

# Memorandum



**Date:** September 1, 2022

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

**From:** Daniella Levine Cava  
Mayor *Daniella Levine Cava*

**Subject:** Recommendation for Approval of the Use of Up To \$2,430,000 of Charter County Transportation Surtax Funds for Various Projects Titled Intersection Improvements

Agenda Item No. 8(N)(5)

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## Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) of the use of up to \$2,430,000 of Charter County Transportation Surtax Funds for various projects titled “Intersection Improvements.” The contracts will be used for previously identified sites from the Vision Zero Program, which is dedicated to eliminating traffic fatalities and serious injuries related to mobility and has long been a priority of the Citizens’ Independent Transportation Trust. This item provides the Department of Transportation and Public Works the ability to improve the safety of pedestrians and/or bicyclists on County roads.

## Recommendation

It is recommended that the Board approves the use of up to \$2,430,000 in Charter County Transportation Surtax Funds for selected intersection improvement projects to support the Vision Zero Program. These projects are currently approved for the use of non-Surtax funding 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 these Vision Zero projects included within the PTP as approved by individual commissioners. The contracts are summarized below with their original awarded amounts and further details can be found in the accompanying attachments.

- Contract No. 1 – Intersection Improvements-Multiple Sites (RPQ No. 20210253, MCC 7360 Plan) with a total awarded amount of \$1,783,022.83 to Phoenix Concrete Plus, Inc.
- Contract No. 2 – Push Button Intersection Improvements-North (RPQ No. 20210015, MCC 7360 Plan) with a total awarded amount of \$1,742,042.86 to Metro Express, Inc.
- Contract No. 3 – Push Button Intersection Improvements-South (RPQ No. 20190236, MCC 7360 Plan) with a total awarded amount of \$2,007,250.24 to H & R Paving, 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 recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this item, I will request a withdrawal of this item.

### **Scope**

These contracts have been previously awarded via a competitive bidding process under the MCC Program, with a scope of work consisting of intersection improvements throughout Miami-Dade County. The detailed scope of work per contract is set forth in Exhibit A.

### **Fiscal Impact/Funding Source**

The total fiscal impact of this item is \$2,430,000. This amount includes: \$1,500,000 for project 20210253, \$350,000 for Change Order No. 1 for project 20200015 and \$580,000 for Change Order No. 2 for project 20190236. These projects will be funded by proceeds of the Charter County Transit System Surtax Financings allocated as part of VISION ZERO (PROGRAM 2000001296) - PEOPLE'S TRANSPORTATION PLAN / PROJECT: 3002401, funded by Charter County Transit System Surtax in the FY 2021-22 Adopted Multi-Year Capital Plan. This program is part of the Five-Year Implementation Plan of the PTP. The project sites and associated funding information is captured in Exhibit B.

### **Track Record/Monitor**

Phoenix Concrete Plus, Inc. has previously worked as a subcontractor on County projects and excelled. There is one evaluation recorded in the County's Capital Improvements Information System (CIIS) showing a rating of 4.0, the highest possible rating. The firm has also been a contractor on federal projects where it has performed satisfactorily.

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.

H & R Paving, Inc. has performed work for Miami-Dade County at a satisfactory level. The CIIS database lists 235 performance evaluations with an average overall performance rating of 3.3 out of a possible 4.0 rating.

The Internal Services Department Small Business Development Division (SBD) History of Violations Report shows no violations for these contractors.

The projects will be monitored by Joaquin Rabassa, P.E., DTPW Project Coordinator.

### **Delegation of Authority**

No additional authority is being requested with the adoption of this resolution other than the use of PTP funds for the identified contracts.

