with a total awarded amount of \$3,958,150.46 to Metro Express, Inc.

Contract No. 4 – Roadway Resurfacing-Multiple Sites (RPQ No. 20210191, MCC 7360 Plan) with a total awarded amount of \$4,031,404.03 to Metro Express, Inc.

This item may only be considered by the Board if the Citizens’ Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this item.

If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this item, the Administration will request a withdrawal of this item.

Scope

These contracts have been previously awarded under the MCC Program with a scope of work consisting of roadway resurfacing improvements throughout Miami-Dade County. The scope of work per contract is captured in Exhibit A.

Fiscal Impact/Funding Source

The projects are funded by proceeds of Surtax Financings allocated as part of Neighborhood Infrastructure Improvements, (Program 2000000535) – People’s Transportation Plan / Projects: 3002896, 3002897, 3002898, 3002901, 3002902, 3002903, 3002904, 3002905, 3002906, 3002907, 3002908, 3002909, and 3002910, funded by the Surtax in the FY 2021-22 Adopted Budget and Multi-Year Capital Plan. This program is part of the original Exhibit 1 to the People’s Transportation Plan, which as approved by voters, includes modifications of intersections; resurfacing of local and arterial roads; installation/repairs of guardrails; installation of school flashing signals and enhancement of greenways and bikeways; replacement/repair of sidewalks; repair/installation of drainage, landscape beautification roadway signage, roadway lighting, pavement markings, and traffic calming; and Americans with Disabilities Act (ADA) accessibility to bus stops throughout the County. There is no additional fiscal impact to operations or maintenance.

Track Record/Monitor

DTPW reviewed the performance history of the awarded contractors and reports the following:

- (1) H & J Asphalt, Inc. has performed work for Miami-Dade County at a satisfactory level. The Capital Improvements Information System (CIIS) lists 142 performance evaluations with an average overall performance rating of 3.2 out of a possible 4.0 rating.
- (2) H & R Paving, Inc. has performed work for the County at a satisfactory level. The CIIS lists 234 performance evaluations with an average overall performance rating of 3.3 out of a possible 4.0 rating.
- (3) Metro Express, Inc. has performed work for the County at a satisfactory level. The CIIS lists 65 performance evaluations with an average overall performance rating of 3.6 out of a possible 4.0 rating.

These roadway resurfacing projects will be monitored by Joaquin Rabassa, P.E., DTPW Construction Manager.

Delegation of Authority

No additional delegation of authority is being sought.

Background

The resurfacing contracts were originally procured with Road Impact Fee funding through the MCC Program. DTPW issued a Request for Price Quotation to a pool of firms registered with the Internal

Services Department (ISD) for each respective trade. Additionally, DTPW advertised each project in the Daily Business Review and all solicitations were available online through the County portal under the “Procurement Solicitations” link. Each project’s award evaluation was based upon the bid submitted by the lowest responsive and responsible bidder.

Furthermore, due diligence was conducted in accordance with ISD’s Procurement Guidelines to determine contractor responsibility, including verifying corporate status with the Florida Department of State’s Division of Corporations and review of performance or compliance issues. A copy of all bids, and the bid tabulation for all projects, is available by contacting DTPW’s Capital Improvements Division. Consistent with Florida Statutes 212.055 and Sections 29-124 and 2-1421 of the County Code, Surtax funds will be used for projects included in the Five-Year PTP Implementation Plan. However, per restrictions placed on the use of transportation Surtax funds under the State Legislature’s House Bill 385, the use of PTP funds will no longer be authorized for resurfacing projects. The bill's relevant provisions will become effective on October 1, 2022. Accordingly, to ensure that the funds available to each commission district for Neighborhood Improvements can be timely allocated, this item must be approved prior to that deadline.

All four contracts provide DTPW a means of quickly responding to the expected increase in funding approval of resurfacing work via competitively bid contracts. The work on these contracts is initiated via work order on an as-needed basis. Within the contract, an estimated quantity is provided for bidding purposes as plan details are not available at the time of the bid. Bidders are advised that actual quantities may vary, depending on the scope of work identified in each work order. Payment is based on the authorized work completed by the contractor.



Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

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

DATE: July 7, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(12)

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(N)(12)
7-7-22

RESOLUTION NO. _____

RESOLUTION APPROVING AND AUTHORIZING THE USE OF UP TO \$12,416,812.45 IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR ROADWAY RESURFACING CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACTS PROGRAM 7360 PLAN

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 approves the use of Charter County Transportation Surtax Funds for contracts awarded under the Miscellaneous Construction Contract 7360 Plan for roadway resurfacing projects identified in Exhibit A attached herein and authorizes the use of Charter County Transportation Surtax Funds for such purposes. A copy of the contract document is on file with and available upon request from the Capital Improvements Division of the Department of Transportation and Public Works.

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	Keon Hardemon
Sally A. Heyman	Danielle Cohen Higgins
Eileen Higgins	Joe A. Martinez
Kionne L. McGhee	Jean Monestime
Raquel A. Regalado	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of July, 2022. 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.

Bruce Libhaber

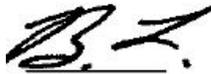


Exhibit A

Contract No. 1

Project No.: 20210056 (MCC 7360 Plan – CICC 7360-0/08)	Title: Roadway Resurfacing-Multiple Sites
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Background: On June 24, 2021, DTPW forwarded an RPQ for Roadway Resurfacing-Multiple Sites, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 76 pre-qualified firms. Five submitted contract documents, and all five firms proffered a bid.

On July 28, 2021, H & J Asphalt Inc. proffered the lowest responsive and responsible base bid of \$3,279,344.10, which is 8.35 percent above the County's cost estimate. The second lowest bidder, H & R Paving, Inc. proffered a base bid of \$3,340,111.05, which is 10.36 percent above the County's cost estimate. The third lowest bidder, Metro Express, Inc., proffered a base bid of \$3,594,944.50, which is 18.78 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on August 23rd, 2021, for RPQ No. 20210056 to H & J Asphalt, Inc.

Base Contract Amount: \$3,279,344.10
 Contingency Amount: \$ 327,934.41
 Dedicated Allowances: \$ 217,588.05
 Total Amount: \$3,824,866.56

Contract Measures:		
Program	Measure	Goal Percent
SBE/CONS	Trade Set Asides: Traffic Stripes and Markings; and Concrete Work	SBD Compliance Review Letter lists: Pimentel Construction Group, LLC. for 100% Concrete Trade. Road Runner Striping Technologies, Inc. for 100% of Pavement Markings Trade.
Community Workforce Program	Applicable: Work Order Driven	10 Percent

Scope of Work:

Work under this Contract includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents.

Work includes but is not limited to the following: Milling and resurfacing, widening and resurfacing of intersecting streets, resurfacing of asphaltic pathways (pedestrian, bicycle, etc.) adjacent or not to the edge of pavement as necessary, temporary utility repairs (cold patches), clearing and excavating of shoulder areas or build-up, as directed by the Engineer; grading and clean-up of adjacent shoulders and removal of roots, as required, pavement markings including the installation of reflective pavement markers (blue/blue) at fire hydrant locations, sidewalk, sidewalk cubs and connectors, and pedestrian ramps.

Exhibit A

Contract No. 2

Project No.: 20210057 (MCC 7360 Plan – CICC 7360-0/08)	Title: Roadway Resurfacing-Multiple Sites
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Background: On July 1st, 2021, DTPW forwarded an RPQ for Roadway Resurfacing-Multiple Sites, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 77 pre-qualified firms. Five firms submitted contract documents, and all five firms proffered a bid.

On August 4, 2021, H & R Paving, Inc. proffered the lowest responsive and responsible base bid of \$3,173,744.05, which is 4.87 percent above the County's cost estimate. The second lowest bidder, H & J Asphalt, Inc. proffered a base bid of \$3,324,411.10, which is 9.84 percent above the County's cost estimate. The third lowest bidder, Metro Express, Inc. proffered a base bid of \$3,327,217.60, which is 9.94 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on September 1st, 2021, for RPQ No. 20210057 to H & R Paving, Inc.

