

Memorandum



Date: July 7, 2022

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

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Agenda Item No. 8(N)(9)

Subject: Change Order No. 1 and Final for the State Road 836 Express Bus Services – Park and Ride/Bus Terminal (Tamiami Station); Contract No. CIP097-DTPW18-CT1 to JVA Engineering Contractor Inc.

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) for Change Order No. 1 between the County and JVA Engineering Contractor, Inc. for 110 non-compensable calendar days due to labor and materials shortages as a result of the COVID-19 pandemic, under *Contract No. CIP097-DTPW18-CT1*, Construction Services for the SR 836 Express Bus Service Park and Ride Bus Terminal (Tamiami Station). There is no fiscal impact associated with this Change Order.

Recommendation

This Change Order No. 1 and final for *Contract No. CIP097-DTPW18-CT1* between JVA Engineering Contractor, Inc. (JVA) and Miami-Dade County (County) has been prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval by the Board pursuant to Section 2-8.1 of the County Code. Change Order No. 1 and final extends the contract duration by 110 non-compensable calendar days as a result of unforeseen third-party delays and force majeure from the effects of the COVID-19 pandemic on labor and building material supplies. Refer to Exhibit 1 for project requirements.

Scope

The project is located in the southwest quadrant of South West (SW) 8th Street and SW 147 Avenue, which is within District 11, represented by Commissioner Joe A. Martinez.

Delegated Authority

In accordance with Section 2-8.3 of the County Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution, which includes authority for the County Mayor or County Mayor’s designee to execute this Change Order.

Fiscal Impact/Funding Source

There is no fiscal impact associated with Change Order No. 1 and final as it is for a time extension only.

Track Record/Monitor

Javier Salmon, Construction Manager 2, DTPW, is responsible for the project’s implementation and administration.

Background

DTPW planned to provide incremental improvements along the East-West Corridor (EWC) by implementing a combination of enhanced and express bus service along State Road (SR) 836 and SW 8th Street EWC from three west County transit terminal facilities to the Miami Intermodal Center at the Miami International Airport and Downtown Miami via three express bus routes: Line A – Tamiami Station, Line B – Panther Station and Line C – Dolphin Station. On December 17, 2019, the Board passed Resolution No. R-1361-19, approving a construction contract with JVA to provide construction services for Line A.

Line A will provide premium express bus service from the proposed Tamiami Station Park-and-Ride/Transit Facility located at SW 7th Street and SW 147th Avenue to Downtown Miami via SW 8th Street, SW 137th Avenue and SR 836. Service headways will be 10 minutes during the AM/PM peak hours. The facility will accommodate over 450 parking spaces and seven bus bays, which will serve as the western most station for the new premium express bus service in the corridor as well as other local bus routes.

JVA’s contract is for a total amount of \$10,914,740.76 (inclusive of the contingency allowance of \$517,391.23), and a contract duration of 570 calendar days. A Notice to Proceed was issued on February 2, 2020, with a scheduled completion date of September 2, 2021. On August 11, 2021, DTPW exercised the 57 calendar days from the Contingency Allowance Account for time due to labor shortages and delays with material supply. As such, the scheduled completion date was extended to October 29, 2021.

COVID-19 related issues continued to adversely affect delivery and installation schedules for critical items for a timely completion of the project. An additional 110 calendar days is required due to:

1. Unforeseen / Unforeseeable Changes as a result of third-party delays that severely affected completion of the following activities:
 - Canopy structure steel placing due to labor and materials shortage (four weeks);
 - Delivery and installation of corrugated roof metal panels (seven weeks):
 - Labor and materials shortage due to the COVID-19 pandemic caused a significant delay in delivery of the roof canopy structural steel. To expedite this critical activity, JVA, the County’s Construction, Engineering and Inspection Consultant, and the Project Manager met at the metal panel shop to review and coordinate the logistics of delivery. A partial delivery was received on October 22, 2021.