### **Background**

The contracts will be used for previously identified sites from the Vision Zero Program, which is dedicated to eliminating traffic fatalities and serious injuries related to mobility. Due to the proximity of these sites to transit facilities, these contracts provide DTPW the ability to improve the safety of

pedestrians and/or bicyclists on County roads. Under the contract, an estimated quantity is provided as plan details are not available at this time. Sites may be added or deleted as the need arises. For these three contracts, DTPW forwarded a Request for Price Quotations by way of e-mail transmission to a pool of firms registered with the Internal Services Department (ISD) for each respective trade. Additionally, DTPW advertised the projects in the Daily Business Review and all solicitations were made available online through the County portal under the “Procurement Solicitations” link. The method of award was based upon the bid submitted by the lowest responsive and responsible bidder. A copy of bids, award recommendations and/or the bid tabulation for all three projects is available by contacting the Chief of the Capital Improvements Division of DTPW.

Due diligence was conducted on the awarded contractors 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 reviewing performance or compliance issues. Additionally, pursuant to Resolution No. R-1181-18, copies of the contractors’ Occupational Safety & Health Form 300 – Log of Work-Related Injuries and Illnesses for the last three years were reviewed and are on file with DTPW. No major issue related to safety was found. The applicable SBD measures per contract are included in Exhibit A.

*Contract 20210253, Intersection Improvements-Multiple Sites*, was originally procured, with Road Impact Fee (RIF) funding, through the MCC Program as noted in Exhibit A. *Contract 20210015, Intersection Improvements-North*, is currently under construction. Additional sites from the Vision Zero Program will be added via attached Change Order No. 1. Due to this additional work, the Change Order will provide an increase in the contract base amount of \$350,000 and an increase in the contract duration of 183 non-compensable calendar days.

*Contract 2019036, Intersection Improvements-South*, is currently under construction. Additional sites from the Vision Zero Program will be added via attached Change Order No. 2. Due to this additional work, the Change Order will provide an increase in the contract base amount of \$580,000 and an increase in the contract duration of 300 non-compensable calendar days.

The change orders will provide the County an opportunity of completing some of the identified sites from the Vision Zero Program in a faster and more economical way. Both contracts were originally procured with RIF funding, through the MCC Program, as noted in Exhibit A.

Consistent with Florida Statutes Section 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. 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 these projects. The bill's relevant provisions will become effective on October 1, 2022.



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Jimmy Morales  
Chief Operations Officer

**Exhibit A**

**Contract No. 1**

|   |  |
|---|--|
| <b>Project No.:</b> 20210253 (MCC 7360 Plan – CICC 7360-0/08) | <b>Title:</b> Intersection Improvements-Multiple Sites |
|---|--|

**Background:** On January 13, 2022, DTPW forwarded an RPQ for Roadway Resurfacing-Multiple Sites, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 68 pre-qualified firms. Five submitted contract documents, and all five firms proffered a bid.

On February 16, 2022, Phoenix Concrete Plus, Inc. proffered the lowest responsive and responsible base bid of \$1,530,772.00, which is 7.55 percent below the County's cost estimate. The second lowest bidder, Metro Express, Inc. proffered a base bid of \$1,544,595.20, which is 6.72 percent below the County's cost estimate. The third lowest bidder, H & R Paving, Inc., proffered a base bid of \$1,549,040.20, which is 6.45 percent below the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on March 14, 2022, for RPQ No. 20210253 to Phoenix Concrete Plus, Inc.

Base Contract Amount: \$1,530,772.00  
 Contingency Amount: \$ 153,077.20  
 Dedicated Allowances: \$ 99,173.63  
 Total Amount: \$1,783,022.83

| <b>Contract Measures:</b>   |   |  |
|-----------------------------|---|--|
| <b>Program</b>              | <b>Measure</b>  | <b>Goal Percent</b>  |
| SBE/CONS                    | Trade Set Asides: Traffic Stripes and Markings; and Concrete Work | SBD Compliance Review Letter lists: Phoenix Concrete Plus, Inc will do 50% of both trades. Sagua Construction, Inc. for 50% Concrete Trade. Highway Striping, Inc. for 50% 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: Construction of Asphaltic Concrete Road base and surface; pavement removal; pavement milling; pavement markings; signage; drainage; sidewalks; concrete curb and gutter; and traffic calming devices. Incidental items required for areas such as streetlight, traffic signal installation, etc. may be added to this Contract.