Base Contract Amount: \$3,173,744.05
 Contingency Amount: \$ 317,374.41
 Dedicated Allowances: \$ 215,476.05
 Total Amount: \$3,706,594.51

Contract Measures:		
Program	Measure	Goal Percent
SBE/CONS	Trade Set Asides: Traffic Stripes and Markings; and Concrete Work	SBD Compliance Review Letter lists: Big D Engineering, Inc. for 100% Concrete Trade. Highway Striping, Inc. for 100% of Pavement Markings Trade.
Community Workforce Program	Applicable: Work Order Driven	10 Percent

Scope of Work:

Work under this Contract includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents.

Work includes but is not limited to the following: Milling and resurfacing, widening and resurfacing of intersecting streets, resurfacing of asphaltic pathways (pedestrian, bicycle, etc.) adjacent or not to the edge of pavement as necessary, temporary utility repairs (cold patches), clearing and excavating of shoulder areas or build-up, as directed by the Engineer; grading and clean-up of adjacent shoulders and removal of roots, as required, pavement markings including the installation of reflective pavement markers (blue/blue) at fire hydrant locations, sidewalk, sidewalk cubs and connectors, and pedestrian ramps.

Exhibit A

Contract No. 3

Project No.: 20210190 (MCC 7360 Plan – CICC 7360-0/08)	Title: Roadway Resurfacing-Multiple Sites
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Background: On October 21st, 2021, DTPW forwarded an RPQ for Roadway Resurfacing-Multiple Sites, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 69 pre-qualified firms. Three firms submitted contract documents, and all three firms proffered a bid.

On December 1, 2021, Metro Express, Inc. proffered the lowest responsive and responsible base bid of \$3,338,994.90, which is 4.75 percent above the County's cost estimate. The second lowest bidder, H & J Asphalt, Inc. proffered a base bid of \$3,634,302.60, which is 14.01 percent above the County's cost estimate. The third lowest bidder, H & R Paving, Inc. proffered a base bid of \$3,679,414.30, which is 15.42 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on December 13th, 2021, for RPQ No. 20210190 to Metro Express, Inc.

Base Contract Amount: \$3,338,994.90
 Contingency Amount: \$ 333,899.49
 Dedicated Allowances: \$ 285,256.07
 Total Amount: \$3,958,150.46

Contract Measures:		
Program	Measure	Goal Percent
SBE/CONS	Trade Set Asides: Traffic Stripes and Markings; and Concrete Work	SBD Compliance Review Letter lists: Big D Engineering, Inc. for 100% Concrete Trade. Highway Striping, Inc. for 100% of Pavement Markings Trade.
Community Workforce Program	Applicable: Work Order Driven	10 Percent

Scope of Work:

Work under this Contract includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents.

Work includes but is not limited to the following: Milling and resurfacing, widening and resurfacing of intersecting streets, resurfacing of asphaltic pathways (pedestrian, bicycle, etc.) adjacent or not to the edge of pavement as necessary, temporary utility repairs (cold patches), clearing and excavating of shoulder areas or build-up, as directed by the Engineer; grading and clean-up of adjacent shoulders and removal of roots, as required, pavement markings including the installation of reflective pavement markers (blue/blue) at fire hydrant locations, sidewalk, sidewalk cubs and connectors, and pedestrian ramps.

Exhibit A

Contract No. 4

Project No.: 20210191 (MCC 7360 Plan – CICC 7360-0/08)	Title: Roadway Resurfacing South-Multiple Sites
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Background: On October 28th, 2021, DTPW forwarded an RPQ for Roadway Resurfacing-Multiple Sites, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 70 pre-qualified firms. Three firms submitted contract documents, and all three firms proffered a bid.

On December 1st, 2021, Metro Express, Inc. proffered the lowest responsive and responsible base bid of \$3,403,794.90, which is 4.91 percent above the County's cost estimate. The second lowest bidder, H & R Paving, Inc. proffered a base bid of \$3,487,185.48, which is 7.48 percent above the County's cost estimate. The third lowest bidder, H & J Asphalt, Inc. proffered a base bid of \$3,706,202.60, which is 14.23 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on December 14th, 2021, for RPQ No. 20210191 to Metro Express, Inc.