The rest of the delivery arrived on site by the middle of November 2021. Installation according to the approved County Notice of Acceptance began immediately upon delivery; and

- Canopy electrical installation, lamps conduits and wiring canopy installation (one week).
2. County requested changes to provide for the following expanded scope of services (4 weeks):
- Enhance the security system for the Driver’s Relief Lounge with Electrified / Magnetized hardware for Exterior Doors, Information Technology (IT) Room, and General Storage Closet;
 - Provide infrastructure and 120V power to the emergency telephone towers;
 - Improve signalization to the mast arms and illuminated signs at the SW 8th Street and SW 147th Avenue intersection, resulting from the widening and additional turn lanes that were incorporated into the project;
 - Add infrastructure for power and communications to the fiber optic cabinets, to service the IT devices in the Driver’s Relief Lounge, Bus Arrival Monitors (BAM), Ticket Vending Machines, and future installation of an automated Available Parking Counter System;
 - Deliver and install Polyslick bus curb ramp rub rail, which are necessary as the bus model that the County originally envisioned for this park and ride station will no longer be used;
 - Add a lightning protection system for the Tamiami Park and Ride Pylon Sign, including electrical wiring and disconnect panel; and
 - Fabricate and install a BAM mounting bracket system due to the expiration of the County IT Department’s vendor contract.

DTPW’s Office of Civil Rights has made no change to the 18% Disadvantaged Business Enterprise (DBE) goal established for the project. Accordingly, JVA shall continue to take all necessary steps toward remaining compliant in achieving the DBE goal as stipulated in 49 Code of Federal Regulations Part 26.

To date, the contractor’s performance has been satisfactory, and the project is substantially complete.

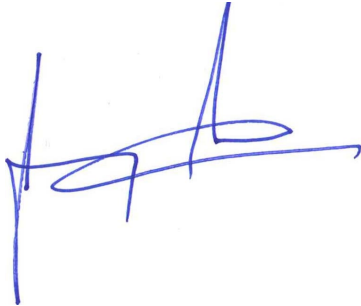
Due Diligence

Pursuant to Resolution No. R-187-12 and in accordance with the Internal Services Department’s Procurement Guidelines, DTPW staff exercised due diligence to determine contractor responsibility for JVA. The lists that were referenced included, but were not limited to: convicted

Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners
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vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. JVA was found to be listed on the Small Business Development (SBD) Violations database report, attached as Exhibit 2, with two closed violations. There were no adverse findings relating to the Contractor’s responsibility.

There are 63 evaluations on record for JVA in the Capital Improvements Information System (CIIS) with an average rating of 3.6 out of a possible 4.0 points.



Jimmy Morales
Chief Operations Officer

**EXHIBIT 1
ADDITIONAL PROJECT REQUIREMENTS**

PROJECT NAME: State Road 836 Express Bus Services - Park and Ride/Bus Terminal (Tamiami Station)

PROJECT NO: CIP097

CONTRACT NO: CIP097-DTPW18-CT1

PROJECT DESCRIPTION: Construction services are required for the State Road 836 Express Bus Services - Park and Ride/Bus Terminal (Tamiami Station) located on the southwest quadrant of SW 8 Street and SW 147 Avenue, which is within District 11, represented by Commissioner Joe A. Martinez.

USING DEPARTMENT: Department of Transportation and Public Works

MANAGING DEPARTMENT: Department of Transportation and Public Works

PTP FUNDING: Yes

ARRA FUNDING: No

GOB FUNDING: No

FUNDING SOURCES:	<u>SOURCE</u>	<u>PROJECT #</u>	<u>SITE #</u>	<u>AMOUNT</u>
	Florida Department of Transportation	6730101	3001044	\$ 3,397,640.00
	Federal Transit Administration (FTA) Section 5307/5309 Formula Grant	6730101	3001044	\$ 1,180,744.00
	People's Transportation Plan Bond Program	6730101	3001044	\$ 6,336,356.76
	TOTAL FUNDING:			\$10,914,740.76

