

Memorandum



Date: April 20, 2021

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

Agenda Item No. 8(O)(5)

From: Daniella Levine Cava
Mayor

Resolution No. R-346-21

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

Subject: Resolution Approving: 1) Change Order No. 1 to Contract No. MCC 7040 RPQ T2308- Upgrade of Sewage Pump Station 0414; (2) Change Order No. 1 to Contract No. MCC 7040 RPQ T2309- Upgrade of Sewage Pump Station 0416; and (3) Change Order No. 1 to Contract No. MCC 7360 RPQ P0201- CD 5.7 Upgrade of Sewage Pump Station 0417 for Comtech Engineering, Inc.

Recommendation

It is recommended the Board of County Commissioners (the “Board”) adopt the attached resolution approving between Miami Dade County, through its Water and Sewer Department (“WASD”), and Comtech Engineering, Inc. (“Comtech”): (1) Change Order No. 1 to Contract No. MCC 7040 RPQ T2308 (the “T2308 Contract”) for the project entitled: Upgrade of Sewage Pump Station 0414; (2) Change Order No. 1 to Contract No. MCC 7040 RPQ T2309 (the “T2309 Contract”) for the project entitled: Upgrade of Sewage Pump Station 0416; and (3) Change Order No. 1 to Contract No. MCC 7360 RPQ P0201 (the “P0201 Contract”) for the project entitled: CD 5.7 Upgrade of Sewage Pump Station 0417.

Item 1 - Change Order No. 1 to the T2308 Contract adds \$301,585.40 to the total contract amount, thereby increasing the total contract value from \$4,985,565.82 to \$5,287,151.22, and adds 318 days to the contract term for additional work that was necessary for the successful completion of the project. See Change Order No. 1, attached as Exhibit “B-1”.

Item 2 - Change Order No. 1 to the T2309 Contract adds \$118,414.28 to the total contract amount, thereby increasing the total contract value from \$4,998,454.81 to \$5,116,869.09, for additional work that was necessary for the successful completion of the project. See Change Order No. 1, attached as Exhibit “B-2”.

Item 3 - Change Order No. 1 to the P0201 Contract adds \$1,099,718.86 to the total contract amount, thereby increasing the contract value from \$4,831,880.00 to \$5,931,598.86, and adds 285 days to the contract term for additional work that was necessary for the successful completion of the project. See Change Order No. 1, attached as Exhibit “B-3”.

Scope

The commission districts of the projects’ locations are included on Exhibit A, which provides basic information about the change orders for which Board approval is being requested.

Fiscal Impact/Funding Source

Item 1 – Funding for this Change Order No. 1 will come from the FY 2020-21 Adopted Budget and Multi-Year Capital Plan Sewer Pump Station Systems- Consent Decree Projects, Project # 964440, Page #70. Specifically, the funding sources are: WASD Revenue Bonds Sold, Wastewater Connection Charges, and Future WASD Revenue Bonds.

Item 2 – Funding for this Change Order No. 1 will be from project Sewer Pump Stations – Consent Decree, project #964440, in the FY 2020 - 21 Adopted Budget and Multi-Year Capital Plan, page 70. Specifically, the funding sources are: WASD Revenue Bonds, Wastewater Connection Charges and Future WASD Revenue Bonds.

Item 3 – Funding for this Change Order No. 1 will be from project Sewer Pump Stations – Consent Decree, project #964440, in the FY 2020 - 21 Adopted Budget and Multi-Year Capital Plan, page 70. Specifically, the funding sources are: WASD Revenue Bonds, Wastewater Connection Charges and Future WASD Revenue Bonds.

Track Record/Monitoring

WASD Senior Program Manager Daniel J. Edwards will oversee the implementation of these change orders.

Delegation of Authority

Item 1 - The T2308 Contract was approved pursuant to the delegated authority under section 2-8.2.7(5) of the Code. Board approval is required for this Change Order because the increase of \$301,585.40 brings the total contract amount to \$5,287,151.22, which exceeds the County Mayor’s delegated authority under section 2-8.1(b) of the Code.

Item 2 - The T2309 Contract was approved pursuant to the delegated authority under section 2-8.2.7.01(5) of the Code. Board approval is required for this Change Order because the increase of \$118,414.28 brings the total contract amount to \$5,116,869.09, which exceeds the County Mayor’s delegated authority under section 2-8.1(b) of the Code.

Item 3 - The P0201 Contract was approved pursuant to the delegated authority under section 2-8.2.7.01(5) of the Code. Board approval is required for this Change Order because the increase of \$1,099,718.86 brings the total contract amount to \$5,931,598.86, which exceeds the County Mayor’s delegated authority under section 2-8.1(b) of the Code.

Background

Item 1- Change Order No. 1 to the T2308 Contract

The T2308 Contract was awarded to Comtech through the 7040 Miscellaneous Construction Contract (“MCC”) Plan. The total amount of the award was \$4,747,314.19 with a contract duration of 300 days. The Notice to Proceed Date Proceed Date was September 21, 2017, and the Final Completion Date was July 18, 2018. See Recommendation for Award, attached as Exhibit “C-1”.

During construction, several changes were approved using the MCC approval process, which increased the contract amount by \$238,251.63, bringing the total contract award up to \$4,985,565.82. In addition, the contract duration was extended by an additional 328 days, making the Final Completion Date June 11, 2019.

Because the value of the work included in Change Order No. 1 will increase the contract amount to over \$5 million, Board approval is required for approval of this Change Order.

The additional \$301,585.40 and 318 days being added through Change Order No. 1 are due to the contractor because it encountered unforeseen conditions that necessitated additional work in order to complete the project. The additional work included:

Steel Plates for Temporary Generator

The scope of work for the T2308 Contract included rehabilitation of the existing 620-Kilowatt emergency generator at Pump Station (“PS”) 0414. During construction, it was determined that the existing generator was past its useful life and beyond repair and, therefore, needed to be replaced rather than rehabilitated. WASD decided to procure and install the new generator in-house in order to avoid negatively impacting the Contract schedule. A temporary portable generator was provided by WASD for the contractor’s use until the permanent generator could be delivered.

On May 31, 2019, during a coordination meeting for the delivery of the temporary portable generator, WASD requested that the contractor place temporary steel plates over the grass area where the portable generator container would be located in order to protect the meter vault and the valves’ boxes. The cost to procure and install the eight (8) steel plates was \$26,517.09. This amount is part of the costs being awarded to Comtech through Change Order No. 1.

Supports for Check Valves and Suction Pipe

During construction, conflicts arose related to supports for the 16-inch discharge pipes and 24-inch suction pipe. The contract drawing did not include the replacement of supports for the installation of the new 16-inch discharge pipes and check valves. The Engineer of Record (“EOR”) required the construction of reinforced concrete pedestals below the check valves to provide support. There was also a conflict with the location of the sump pump drainpipe and the proposed lateral support for the suction pipe. In addition, the proposed lateral support conflicted with the location of the access ladder installed at the south wall of old wet well.

In order to resolve these conflicts, the EOR made the following changes to the construction plans: (1) the lateral support was relocated to the north wall of the old wet well to avoid the conflicts with sump pump drainpipe and the access ladder; and (2) the relocation of the lateral support required the construction of a reinforced concrete lateral support and a thrust block to restrict any movement of the suction pipe. To resolve the conflicts and carry out the EOR’s changes, the contractor was required to procure and install: six (6) supports for the new 16-inch check valves; a lateral support for the new 24-inch suction pipe; and a thrust block for the 90-degree bend at the suction pipe. This work totaled \$44,639.78 and is part of the costs being awarded to Comtech through Change Order No. 1.

Plug Valves Chain Wheel Operators

The T2308 Contract required installation of a new 16-inch ductile iron pipe with new check and plug valves. As required by the T2308 Contract, the contractor installed the 16-inch plug valves with regular manual operators; however, on June 11, 2019, during the Substantial Completion Inspection, WASD Operations noted that the manual operators for the valves were eight feet from the floor, which would make it difficult to operate the valves safely. As a result, WASD requested that the contractor install three (3) plug valves chain wheel operators that would allow WASD personnel to operate the valves safely while standing on the floor. The cost of the installation of the valve chain wheel operators is \$6,267.37.

