

Memorandum



Date: May 7, 2024

Agenda Item No. 8(O)(3)

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

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

Subject: Resolution Approving Amendment Number Two to Agreement No. 16CH2M007
for Engineering Services

Executive Summary

This item seeks approval from the Board of County Commissioners (the “Board”) to amend a Non-Exclusive Professional Service Agreement between Miami-Dade County (the “County”) and Jacobs Engineering Group, Inc. (“Jacobs”), Agreement No. 16CH2M007 (the “Agreement”), for the provision of engineering services at the South District Wastewater Treatment Plant (“SDWWTP”) and its appurtenant facilities. Amendment Number Two (the “Amendment”) will extend the Contract term for an additional two (2) years, from May 10, 2024 to May 10, 2026, and includes no additional compensation.

The Agreement with Jacobs was underutilized due to project delays stemming from labor shortages and supply chain disruptions. Consequently, there remains an unspent balance of \$1,239,980 from the initial contract amount \$8,800,000. Extending the Agreement will enable WAsD to optimize the use of the remaining allocated funds, addressing critical infrastructure needs that would enhance reliability and capacity at the SDWWTP. This extension would afford WAsD sufficient time to thoroughly evaluate and strategically assign Jacobs to targeted projects, ensuring maximum efficiency and effectiveness in project execution.

Recommendation

It is recommended that the Board approve the Amendment, which extends the Agreement by two (2) years from May 10, 2024 to May 10, 2026, with no additional compensation added. A copy of the Amendment is attached hereto as Exhibit “A.”

Scope

The SDWWTP is located at 8950 SW 232 St., Miami, Florida 33190, in Commission District 8, which is represented by Commissioner Danielle Cohen Higgins.

Delegation of Authority

Upon approval of this item, the County Mayor or County Mayor’s designee shall have the authority to execute Amendment Number Two to Agreement No. 16CH2M007 and to exercise all provisions contained therein.

Fiscal Impact/Funding Source

The Amendment has no fiscal impact on the County because no additional compensation is being added to the Agreement.

Track Record/Monitor

WAsD Deputy Director of Planning Regulatory Compliance & Capital Infrastructure Marisela Aranguiz-Cueto, P.E., will oversee the implementation of the Amendment.

Background

On June 21, 2016, the Board, via Resolution No. R-544-16, ratified the actions of the County Mayor's designee, which approved the award of Agreement No. 16CH2M007 to Jacobs for the provision of professional engineering services for the proposed upgrades to the SDWWTP. The term of the Agreement was for six (6) years, from May 10, 2016 to May 10, 2022, and included a two (2)-year option to renew ("OTR") to be exercised at the discretion of the County Mayor or County Mayor's designee. On February 23, 2022, the County Mayor's designee approved Amendment Number One, which exercised the two (2)-year OTR and extended the Agreement to May 10, 2024. Because the Agreement was underutilized and funding remains, the time extension through this Amendment Number Two will enable WASD to utilize the remaining allocated funds and address its infrastructure needs in the most cost-effective way.

Due Diligence/Safety Information

Pursuant to Resolution No. R-187-12, and in accordance with the Strategic Procurement Department's guidelines, WASD conducted due diligence to determine Jacobs' responsibility. There were no adverse findings related to the responsibility of Jacobs.

Small Business Enterprise Measures

On October 20, 2023, the Small Business Development Department (SBD) reviewed the Amendment for contract compliance and determined the firm was in compliance. See SBD memorandum, attached hereto as Exhibit "B."

A copy of the original Agreement and Amendment Number One are available upon request from the Department's Intergovernmental Affairs Division.