CAPITAL BUDGET PROJECTS:	<u>CAPITAL BUDGET PROJECT # - NAME</u>	<u>AMOUNT</u>
	#6730101 – BUS ENHANCEMENTS	\$10,914,740.76
	FY 2019-20 Proposed Budget and Multi-Year Capital Plan, Vol 2. Transportation and Public Works	

CAPITAL BUDGET PROJECTS TOTAL \$10,914,740.76

EXHIBIT 1
ADDITIONAL PROJECT REQUIREMENTS

	<u>Original Contract Values</u>	<u>Total Paid</u>	<u>Balance After Change Order</u>
BASE:	\$10,347,824.50	\$9,652,741.52	\$695,082.98
CONTINGENCY:	\$ 517,391.23	\$195,004.43	\$322,386.80
DEDICATED:	<u>\$ 49,525.03</u>	<u>\$0.00</u>	<u>\$ 49,525.03</u>
TOTALS:	\$10,914,740.76	\$9,847,745.95	\$1,066,994.81

	<u>Original Contract Duration</u>	<u>Previous Adjustments to Duration</u>	<u>This Change Order Duration</u>	<u>Current Totals</u>
BASE DURATION:	570	0	110	680
CONTINGENCY:	<u>57</u>	<u>0</u>	<u>0</u>	<u>57</u>
TOTAL DURATION:	627	0	110	737

INITIATING FACTOR(S) FOR CHANGE ORDER

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
County Request Change	\$0.00	28
Unforeseen / Unforeseeable Change	<u>\$0.00</u>	<u>82</u>
	\$0.00	110

TRACK RECORD/MONITOR

COMPANY

PRINCIPAL: Jose M. Alvarez

COMPANY

QUALIFIER: Jose M. Alvarez

COMPANY

EMAIL

ADDRESS: jma@jvaengineering.com

COMPANY

STREET

ADDRESS: 6600 N.W. 32nd Avenue

COMPANY CITY

-STATE-ZIP: Miami, FL 33147

EXHIBIT 1
ADDITIONAL PROJECT REQUIREMENTS

**YEARS IN
BUSINESS:** 19

PREVIOUS CONTRACTS WITH COUNTY IN THE LAST THREE YEARS:

According to SBD's Firm History Report from the Business Management Workforce System attached as Exhibit 1A, within the last three years, JVA has held six contracts with the County with a total value of \$38,571,629.00 (inclusive of contract CIP097-DTPW18-CT1). Four of these contracts were awarded by the Board and two were awarded under the County's 7360 Miscellaneous Construction Contract Program.

SUB-CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	Bella Fiore Landscaping LLC* Ferguson Enterprises, LLC Guaranteed Fence, Corp.* Interstate Construction, LLC Micar Trucking, Inc. P & J Striping Inc.*
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*DBE Firms

Vendor Profile: Contracts

General	Public Profile	Users	Commodity Codes	Contacts & Owners	Comments	Certifications	Contracts	Concessions	Site Visits
Workforce Comp/EEO	EDP Registrations	Reports							

JVA Engineering Contractor, Inc.

System Vendor Number: 20098429

Listed below are the contracts to which this vendor is assigned.