Additional Guardrail for Exhaust Fan Ventilator

Pursuant to the T2308 Contract, the contractor was required to install ductwork in the Pump Station’s Pump Room. A conflict was identified between the location of the proposed ductwork and the overhead crane’s hoist. The proposed location of the ductwork prevented the crane from traveling to the end of its path. The EOR revised the layout of the ductwork and mechanical equipment to avoid the crane path. As a consequence of the ductwork relocation, the exhaust fan above the roof had to be moved and installed close to the south edge of the roof. Due to the proximity to the edge of the roof, an additional guardrail was installed to provide a fall protection system. The cost of the guardrail is \$3,632.52 and is included in Change Order No. 1.

Redundant PLC & Close-Out Phase

A Programmable Logic Controller (“PLC”) Panel is a computer with a software platform that provides remote control to the components of the Pump Station System. The PLC also provides remote control diagnosis and monitoring of the system, which is important during emergency events where there is no physical access to the Pump Station. During a site inspection, WASD Operations noted that a redundant PLC that serves as a back-up to the main PLC was needed for this Pump Station. However, a redundant PLC was not included in the original scope of work. The cost for the installation and operation of the redundant PLC was \$220,528.64, and an additional 318 days was required to complete the work due to this change. Change Order No. 1 adds the additional time and costs for this work to the Contract award.

Change Order No. 1 provides: (1) a non-compensable time extension of 318 days, which extends Final Completion to April 24, 2020, and (2) increases the total contract amount by \$301,585.40 from \$4,985,565.82 to \$5,287,151.22.

Item 2- Change Order No. 1 to the T2309 Contract

The T2309 Contract was awarded to Comtech through the MCC Plan for the Upgrade of Pump Station 0416. The total amount of the award was \$ 4,720,441.66. The Notice to Proceed Date is July 19, 2017. A contract duration of 300 days established May 15, 2018 as the Contract’s Final Completion Date. See Recommendation for Award, attached as Exhibit “C-2”.

During construction, several changes were approved using the MCC approval process, which revised the Final Completion Date to April 3, 2020 and increased the contract amount to \$4,998,454.81. The value of work included in Change Order No. 1 will increase the contract amount to over \$5 million; therefore, Board approval is required for this Change Order.

The additional \$118,414.28 being added through Change Order No. 1 is due to the contractor because it encountered unforeseen conditions that necessitated additional work to complete the project. The additional work included the following:

Flow Meter and Control Panel Installation, Including New Vault Roof with Traffic Rated Access Hatch

During site inspections, WASD Operations determined that the existing flow meter was no longer functional. WASD Operations requested that a new flow meter be installed. The flow meter is critical to record combined flows received from multiple local upstream pump stations. This allows WASD Operations to calculate and estimate flows within the wastewater collection and transmission system. The new flow meter required a new control panel. In order to install the new flow meter, the old flow meter had to be removed. The removal of the old flow meter required the removal of the existing vault roof because the old flow meter and components could not fit through the vault roof. A new vault roof slab with a traffic rated access hatch was installed. The cost of this additional work is \$100,774.19.

25-Amp Breaker for A/C Compressor

The installation of a Heating, Ventilation, and Air Conditioning (“HVAC”) system, including a 30-amp breaker for the air-condition (“A/C”) compressor, was required for the new electrical room. The outside compressor for the A/C unit was rated at 25-amps while the new breaker as per the contract drawing was rated at 30-amps. A Miami-Dade County electrical inspector requested a change in the breaker to 25-amps, which matches the outside compressor. The cost to provide a 25 amp breaker was \$1,811.20. The original 30 amp breaker was delivered to WASD Operations for its use.

Conduits and Wires for Generator Emergency Stop

The T2309 Contract included the installation of a new 600-Kilowatt (“KW”) generator. The contractor noted that the emergency stop for the generator was located inside the enclosure. The contractor submitted a Request for Information (“RFI”) inquiring whether an additional emergency stop should be installed outside the generator housing in case of emergencies that arose that prevented access to the emergency stop inside the enclosure. The National Fire Protection Association Code (“NFPA”) requires an emergency stop on the outside of the generator housing. The cost to install the outside emergency stop is \$2,439.32.

Limit Switches for Discharge Check Valves

The T2309 Contract required installation of new pumps and motors and the replacement of discharge piping and check valves. After installation was complete, the WASD Pump Station Division expressed concern regarding the instability of the pumps during low flow suction pressure conditions and requested the installation of limit switches on the suction check valves. Limit switches send a confirmation signal to the PLC to let it know if the valve is open or closed and ensure the correct operation of the discharge check valves, closing them completely and avoiding any access of wastewater flow to the new pumps during low suction pressures events and, therefore, protecting the equipment. The cost of the installation of the limit switches is \$13,389.57.

This Change Order to the contract increases the total contract amount by \$118,414.28, thereby bringing the contract total from \$4,998,454.81 to \$5,116,869.09.

Item 3- Change Order No. 1 to the P0201 Contract

The P0201 Contract was awarded to Comtech through the MCC Plan for the Upgrade of Pump Station 0417. The total amount of the award was \$ 4,831,880.00 with a contract duration of 420 days. The Notice to Proceed Date was February 12, 2018, and the Final Completion Date was April 8, 2019. See Recommendation for Award, attached as Exhibit “C-3”.

During construction, time extensions for 334 days were approved using the MCC approval process, which revised the Final Completion Date to March 7, 2020.

Because the value of the work included in Change Order No. 1 will increase the contract amount to over \$5 million, Board approval is required for this Change Order.

The additional \$1,099,718.86 and 285 days being added through Change Order No. 1 are due to the contractor because it encountered unforeseen conditions that necessitated additional work in order to complete the project. The additional work included the following.

Additional Electrical Work

The electrical conduits for the Automatic Transfer Switch (“ATS”) and Florida Power and Light (“FPL”) Vault required a change in routing to avoid various previously unknown structural and mechanical conflicts. These new routes increased the total length of the conduits and cables. WASD Operations also required additional electrical and instrumentation modifications to the Remote Terminal Unit (“RTU”), PLC, and Variable Frequency Drives (“VFD”)s. These modifications took an additional 58 days to accomplish and were necessary for the proper functioning of the Pump Station and final start-up. The cost of the additional electrical work is \$260,000.00.

Additional Wet Well Rehabilitation

The cleaning of the wet well revealed the deteriorated conditions of the walls and roof of the structure that required rehabilitation not included in the original scope of work. The rehabilitation involved additional Concrete Surface Repairs to the wet well structure. The cost for the additional wet well Rehabilitation is \$177,928.00.

New Redundant Programmable Logic Controller

During a site visit to the Pump Station, WASD Operations stated that a redundant PCL Panel was required for this Pump Station to ensure the Pump Station was accessible for remote control diagnosis and monitoring of the system. Remote access is necessary during emergency events where there is no physical access to the Pump Station. The contractor agreed to provide all the materials and labor required to perform the installation of the redundant PLC. The cost for the redundant PLC is \$165,887.08.

VFDs Modification from 6-Pulse to 18-Pulse

VFDs are designed to control the speed of AC induction motors and can be used to control the pump’s flow to operate near the pump’s Best Efficiency Point during periods of reduced demand. Although the Contract called for 6-Pulse, WASD Operations stated that 18-Pulse VFDs were required because 18-pulse VFDs could better protect the equipment. Additionally, all other pump stations have 18-Pulse VFDs. The change required modifications from 6-Pulse to 18-Pulse as well as additional terminals, controllers, potentiometer, and additional contacts for status and alarm points. The cost for this modification is \$144,798.97.

Extended Bypass for 16-in Sewer Pipe Replacement

During construction, the contractor discovered that the existing 16-inch gravity sewer pipe that collected sewer flow from the south had collapsed. As a result, the bypass operations were extended from October 18, 2019 to January 3, 2020, which resulted in an additional 77-days of bypass costs totaling \$110,236.03.

