

MEMORANDUM

Agenda Item No. 14(A)(7)

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

DATE: April 20, 2021

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to exercise the assignment clause within the Miscellaneous Construction Contract ITB No. MCC-8-10 and have all subcontracts assigned to Miami-Dade County for the outstanding work orders issued to subcontractors unable to be completed by the expiration of the contract and provide a report

Resolution No. R-387-21

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Keon Hardemon.



Geri Bonzon-Keenan
County Attorney

GBK/smm



MEMORANDUM

(Revised)

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

DATE: April 20, 2021

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County Attorney

SUBJECT: Agenda Item No. 14(A)(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. 14(A)(7)
4-20-21

RESOLUTION NO. _____ R-387-21

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE ASSIGNMENT CLAUSE WITHIN THE MISCELLANEOUS CONSTRUCTION CONTRACT ITB NO. MCC-8-10 AND HAVE ALL SUBCONTRACTS ASSIGNED TO MIAMI-DADE COUNTY FOR THE OUTSTANDING WORK ORDERS ISSUED TO SUBCONTRACTORS UNABLE TO BE COMPLETED BY THE EXPIRATION OF THE CONTRACT AND PROVIDE A REPORT

WHEREAS, the County awarded Miscellaneous Construction Contract ITB No. MCC-8-10 (MCC-8) in 2011 to Munilla Construction Management; and

WHEREAS, pursuant to the MCC-8 contract, Munilla Construction Management competitively bids and administers subcontracts for projects when directed by the Miami-Dade Aviation Department, but is not allowed to self-perform construction work; and

WHEREAS, subcontracts under the MCC-8 contract have historically been structured to provide opportunities to small businesses; and

WHEREAS, it is within the County's best interest to ensure that small businesses continue to work and are financially sustainable particularly now in light of the COVID-19 pandemic; and

WHEREAS, when the MCC-8 contract was awarded by the Board of County Commissioners, this Board required that all projects be complete one year after the MCC-8 contract expires; and

WHEREAS, there are multiple projects which have been solicited and awarded under MCC-8 which cannot be completed within one year of the expiration of the contract; and

WHEREAS, given the economic impacts of the COVID-19 pandemic, it is in the interest of the County to ensure that construction work continues at Miami International Airport; and

WHEREAS, allowing subcontractors with awarded projects to finish these projects without competing again for any canceled projects will not result in additional expenditures, as funds for these projects have already been allocated to the MCC-8 contract; and

WHEREAS, utilizing other procurement mechanisms to accomplish these projects will result in delays in the work, which impacts both airport users and the small business community; and

WHEREAS, the MCC-8 replacement contract, MCC-9, is currently being solicited and is expected to be awarded this year,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Directs the County Mayor or County Mayor's designee to exercise the assignment clause within the Miscellaneous Construction Contract ITB No. MCC-8-10 ("MCC-8") and have all subcontracts assigned to Miami-Dade County for the outstanding work orders issued to subcontractors, identified in Exhibit A attached, which would not be able to be completed by the August expiration date. For all work so assigned to or assumed by the County, and notwithstanding the provisions of Resolution No. R-1122-11, such work may continue until such time as the work is completed and all applicable permits are closed so long as such completion can be accomplished within the funds remaining in the MCC-8 contract.

Section 2. Directs the County Mayor or County Mayor's designee to assume all obligations under the Miscellaneous Construction Contract ITB No. MCC-8-10 ("MCC-8") and ensure that the subcontractors are made whole for any additional costs borne resulting from the

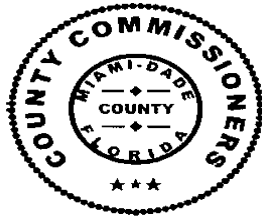
assignment, including but not limited to bonding and insurance, subject to funds remaining in the MCC-8 contract. The County Mayor or County Mayor’s designee is authorized to negotiate and issue change orders, subject to subsequent ratification of this Board, to accomplish the foregoing directive within this section, subject to funds remaining budgeted in the MCC-8 contract.

Section 3. Directs the County Mayor or County Mayor’s designee to provide a report to both the Airports and Economic Development Committee followed by this Board within 30 days of the effective date of this resolution regarding sections 1 and 2 above.

The Prime Sponsor of the foregoing resolution is Commissioner Keon Hardemon. It was offered by Commissioner **Keon Hardemon** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** 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	absent	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 this 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, consisting of the letters "APP" in a stylized, cursive-like font.

