

Memorandum



Date: July 8, 2020

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in blue ink, likely belonging to Carlos A. Gimenez, Mayor of Miami-Dade County.

Agenda Item No. 8(N)(7)

Resolution No. R-663-20

Subject: Change Order No. 1 for the Project Entitled Bridge Replacement at North Miami Avenue over the Little River Canal (Bridge No.874127) (DB16-DTPW-04) Contract No. 20160165- Contractor Douglas N. Higgins, Inc

Recommendation

The attached Change Order No. 1 for Contract between Douglas N. Higgins Inc. (DNHI) and Miami-Dade County (County) has been prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval.

CHANGE ORDER NUMBER: 1

Scope

PROJECT NAME: Bridge Replacement at North Miami Avenue Over the Little River Canal (Bridge No. 874127) Project No. 20160165.

ISD PROJECT NO: DB16-DTPW-04

CONTRACT NO: 20160165
(IF APPLICABLE)

PROJECT DESCRIPTION: The work includes all design and construction for the replacement of the existing North Miami Avenue Bridge (Bridge No. 874127) over the Little River Canal. The work includes roadway approaches, geotechnical, surveys, permits and all other design services in accordance with the Latest American Association and Transportation Officials, County and Florida Department of Transportation design Standards necessary to produce the required construction documents, engineering plans, traffic control and maintenance of traffic plans, public involvement plan, project coordination and all necessary incidentals for the complete replacement of existing bridge.

PROJECT LOCATION: North Miami Avenue over Little River Canal

PRIMARY COMMISSION DISTRICT: District 3, represented by Chairwoman Audrey M. Edmonson

APPROVAL PATH: Board of County Commissioners (Board)

USER Department of Transportation and Public Works
DEPARTMENT:

MANAGING
DEPARTMENT: Department of Transportation and Public Works

Fiscal Impact/Funding Source

FUNDING SOURCE(S):	<u>SOURCE</u>	<u>PROJECT#</u>	<u>AMOUNT</u>	<u>COMMENT</u>
	RIF	2000000534	\$2,925,350.00	

CHANGE ORDER FUNDING
SOURCE: N/A

PTP FUNDING: No

GOB FUNDING: No

CAPITAL BUDGET PROJECTS:	<u>CAPITAL BUDGET PROJECT # -</u> <u>DESCRIPTION</u>	<u>AMOUNT</u>
	BRIDGE REHABILITATION – COUNTYWIDE IMPROVEMENTS (P2000000534) SITE: 3000794 – REPLACE N MIAMI AVENUE/LITTLE RIVER CANAL (#874127) BRIDGE is included in FY 2019 - 20 Adopted Budget and Multi-Year Capital Plan, Vol 2. Transportation and Public Works	\$2,925,350.00

CHANGE ORDER
DESCRIPTION: This Change Order extends the contract duration by 292 non-compensable calendar days.

MONETARY
JUSTIFICATION: Not applicable. This Change Order does not increase the contract amount.

TIME
JUSTIFICATION: This Change Order extends the contract time by 292 non-compensable calendar days due to the following:

The contract was delayed by 292 non-compensable calendar days due to unanticipated and unforeseen utility relocation requirements by the South Florida Water Management District (SFWMD). These requirements, which were not disclosed during the initial preliminary application review by SFWMD, caused a delay in the final permitting and approval process. The utility in question was not directly in conflict with the project scope of work.

	<u>Original Contract Values</u>	<u>Previous Adjustments To Values</u>	<u>This Change Order Values</u>	<u>Current Totals</u>	<u>Total Paid</u>
BASE:	\$2,767,000.00	\$0.00	\$0.00	\$2,551,000.00	\$216,000.00
CONTINGENCY:	\$158,350.00	\$0.00	\$0.00	\$158,350.00	\$0.00
DEDICATED:	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
TOTALS:	\$2,925,350.00	\$0.00	\$0.00	\$2,709,350.00	\$216,000.00

	<u>Original Contract Duration</u>	<u>Previous Adjustments To Duration</u>	<u>Change Order Duration</u>	<u>Current Totals</u>
BASE DURATION:	790	0	292	1082
CONTINGENCY:	<u>79</u>	<u>0</u>	<u>0</u>	<u>79</u>
TOTAL DURATION:	869	0	292	1161

INITIATING FACTORS FOR CHANGE ORDER

<u>Reason</u>	<u>Cost</u>	<u>Duration</u>
Unforeseen Conditions	N/A	292
County Requested Change	N/A	0
Total	<u>N/A</u>	<u>292</u>

Track Record / Monitor

**PERFORMANCE
RECORD:**

According to the Firm History Report as provided by the SBD, DNHI has not been awarded previous contracts with the County in the last five (5) years.

**PRIME
CONTRACTOR:**

Douglas N. Higgins, Inc

**COMPANY
PRINCIPAL:**

Daniel N. Higgins

**COMPANY
QUALIFIERS:**

Daniel N. Higgins

**COMPANY EMAIL
ADDRESS:**

danh@dnhiggins.com

**COMPANY STREET
ADDRESS:**

5355 McIntosh Rd, Suite E

**COMPANY
CITY-STATE-ZIP:**

Sarasota, Florida 34233

**YEARS IN BUSINESS AT
TIME OF AWARD:**

51

**PREVIOUS CONTRACTS
WITH COUNTY IN THE LAST
FIVE YEARS AT TIME OF
AWARD:**

According to the Firm History Report as provided by the SBD, DNHI has not been awarded previous contracts with the County in the last five (5) years

**SUB CONTRACTORS AND
SUPPLIERS (SECTION 10-34
MIAMI DADE COUNTY
CODE):**

A & P Consulting Transportation Engineers, Corp, Geosol, Inc., Longitude Surveyors, LLC, American Empire Builders, Inc., Roberts Traffic Marking Corp.