Generator Rehabilitation

The original contract scope of work included rehabilitation of the existing generator. During an evaluation of the generator, the need for additional maintenance and rehabilitation work was discovered. This additional maintenance and rehabilitation work is needed for a fully operational generator and costs \$90,960.38.

Installation of Additional EPO to Isolate MH Vortex

The Vortex Manhole is the main collection point for Pump Station 417 and is the location where all the flows meet before they enter the Pump Station. WASD decided to add a permanent underground bypass to isolate the Vortex Manhole and function as an additional emergency pump out (EPO) to avoid shutting down the 16-inch force main in case of a blockage on the manhole. The installation of the additional EPO costs \$45,041.46.

Lightweight Concrete for Roofing System at Existing Roof Area

The original scope of services for the P0201 Contract included the installation of a new Styrene-Butadiene-Styrene (“SBS”) modified bitumen roofing system over the existing insulated lightweight concrete on the Pump Station’s roof. The existing roof did not have lightweight concrete below the existing roofing system as anticipated. Therefore, the contractor installed lightweight concrete on the existing roof prior to the installation of the new SBS modified bitumen roof system. The installation of the lightweight concrete costs \$20,350.00.

Broken Water Line Repair and Clean Up

Due to its deteriorated condition, the existing 2-inch water line of the Pump Station broke below the restroom floor slab just above the wet well and caused significant flooding in the wet well. The contractor was required to cut and cap the existing line, relocate a new line outside of the wet well, and manually clean the wet well, which resulted in a cost of \$17,367.47.

Sanitary Pipe Connection of Pump Station’s Bathroom & Roof Drainage Connection of Odor Control Room

During construction, the contractor discovered that the bathroom sanitary pipe connection was missing, and the roof drainage pipe was corroded. The contractor made the missing connection and replaced the corroded roof drainage pipe for a cost of \$16,459.64.

Check Valves Supports

The original scope of services did not include the construction of supports for the new 12-inch check valves. Due to the concern about the weight of the valves and the hammer effect during operation of the pumps, the contractor was instructed to install three (3) Hollow Structural Sections (“HSS”) steel supports below the check valves. The installation of the check valve supports cost \$13,661.35.

Generator Emergency Stop & Emergency Panic Hardware

During the Final Building Department Inspection on August 21, 2020, the inspector required the installation of a Remote Emergency Stop for the generator and an Emergency Panic Hardware for the door located inside the electrical room for increased safety to the Pump Station. This task took an additional 150 days to complete and cost \$12,993.52.

Wet Well Staircase and Platform Guardrails

The existing safety ladder did not provide access to the wet well. In order to provide access to the wet well for maintenance or repair work, the existing staircase was rehabilitated, and the guardrails were replaced for a cost of \$9,785.00.

Additional Guardrail for Exhaust Fan Ventilator

During construction, the contractor noticed a conflict between the proposed Exhaust Fan No. 3 (“EF-3”) location with the roof drainage pipe and generator muffler louver locations. The contractor was instructed to locate EF-3 closer to the roof’s edge. Additional guardrails were installed in this area to provide fall protection. This additional work resulted in a total cost of \$5,562.19.

Odor Control Unit Maintenance

The P0201 Contract documents required the relocation of the odor control system. The contractor performed service and maintenance to the odor control unit in conjunction with the relocation to ensure its satisfactory operational condition. The maintenance and relocation of the Odor Control Unit costs \$4,767.75.

Additional Spool Pieces at Discharge Header Pipes

During construction, the contractor noted that the installation of additional fittings would be necessary in order to install and connect the new pumps with the existing discharge header pipes. Three (3) additional spool pieces were installed for a total cost of \$3,920.02.

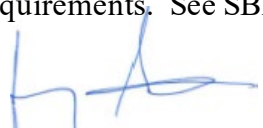
This Change Order provides for: (1) a 285 day non-compensable time extension, which extends the Final Completion Date from March 7, 2020 to December 17, 2020, and (2) increases the total contract amount by \$1,099,718.86, raising the total Contract amount from \$4,831,880.00 to \$5,931,598.86.

Small Business Enterprise Measures

Item 1 – On June 29, 2020, prior to the issuance of Change Order No. 1, the Internal Services Department’s Small Business Development (“SBD”) Division reviewed the T2308 Contract for compliance with the Small Business Enterprise SBE-Construction (“SBE-Con”) Set-Aside measure, Responsible Wages and Benefits, and Residents First Training and Employment (the “Residents First”) Program requirements. Comtech was found in violation of the SBE-Con Set-Aside measure for transferring to a non-SBE-Firm through subcontracting or otherwise all or part of the actual work of a set-aside contract. The violation resulted in an SBE-Con deficit of \$6,687, which requires a double make-up requirement of \$13,374. Comtech is in compliance with Responsible Wages and Benefits and Residents First requirement. See SBD memorandum dated June 29, 2020, attached hereto as Exhibit “D-1”.

Item 2 – On June 22, 2020, prior to the issuance of Change Order No. 1, SBD reviewed the T2309 Contract for compliance with the Small Business Enterprise SBE-Con Set-Aside measure, Responsible Wages and Benefits, and the Residents First Program requirements. Resolution R-1001-15 requires that 85% of the SBE goal applicable to the portion of the contract work performed to date be met before the Board of County Commissioners considers a change order/amendment. Where the County Mayor or Designee has been delegated the authority to approve a change order/amendment, the same minimum threshold applies. Comtech is in compliance with Resolution R-1001-15. Comtech is in compliance with Responsible Wages and Benefits and Residents First requirements. See SBD memorandum dated June 22, 2020, attached hereto as Exhibit “D-2”.

Item 3 – On September 7, 2020, prior to the issuance of Change Order No. 1, SBD reviewed the P0201 Contract for compliance with the 12.37% SBE-Con goal, 5.97% Small Business Enterprise – Goods and Services goal, Responsible Wages and Benefits, and the Residents First requirements. Resolution R-1001-15 requires that 85% of the SBE goal applicable to the portion of the contract work performed to date be met before the Board of County Commissioners considers a change order/amendment. Where the County Mayor or Designee has been delegated the authority to approve a change order/amendment, the same minimum threshold applies. Comtech is in compliance with the SBE goals and Resolution R-1001-15. Comtech is in compliance with Responsible Wages and Benefits and Residents First Training requirements. See SBD memorandum dated September 7, 2020, attached hereto as Exhibit “D-3”.



Jimmy Morales
Chief Operations Officer

Exhibit A

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
1	7040 Miscellaneous Construction Contract Plan; Construction Contract	Contract No. MCC 7040 RPQ T2308	Upgrade of Sewage Pump Station 0414	Comtech Engineering Inc.	District 13 René Garcia	\$301,585.40 318-calendar day time extension	Original Contract Amount \$4,747,314.19; Adjusted Contract Amount \$5,287,151.22	WASD Revenue Bonds Sold; Wastewater Connection Charges; and Future WASD Revenue Bonds	Notice to Proceed Start Date: 09/21/2017 Completion Date: 04/24/2020	SBE G/S - N/A SBE A/E - N/A SBE Const. - 100% CWP Prog. - N/A	This project consists of furnishing all materials, labor, and equipment necessary to upgrade Sewage Pump Station 0414. This Change Order increases the contract amount by \$301,585.40 and provides a 318-calendar day time extension.

