

# Memorandum



**Date:** April 21, 2026

**To:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

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

**Subject:** Resolution Ratifying Change Order No. 2 to Contract No. S-891 for CD 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements with Poole & Kent Company of Florida

Agenda Item No. 8(O)(2)

## Executive Summary

This item seeks ratification by the Board of County Commissioners (the Board) of the action of the County Mayor or County Mayor's designee approving Change Order No. 2 to Contract No. S-891 (the Contract) between Miami-Dade County (the County) and Poole & Kent Company of Florida (the Contractor) for the Consent Decree (CD) 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements project (the Project). Change Order No. 2 is a net-zero monetary reallocation that establishes a new Dedicated Allowance, through reallocation of funds from unused balances in the amount of \$1,320,000.00, to fund start-up and commissioning activities for the Miami-Dade Water and Sewer Department's (WASD's) Central District Wastewater Treatment Plant (CDWWTP) Co-Generation (Co-Gen) Facility.

The Project consists of installing a new Biological Hydrogen Sulfide (H<sub>2</sub>S) Biogas Treatment System, which includes: five (5) bioreactor vessels and equipment containers, a new Co-Gen Switchgear Building that will replace the existing electrical rooms in the Co-Gen Building and Electrical Substation Nos. 17 and 18, a new Biogas Treatment Electrical Building, biogas piping from the Plant 1 digesters, biogas piping to the co-generation engines in the Co-Gen Building, and eight (8) new rotary sliding vane compressor systems and appurtenances.

Change Order No. 1 was approved by the Board on June 4, 2024, via Resolution No. R-494-24, and allowed for the replacement of the two methane gas storage spheres that are essential to the production, conveyance, and storage of biogas, which is used as a renewable fuel source to provide power and heat at the CDWWTP. During the methane gas sphere replacement, it was identified that previously upgraded systems—compressors, gas conditioning, and electrical components—have remained idle throughout the prolonged Co-Gen shutdown. Therefore, with the new spheres nearing completion, all interconnected systems must now be inspected, tested, and optimized for safe reactivation. Change Order No. 2 will ensure full operational reliability of the Co-Gen system, including expanded startup and commissioning activities, by establishing a Dedicated Allowance in the amount of \$1,320,000.00. With the construction of the new methane gas storage spheres nearing completion, it is critical to ensure that all interconnected systems are fully operational to support the facility's reactivation.

The Project was mandated by the Consent Decree, which the County entered into with the U.S. Environmental Protection Agency (EPA), the Florida Department of Environmental Protection (FDEP) and the State of Florida in 2013 and which was approved by the United States District Court for the Southern District of Florida in 2014. To date, the County is 86% completed and on track to meet its Consent Decree project obligations. Therefore, the Co-Gen Facility is an important Project for both regulatory compliance and public health. The Co-Gen Facility is essential to reducing reliance on fossil fuels, strengthening CDWWTP's future-ready operational capacity, and supporting WASD's environmental sustainability goals.

## Recommendation

It is recommended that the Board ratify Change Order No. 2 to the Contract. Change Order No. 2 results in a net-zero monetary reallocation that establishes a Dedicated Allowance in the amount of \$1,320,000.00 to fund start-up and commissioning activities for WASD's CDWWTP Co-Gen Facility.

A copy of Change Order No. 2 is attached hereto as Exhibit A. Basic details about the Project are set forth on Exhibit B, which is attached hereto.

**Scope**

The Project is being performed at WASD's CDWWTP, located in Commission District 7, which is represented by Commissioner Raquel A. Regalado.

**Delegation of authority**

The Contract was awarded pursuant to Section 2-8.2.12 of the Miami-Dade County Code related to WASD's Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to execute change orders that do not exceed ten percent (10%) of the base contract amount, subject to ratification by the Board.

**Fiscal Impact/Funding Source**

There is no additional fiscal impact to the County from Change Order No. 2 because it is a net-zero monetary reallocation of funds from unused balances in existing Dedicated Allowance line items.