**Exhibit A**

**Contract No. 2**

|   |   |
|---|---|
| <b>Project No.:</b> 20210015 (MCC 7360 Plan – CICC 7360-0/08) | <b>Title:</b> Push Button Intersection Improvements-North |
|---|---|

**Background:** On March 25, 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. Seven firms submitted contract documents, and all five firms proffered a bid.

On April 28, 2021, Metro Express, Inc. proffered the lowest responsive and responsible base bid of \$1,485,896.00, which is 6.19 percent below the County's cost estimate. The second lowest bidder, The Stout Group, LLC. proffered a base bid of \$1,562,662.50, which is 1.34 percent below the County's cost estimate. The third lowest bidder, H & R Paving, Inc. proffered a base bid of \$1,567,329.65, which is 1.05 percent below the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on June 4, 2021, for RPQ No. 20210015 to Metro Express, Inc.

|                       |                      |
|-----------------------|----------------------|
| Base Contract Amount: | \$1,485,896.00       |
| Contingency Amount:   | \$ 148,589.60        |
| Dedicated Allowances: | <u>\$ 107,557.26</u> |
| Total Amount:         | \$1,742,042.86       |

| <b>Contract Measures:</b>   |   |  |
|-----------------------------|---|--|
| <b>Program</b>              | <b>Measure</b>  | <b>Goal Percent</b>  |
| SBE/CONS                    | Trade Set Asides: Traffic Stripes and Markings; and Concrete Work | SBD Compliance Review<br>Letter lists: AA Equipment & Services, Inc. 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: Construction of Asphaltic Concrete Road base and surface; pavement removal; pavement milling; pavement markings; signage; drainage; sidewalks; concrete curb and gutter; and traffic calming devices. Incidental items required for areas such as streetlight, traffic signal installation, etc. may be added to this Contract.

Exhibit A

**Contract No. 3**

|   |   |
|---|---|
| <b>Project No.:</b> 20190236 (MCC 7360 Plan – CICC 7360-0/08) | <b>Title:</b> Push Button Intersection Improvements-South |
|---|---|

**Background:** On September 19, 2019, DTPW forwarded an RPQ for Push Button Intersection Improvements-South, utilizing the MCC 7360 Plan – CICC 7360-0/08 Contract, to a list of 77 pre-qualified firms. Three firms submitted contract documents, and all three firms proffered a bid.

On October 23, 2019, H & R Paving, Inc. proffered the lowest responsive and responsible base bid of \$1,737,277.00, which is 6.09 percent below the County's cost estimate. The second lowest bidder, Star Paving, Corp. proffered a base bid of \$1,873,753.82, which is 1.28 percent above the County's cost estimate. The third lowest bidder, Metro Express, Inc. proffered a base bid of \$1,937,235.00, which is 4.72 percent above the County's cost estimate. Based on the results of the solicitation, DTPW issued a recommendation for award on November 25, 2019, for RPQ No. 20190236 to H & R Paving, Inc.

Base Contract Amount: \$1,737,277.00  
 Contingency Amount: \$ 173,727.70  
 Dedicated Allowances: \$ 96,245.54  
 Total Amount: \$2,007,250.24

| <b>Contract Measures:</b>   |   |  |
|-----------------------------|---|--|
| <b>Program</b>              | <b>Measure</b>  | <b>Goal Percent</b>  |
| SBE/CONS                    | Trade Set Asides: Traffic Stripes and Markings; and Concrete Work | SBD Compliance Review Letter lists: Quality Paving, Corp. 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: Construction of Asphaltic Concrete Road base and surface; pavement removal; pavement milling; pavement markings; signage; drainage; sidewalks; concrete curb and gutter; and traffic calming devices. Incidental items required for areas such as streetlight, traffic signal installation, etc. may be added to this Contract.