Exhibit A

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
2	7040 Miscellaneous Construction Contract Plan; Construction Contract	Contract No. MCC 7040 RPQ T2309	Upgrade of Sewage Pump Station 0416	Comtech Engineering Inc.	District 1 Oliver G. Gilbert, III	\$118,414.28	Original Contract Amount \$4,720,441.66; Adjusted Contract Amount \$5,116,869.09	WASD Revenue Bonds Sold; Wastewater Connection Charges; and Future WASD Revenue Bonds	Notice to Proceed Start Date: 07/19/2017 Completion Date: 04/03/2020	SBE G/S - N/A SBE A/E - N/A SBE Const. - 100% CWP Prog. - N/A	This project consists of furnishing all materials, labor, and equipment necessary to upgrade Sewage Pump Station 0416. This Change Order increases the contract amount by \$118,414.28.
3	7360 Miscellaneous Construction Contract Plan; Construction Contract	Contract No. MCC 7360 RPQ P0201	CD 5.7 Upgrade of Sewage Pump Station 0417	Comtech Engineering Inc.	District 13 René Garcia	\$1,099,718.86 285-calendar day time extension	Original Contract Amount \$4,831,880.00; Adjusted Contract Amount \$5,931,598.86	WASD Revenue Bonds Sold; Wastewater Connection Charges; and Future WASD Revenue Bonds	Notice to Proceed Start Date: 02/12/2018 Completion Date: 12/17/2020	SBE G/S - 5.97% SBE A/E - N/A SBE Const. - 12.37% CWP Prog. - N/A	This project consists of furnishing all materials, labor, and equipment necessary to upgrade Sewage Pump Station 0417. This Change Order increases the contract amount by \$1,099,718.86 and provides a 285- calendar day time extension.

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1

CONTRACT NO: MCC 7040 RPQ T2308

DATE: 10/01/2020

PROJECT TITLE: UPGRADE PUMP STATION 0414

TO CONTRACTOR: Comtech Engineering, Inc.

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: Increase contract amount by \$301,585.40 and increase contract duration by 318 days

Monetary Justification: Contract RPQ T2308 was awarded to Comtech through the 7040 Miscellaneous Construction Contract (MCC). The total amount of the award was \$4,747,314.19 with a contract duration of 300 days.
(Continued below)

Time Justification: The notice to proceed date was September 21, 2017, and the Final Completion date was July 18, 2018. During construction 328 calendar days were approved, revising the Final Completion date to June 11, 2019.

The delay encountered as a result of the Redundant PLC issue (see Monetary Justification) required 318 days to allow for the proper completion of the work. (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-----	\$4,747,314.19
COST OF CHANGES PREVIOUSLY ORDERED-----	\$238,251.63
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$4,985,565.82
COST OF CHANGES WITH THIS DOCUMENT-----	\$301,585.40
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$5,287,151.22
PERCENT INCREASE WITH THIS CHANGE-----	7%
TOTAL PERCENT INCREASE TO DATE-----	12%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	300 / 328 / 318
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	00 / 0 / 00
ADJUSTED DURATION INCLUDING THIS CHANGE-----	946

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:

Organization	Name	Title	Date
Comtech Engineering Inc	Jose Sula	Contractor	10/2/2020
Berkley Insurance Company	Charles D. Nielson	Surety	10/5/2020
	Charles D. Nielson	Date	
Approved By: <u>County Attorney</u> (for legal sufficiency)	Sandra Gavete Davis		10/8/20
Approved By: <u>County Mayor</u>			
Attested By: <u>Clerk of the Board</u>			

Monetary Justification: (Continued)

During construction several changes were approved using the MCC approval process, which increased the contract amount by \$238,251.63, bringing the total contract award up to \$4,985,565.82. Because the value of the work included in Change Order No. 1 will increase the contract amount to over \$5 million, Board approval is required for approval of this Change Order.

The additional \$301,585.40 and 318 days being added through Change Order No. 1 are due to the contractor because it encountered unforeseen conditions that necessitated the additional work in order to complete the project.

Steel Plates for Temporary Generator

The scope of work for this Contract included rehabilitation of the existing 620-Kilowatt emergency generator at PS 0414. During construction, it was determined that the existing generator was past its useful life and beyond repair and, therefore, needed to be replaced rather than rehabilitated. WASD decided to procure and install the new generator itself in order to avoid negatively impacting the Contract schedule. A temporary portable generator was provided by WASD for the contractor's use until the permanent generator could be delivered.

On May 31, 2019, during a coordination meeting for the delivery of the temporary portable generator, WASD requested that the contractor place temporary steel plates over the grass area where the portable generator container would be located to protect the meter vault and the valves' boxes. The cost to procure and install the eight (8) steel plates was \$26,517.09, which amount is part of the costs being awarded to Comtech through Change Order No. 1.

Supports for Check Valves and Suction Pipe

During construction, conflicts arose related to supports for the 16-inch discharge pipes and 24-inch suction pipe. The contract drawing did not include the replacement of supports for the installation of the new 16-inch discharge pipes and check valves. The Engineer of Record (EOR) required the construction of reinforced concrete pedestals below the check valves to provide support. There was also a conflict with the location of the sump pump drainpipe and the proposed lateral support for the suction pipe. In addition, the proposed lateral support conflicted with the location of the access ladder installed at the south wall of old wet well.

In order to resolve these conflicts, the EOR made the following changes to the construction plans: (1) the lateral support was relocated to the north wall of the old wet well to avoid the conflicts with sump pump drain pipe and the access ladder; and (2) the relocation of the lateral support required the construction of a reinforced concrete lateral support and a thrust block to restrict any movement of the suction pipe; In order to resolve the conflicts and carry out the EOR's changes, the contractor was required to procure and install: Six (6) supports for new 16-inch check valves; a lateral support for new 24-inch suction pipe; and a thrust block for 90-degree bend at the suction pipe. This work totaled \$44,639.78 and is part of the costs being awarded to Comtech through Change Order No. 1.

Plug Valves Chain Wheel Operators

The Contract required installation of a new 16-inch ductile iron pipe with new check and plug valves. As required by the Contract, the Contractor installed the 16-inch plug valves with regular manual operators; however, on June 11, 2019, during the Substantial Completion Inspection, WASD Operations noted that the manual operators for the valves were eight feet from the floor, which would make it difficult to operate the valves safely. As a result, WASD requested that the Contractor install three (3) plug valves chain wheel operators that would allow WASD personnel to operate the valves safely while standing on the floor. The cost of the installation of the valve chain wheel operators is \$6,267.37.

Additional Guardrail for Exhaust Fan Ventilator

Pursuant to the Contract, the Contractor was required to install ductwork in the Pump Station's Pump Room. A conflict was identified between the location of the proposed ductwork and the overhead crane's hoist. The proposed location of the ductwork prevented the crane from traveling to the end of its path. The EOR revised the layout of the ductwork and mechanical equipment to avoid the crane path. As a consequence of the ductwork relocation, the exhaust fan above the roof had to be moved and installed close to the south edge of the roof. Due to the proximity to the edge of the roof, an additional guardrail was installed to provide a fall protection system. The cost of the guardrail is \$3,632.52, and this cost is included in Change Order No. 1.

Redundant PLC & Close-Out Phase

A Programmable Logic Controller (PLC) Panel is a computer with a software platform that provides remote control to the components of the Pump Station System. The PLC also provides remote control diagnosis and monitoring of the system, which is important during emergency events where there is no physical access to the Pump Station. During a site inspection, WASD Operations noted that a redundant PLC that serves as a back-up to the main PLC was needed for this Pump Station; however, a redundant PLC was not included in the original scope of work. The cost for the installation and operation of the redundant PLC was \$220,528.64, and an additional 318 days was required to complete the work due to this change. Change Order No. 1 adds the additional time and costs for this work to the Contract award.

Change Order No. 1 provides: (1) a non-compensable time extension of 318 days, which extends Final Completion to April 24, 2020, and (2) increases the total contract amount by \$301,585.40 from \$4,985,565.82 to \$5,287,151.22.

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
BERKLEY INSURANCE COMPANY
 WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: **Charles J. Nielson; Charles D. Nielson; Joseph P. Nielson; or Jarrett Merlucci of Acrisure, LLC dba Nielson, Hoover & Company of Miami Lakes, FL** its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **One Hundred Million and 00/100 U.S. Dollars (U.S.\$100,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 25th day of March, 2020.



Attest:

By

Ira S. Lederman
 Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
 Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 25th day of March, 2020, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
 NOTARY PUBLIC
 CONNECTICUT
 MY COMMISSION EXPIRES
 APRIL 30, 2024

Maria C. Rundbaker
 Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Witness my hand and seal of the Company, this 5th day of October, 2020.