Contracts as Prime Contractor						
Actions	Contract Number & Title	Prime Contact	Status	Dates	Award Amount	Paid Amount
View	CIP097-DTPW18-CT1: CONST SR836 EXPRESS BUS SVCS PARK & RID	JOSE ALVAREZ (change)		2/10/2020 to 9/2/2021	\$10,914,741	\$0
View	CIP097-DTPW18CT1-FTA: CONST SR836 EXPRESS BUS SVCS PARK & RID	JOSE ALVAREZ (change)	1 incomplete audit	2/10/2020 to 9/2/2021	\$1,180,744	\$7,631,417
View	20150195: DesignBuild Services for the Project Entitled People's Transportation Plan (PTP) Roadway Improvements to NE 2nd Avenue from NE 69th Street to NE 84th Street (Project No: DB15-PWWM-01; Contract No: 20150195);	JOSE ALVAREZ (change)		1/9/2017 to 2/26/2019	\$10,303,400	\$9,753,555
View	20150121: DRAINAGE IMPROVEMENTS PROJECT MULTIPLE SITES	Jose M. Alvarez (change)	Closed	11/6/2015 to 1/6/2017	\$1,068,837	\$899,569
View	T2485: Emergency Work for Roadway Restoration Work at NW 41 St between NW 115 Ave and Fla. Turnpike	Jose M. Alvarez (change)		8/13/2018 to 9/3/2018	\$483,130	\$387,518
View	CMJPA-2014.01: Joint Participation Agreement (JPA) BETWEEN MIAMI-DADE COUNTY AND THE CITY OF MIAMI FOR ROADWAY IMPROVEMENT AT NE 2 AVENUE FROM NE 42 STREET TO NE 51 STREET	Jose M. Alvarez (change)		1/21/2015 to 12/31/2019	\$4,452,661	\$4,287,917
View	2017-035.01: NF-NORTH CRUISE BOULEVARD EXTENSION - PHASE I	Jose M. Alvarez (change)		1/25/2018 to 6/29/2020	\$4,656,357	\$4,150,954
View	306670-R: NF-PARK AND RIDE FACILITY AT KENDALL AND SW 127TH AVENUE	Jose M. Alvarez (change)		4/4/2016 to 7/10/2017	\$1,298,946	\$1,298,071
View	DB15-PWWM-01 (BUILD): NF-ROADWAY IMPROVEMENTS TO NE 2 AVENUE FROM NE 69 STREET TO NE 84 STREET	Jose M. Alvarez (change)		6/21/2016 to 9/1/2017	\$9,500,400	\$6,331,681
View	2017-035.02A: North Cruise Boulevard Extension - Phase 2A - FPL Vaults Relocation	Jose M. Alvarez (change)		9/23/2019 to 1/26/2020	\$564,786	\$438,584
View	2017-035.01B: North Cruise Boulevard Extension Phase 1B	Jose M. Alvarez (change)		6/18/2018 to 11/29/2019	\$4,716,106	\$4,385,984
View	2017-035.02B_0002: NORTH CRUISE BOULEVARD EXTENSION-PH II B	JOSE ALVAREZ (change)		2/11/2020 to 11/10/2020	\$5,769,077	\$4,714,954
View	M2015-022: PAVING IMPROVEMENTS (PORTWIDE)	Jose M. Alvarez (change)		11/10/2015 to 1/5/2018	\$1,999,761	\$475,875
View	20130202: PEOPLE'S TRANSPORTATION PLAN (PTP) ROADWAY IMPROVEMENTS FOR NW 74TH STREET FROM NW 87TH AVENUE TO SR-826, FM #414731-5	Jose M. Alvarez (change)		2/3/2015 to 2/3/2017	\$7,190,570	\$7,110,092
View	20180089-JVA ENGIN C: ROAD IMP TO SW 137 AVE-US1-SW 200 ST	JOSE ALVAREZ (change)	1 incomplete audit	6/11/2019 to 6/11/2022	\$13,176,588	\$9,662,169
View	DB15-PWWM-01 (DESIGN): ROADWAY IMPROVEMENTS TO NE 2 AVENUE FROM NE 69 STREET TO NE 84 STREET	Jose M. Alvarez (change)		6/21/2016 to 9/1/2017	\$803,000	\$4,855,292
View	20200011: Roadway Improvements to NW 82nd Avenue from NW 7th Street to NW 12th Street	Jose M. Alvarez (change)		4/22/2020 to 9/5/2021	\$2,567,738	\$1,344,997
View	2008-032.04: SEABOARD MARINE CARGO TERMINAL REDEVELOPMENT - PHASE II (4 OF 5)	Jose M. Alvarez (change)		7/1/2014 to 3/9/2015	\$6,196,836	\$5,446,010
View	2016-058.02_0001: SEAPORT MARINE CARGO TERMINAL REDEVELOPM	JOSE ALVAREZ (change)		6/4/2019 to 3/11/2020	\$5,578,699	\$3,704,826