**EXHIBIT B**  
**PTP Sites for 20210253**

| No | Location   | Total Amount    | Funds | District | Program    | Department | Fund code | Project |              |
|----|--|-----------------|-------|----------|------------|------------|-----------|---------|--------------|
| 1  | NW 127 Ave & NW 12 St  | \$ 128,064.79   | PTP   | 12       | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 2  | NW 207TH DR and NW 37TH AVE  | \$ 59,083.73    | PTP   | 1        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 3  | W 24TH AVE & W 60 ST   | \$ 110,895.49   | PTP   | 12       | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 4  | NW 20TH ST & NW 10 AVE   | \$ 111,725.24   | PTP   | 3        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 5  | SW 168TH ST and SW 112TH AVE   | \$ 105,393.38   | PTP   | 9        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 6  | N Miami Av & NW 71 St  | \$ 129,838.92   | PTP   | 3        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 7  | Miami River Trail to MIC Metrorail — Route B (NW 25 St at NW 37 Ave) | \$ 193,223.01   | PTP   | 6        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 8  | HONEY HILL DR BTWN NW 57 AVE & NW 52 AVE                             | \$ 167,674.47   | PTP   | 1        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 9  | NW 62 St at NW 22 Ave  | \$ 191,571.91   | PTP   | 3        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
| 10 | 16TH ST & WASHINGTON AVE   | \$ 304,529.05   | PTP   | 5        | 2000001296 | OSP 251    | ET042     | 3002401 |              |
|    |  | Total Amount \$ |       |          |            |            |           |         | 1,500,000.00 |

**PTP Sites for 20210015 Change Order No. 1**

| No | Location                             | Total Amount    | Funds | District | Program    | Department | Fund code | Project |            |
|----|--------------------------------------|-----------------|-------|----------|------------|------------|-----------|---------|------------|
| 1  | VENETIAN WAY/ISLAND AVE & CENTURY LN | \$ 71,538.48    | PTP   | 4        | 2000001296 | OSP 251    | ET042     | 3002401 |            |
| 2  | NW 74 St from NW 107 Ave to NW 77 Ct | \$ 278,461.52   | PTP   | 12       | 2000001296 | OSP 251    | ET042     | 3002401 |            |
|    |                                      | Total Amount \$ |       |          |            |            |           |         | 350,000.00 |

**PTP Sites for 20190236 Change Order No. 2**

| No | Location                             | Total Amount    | Funds | District | Program    | Department | Fund code | Project |            |
|----|--------------------------------------|-----------------|-------|----------|------------|------------|-----------|---------|------------|
| 1  | SW 142 AVE FROM SW 88 ST TO SW 68 ST | \$ 351,663.97   | PTP   | 10       | 2000001296 | OSP 251    | ET042     | 3002401 |            |
| 2  | SW 127 AVE & SW 42 ST                | \$ 140,972.83   | PTP   | 10 & 11  | 2000001296 | OSP 251    | ET042     | 3002401 |            |
| 3  | SW 127 Av & SW 184 St                | \$ 87,363.20    | PTP   | 8 & 9    | 2000001296 | OSP 251    | ET042     | 3002401 |            |
|    |                                      | Total Amount \$ |       |          |            |            |           |         | 580,000.00 |

| Actual Total Amount | Percent per Site | Distributed Difference |
|---------------------|------------------|------------------------|
| \$ 108,236.95       | 8.54%            | \$ 19,827.84           |
| \$ 49,936.00        | 3.94%            | \$ 9,147.73            |
| \$ 93,725.92        | 7.39%            | \$ 17,169.57           |
| \$ 94,427.20        | 7.45%            | \$ 17,298.04           |
| \$ 89,075.68        | 7.03%            | \$ 16,317.70           |
| \$ 109,736.40       | 8.66%            | \$ 20,102.52           |
| \$ 161,616.60       | 12.75%           | \$ 29,606.41           |
| \$ 141,714.00       | 11.18%           | \$ 25,960.47           |
| \$ 161,911.48       | 12.77%           | \$ 29,660.43           |
| \$ 257,379.85       | 20.30%           | \$ 47,149.20           |
| \$ 1,267,760.08     | 100%             | \$ 232,239.92          |