Vincent P. Forte
 Vincent P. Forte

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1

CONTRACT NO: MCC 7040 RPQ T2309

DATE: 11/09/2020

PROJECT TITLE: Upgrade of Sewage Pump Station 0416

TO CONTRACTOR: Comtech Engineering Inc.

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: Increase contract amount by \$118,414.28

Monetary Justification: Contract RPQ T2309 was awarded to Comtech Engineering Inc. through the 7040 Miscellaneous Construction Contract (MCC) for the Upgrade of Pump Station 0416. The total amount of the award was \$ 4,720,441.66. The notice to proceed date is July 19, 2017. A contract duration of 300 days established May 15, 2018 as the contract's Final Completion Date. During construction, several change orders were approved using the MCC approval process which revised the Final Completion date to April 3, 2020 and increased the contract amount to \$4,998,454.81. The value of work included in Change Order No. 1 will increase the contract amount to over \$5 million, Board approval is, therefore, required for approval of this Change Order. (Continued below)

Time Justification: Not Applicable (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-----	\$4,720,441.66
COST OF CHANGES PREVIOUSLY ORDERED-----	\$278,013.15
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$4,998,454.81
COST OF CHANGES WITH THIS DOCUMENT-----	\$118,414.28
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$5,116,869.09
PERCENT INCREASE WITH THIS CHANGE-----	3%
TOTAL PERCENT INCREASE TO DATE-----	8%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	300 / 689 / 000
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	00 / 0 / 00
ADJUSTED DURATION INCLUDING THIS CHANGE-----	989

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:

Organization

Name

Title

Date

Comtech Engineering Inc

Jose Sulla

Contractor

11/10/2020

Berkley Insurance Company

Charles A. Nielson
Charles D. Nielson,
Attorney in Fact

Surety

11/11/2020

Title

Name

Date

Approved By: County Attorney
(for legal sufficiency)

Sandra Gonzalez-Davis

11/19/20

Approved By: County MayorAttested By: Clerk of the Board

Monetary Justification: (Continued)

The additional \$118,414.28 being added through Change Order No. 1 is due to the contractor because it encountered unforeseen conditions that necessitated additional work in order to complete the project.

Flow Meter and Control Panel Installation, Including New Vault Roof with Traffic Rated Access Hatch

During site inspections, WASD Operations determined that the existing flow meter was no longer functional. WASD Operations requested that a new flow meter be installed. The flow meter is critical to record combined flows received from multiple local upstream pump stations. This allows WASD Operations to calculate and estimate flows within the wastewater collection and transmission system. The new flow meter required a new control panel. In order to install the new flow meter, the old flow meter had to be removed. The removal of the old flow meter required the removal of the existing vault roof. The old flow meter and components could not fit through the vault roof. A new vault roof slab with a traffic rated access hatch was installed. The cost of this additional work is \$100,774.19.

25-Amp Breaker for A/C Compressor

The installation of a Heating, Ventilation, and Air Conditioning (HVAC) system including a 30-amp breaker for the air-condition (A/C) compressor were required for the new electrical room. The outside compressor for the A/C unit was rated at 25-amps while the new breaker as per the contract drawing was rated 30-amps. A Miami-Dade County electrical inspector requested a change in the breaker to 25-amps to match the outside compressor. The cost to provide a 25-amps breaker was \$1,811.20. The original 30 amps breaker was delivered to WASD Operations for its use.

Conduits and Wires for Generator Emergency Stop

The Contract documents included the installation of a new 600-Kilowatt (KW) generator. The Contractor noted that the emergency stop for the generator was located inside the enclosure. The contractor submitted a Request for Information (RFI) inquiring if an additional emergency stop should be installed outside the generator housing in case of emergencies that prevent access to the emergency stop inside the enclosure. The National Fire Preventive Code (NFPA) requires an emergency stop on the outside of the generator housing. The cost to install the outside emergency stop is \$2,439.32.

Limit Switches for Discharge Check Valves

The Contract required installation of new pumps and motors and the replacement of discharge piping and check valves. After installation was complete, WASD Pump Station Division expressed concern regarding the instability of the pumps during low flow suction pressure conditions and requested the installation of limit switches on the suction check valves. Limit switches send a confirmation signal to the PLC (Programmable Logic Controller) to let it know if the valve is open or closed and to ensure the correct operation of the discharge check valves. Specifically, closing the limit switches completely will avoid any access of wastewater flow to the new pumps during low suction pressures events, thereby protecting the equipment. The cost of the installation of the limit switches is \$13,389.57.

This change order to the Contract increases the total Contract amount by \$118,414.28, bringing the total amount up from \$4,998,454.81 to \$5,116,869.09.

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
BERKLEY INSURANCE COMPANY
 WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: **Charles J. Nielson; Charles D. Nielson; Joseph P. Nielson; or Jarrett Merlucci of Acrisure, LLC dba Nielson, Hoover & Company of Miami Lakes, FL** its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **One Hundred Million and 00/100 U.S. Dollars (U.S.\$100,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 25th day of March, 2020.



Attest:

By

Ira S. Lederman
 Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
 Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 25th day of March, 2020, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
 NOTARY PUBLIC
 CONNECTICUT
 MY COMMISSION EXPIRES
 APRIL 30, 2024

Maria C. Rundbaken
 Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.



under my hand and seal of the Company, this 11th day of November, 2020.

Vincent P. Forte
 Vincent P. Forte

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1

CONTRACT NO: MCC 7360 RPQ P0201

DATE: 12/09/2020

PROJECT TITLE: CD 5.7 Upgrade of Sewage Pump Station 0417

TO CONTRACTOR: Comtech Engineering Inc.

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: Increase contract amount by \$1,099,718.86 and increase contract duration by 285 days

Monetary Justification: Contract RPQ P0201 was awarded to Comtech Engineering Inc. through the 7360 Miscellaneous Construction Contract (MCC) for the Upgrade of Pump Station 0417. The total amount of the award was \$ 4,831,880.00 with a contract duration of 420 days. Because the value of the work included in Change Order No. 1 will increase the contract amount to over \$5 million, Board approval is required for approval of this Change Order. (Continued below)

Time Justification: The Notice to Proceed date was February 12, 2018, and the Final Completion Date was April 8, 2019. During construction, time extensions for 334 days were approved using the MCC approval process, which revised the Final Completion Date to March 7, 2020. (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-----	\$4,831,880.00
COST OF CHANGES PREVIOUSLY ORDERED-----	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----	\$4,831,880.00
COST OF CHANGES WITH THIS DOCUMENT-----	\$1,099,718.86
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----	\$5,931,598.86
PERCENT INCREASE WITH THIS CHANGE-----	23%
TOTAL PERCENT INCREASE TO DATE-----	23%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	420 / 334 / 285
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----	00 / 0 / 00
ADJUSTED DURATION INCLUDING THIS CHANGE-----	1,039

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

Organization	Accepted By: Name	Title	Date
Comtech Engineering Inc		Contractor	12/15/20
Berkley Insurance Company	Charles D. Nielson Attorney In Fact	Surety	12/15/20

Title	Name	Date
Approved By: <u>County Attorney</u> (for legal sufficiency)		12/10/20
Approved By: <u>County Mayor</u>		
Attested By: <u>Clerk of the Board</u>		

Monetary Justification: (Continued)

The additional \$1,099,718.86 and 285 days being added through Change Order No. 1 are due to the Contractor because it encountered unforeseen conditions that necessitated additional work in order to complete the project.

Additional Electrical Work (\$260,000.00)

The electrical conduits for the Automatic Transfer Switch (ATS) and Florida Power and Light (FPL) Vault required a change in routing to avoid various previously unknown structural and mechanical conflicts. These new routes increased the total length of the conduits and cables. WASD Operations also required additional electrical and instrumentation modifications to the Remote Terminal Unit (RTU), Programmable Logic Control (PLC), and Variable Frequency Drives (VFDs). These modifications were necessary for the proper functioning of the Pump Station and for final start-up.