**Track Record/Monitoring**

WASD's Deputy Director of Planning, Regulatory Compliance and Capital Infrastructure, Marisela Aranguiz-Cueto, P.E., will oversee the implementation of Change Order No. 2 to the Contract.

**Background**

The Contract was awarded to the Contractor on June 29, 2017. The award was ratified by the Board on January 23, 2018, via Resolution No. R-52-18. The total Contract award was \$36,003,300.00, with a Contract duration of 750 calendar days for Final Completion and a Contingency Time Allowance of 75 calendar days.

Change Order No. 1 increased the Contract award by \$13,375,000.00 for the replacement of the two methane gas storage spheres that are essential to the production, conveyance, and storage of biogas, which is used as a renewable fuel source to provide power and heat at the CDWWTP. Change Order No. 1 was approved by the Board on June 4, 2024, via Resolution No. R-494-24.

During construction of the new methane gas storage spheres at the Co-Gen Facility at the CDWWTP, manufacturer representatives for each main piece of ancillary equipment conducted inspections of the existing equipment and systems. These inspections revealed that, in order to successfully place the spheres into operation, the rest of the Co-Gen systems—much of which has remained idle since the Project was partially suspended in January 2020—must be fully operational. The original Project was partially suspended, and the start-up phase deferred to Final Completion because the only source of gas at that time was the Plant 1 digesters. When the digester roofs collapsed, gas production ceased. At the same time, Plant 2 was under construction and renovation, which further limited available gas supply. Currently, Plant 2 is producing gas, which has enabled the start-up process to begin. The commissioning of the spheres cannot occur in isolation, and the functionality of the entire facility, including equipment not originally addressed in the Project scope, must be verified to support a safe and efficient facility re-start-up.

Change Order No. 2 establishes a Dedicated Allowance in the amount of \$1,320,000.00 for the cost of additional start up and commissioning activities for the Co-Gen Facility. While several systems were previously upgraded as part of the overall Project—such as compressors, the gas conditioning system, and electrical components—these components have remained idle due to the prolonged suspension of operations. Now that construction of the new methane gas storage spheres is nearing completion, it is critical to ensure that all interconnected systems are fully operational to support the facility's reactivation.

These additional start-up and commissioning activities will include, pursuant to manufacturer's recommendations, pre-startup inspections, mechanical integrity verification and repairs, operational readiness testing, performance optimization, and phased commissioning involving the introduction of feedstock, biogas, generators, compressors, and the BioRem gas treatment system. At this time, the only manufacturer willing to provide a warranty for an additional fee is BioRem. The remainder of the installed equipment is no longer covered under warranty. The

additional start-up and commissioning activities also cover continuous system monitoring, troubleshooting, final performance testing, safety system enhancements, WASD Operations training, City of Miami permitting fees, and other services necessary to achieve a complete and reliable Co-Gen Facility that aligns with the Department's long-term energy reliability and sustainability goals. Any portion of this Dedicated Allowance remaining after all authorized payments have been made will remain with the County.

The Dedicated Allowance will be funded by reallocating unused balances from existing Dedicated Allowance line items in the amount of \$1,320,000.00, as outlined below:

• PERMITTING	\$516,382.23
• PETROLEUM CONTAMINATED SOILS	\$100,000.00
• CO-GEN ENGINE TESTING AND IMPROVEMENTS	\$54,487.00
• PERMITTING AGENCY COMMENTS	\$300,000.00
• UNDERGROUND UTILITY CONFLICTS	\$99,130.77
• GEOTECH/FOUNDATION ISSUES	\$150,000.00
• PETROLEUM CONTAMINATED WATER	\$100,000.00

**Small Business Enterprise Measures**

On September 3, 2025, the Strategic Procurement Department (SPD) reviewed the Contract for compliance with Resolution No. R-1001-15. Resolution No. R-1001-15 requires County contracts with small business measures to meet at least 85 percent of the small business measures applicable to the portion of the contract work performed to date before a change order or contract amendment is considered for Board approval.