Number of contracts as prime: 19 \$92,422,377 \$76,879,464

Contracts as Subcontractor

Actions	Contract Number & Title	Sub Contact	Status	Prime	Current Subcontract	Paid Amount
View	424489: Emergency services for Traction Power Substation Santa Clara Duct Repairs and Cable Replacement	Jose M. Alvarez (compliance, change) JOSE ALVAREZ (workforce, change)		FLORIDA SIGNAL & LIGHTING CONTRACTORS, INC.	\$0 0.00%	\$8,265
View	RTQ-01064_0003: HAZARDOUS MATERIAL REMOVAL SERVICES PREQ	Rafael Ramon (change)		MCO ENVIRONMENTAL, INC.	\$20,000 0.00%	\$0
View	R-1089-18: Joint Participation Agreement (JPA) between Miami Dade County and City of Hialeah for Roadway Improvements NW 142 STREET FROM NW 107 AVE TO NW 97 AVE (20180103)	Rafael Ramon (change)		City of Hialeah	\$0 0.00%	\$0
Number of contracts as subcontractor: 3					\$20,000	\$8,265

Customer Support

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ISD - Small Business Development
111 NW 1st Street 19th Floor
Miami, FL 33128
305-375-3111

Compliance Report of Open and Closed Small Business, Wage and/or Workforce Violations in the last three (3) years as of Jan 5, 2022

JVA ENGINEERING CONTRACTOR, INC.

2-11.16, Responsible Wages and Benefits for Construction Services - (1) A fourth underpayment violation shall constitute a default of the subject contract and may be cause for suspension or termination in accordance with the contract's terms and debarment in accordance with the debarment procedures of the County. (2) A contractor with unpaid wages or penalties shall not be deemed responsible to perform subsequent County construction contracts and shall be ineligible to be awarded such contracts for so long as the identified underpayment or any penalties imposed therefor remain outstanding, not to exceed three years.

ID #	Date of Violation	Project Number	Dept	Underpayment Amount Identified	Underpayment Amount Recovered	SBE Goal Deficit Makeup Amount	SBE Goal Deficit Makeup Balance	Unpaid Penalty	Violation Reason	Violation Status	Closed Date
3050	07/02/2018	DB15-PWWM-01 (BUILD)	PW	\$91,193.26	\$91,193.26				Underpayment of Employee	Closed	04/03/2019
2-11.16 - Summary											
				\$91,193.26	\$91,193.26						

2-8.1.1.2, Small Business Enterprise - Goods Program (SBE-Goods) - (1) A fourth SBE-Goods goal deficit and finding of noncompliance, shall constitute a default of the subject contract and shall be cause for suspension or termination in accordance with the contract's terms and debarment in accordance with the debarment procedures of the County. (2) A contractor with an unpaid penalty cannot bid or otherwise participate in County contracts until the penalty is paid. (3) A firm with an SBE makeup plan requirement must submit a makeup plan for any bid/proposal via the Business Management Workforce System (BMWS) addressing all or a portion of their makeup balance amount listed below. This requirement does not apply to contracts with a 100% SBE Set-Aside measure.

ID #	Date of Violation	Project Number	Dept	Underpayment Amount Identified	Underpayment Amount Recovered	SBE Goal Deficit Makeup Amount	SBE Goal Deficit Makeup Balance	Unpaid Penalty	Violation Reason	Violation Status	Closed Date
3293	05/29/2020	DB15-PWWM-01 (BUILD)	PW						Failed to meet the SBE-Goods goal	Closed	07/15/2020
2-8.1.1.2 - Summary											

JVA ENGINEERING CONTRACTOR, INC.