Additional Wet Well Rehabilitation (\$177,928.00)

The cleaning of the wet well revealed deteriorated conditions of the walls and roof of the structure that required rehabilitation not included in the original scope of work. The rehabilitation involved additional Concrete Surface Repairs to the wet well structure.

New Redundant Programmable Logic Controller (\$165,887.08)

A Programmable Logic Controller (PLC) Panel is a computer with a software platform that provides remote control to the components of the Pump Station System. The PLC also provides remote control diagnosis and monitoring of the system, which is necessary during emergency events where there is no physical access to the Pump Station. During a site visit to the Pump Station, WASD Operations stated that a redundant Programmable Logic Controller (PLC) Panel was required. A redundant PLC is a backup to the main PLC. The Contractor agreed to provide all the materials and labor required to perform the installation of the redundant PLC.

VFDs Modification from 6-Pulse to 18-Pulse (\$144,798.97)

Variable Frequency Drives (VFDs) are designed to control the speed of AC induction motors and can be used to control the pump's flow to operate near the pump's Best Efficiency Point during periods of reduced demand. Although the Contract called for 6-Pulse, WASD Operations stated that 18-Pulse VFDs were required because 18-pulse VFD's could better protect the equipment. Additionally, all other pump stations have 18-Pulse VFDs. The change required modifications from 6-pulse to 18-pulse as well as additional terminals, controllers, potentiometer, and additional contacts for status and alarm points.

Extended Bypass for 16-in Sewer Pipe Replacement (\$110,236.03)

During construction, the Contractor discovered that the existing 16-inch gravity sewer pipe that collected sewer flow from the south had collapsed. As a result, the bypass operations were extended from October 18, 2019 to January 3, 2020, which resulted in an additional 77-days of bypass costs.

Generator Rehabilitation (\$90,960.38)

The original contract scope of work included rehabilitation of the existing generator. During an evaluation of the generator, the need for additional maintenance and rehabilitation work was discovered. This additional maintenance and rehabilitation work is needed for a fully operational generator.

Installation of Additional EPO to Isolate MH Vortex (\$45,041.46)

The Vortex Manhole is the main collection point for Pump Station 417 and is the location where all the flows meet before they enter the pump station. WASD decided to add a permanent (underground) bypass to isolate the Vortex Manhole and function as an additional emergency pump out (EPO) to avoid shutting down the 16-inch force main in case of a blockage on the manhole.

Lightweight Concrete for Roofing System at Existing Roof Area (\$20,350.00)

The original scope of services included the installation of a new SBS (Styrene-Butadiene-Styrene) modified bitumen roofing system over the existing insulated lightweight concrete on the Pump Station's roof. The existing roof did not have lightweight concrete below the existing roofing system as anticipated. Therefore, the Contractor installed lightweight concrete on the existing roof prior to the installation of the new SBS modified bitumen roof system.

Broken Water Line Repair and Clean Up (\$17,367.47)

Due to its deteriorated condition, the existing 2-inch water line of the pump station broke below the restroom floor slab just above the wet well and caused significant flooding in the wet well. The Contractor was required to cut and cap the existing line, relocate a new line outside of the wet well, and manually clean the wet well.

Sanitary Pipe Connection of Pump Station's Bathroom & Roof Drainage Connection of Odor Control Room (\$16,459.64)

During construction, the Contractor discovered that the bathroom sanitary pipe connection was missing, and the roof drainage pipe was corroded. The Contractor made the missing connection and replaced the corroded roof drainage pipe.

Check Valves Supports (\$13,661.35)

The original scope of services did not include the construction of supports for the new 12-inch check valves. Due to the concern about the weight of the valves and the hammer effect during operation of the pumps, the Contractor was instructed to install three (3) Hollow Structural Sections (HSS) steel supports below the check valves.

Generator Emergency Stop & Emergency Panic Hardware (\$12,993.52)

During the Final Building Department Inspection on August 21, 2020, the inspector required the installation of a Remote Emergency Stop for the generator and an Emergency Panic Hardware for the door located inside the electrical room for increased safety to the pump station.

Wet Well Staircase and Platform Guardrails (\$9,785.00)

The existing safety ladder did not provide access to the wet well. In order to provide access to the wet well for maintenance or repair work, the existing staircase was rehabilitated and the guardrails were replaced.

Additional Guardrail for Exhaust Fan Ventilator (\$5,562.19)

During construction, the Contractor noticed a conflict between the proposed Exhaust Fan No. 3 (EF-3) location with the roof drainage pipe and generator muffler louver locations. The Contractor was instructed to locate EF-3 closer to the roof's edge. Additional guardrails were installed in this area to provide fall protection.

Odor Control Unit Maintenance (\$4,767.75)

The Contract documents required the relocation of the odor control system. The Contractor performed service and maintenance to the odor control unit in conjunction with the relocation to ensure its satisfactory operational condition.

Additional Spool Pieces at Discharge Header Pipes (\$3,920.02)

During construction, the Contractor noted that the installation of additional fittings would be necessary in order to install and connect the new pumps with the existing discharge header pipes. Three (3) additional spool pieces were installed.

Time Justification: (Continued)

The Additional Electrical Work outlined in the Monetary Justification section requires a 58-day time extension. The extension of the Bypass Operation detailed in the Monetary Justification required a 77-day time extension. The Generator Emergency Stop and the Emergency Panic Hardware required a 150-day time extension. The contract duration will, therefore, be extended by a total of 285 days through this change order.

This Change Order provides for: (1) a 285 non-compensable time extension, which extends the Final Completion from March 7, 2020 to December 17, 2020 and (2) increases the total contract amount by \$1,099,718.86 from \$4,831,880.00 to \$5,931,598.86.

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
BERKLEY INSURANCE COMPANY
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Charles J. Nielson; Charles D. Nielson; Joseph P. Nielson; or Jarrett Merlucci of Acrisure, LLC dba Nielson, Hoover & Company of Miami Lakes, FL* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **One Hundred Million and 00/100 U.S. Dollars (U.S.\$100,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

RESOLVED, that, with respect to the Surety business written by Berkley Surety, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 25th day of March, 2020.



Attest:

By

Ira S. Lederman
Ira S. Lederman
Executive Vice President & Secretary

Berkley Insurance Company

By

Jeffrey M. Hafter
Jeffrey M. Hafter
Senior Vice President

STATE OF CONNECTICUT)

) ss:

COUNTY OF FAIRFIELD)

Sworn to before me, a Notary Public in the State of Connecticut, this 25th day of March, 2020, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Executive Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

MARIA C RUNDBAKEN
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES
APRIL 30, 2024

Maria C. Rundbaken
Notary Public, State of Connecticut

CERTIFICATE

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Witness my hand and seal of the Company, this 15th day of December, 2020.



Vincent P. Forte
Vincent P. Forte



Carlos A. Gimenez, Mayor

CLERK OF THE BOARD

2017 JUL 20 AM 11:07

Exhibit C-1

Water and Sewer
3071 SW 38 Avenue
Douglas Building
Miami, FL 33146
786-552-8803

miamidade.gov

July 19, 2017

Jose Sierra
Comtech Engineering, Inc.
12491 SW 134 Ct. # 17
Miami, FL 33166

CLERK, CIRCUIT & COUNTY CL
MIAMI-DADE COUNTY, FLA.
#1

CERTIFIED MAIL No:
FACSIMILE: 305-969-2172
TELEPHONE: 305-969-2140

Re: Recommendation for Award for CICC 7040-0/07 Contract - RPQ NO: T2308
Upgrade of Sewage Pump Station 0414
13940 NW 60 Ave

Dear Jose Sierra:

In accordance with Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County and Implementing Order 3-21, this letter serves to notify you and all bidders on this solicitation that your firm has been recommended for award of the referenced Request for Price Quotation (RPQ) based on the bid submitted on Thursday, April 27, 2017. The value at award is \$4,747,314.19. This includes your base bid amount of \$4,201,163.00 and a contingency amount of \$420,116.30 and a Dedicated amount of \$126,034.89. The contract term is 300 calendar days. The award is contingent upon the submission and approval by the County of the items listed below:

Upgrade of Sewage Pump Station 0414

The preceding Documents are required as outlined within the MCC 7040 Plan. They must be submitted to the Water and Sewer within 10 business days of receipt of this letter. In the event additional insurance is required, it also must be submitted within 10 business days.