Jimmy Morales
Chief Operations Officer

Exhibit A

**AMENDMENT NUMBER TWO
TO
NON-EXCLUSIVE PROFESSIONAL SERVICE AGREEMENT FOR
ENGINEERING SERVICES FOR THE PROPOSED UPGRADES
TO THE MIAMI-DADE SOUTH DISTRICT WASTEWATER TREATMENT
PLANT AND ITS APPURTENANT FACILITIES
BETWEEN MIAMI-DADE COUNTY
AND
JACOBS ENGINEERING GROUP INC.
AGREEMENT NO. 16CH2M007, PROJECT NO. E15-WASD-12**

This AMENDMENT NUMBER TWO is made and entered this _____ day of _____ 20__, (“Effective Date”), by and between MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter, referred to as the “COUNTY”), and JACOBS ENGINEERING GROUP INC.(Successor in interest by assignment to CH2M HILL, Inc.) a Delaware corporation authorized to do business in the State of Florida with offices in Miami-Dade County (hereinafter, the “ENGINEER”, and collectively with the COUNTY, the “Parties”).

W I T N E S S E T H

WHEREAS, on June 21, 2016, the Board of County Commissioners (Board), via Resolution No. R-544-16, ratified the actions of the County Mayor’s designee, as authorized under Section 2-8.2.12 of the Miami Dade County Code approving a Non-Exclusive Professional Services Agreement with Jacobs Engineering Group Inc. to provide Engineering and Related Design Services for the South District Wastewater Treatment Plant (“SDWWTP”) and its Appurtenant Facilities, Project No. E15-WASD-12, Agreement No. 16CH2M007 (the “Agreement”), with a total compensation amount of \$8,800,000, including a ten percent (10%) contingency allowance, for a six (6) year term with one (1) two (2) year Option to Renew (“OTR”); and

WHEREAS, on February 23, 2022, in accordance with Section 2-8.2.12 of the Code of Miami-Dade, the County Mayor’s designee executed Amendment Number One exercising the OTR starting May 10, 2022 and expiring May 10, 2024; and

WHEREAS, due to project delays resulting from labor shortages and supply chain issues, the ENGINEER services under the Agreement were underutilized, and the Agreement has a remaining balance of \$1,239,980; and

WHEREAS, Amendment Number Two will extend the Agreement an additional two (2) years from the current expiration date of May 10, 2024 to May 10, 2026; and

WHEREAS, Amendment Number Two does not add any additional monies to the Agreement; and

WHEREAS, Amendment Number Two to the Agreement is the most cost-effective approach to address the infrastructure needs related to reliability and capacity requirements at the SDWWTP and its Appurtenant Facilities,

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the COUNTY and Jacobs Engineering Group Inc. hereby agree to the following:

1. The Parties agree that the County will extend the Agreement for an additional two (2) years, and that all work performed under the Agreement for this renewal term shall be performed under the same terms and conditions provided in the Agreement.

2. All terms, covenants and conditions of the Agreement not expressly modified or revised herein shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment Number Two by having the same signed by their duly authorized representatives, the day and year first written above.

ATTEST: JUAN FERNANDEZ-BARQUIN,
CLERK OF THE COURT
AND COMPTROLLER

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

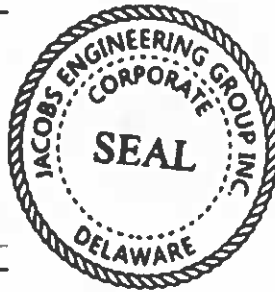
By: _____
(Deputy Clerk Signature)

By: _____
Daniella Levine Cava
County Mayor

Print Name: _____

Date: _____

WITNESSETH:



JACOBS ENGINEERING GROUP INC.
(CORPORATE SEAL)

By: _____
Signature

By: _____
Signature

Justin Johnson Secretary
Print Name

Alberto Lazaro, P.E. Vice President
Print Name

STATE OF Florida
COUNTY OF Miami-Dade

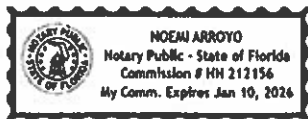
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 28 day of November, 2023, by Alberto Lazaro, P.E., as Vice President, and Justin Johnson, as Secretary, _____, a _____, on behalf of the company, who is personally known to me or has produced (type of identification) as identification.