The Contract was awarded with a 5.06 percent Small Business Enterprise (SBE) – Construction (SBE-Con) goal and a 1.12 percent SBE-Goods goal. Change Order No. 2 is a net-zero monetary modification and does not change the overall Contract value or duration; therefore, the goals will remain the same.

The Contractor has met the goals and is in compliance with Resolution No. R-1001-15. The Contractor and its subcontractors are also in compliance with the Responsible Wages and Benefits requirements.

See the SPD correspondence attached hereto as Exhibit C.

Attachments



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Roy Coley  
Chief Utilities and Regulatory Services Officer

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**OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA**

EXHIBIT A

**MIAMI-DADE COUNTY, FLORIDA  
WATER AND SEWER  
CHANGE ORDER TO ORIGINAL CONTRACT**



CHANGE ORDER NO: 2 CONTRACT NO: S-891 DATE: 9/5/2025  
 PROJECT TITLE: CD 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements  
 TO CONTRACTOR: Poole & Kent Company of Florida 1781 NW North River Drive Miami - Florida - 33125

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:** Change Order No. 2 is a net-zero monetary reallocation. This Change Order establishes a Dedicated Allowance in the amount of \$1,320,000.00 to fund start-up and commissioning activities of the Miami-Dade Water and Sewer Department's (WASD or the Department's) Central District Wastewater Treatment Plant (CDWWTP) Co-Generation (Co-Gen) Facility by reallocating funds from unused balances in existing Dedicated Allowance line items.

**Monetary Justification:** Contract No. S-891 was awarded to Poole & Kent Company of Florida (the Contractor) on June 29, 2017 for the Consent Decree (CD) 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements at the Central District Wastewater Treatment Plant (CDWWTP) (the Project). The award was ratified by the Board of County Commissioners (the Board) on January 23, 2018, via Resolution No. R-52-18. (Continued below)

**Time Justification:** There is no time extension associated with this Change Order.

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-----	\$36,003,300.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$13,375,000.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$49,378,300.00
COST OF CHANGES WITH THIS DOCUMENT-----	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$49,378,300.00
PERCENT INCREASE WITH THIS CHANGE-----	0%
TOTAL PERCENT INCREASE TO DATE-----	37%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	750 / 2261 / 0
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	75 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	3086

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.*

Bond No. 106712935 / 82454458

<u>Organization</u>	<u>Accepted By:</u>	<u>Title</u>	<u>Date</u>
Peole & Kent Company of Florida	<i>[Signature]</i>	Contractor	11/10/25
<u>Surety</u>	<i>[Signature]</i>	<u>Surety</u>	November 6, 2025
Travelers Casualty and Surety Company of America & Federal Insurance Company	Neil J. Mendowitz, Attorney-in-Fact		

<u>Title</u>	<u>Name</u>	<u>Date</u>
Approved By: <u>County Attorney</u> (for legal sufficiency)	<i>[Signature]</i>	11/21/25
Approved By: <u>County Mayor</u>	<i>[Signature]</i>	11/26/25
Attested By: <u>Clerk of the Board</u>	<i>[Signature]</i>	12/02/2025

Juan Fernandez-Barquin, Clerk of the Court and Comptroller      Olga Valverde – e18183 Deputy Clerk



**Monetary Justification: (Continued)**

The total Contract award was \$36,003,300.00, with a Contract duration of 750 calendar days for Final Completion and a Contingency Time Allowance of 75 calendar days.

Change Order No. 1 increased the Contract award by \$13,375,000.00 for the replacement of the two methane gas storage spheres that are essential to the production, conveyance, and storage of biogas used as a renewable fuel source to provide power and heat at the CDWWTP.