NOTICE TO CONTRACTING DEPARTMENTS AND THE PUBLIC HEALTH TRUST:

The following checked items must be addressed by the subject firm before the issuance of a new award, as a prime or subcontractor:

<input type="checkbox"/>	Unpaid Penalty	This firm has an unpaid penalty. Prior to any future award, the firm must submit a check made payable to Miami-Dade County in the amount of unpaid penalty to the Small Business Development Division of the Internal Services Department.
<input type="checkbox"/>	Small Business Enterprise Make-up Plan	This firm has an open Small Business Enterprise Goal Deficit Makeup balance and is required to submit an SBE Makeup Plan for any bid/proposal via the Business Management Workforce System addressing all portions of its makeup balance. This requirement does not apply to contracts with a 100% Set-aside measure.
<input type="checkbox"/>	Unpaid Wages	This firm has wages due to its employees. Prior to any future award, the firm must pay employees the wages due and provide proof of payment to the Small Business Development Division of the Internal Services Department.




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)(9)

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)(9)
7-7-22

RESOLUTION NO. _____

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL FOR THE STATE ROAD 836 EXPRESS BUS SERVICES – PARK AND RIDE/BUS TERMINAL (TAMIAMI STATION), CONTRACT NO. CIP097-DTPW18-CT1, BETWEEN MIAMI-DADE COUNTY AND JVA ENGINEERING CONTRACTOR, INC., EXTENDING THE CONTRACT DURATION BY 110 NON-COMPENSABLE CALENDAR DAYS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE THE CHANGE ORDER ON BEHALF OF MIAMI-DADE COUNTY

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:

Section 1. Approves Change Order No. 1 and final between Miami-Dade County and JVA Engineering Contractor, Inc., for the State Road 836 Express Bus Services - Park and Ride/Bus Terminal (Tamiami Station), Contract No. CIP097-DTPW18-CT1, extending the contract duration by 110 non-compensable calendar days.

Section 2. Authorizes the County Mayor or County Mayor’s designee to execute Change Order No. 1 and final, in substantially the form attached hereto and made a part hereof, on behalf of Miami-Dade County.

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

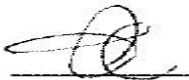
The Chairperson thereupon declared this resolution duly passed and adopted this 7th day of July, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by 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.



Annery Pulgar Alfonso

MIAMI-DADE COUNTY, FLORIDA
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS
CHANGE ORDER TO ORIGINAL CONTRACT

COUNTY

CHANGE ORDER NO: 01 CONTRACT NO: CIP097-DTPW18-CT1 DATE: 11/2/2021
 PROJECT TITLE: Construction Services for the SR 836 Express Bus Services - Park and Ride/Bus Terminal (Tamiami Station)
 TO CONTRACTOR: JVA Engineering Contractor Inc 8800 N.W. 32nd Avenue Miami, FL 33147

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

Description of work authorized: This time extension for One Hundred Ten (110) additional NON-COMPENSABLE time as a result of unforeseen third party delays and Force Majeure due to the effects of the COVID-19 Pandemic on labor and building material supplies. Contract time was initially set up at 570 days for substantial completion from NTP issued on February 2nd, 2020. The scheduled completion was September 2nd, 2021. (Continued below)
Monetary Justification: Non compensable time extension.
Time Justification: Covid 19 as well as materials and labor shortages created undue schedule pressures needing 110 calendar days to complete contract work.

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT-----	\$10,914,740.78
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$10,914,740.78
COST OF CHANGES WITH THIS DOCUMENT-----	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$10,914,740.78
PERCENT INCREASE WITH THIS CHANGE-----	0%
TOTAL PERCENT INCREASE TO DATE-----	0%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	570 / 0 / 110
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	57 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	737

CERTIFYING STATEMENT: The Contractor certifies that the changes and supporting cost data included is in its considered opinion necessary and accurate and that the prices quoted are fair and reasonable.