**REVIEW COMMITTEE
ASSIGNED CONTRACT
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>	<u>ESTIMATED VALUE</u>	<u>COMMENT</u>
SBE/AE	6.31%	\$0.00	
SBE/CON	Set- Aside		
CWP	10%		

**PROJECT MANAGER
NAME / PHONE / EMAIL:**

Juan Santandreu, P.E. (305) 375-1381 juansan@miamidade.gov

DEPARTMENT
FINANCE:


FINANCE OFFICER

2/19/2020
DATE

INDEX CODES: CPENT02C

BUDGET
APPROVAL
FUNDS AVAILABLE:


OMB DIRECTOR

4/1/2020
DATE

APPROVED AS TO
FORM AND LEGAL
SUFFICIENCY:


OFFICE OF COUNTY ATTORNEY

2/28/2020
DATE


DEPUTY MAYOR

4/1/2020
DATE

CLERK:

DATE



MEMORANDUM (Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: July 8, 2020

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(7)

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)(7)
7-8-20

RESOLUTION NO. R-663-20

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CHANGE ORDER NO. 1 BETWEEN MIAMI-DADE COUNTY AND DOUGLAS N. HIGGINS, INC. FOR THE PROJECT ENTITLED BRIDGE REPLACEMENT AT NORTH MIAMI AVENUE OVER THE LITTLE RIVER CANAL (BRIDGE NO. 874127), EXTENDING THE CONTRACT DURATION BY 292 NON-COMPENSABLE CALENDAR DAYS

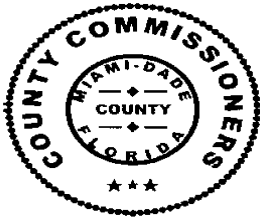
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board authorizes the County Mayor or County Mayor's designee to execute Change Order No. 1 between Miami-Dade County and Douglas N. Higgins, Inc., in substantially the form attached hereto and made a part hereof, for the project entitled Bridge replacement at North Miami Avenue over the Little River Canal (Bridge No. 874127) (Project No. 20160165), extending the contract duration by 292 non-compensable calendar days.

The foregoing resolution was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 2020. 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

D.P.C

Dale P. Clarke

MIAMI-DADE COUNTY, FLORIDA

DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1
 PROJECT TITLE: Bridge Replacement at N. Miami Avenue over Little River Canal (874127)
 TO CONTRACTOR: DOUGLAS N. HIGGINS INC. 5355 McIntosh Rd, Suite E Sarasota, FL 34233

CONTRACT NO: 20160165

DATE: 1/27/2020

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:

The work includes all design and construction for the replacement of the existing N. Miami Avenue Bridge (Bridge No. 874127) over the Little River Canal. The work includes roadway approaches, geotechnical, surveys, permits, and all other design services in accordance with the Latest American Association and Transportation Officials, County, and Florida Department of Transportation design Standards necessary to produce the required construction documents, engineering plans, Traffic control and maintenance of traffic plans, public involvement plan, project coordination, and all necessary incidentals for the complete replacement of existing bridge. (Continued below)

Monetary Justification:

Not applicable. This Change Order does not increase the contract amount.

Time Justification:

The contract was delayed by 292 non-compensable calendar days due to unanticipated and unforeseen utility relocation requirements by the South Florida Water Management District (SFWMD). These requirements, which were not disclosed during the initial preliminary application review by SFWMD, caused a delay in the final permitting and approval process. The utility in question was not d (Continued below)

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-----	\$2,925,350.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$2,925,350.00
COST OF CHANGES WITH THIS DOCUMENT-----	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$2,925,350.00
PERCENT INCREASE WITH THIS CHANGE-----	0%
TOTAL PERCENT INCREASE TO DATE-----	0%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	790 / 0 / 292
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	79 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE-----	1161

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.

Accepted By:OrganizationNameTitleDate**DOUGLAS N. HIGGINS INC.**

Hartford Accident & Indemnity Company

Surety

Lisa M. Wilmot

FL Non-Resident License No. P017062

Contractor**Surety**

Attorney-in-Fact

2/13/2020

February 13, 2020

TitleNameDateApproved By: County Attorney
(for legal sufficiency)Approved By: County MayorAttested By: Clerk of the Board**Description of work authorized: (Continued)****Time Justification: (Continued)**

irectly in conflict with the project scope of work.

Time Justification Declaration:

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

Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-757-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: HYLANT GROUP INC/ANN ARBOR

Agency Code: 35-350851

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

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

Susan E. Hurd, Vicki S. Duncan, Terri Mahakian, Monica M. Mills, Kristie A. Pudvan, Joel E. Speckman, Lisa M. Wilmot of ANN ARBOR, Michigan

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

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



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT

COUNTY OF HARTFORD

ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard
Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of February 13, 2020
Signed and sealed at the City of Hartford.



Kevin Heckman

Kevin Heckman, Assistant Vice President