During the construction of the new methane gas storage spheres at the Co-Gen Facility at the CDWWTP, manufacturer representatives for each main piece of ancillary equipment conducted inspections of the existing equipment and systems. These inspections revealed that, in order to successfully place the spheres into operation, the rest of the Co-Gen systems—much of which has remained idle since the Project was partially suspended in January 2020—must be fully operational. The original Project was partially suspended, and the start-up phase deferred to Final Completion, because the only source of gas at that time was the Plant 1 digesters. When the digester roofs collapsed, gas production ceased. At the same time, Plant 2 was under construction and renovation, which further limited available gas supply. Currently, Plant 2 is producing gas, which has enabled the start-up process to begin. The commissioning of the spheres cannot occur in isolation and the functionality of the entire facility, including equipment not originally addressed in the Project scope, must be verified to support a safe and efficient facility re-start-up.

Change Order No. 2 establishes a Dedicated Allowance in the amount of \$1,320,000.00 for the cost of additional start up and commissioning activities for the Co-Gen Facility. While several systems were previously upgraded as part of the overall Project—such as compressors, the gas conditioning system, and electrical components—these components have remained idle due to the prolonged suspension of operations. Now that construction of the new methane gas storage spheres is nearing completion, it is critical to ensure that all interconnected systems are fully operational to support the facility's reactivation.

These additional start-up and commissioning activities will include, pursuant to manufacturer's recommendations, pre-startup inspections, mechanical integrity verification and repairs, operational readiness testing, performance optimization, and phased commissioning involving the introduction of feedstock, biogas, generators, compressors, and the BioRem gas treatment system. At this time, the only manufacturer willing to provide a warranty for an additional fee is BioRem. The remainder of the installed equipment is no longer covered under warranty. The additional start-up and commissioning activities also cover continuous system monitoring, troubleshooting, final performance testing, safety system enhancements, WASD Operations training, City of Miami permitting fees, and other services necessary to achieve a complete and reliable CoGen Facility that aligns with the Department's long-term energy reliability and sustainability goals. Any portion of this Dedicated Allowance remaining after all authorized payments have been made will remain with the County.

The Dedicated Allowance will be funded by reallocating unused balances from existing Dedicated Allowance line items in the amount of \$1,320,000.00, as outlined below:

- PERMITTING \$516,382.23
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- PERMITTING AGENCY COMMENTS \$300,000.00
- UNDERGROUND UTILITY CONFLICTS \$99,130.77
- GEOTECH/FOUNDATION ISSUES \$150,000.00
- PETROLEUM CONTAMINATED WATER \$100,000.00

**Conclusion:**

Change Order No. 2 is a net-zero monetary adjustment to Contract No. S-891, which establishes a Dedicated Allowance in the amount of \$1,320,000.00 for "Facility Start-up & Commissioning Activities" by reallocating unused funds for this purpose.

This Change Order is revocable if not ratified by the Board. In the event the Board does not ratify this Change Order, the Contractor is not entitled to lost profits of other consequential or indirect damages; however, the Contractor is eligible for payment for any work done prior to failure of ratification.

**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**

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 the Companies do hereby make, constitute and appoint **Nelly Renchiwicz** of **UNIONDALE**, **New York**, 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 **16th** day of **February, 2024**.



State of Connecticut

By:   
Bryce Grissom, Senior Vice President

City of Hartford ss.

On this the **16th** day of **February, 2024**, before me personally appeared **Bryce Grissom**, 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, any Second 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 **6th** day of **November, 2025**



  
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.

# CHUBB

## Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company

Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Delaware corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Katherine Acosta, Thomas Bean, George O. Brewster, Desiree Cardlin, Colette R. Chisholm, Dana Granice, Susan Lupski, Gerard S. Macholz, Camille Maitland, Amy Ortega, Robert T. Pearson, Karolynne Ramirez, Nelly Renchiwich, Vincent A. Walsh and Michelle Wannamaker of Uniondale, New York

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 17<sup>th</sup> day of September, 2025.