Base Contract Amount: \$3,403,794.90
 Contingency Amount: \$ 340,379.49
 Dedicated Allowances: \$ 287,229.64
 Total Amount: \$4,031,404.03

Contract Measures:		
Program	Measure	Goal Percent
SBE/CONS	Trade Set Asides: Traffic Stripes and Markings; and Concrete Work	SBD Compliance Review Letter lists: Big D Engineering, Inc. for 100% Concrete Trade. Highway Striping, Inc. for 100% of Pavement Markings Trade.
Community Workforce Program	Applicable: Work Order Driven	10 Percent

Scope of Work:

Work under this Contract includes furnishing of all supervision, labor, materials, tools, equipment and performing all operations required to construct the Work in accordance with the Contract Documents.

Work includes but is not limited to the following: Milling and resurfacing, widening and resurfacing of intersecting streets, resurfacing of asphaltic pathways (pedestrian, bicycle, etc.) adjacent or not to the edge of pavement as necessary, temporary utility repairs (cold patches), clearing and excavating of shoulder areas or build-up, as directed by the Engineer; grading and clean-up of adjacent shoulders and removal of roots, as required, pavement markings including the installation of reflective pavement markers (blue/blue) at fire hydrant locations, sidewalk, sidewalk cubs and connectors, and pedestrian ramps.



Memorandum

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

From: Javier A. Betancourt, Executive Director

Date: June 24, 2022

Re: **CITT AGENDA ITEM 7C:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS APPROVE AND AUTHORIZE THE USE OF UP TO **\$12,416,812.45** IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR ROADWAY RESURFACING CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACTS PROGRAM 7360 PLAN (**DTPW – BCC Legislative File No. 221134**)
SURTAX FUNDS ARE REQUESTED

On June 23, 2022, the CITT forwarded no recommendation to the Board of County Commissioners (BCC) for the above referenced item. Instead, the CITT recommended the below referenced item, CITT Resolution No. 22-013. The CITT voted (5-1) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the below referenced item, CITT Resolution No. 22-013. The vote was as follows:

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE AN AMOUNT NOT TO EXCEED \$9.1 MILLION IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR ROADWAY RESURFACING CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACTS PROGRAM 7360 PLAN

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice-Chairperson – Absent
Robert Wolfarth, 2nd Vice-Chairperson – Aye

Hon. Peggy Bell – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Absent
Mary Street, Esq. – Nay

Joseph Curbelo – Aye
Qjuezari Harvey – Absent
L. Elijah Stiers, Esq. – Absent
Ernest Thomas – Aye

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney

RESOLUTION NO. 22-013

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE AN AMOUNT NOT TO EXCEED \$9.12 MILLION IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR ROADWAY RESURFACING CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACTS PROGRAM 7360 PLAN

WHEREAS, the CITT desires to accomplish the purposes outlined in the accompanying OCITT Executive Director's memorandum, a copy of which is incorporated herein by reference,

WHEREAS, currently there is approximately \$9.12M of available PTP funds in the Neighborhood Improvement Program (NIP) for the commission districts; and

WHEREAS, the Surtax funding would only be used for those projects that are fully funded; and

WHEREAS, the projects identified have been approved by the respective District Commissioner;

NOW, THEREFORE, BE IT RESOLVED BY THE CITT, that this Trust recommends the Board of County Commissioners (BCC) approve an amount not to exceed \$9.1M in Charter County Transportation Surtax Funds for contracts awarded under the Miscellaneous Construction Contract 7360 Plan for Roadway Resurfacing Projects, and authorize the use of Charter County Transportation Surtax Funds for those projects fully funded and approved by the respective district commissioners, as outlined in the corresponding document in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Joseph Curbelo, who moved its adoption. The motion was seconded by Hon. Peggy Bell and upon being put to vote, the vote was as follows:

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice Chairperson – Absent
Robert Wolfarth, 2nd Vice Chairperson – Aye

Hon. Peggy Bell – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Absent
Mary Street, Esq. – Nay

Joseph Curbelo – Aye
Qjuezari Harvey – Absent
L. Elijah Stiers, Esq. – Absent
Ernie Thomas – Aye

The Chairman thereupon declared the resolution duly passed and adopted this 23rd day of June 2022.

Approved by the County Attorney as
to form and legal sufficiency Bruce Zilhaber

By: 
Executive Director