| Actual Total Amount | Percent per Site | Distributed Difference |
|---------------------|------------------|------------------------|
| \$ 70,255.00        | 20.44%           | \$ 1,283.48            |
| \$ 273,465.61       | 79.56%           | \$ 4,995.91            |
| \$ 343,720.61       | 100.00%          | \$ 6,279.39            |

| Actual Total Amount | Percent per Site | Distributed Difference |
|---------------------|------------------|------------------------|
| \$ 285,000.00       | 60.63%           | \$ 66,663.97           |
| \$ 114,249.00       | 24.31%           | \$ 26,723.83           |
| \$ 70,802.00        | 15.06%           | \$ 16,561.20           |
| \$ 470,051.00       | 84.94%           | \$ 109,949.00          |





Daniella Levine Cava, Mayor

Department of Transportation and Public Works
Capital Improvements Division
111 NW 1 Street, Suite 1410
Miami FL, 33128

CHANGE TO RPQ / PURCHASE ORDER MCC 7360 Plan RPQ: 20210015

CHANGE NO: 1 DATE: 4/27/2022 TO Metro Express Inc.
CONTRACTOR:
PROJECT NAME: Push Button Intersection Improvements-North PO RELEASE NO: 0000001806
PO RELEASE NO 2:

PROJECT LOCATION: See Comments Below

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 change order increases the contract time by 183 non-compensable calendar days. In addition, it increases the contract amount by \$350,000.00. Pay Item 523-1-3, PATTERNED PAVEMENT, VEHICULAR AREAS-GREEN BIKE LANE, SY will be added in this change order.

Monetary Justification: This change order increases the contract amount by \$350,000.00 on account of the following:

Time Justification: This Change Order increases the contract time by 183 non-compensable calendar days.

This payment authorization includes all direct and indirect costs associated with the work described herein including, but not limited to costs of labor, material, job overhead, profit markup, costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruptions, extended direct overhead or general overhead, acceleration, material or other escalation which includes 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 RPQ and this change order from the date of the RPQ award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

Table with 3 columns: Description, Amount, and Date. Rows include ORIGINAL CONTRACT AMOUNT, ORIGINAL CONTINGENCY AMOUNT, ORIGINAL DEDICATED AMOUNT, ORIGINAL TOTAL AMOUNT, COST OF CHANGES PREVIOUSLY ORDERED, ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE, COST OF CHANGES WITH THIS DOCUMENT, ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE, PERCENT AMOUNT INCREASE WITH THIS CHANGE, TOTAL PERCENT AMOUNT INCREASE TO DATE, TIME ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE, ADJUSTED DURATION INCLUDING THIS CHANGE / REVISED COMPLETION DATE, PERCENT TIME INCREASE WITH THIS CHANGE, TOTAL PERCENT TIME INCREASE TO DATE.

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.

RPQ: 20210015 Delio Trasobares, Metro Express Inc. 05-11-2022
Accepted By: Contractor Name Contractor Signature Date
RPQ: 20210015 Travelers Casualty and Surety Company of America 05/12/2022
Accepted By: Surety Name Surety Signature Michael A. Bonet Date

In accordance with Implementing Order 3-53, execution by the following persons (TO BE COMPLETED ONLY FOLLOWING EXECUTION BY THE CONTRACTOR AND ITS SURETY) shall constitute approval of the change order, effective on the latest date set forth below.

RPQ: 20210015 Freddy Valero 5/12/22
Approved By: DTPW Project Manager Name DTPW Project Manager Signature Date
RPQ: 20210015
Approved By: DTPW Director Name DTPW Director Signature Date
RPQ: 20210015
Approved By: Chief Operations Officer Name Chief Operations Officer Signature Date

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.



**Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company**

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Michael A Bonet** of **MIAMI, Florida**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof 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**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

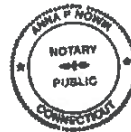
City of Hartford ss.

By:   
Robert L. Raney, Senior Vice President

On this the 21st day of April, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each 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 remains in full force and effect.

Dated this 12th day of May, 2022.



  
Kevin E. Hughes, Assistant Secretary

**To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.**



Daniella Levine Cava, Mayor

Department of Transportation and Public Works  
Capital Improvements Division  
111 NW 1 Street, Suite 1410  
Miami FL, 33128

**CHANGE TO RPQ / PURCHASE ORDER MCC 7360 Plan RPQ: 20190236**

CHANGE NO: 2      DATE: 5/5/2022      TO CONTRACTOR: H & R Paving Inc.  
PROJECT NAME: Push Button Intersections Improvement- South      PO RELEASE NO: PCMT2000062  
PO RELEASE NO 2:

PROJECT LOCATION: Various locations (See comments Section)

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 change order increases the contract time by 300 non-compensable calendar days. In addition, it increases the contract amount by \$580,000.00. Pay item 711-14-670, Thermoplastic, Preformed, Green Bike Lane, SY will be added in this change order.  
**Monetary Justification:** This change order increases the contract amount by \$580,000.00. This increase is due to new sites that will be added to this project.  
**Time Justification:** This change order increases the contract time by 300 non-compensable calendar days. This increase in the project duration is due to new sites that will be added to the project.

This payment authorization includes all direct and indirect costs associated with the work described herein including, but not limited to costs of labor, material, job overhead, profit markup, costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruptions, extended direct overhead or general overhead, acceleration, material or other escalation which includes 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 RPQ and this change order from the date of the RPQ award to and including execution of this change order.

**SUMMARY OF CONTRACT AMOUNT / TIME**

|   |                 |           |
|---|-----------------|-----------|
| ORIGINAL CONTRACT AMOUNT / ORIGINAL COMPLETION DATE               | \$1,737,277.00  | 9/21/2021 |
| ORIGINAL CONTINGENCY AMOUNT                                       | \$173,727.70    |           |
| ORIGINAL DEDICATED AMOUNT   | \$96,245.54     |           |
| ORIGINAL TOTAL AMOUNT   | \$2,007,250.24  |           |
| COST OF CHANGES PREVIOUSLY ORDERED                                | \$0.00          |           |
| ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE                     | \$2,007,250.24  |           |
| COST OF CHANGES WITH THIS DOCUMENT                                | \$580,000.00    |           |
| ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE                    | \$2,587,250.24  |           |
| PERCENT AMOUNT INCREASE WITH THIS CHANGE                          | 29%             |           |
| TOTAL PERCENT AMOUNT INCREASE TO DATE                             | 29%             |           |
| TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE          | 540 / 270 / 300 |           |
| ADJUSTED DURATION INCLUDING THIS CHANGE / REVISED COMPLETION DATE | 1110            | 4/14/2023 |
| PERCENT TIME INCREASE WITH THIS CHANGE                            | 56%             |           |
| TOTAL PERCENT TIME INCREASE TO DATE                               | 106%            |           |

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*

This project has a SBE Measure and is subject to the 85% Compliance review: No  
RPQ No. 20190236 is Single Trade. Change Order No. 2 is not subject to Resolution No. R-1001-15.

RPQ: 20190236 Accepted By: H&R Paving Inc Contractor Name  
 Philadelphia Indemnity Insurance Company  
 RPQ: 20190236 Accepted By: Warren M. Aller Surety Name  
 Warren M. Aller, Attorney-in-Fact  
 Date: 5/17/2022  
 Date: 5/17/2022

In accordance with Implementing Order 3-53, execution by the following persons (TO BE COMPLETED ONLY FOLLOWING EXECUTION BY THE CONTRACTOR AND ITS SURETY) shall constitute approval of the change order, effective on the latest date set forth below