*Rupert H.D. Swindells*

Rupert HD Swindells, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon

ss

On this 17<sup>th</sup> day of September, 2025 before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Stephen M. Haney, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



Stacy J. Loflin  
NOTARY PUBLIC OF NEW JERSEY  
No. 50175208  
COMMISSION EXPIRES OCT 15, 2026

*Stacy J. Loflin*  
Notary Public

### CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested.

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this **November 6, 2025**



*Rupert H.D. Swindells*  
Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail surety@chubb.com

# Exhibit B

## Ratification of Amendments/Change Orders Authorized by the WASD Accelerate Ordinance

No.	Type of Solicit.	Contract No.	Project Name	Firm Awarded	Comm. District	Change Order Amount	Original Contract Amount	Funding Source(s)	Est. Start Date	Contract Measures	Brief Project Description
	Contract Type	Project No.				Change Order Time	Adjusted Contract Amount		Est. End Date		Change Order Description
	County Bid Process; Construction Contract		CD 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements with Poole & Kent Company of Florida	Poole & Kent Company of Florida	District 7 (Raquel A. Regalado)	\$0; N/A	Original Contract Amount \$36,003,300.00; Adjusted Contract Amount \$49,378,300.00	Future WARD Revenue Bonds; WASD Revenue Bonds Sold; Waste-water Renewal Fund	Notice to Proceed Start Date: 02/06/2023 Completion Date: 12/31/2025	SBE G/S - 1.12% SBE A/E - N/A SBE Const. - 5.06% CWP Prog. - N/A	This project consists of a new Co-Gen Switchgear Building that will replace the existing electrical rooms in the Co-Gen Building and Electrical Substations 17 and 18. ***  This Change Order No. 2 is a net-zero monetary reallocation which establishes a Dedicated Allowance in the amount of \$1,320,000.00 to fund start-up and commissioning activities of the WASD's CDWWTP Co-Gen Facility by reallocating funds from unused balances in existing Dedicated Allowance line items.

# EXHIBIT C

**From:** [Hidalgo-Gato, Alice \(SPD\)](#)  
**To:** [Brown, Edith D. \(WASD\)](#)  
**Cc:** [Bernard, Juliette \(WASD\)](#); [Gonzalez, Jose A. \(WASD\)](#); [Colas, Doming \(SPD\)](#); [Hines, Patrick \(SPD\)](#)  
**Subject:** RE: S-891 Change Order No. 2 SBE Compliance Review  
**Date:** Wednesday, September 3, 2025 10:49:20 AM

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Project No. S-891 was awarded with a 5.06% Small Business Enterprise – Construction (SBE-Con) goal and a 1.12% Small Business Enterprise – Goods (SBE-Goods) goal. Change Order No. 2 is a net-zero monetary modification and does not change the overall contract value or duration, as such the goals 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 measures applicable to the portion of the contract work performed to date before a change order or contract amendment is considered for Board approval.

The prime, Poole & Kent Company of Florida, has been paid \$44,988,935 requiring \$2,498,541 be performed by the SBE-Con firms and \$730,048 be performed by the SBE-Goods firms to meet the established goals and comply with R-1001-15. To date, the SBE-Con firm has performed \$2,547,965 and the SBE-Goods firms have performed \$738,048. As such, the prime has met the goals and is in compliance with R-1001-15. Poole & Kent Company of Florida and its subcontractors are also in compliance with the Responsible Wages and Benefits requirements.

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**From:** Brown, Edith D. (WASD) <Edith.Brown@miamidade.gov>  
**Sent:** Thursday, August 28, 2025 5:30 PM  
**To:** Hines, Patrick (SPD) <Patrick.Hines@miamidade.gov>  
**Cc:** Bernard, Juliette (WASD) <Juliette.Bernard@miamidade.gov>; Hidalgo-Gato, Alice (SPD) <Alice.Hidalgo-Gato@miamidade.gov>; Gonzalez, Jose A. (WASD) <Jose.Gonzalez3@miamidade.gov>; Colas, Doming (SPD) <Doming.Colas@miamidade.gov>  
**Subject:** S-891 Change Order No. 2 SBE Compliance Review

Good afternoon Patrick,

We are preparing Change Order 2 for contract S-891 and are requesting a SBE Change Order Compliance review. A draft copy of the change order is attached for your use.