Organization	Name	Accepted By:	Title	Date
JVA Engineering Contractor Inc	Cesar Gonzalez		Project Manager	12/15/21
Surety	Charles J. Nielson, Atty. in Fact		Contractor Hartford Casualty Insurance Company	12/14/21



Title	Name	Date
Approved By: <u>County Attorney</u> (for legal sufficiency)	_____	_____
Approved By: <u>County Mayor</u>	_____	_____
Attested By: <u>Clerk of the Board</u>	_____	_____

Description of work authorized: (Continued)

. Materials supply as well as labor shortages forced contractor to request the use of the contract allowable contingency time of 57 days which extended the contract completion date to Oct. 29th, 2021. COVID related issues continued to be present and adversely affect delivery and installation schedules for critical items for a timely delivery of the project.

The following items are attributed to third party delays and severely affected contract completion.

- Canopy structure structural steel placing.
- Delivery and installation of corrugated roof metal panels.

- o Labor and materials shortage caused a significant delay of approximately 12 weeks in delivery of roof canopy structural steel.
- o In an effort to expedite this critical activity, the Contractor, Construction Engineering and Inspection Consultant, Corrugated Metal Panel Fabricator, and MD County Project Manager met at the metal panel shop to review and help coordinate the logistics of delivery. A partial delivery was received on October 22, 2021. The rest of the delivery arrived on site by middle of November. Installation according to approved MD County Notice of Acceptance began immediately upon delivery.
- Canopy Electrical installation, lamps conduits and wiring pending canopy installation.
- Delays in receiving critical materials for closeout of plumbing, electrical, and mechanical permits required for Temporary Certificate of Occupancy
- The following are Owner's requests as well as field conditions that increase scope of work.
- o Enhanced security system for Driver's Relief Lounge such as Electrified / Magnetized hardware for Exterior Doors, IT Room, and General Storage Closet.
- o Special provisions for providing infrastructure and 120V power to the emergency telephone towers
- o Signalization improvements to the mast arms and illuminated signs at the SW 8th Street and SW 147th Avenue intersection, resulting from the widening and addition turn lanes that were incorporated into the project
- o Infrastructure for power and communications added to the Fiber Optic Cabinets, to service the IT devices in the Driver's Relief Lounge, Bus Arrival Monitors, Ticket Vending Machines, and future installation of an automated Available Parking Counter System.
- o Delivery and installation of Polyslick bus curb ramp rub rail. These were necessary as the bus model that MDC originally envisioned for this park and ride station will no longer be used.
- o Addition of Lightning protection system for Tamiami Park and Ride Pylon Sign, including electrical wiring and disconnect panel.
- o Transfer of scope from MDC ITD Vendor to Construction Contractor (JVA) for fabrication and installation of Bus Arrival Monitor mounting bracket system.

This was due to Vendor contract that expired and is no longer available for this project.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD
BOND, T-12
ONE HARTFORD PLAZA
HARTFORD, CONNECTICUT 06155
Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-767-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: NIELSON HOOVER & COMPANY INC
Agency Code: 21-229752

- ☒ Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
☒ Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
☒ Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
☐ Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
☐ Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
☐ Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
☐ Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of unlimited:

D. A. Belis, Tracey C. Brown-Boone, Natalie C. Demers, David R. Hoover, Stephanie McCarthy, Laura D. Mosholder, John R. Neu, Charles D. Nielson, Charles J. Nielson, Joseph Penichet Nielson, Daniel Frank Oaks, Brett Rosenhaus, Kevin Wojtowicz of Miami Lakes, FL

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by ☒, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, and any and all Surety Bonds and any and all consents required by the Florida Department of Transportation incident to the release of retained percentages and/or final estimates on engineering and/or construction contracts on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 11th day of January, 2016, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals, that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



Nora M. Stranko

Nora M. Stranko
Notary Public

My Commission Expires March 31, 2023

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of December 14, 2021

Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President