RPQ: 20190236 Freddy Valero [Signature] 5/18/2022

|               |                               |                                    |       |
|---------------|-------------------------------|------------------------------------|-------|
| Approved By:  | DTPW Project Manager Name     | DTPW Project Manager Signature     | Date  |
| RPQ: 20190236 | _____                         | _____                              | _____ |
| Approved By:  | DTPW Director and CEO Name    | DTPW Director and CEO Signature    | Date  |
| RPQ: 20190236 | _____                         | _____                              | _____ |
| Approved By:  | Chief Operations Officer Name | Chief Operations Officer Signature | Date  |
|               | _____                         | _____                              | _____ |

**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.

PHILADELPHIA INDEMNITY INSURANCE COMPANY

One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS, that PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint David L. Safine, Warren M. Alter and Jonathan A. Bursavich of Alter Surety Group, Inc., its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$50,000,000.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company, (1) Appoint Attorney(s) in fact and authorize the Attorney(s) in fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

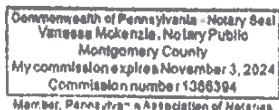
IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND HIS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICER, THIS 5<sup>TH</sup> DAY OF MARCH, 2021.



(Seal)

John Glomb, President & CEO  
Philadelphia Indemnity Insurance Company

On this 5<sup>th</sup> day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public:

residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Savago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5<sup>th</sup> day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 17th day of May, 2022



Edward Savago, Corporate Secretary  
PHILADELPHIA INDEMNITY INSURANCE COMPANY



# PHILADELPHIA INSURANCE COMPANIES

A Member of the Tokio Marine Group

One Bala Plaza, Suite 100, Bala Cynwyd, Pennsylvania 19004  
610.617-7000 • Fax 610.617-5040 • PHILY.com

## SURETY BOND SEAL ADDENDUM PHILADELPHIA INDEMNITY INSURANCE COMPANY

As part of its business continuity efforts during the pendency of the COVID-19 pandemic, Philadelphia Indemnity Insurance Company ("PIIC") has temporarily authorized its Attorneys-in-Fact to affix PIIC's corporate seal in a digital format in lieu of its traditional raised seal to any bond issued on its behalf by any such Attorney-in-Fact.

PIIC agrees and affirms that the digital corporate seal found herein is deemed affixed to the bond and the Power of Attorney with the same effect as if its raised corporate seal had been affixed to the bond itself.

Effective this 20<sup>th</sup> day of March, 2020.

Philadelphia Indemnity Insurance Company



By:

Michael Cundiff, Senior Vice President



**MEMORANDUM**  
(Revised)

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

**DATE:** September 1, 2022

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 8(N)(5)

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)(5)  
9-1-22

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING AND AUTHORIZING THE USE OF UP TO \$2,430,000.00 IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR INTERSECTION IMPROVEMENT CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACT 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 and authorizes the use of up to \$2,430,000.00 in Charter County Transportation Surtax Funds for intersection improvement contracts awarded under the Miscellaneous Construction Contract 7360 Plan. A copy of the contract documents are on file with and available upon request from the Chief of 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 1<sup>st</sup> day of September, 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



Memorandum

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

From: Javier A. Betancourt, Executive Director

Date: July 29, 2022

Re: **CITT AGENDA ITEM 7B:**  
RESOLUTION BY THE CITIZENS’ INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS APPROVE AND AUTHORIZE THE USE OF UP TO **\$2,430,000.00** IN CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR INTERSECTION IMPROVEMENT CONTRACTS AWARDED UNDER THE MISCELLANEOUS CONSTRUCTION CONTRACT 7360 PLAN (DTPW – BCC LEGISLATIVE FILE NO. 221443) **SURTAX FUNDS ARE REQUESTED**

On July 28, 2022, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-020. The vote was as follows:

Oscar J. Braynon, Chairperson – Aye  
Alfred J. Holzman, 1<sup>st</sup> Vice-Chairperson – Aye  
Robert Wolfarth, 2<sup>nd</sup> Vice-Chairperson – Aye

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

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

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