David M. Murray
Altanese Phenelus

Exhibit A

Project Information	Original Scope of Work	SBEs	Remaining Scope of Work
Project No: X116A Name: Concourse H Restrooms Upgrade Original Contract Amount: \$ 3,046,866.62 Notice to Proceed: 4/15/19 Remaining Amount Effective 02/28/21: \$1,864,835.13 Percent Complete as of 3/10/21: 46% Days to complete from 8/28/21: 210 calendar days	Refurbish 10 restrooms in Concourse H to include complete removal and replacement of: fixtures, toilet partitions, wallboard, floor and wall tile, electrical, fire sprinklers and fire alarm devices, ceiling tiles, light alarm devices, painting, restroom accessories, door & hardware, soap and paper dispensers.	Conbuild, LLC Chavez South Florida Interiors Inc. Delka Innovo Group, Inc. AAP Construction Group Corp Kesoki Painting, LLC CJ Fire Protection, Inc. RCR Plumbing Services Inc. Thevenin Enterprises Inc. Jador International Corp.	Refurbish 6 restrooms in Concourse H to include complete removal and replacement of: fixtures, toilet partitions, wallboard, floor and wall tile, electrical, fire sprinklers and fire alarm devices, ceiling tiles, light fixtures, painting, restroom accessories, door and hardware, soap and paper dispensers.
Project No: X113A Name: American Airlines Admiral's Club Refurbishment Original Contract Amount: \$2,315,289.83 Notice to Proceed: 7/8/19 Remaining Amount Effective 5/31/21: \$876,295.17 Percent Complete as of 3/10/21: 68% Days to complete from 8/28/21: 210 calendar days	New stairwell and stair with glass railing and terrazzo flooring, replace two rooftop air handler units, new cabling to switchgear room, painting, ceiling tiles, light fixtures, new security doors with matrix card readers, fire rated doors, new electric panel breakers, AC damper replacement.	Fleites Construction Group Inc. AAP Construction Group Corp. World of Frameless Glass Paradise Construction Corp. CJ Fire Protection Inc AirZone, Inc. Aro Electric	Work in progress: New cabling to switchgear room, painting, ceiling tiles, light fixtures, new security doors with matrix card readers, fire rated doors, electric panel breakers, new fire doors.
Project No: U10F-7.1 Name: New Elevator at E Satellite Original Contract Amount: \$4,006,198.16 Notice to Proceed: 9/16/20 Remaining Amount Effective: 5/31/21: \$3,425,146.48 Percent Complete as of 3/10/21: 30% Days to complete from 8/28/21: 150 calendar days	Install fully functional and ADA compliant elevator & refurbish existing escalators in Concourse E Satellite. Refurbishment of 1, 2, 3 & 4 level elevator lobbies, fire sprinklers & fire alarm devices relocation; ceiling tiles and new lighting fixtures. Construction of new machine room, elevator shaft, foundation, structural work, roofing. Elevator and escalator work to be performed by Vendor [SCHINDLER Elevator Corp.] Removal, disposal and replacement of existing elevator and escalator refurbishment.	Ohana Construction Group LLC AAP Construction Group Corp. Massu Infrastructure Coatings, LLC CJ Fire Protection, Inc. Al Hill Plumbing Corp. AirZone, Inc. MAC 195 Engineering Corp, Inc.	Complete the refurbishment of 1, 2, 3 & 4 level elevator lobbies, security doors, fire sprinklers and fire alarm devices relocation, ceiling tiles and new lighting fixtures. Elevator and escalator work to be performed by Vendor [SCHINDLER Elevator Corp.] Removal and disposal of existing components. Furnish, install and test new fully functional and Code compliant elevator unit and escalators.
Project No: V089B Name: Bldg. 716 Restroom Renovations Original Contract Amount: \$1,293,291.94 Notice to Proceed: 1/27/20 Remaining Amount Effective: 5/31/21: \$650,786.33 Percent Complete as of 3/10/21: 55% Days to complete from 8/28/21: 30 calendar days.	Refurbish 10 restrooms in Bldg. 716 to include complete removal and replacement of: fixtures, toilet partitions, wallboard, floor and wall tile, electrical, fire sprinklers and fire alarm devices, ceiling tiles, light fixtures, painting, restroom accessories, door & hardware, soap and paper dispensers.	Delka Innovo Group, Inc. AAP Construction Group Corp CJ Fire Protection, Inc. MAG Construction, Inc. Gamma Air Systems, Inc. PYD Electric Corp.	Work in progress: Refurbish 10 restrooms in Bldg. 716 to include complete removal and replacement of: fixtures, toilet partitions, wallboard, floor and wall tile, electrical, fire sprinklers and fire alarm devices, ceiling tiles, light fixtures, painting, restroom accessories, door & hardware, soap and paper dispensers.

Subcontractor Providing Support Services	Project field supervision and management. Office support services. Invoice reviews and coordination.	Mco Construction & Services Inc	Project field supervision and management. Office support services. Invoice reviews and coordination.
Subcontractor Providing Support Services	Cost estimating and Project Scheduling services	Gamax Consulting, Inc.	Cost estimating and Project Scheduling services.