The amount paid to date is for work through July 15, 2025. There are no pending requisitions.

Category	Paid to Date
Base Amount	\$30,789,203.68
Contingency Allowance	2,535,102.38
Dedicated Allowance	678,040.82
Change Order(s)	10,986,587.85

<b>Total</b>	<b>\$44,988,934.73</b>
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Thank you,

**Edith D. Brown, CPA**, Assistant Director  
Finance and Compliance  
**Miami-Dade County Water and Sewer Department**

3575 S LeJeune Road, 3<sup>rd</sup> Floor, Miami, FL 33146

P.O. Box 330316 Miami, FL 33233

786.268.5188 Phone

786.747.8573 Cell

[www.miamidade.gov/water](http://www.miamidade.gov/water)

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**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Anthony Rodriguez  
and Members, Board of County Commissioners

**DATE:** April 21, 2026

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

**SUBJECT:** Agenda Item No. 8(O)(2)

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**
- Requires more than a majority vote (i.e., 2/3’s present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5’s \_\_\_\_, unanimous \_\_\_\_, majority plus one \_\_\_\_, CDMP 7 votes (majority of membership) \_\_\_\_, CDMP 2/3 members present but not less than 7 votes (majority of membership) \_\_\_\_, CDMP 9 votes (2/3 membership) \_\_\_\_\_) 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)(2)  
4-21-26

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

RESOLUTION RATIFYING ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SPECIFICALLY APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT NO. S-891 BETWEEN MIAMI-DADE COUNTY AND POOLE & KENT COMPANY OF FLORIDA FOR CD 2.19(2) CO-GEN FACILITY AND 2.01(6) ELECTRICAL IMPROVEMENTS, WHICH CHANGE ORDER NO. 2 RESULTS IN A NET-ZERO MONETARY CHANGE BY REALLOCATING \$1,320,000.00 FROM UNUSED BALANCES IN EXISTING DEDICATED ALLOWANCE LINE ITEMS TO FUND A NEW DEDICATED ALLOWANCE FOR START-UP AND COMMISSIONING ACTIVITIES FOR THE CO-GEN FACILITY AT THE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT

**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 ratifies the action of the County Mayor or County Mayor's designee, as authorized by section 2-8.2.12 of the Code of Miami-Dade County, Florida, specifically, approval of Change Order No. 2 to Contract No. S-891 for CD 2.19(2) Co-Gen Facility and 2.01(6) Electrical Improvements between Miami-Dade County and Poole & Kent Company of Florida. Change Order No. 2 results in a net-zero monetary change that establishes a Dedicated Allowance in the amount of \$1,320,000.00 to fund start-up and commissioning activities for Co-Gen Facility at the Miami-Dade Water and Sewer

Department's Central District Wastewater Treatment Plant by reallocating funds from unused balances in existing Dedicated Allowance line items. A copy of Change Order No. 2 is attached to the accompanying memorandum as Exhibit A.

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:

- |                                 |                        |
|---------------------------------|------------------------|
| Anthony Rodriguez, Chairman     |                        |
| Kionne L. McGhee, Vice Chairman |                        |
| Marleine Bastien                | Juan Carlos Bermudez   |
| Sen. René García                | Oliver G. Gilbert, III |
| Roberto J. Gonzalez             | Keon Hardemon          |
| Danielle Cohen Higgins          | Vicki L. Lopez         |
| Natalie Milian Orbis            | Raquel A. Regalado     |
| Micky Steinberg                 |                        |

The Chairperson thereupon declared the resolution duly passed and adopted this 21<sup>st</sup> day of April, 2026. 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