Subsequent to the review and approval of the referenced documents, you are required to obtain the necessary permits in the time frame stipulated in the RPQ. Upon obtaining the permit(s), copies must be submitted to the Project Manager prior to commencement of work. No work is to be performed without a permit (if applicable). Following receipt of the permit(s), the Project Manager may schedule a pre-construction conference and issue a Notice to Proceed authorizing the performance of the work.

This letter shall also serve as a reminder that this contract is a Small Business Enterprise – Construction (SBE-Con) 100% set-aside. All construction work must be performed by contractors certified in accordance with Section 10-33.02 of the Code of Miami Dade County. The scope of work must be performed in accordance with the contract terms and conditions, all permits and inspections and in accordance with all applicable Federal, State and local laws, codes and regulations. Should you have any questions please contact Miguel Hernandez, Project Manager, at 786-552-8803.

Sincerely,

Miguel Hernandez
MCC Liaison

CC:



Carlos A. Gimenez, Mayor

CLERK OF THE BOARD

2017 JUN -7 PM 1:12

Exhibit C-2

Water and Sewer
3071 SW 38 Avenue
Douglas Building
Miami, FL 33146
786-552-8803

miamidade.gov

June 06, 2017

Jose Sierra
Comtech Engineering, Inc.
12491 SW 134 Ct. # 17
Miami, FL 33166

CLERK, CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.
#1

CERTIFIED MAIL No:
FACSIMILE: 305-969-2172
TELEPHONE: 305-969-2140

Re: Recommendation for Award for CICC 7040-0/07 Contract - RPQ NO: T2309
Upgrade of Sewage Pump Station 0416
7301 NW 186 St

Dear Jose Sierra:

In accordance with Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County and Implementing Order 3-21, this letter serves to notify you and all bidders on this solicitation that your firm has been recommended for award of the referenced Request for Price Quotation (RPQ) based on the bid submitted on Thursday, April 27, 2017. The value at award is \$4,720,441.66. This includes your base bid amount of \$4,177,382.00 and a contingency amount of \$417,738.20 and a Dedicated amount of \$125,321.46. The contract term is 300 calendar days. The award is contingent upon the submission and approval by the County of the items listed below:

Upgrade of Sewage Pump Station 0416

The preceding Documents are required as outlined within the MCC 7040 Plan. They must be submitted to the Water and Sewer within 10 business days of receipt of this letter. In the event additional insurance is required, it also must be submitted within 10 business days.

Subsequent to the review and approval of the referenced documents, you are required to obtain the necessary permits in the time frame stipulated in the RPQ. Upon obtaining the permit(s), copies must be submitted to the Project Manager prior to commencement of work. No work is to be performed without a permit (if applicable). Following receipt of the permit(s), the Project Manager may schedule a pre-construction conference and issue a Notice to Proceed authorizing the performance of the work.

This letter shall also serve as a reminder that this contract is a Small Business Enterprise – Construction (SBE-Con) 100% set-aside. All construction work must be performed by contractors certified in accordance with Section 10-33.02 of the Code of Miami Dade County. The scope of work must be performed in accordance with the contract terms and conditions, all permits and inspections and in accordance with all applicable Federal, State and local laws, codes and regulations. Should you have any questions please contact Miguel Hernandez, Project Manager, at 786-552-8803.

Sincerely,

Miguel Hernandez
MCC Liaison

CC:

CLERK OF THE BOARD

2017 DEC 27 AM 9:28



Carlos A. Gimenez, Mayor

CLERK, CIRCUIT & COUNTY CLERK
MIAMI-DADE COUNTY, FLA.
#1

Water and Sewer
3071 SW 38 Avenue
DOUGLAS BUILDING
MIAMI, FL 33146

Exhibit C-3

December 27, 2017

Jose Sierra
Comtech Engineering, Inc.
12491 SW 134 Ct. # 17
Miami, FL 33166

CERTIFIED MAIL No:
FACSIMILE: 305-969-2172
TELEPHONE: 305-969-2140

Re: Recommendation for Award for CICC 7360-0/08 Contract - RPQ NO: P0201
CD 5.7 UPGRADE OF SEWAGE PUMP STATION NO. 0417
7870 NW 178TH STREET

Dear Jose Sierra:

In accordance with Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County and Implementing Order 3-21, this letter serves to notify you and all bidders on this solicitation that your firm has been recommended for award of the referenced Request for Price Quotation (RPQ) based on the bid submitted on Thursday, August 24, 2017. Pursuant to the referenced legislation, the three (3) day protest period shall commence upon the filing of this recommendation to award with the Clerk of the Board. This contract award will be effective only in accordance with the conditions of the solicitation, which requires execution by both parties of the Notice to Proceed (NTP).

The value at award is \$4,831,880.00. This includes your base bid amount of \$4,276,000.00 and a contingency amount of \$427,600.00 and a Dedicated amount of \$128,280.00. The contract term is 420 calendar days. The award is contingent upon the submission and approval by the County of the items listed below:

PLEASE PROVIDE THE DEPARTMENT YOUR PAYMENT AND PERFORMANCE BOND WITHIN THE 10 WORKING DAY ALLOWABLE PERIOD.

The preceding Documents are required as outlined within the MCC 7360 Plan. They must be submitted to the Water and Sewer within 10 business days of receipt of this letter. In the event additional insurance is required, it also must be submitted within 10 business days. Failure to submit the documents within the specified time frame, or an extension approved by the County, will result in the award being rescinded.

Subsequent to the review and approval of the referenced documents, you are required to obtain the necessary permits in the time frame stipulated in the RPQ. Upon obtaining the permit(s), copies must be submitted to the Project Manager prior to commencement of work. No work is to be performed without a permit (if applicable). Following receipt of the permit(s), the Project Manager may schedule a pre-construction conference and issue a Notice to Proceed authorizing the performance of the work.

This letter shall also serve as a reminder that all work must be performed in accordance with the scope of work and contract terms and conditions, all permits and inspections and in accordance with all applicable Federal, State and local laws, codes and regulations. Should you have any questions please contact Jose Vilaboy, Project Manager, at 305-798-4796.

Sincerely,

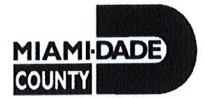
Jose Vilaboy
MCC Liaison

for Jose Vilaboy

CC: file

Daniel Edwards

Exhibit D-1
Memorandum



Date: June 29, 2020

To: Kevin T. Lynskey, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Director
Small Business Development Division
Internal Services Department 

Subject: Project No. RPQ No. T2308, Upgrade of Sewer Pump Extension 0414 - Change Order No. 1

Project No. RPQ No. T2308, Upgrade of Sewage Pump Extension 0414 was reviewed for compliance with the Small Business Enterprise – Construction (SBE-Con) Set-Aside measure, Responsible Wages and Benefits, and Resident First Training and Employment (Residents First) Program requirements. Change Order No. 1 increases the contract value and extends the time. The SBE-Con Set-Aside measure will apply to this change order. Resolution R-1001-15 requires that 85% of the SBE goal applicable to the portion of the contract work performed to date be met before the Board of County Commissioners considers a change order/amendment. Where the County Mayor or Designee has been delegated the authority to approve a change order/amendment, the same minimum threshold applies.

The prime, Comtech Engineering, Inc. (Comtech) was found in violation of the SBE-Con Set-Aside measure for transferring to a non-SBE-Con firm through subcontracting or otherwise all or part of the actual work of a set-aside contract. The violation resulted in an SBE-Con deficit of \$6,687 which requires a double make-up requirement of \$13,374. Comtech, has requisitioned \$4,746,408 to date requiring SBE-Confirms to have performed \$4,034,447 for compliance with the 85%. SBE-Con firms have performed \$4,781,801. As such, the prime is in compliance with Resolution R-1001-15.