[Notary Seal]

(Signature of person taking acknowledgment)

Noemi Arroyo

(Name typed, printed or stamped)



Approved for Legal Sufficiency:

Assistant County Attorney

Amendment No. Two
Agreement No. 16CH2M007

Memorandum



Date: October 20, 2023

To: Roy Coley, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Director
Office of Small Business Development

Subject: Project No. E15-WASD-12, Engineering Services for Proposed Upgrades to the Miami-Dade North District Wastewater Treatment Plant and its Appurtenant Facilities. (16CH2M007) - Amendment Number Two

A handwritten signature in blue ink, appearing to read "G. Hartfield", written over the "From:" line of the memorandum.

Amendment Number Two to Project No. E15-WASD-12 (16CH2M007) was submitted to the Office of Small Business Development to review for application of Small Business Enterprise (SBE) measures. Amendment Number Two is for time extension only. The contract was awarded with a 35% SBE - Architectural and Engineering (SBE-A/E) goal which will remain the same.

Resolution No. R-1001-15 requires County contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment is considered for Board approval. Resolution R-525-17 exempted change orders or amendments for non-compensatory time extensions from this requirement. Amendment Two is for a time extension only, as such R-1001-15 does not apply.

The prime, Jacobs Engineering Group, Inc. has been paid \$3,286,797 to date. The SBE-A/E firms have been paid \$1,249,630 equal to 38% of the amount paid to date. Please contact Alice Hidalgo-Gato, SBD Section Chief, at (305) 375-3153 if additional information is needed.

c: Marisela Aranguiz, Deputy Director, WASD
 Juan Curiel, Chief, Assistant Director of Utility Construction, WASD
 James Ferguson, Assistant Director, Planning and Regulation, WASD
 Nelson Perez, Assistant Director, Utility Engineering, WASD
 Laura Verdaguer, Legislative and Municipal Affairs Special Assistant, WASD
 Margaret Moss, Chief, Small Business Initiatives, WASD
 Edith Brown, Chief, Contract Compliance Division, WASD
 Patty Palomo, Chief, Intergovernmental Affairs, WASD
 Mike Ramos, Manager A&E Professional Services, WASD
 Donna Palmer, SPA1, WASD
 SBD Section Chiefs



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: May 7, 2024

FROM: 
Gen. Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(3)

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(O)(3)
5-7-24

RESOLUTION NO. _____

RESOLUTION APPROVING EXECUTION OF AMENDMENT NUMBER TWO TO THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND JACOBS ENGINEERING GROUP, INC., AGREEMENT NO. 16CH2M007, WHICH ADDS TWO YEARS TO THE TERM OF THE AGREEMENT AND EXTENDS THE AGREEMENT FROM MAY 10, 2024 TO MAY 10, 2026 IN ORDER TO ALLOW JACOBS ENGINEERING GROUP, INC. TO CONTINUE TO PERFORM PROFESSIONAL ENGINEERING SERVICES AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying County Mayor's 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 hereby approves the execution of Amendment Number Two to the Non-Exclusive Professional Services Agreement between Miami-Dade County and Jacobs Engineering Group, Inc., Agreement No. 16CH2M007, in substantially the form attached to the accompanying County Mayor's memorandum as Exhibit A and made a part hereof. Amendment Number Two adds two years to the term of the Agreement and extends the contract from May 10, 2024 to May 10, 2026 in order to allow Jacobs Engineering Group, Inc. to continue to perform professional engineering services at the South District Wastewater Treatment Plant. The Board also hereby authorizes the County Mayor or County Mayor's designee to execute the same and exercise the provisions contained therein for and on behalf of Miami-Dade County, Florida.

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:

- | | |
|----------------------------------|----------------------|
| Oliver G. Gilbert, III, Chairman | |
| Anthony Rodríguez, Vice Chairman | |
| Marleine Bastien | Juan Carlos Bermudez |
| Kevin Marino Cabrera | Sen. René García |
| Roberto J. Gonzalez | Keon Hardemon |
| Danielle Cohen Higgins | Eileen Higgins |
| Kionne L. McGhee | Raquel A. Regalado |
| Micky Steinberg | |

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of May, 2024. 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____

Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

SED

Sarah E. Davis