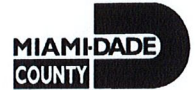
Comtech and its subcontractors are in compliance with Responsible Wages and Benefits and Residents First requirement. Comtech's workforce plan, accepted on November 1, 2017, reported a total workforce of thirty-two (32) employees, of which twenty-seven (27) had residency in Miami-Dade County. Residents First requires 51% of construction labor hours be performed by Miami-Dade County residents and all employees complete 10-hour construction safety training prior to working on the project. One (1) employee of a subcontractor was found on site without having completed OSHA-10 construction safety training. On June 8, 2020, Comtech submitted their workforce performance report with a total of 77% of construction labor work hours performed by Miami-Dade County residents.

Please contact Alice Hidalgo-Gato, SBD Section Chief, at 305-375-3153 for additional information.

c: Doug Yoder, Deputy Director, WASD
Hardeep Anand, Deputy Director, WASD
Margaret Moss, Chief, Small Business Initiatives, WASD
Edith Brown, Chief, Contract Compliance Division, WASD
Daniel Edwards, Project Manager, WASD
Alice Hidalgo-Gato, SBD Section Chief, ISD
Tracie Auguste, SBD Section Chief, ISD
Laurie Johnson, SBD Section Chief, ISD

Exhibit D-2

Memorandum



Date: June 22, 2020

To: Kevin T. Lynskey, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Director
Small Business Development Division
Internal Services Department 

Subject: Project No. RPQ No. T2309, Upgrade of Sewage Pump Station No. 0416 - Change Order No. 1

Project No. RPQ No. T2309, Upgrade of Sewage Pump Station No. 0416 was reviewed for compliance with the Small Business Enterprise – Construction (SBE-Con) Set-Aside measure, Responsible Wages and Benefits, Resident First Training and Employment (Residents First) Program requirements. Change Order No. 1 increases the amount of the contract by \$165,024.71. The SBE-Con goal will apply to this change order. Resolution R-1001-15 requires that 85% of the SBE goal applicable to the portion of the contract work performed to date be met before the Board of County Commissioners considers a change order/amendment. Where the County Mayor or Designee has been delegated the authority to approve a change order/amendment, the same minimum threshold applies.

The prime, Comtech Engineering, Inc. (Comtech), has requisitioned \$4,319,920 to date requiring SBE-Con firms to have performed \$3,671,932 for compliance with the 85%. SBE-Confirms performed \$4,230,851.57. As such, the prime is in compliance with Resolution R-1001-15.

Comtech and its subcontractors are in compliance with Responsible Wages and Benefits and Residents First requirement. Comtech's workforce plan, accepted on July 25, 2017, with a reported total workforce of thirty (30) employees, twenty-three (23) with residency in Miami-Dade County. To date, all employees found on site have OSHA-10 construction safety training. On June 8, 2020, Comtech submitted their workforce performance report with a total 80% construction labor work hours performed by Miami-Dade County residents. Please contact Alice Hidalgo-Gato, SBD Section Chief, at 305-375-3153 for additional information.

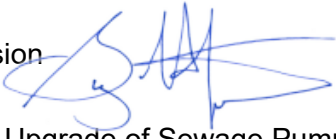
c: Doug Yoder, Deputy Director, WASD
Hardeep Anand, Deputy Director, WASD
Margaret Moss, Chief, Small Business Initiatives, WASD
Edith Brown, Chief, Contract Compliance Division, WASD
Kevin Keane, Project Manager, WASD
Alice Hidalgo-Gato, SBD Section Chief, ISD
Tracie Auguste, SBD Section Chief, ISD
Laurie Johnson, SBD Section Chief, ISD

Memorandum



Date: September 7, 2020

To: Kevin Lynskey, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Director
Small Business Development Division
Internal Services Department 

Subject: Project No. P0201, CD Project 5.7 Upgrade of Sewage Pump Station No. 0417 -
Change Order No. 1

Project No. P0201, CD Project 5.7 Upgrade of Sewage Pump Station No. 0417 was reviewed for compliance with the 12.37% Small Business Enterprise – Construction (SBE-Construction) goal, 5.97% Small Business Enterprise – Goods and Services (SBE-Goods and Services) goal, Responsible Wages and Benefits, and Residents First Training and Employment Program requirements. Change Order No. 1 increases the contract value and extends the time. The SBE-Construction measure applies to this change order only. Resolution R-1001-15 requires that 85% of the SBE goal applicable to the portion of the contract work performed to date be met before the Board of County Commissioners considers a change order/amendment.

The 12.37% SBE-Construction goal based on the contract amount is valued at \$597,204. The SBE-Construction firm meeting the goal has performed \$674,867 and been paid \$650,072. The 5.97% SBE-Goods & Services goal is valued at \$288,463. The SBE-Goods & Services firms meeting the goal has performed \$341,557 and been paid \$302,357. As such, the prime, Comtech Engineering, Inc. (Comtech) is in compliance with the SBE goals and Resolution R-1001-15.

Comtech and its subcontractors are in compliance with Responsible Wages and Benefits and the Residents First Training and Employment Program. Comtech's workforce plan, accepted on April 18, 2018, with a reported total workforce of twenty-five (25) employees, twenty-three (23) with residency in Miami-Dade County. To date, one (1) employee has been found on site without OSHA-10 safety training, which has completed construction safety training. Final compliance with the workforce requirements will be determined at project completion. Please contact Alice Hidalgo-Gato, SBD Section Chief, at 786-322-8547 for additional information.

c: Alissa Penaloza, Deputy Director, WASD
Hardeep Anand, Deputy Director, WASD
Margaret Moss, Chief, Small Business Initiatives, WASD
Edith Brown, Chief, Contract Compliance Division, WASD
Daniel Edwards, Project Manager, WASD
Alice Hidalgo-Gato, SBD Section Chief, ISD
Laurie Johnson, SBD Section Chief, ISD
Rossi Siewnarine, ISD Operations Manager, ISD



MEMORANDUM

(Revised)

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

DATE: April 20, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(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(O)(5)
4-20-21

RESOLUTION NO. R-346-21

RESOLUTION APPROVING BETWEEN MIAMI-DADE COUNTY AND COMTECH ENGINEERING, INC.: (1) CHANGE ORDER NO. 1 TO CONTRACT NO. MCC 7040 RPQ T2308 FOR UPGRADES TO SEWAGE PUMP STATION 0414 IN THE AMOUNT OF \$301,585.40 AND A 318-CALENDAR DAY TIME EXTENSION; (2) CHANGE ORDER NO. 1 TO CONTRACT NO. MCC 7040 RPQ T2309 FOR UPGRADES TO SEWAGE PUMP STATION 0416 IN THE AMOUNT OF \$118,414.28; AND (3) CHANGE ORDER NO. 1 TO MCC 7360 RPQ P0201 FOR CD 5.7 UPGRADE OF SEWAGE PUMP STATION 0417 IN THE AMOUNT OF \$1,099,718.86 AND A 285-CALENDAR DAY TIME EXTENSION

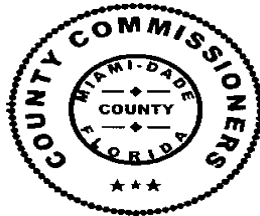
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves between Miami-Dade County and Comtech Engineering, Inc.: (1) Change Order No. 1 to Contract No. MCC 7040 RPQ T2308 for upgrades to Sewage Pump Station 0414 in the amount of \$301,585.40 and a 318-calendar day time extension; (2) Change Order No. 1 to Contract No. MCC 7040 RPQ T2309 for upgrades to Sewage Pump Station 0416 in the amount of \$118,414.28; and (3) Change Order No. 1 to MCC 7360 RPQ P0201 for CD 5.7 Upgrade of Sewage Pump Station 0417 in the amount of \$1,099,718.86 and a 285-calendar day time extension. The solicitation documents and contracts are kept on file with and are available upon request from the Department's Construction Contracts Division.

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

Jose "Pepe" Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of April, 2021. 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: **Melissa Adames**
 Deputy Clerk

Approved by County Attorney as
 to form and legal sufficiency.

SED

Sarah E. Davis