

Memorandum



Date: September 1, 2021

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

Agenda Item No. 8(O)(3)

From: Daniella Levine Cava
Mayor

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

Resolution No. R-821-21

Subject: Resolution Ratifying Action Related to Miami-Dade Water and Sewer
Department's Consent Decree and Capital Improvement Programs Acceleration
Ordinance pursuant to Section 2-8.2.12 of the Miami-Dade County Code

Recommendation

It is recommended that the Board of County Commissioners (Board) ratify the action of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code related to Miami-Dade Water and Sewer Department's (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance (WASD's Acceleration Ordinance) for the funded project identified below and on Exhibit A, as attached.

Capital Improvement Project

Item 1 – Recommendation awarding Construction Contract for Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58 at the South District Wastewater Treatment Plant (SDWWTP), Contract No. S-931. This item requests ratification of a contract in the total amount not to exceed \$107,605,400.00 with a total contract period of 871 days to Poole & Kent Company of Florida (Poole & Kent).

Delegation of Authority

This contract was awarded pursuant to Section 2-8.2.12 of the Miami-Dade County Code related to WASD's Consent Decree and Capital Improvement Programs Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to award certain projects, and among other things, negotiate, and settle claims, and execute change orders that do not exceed (10%) ten percent of the base contract amount, all subject to ratification by the Board.

Scope

As shown on Exhibit A, the project is located in Commission District 8, which is represented by Commissioner Danielle Cohen Higgins. Projects awarded through WASD's Acceleration Ordinance have a countywide impact.

Fiscal Impact/Funding Source

The fiscal impact and funding source for this project are detailed in Exhibit A and the other accompanying attachments.

Track Record/Monitoring

WASD's Deputy Director of Capital Improvements, Hardeep Anand, will oversee the implementation of this project.

Due Diligence/Safety Information

Due diligence was conducted by WASD and the Internal Services Department (ISD) in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status; performance; safety record, including Occupational Safety and Health Administration (OSHA) records; and compliance data. The lists that were reviewed include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings related to the Contractor's responsibility. This information is being provided pursuant to Resolution No. R-187-12.

Background

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor or County Mayor's designee to award contracts for funded capital projects and related goods and services, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvement Program without the need for prior Board approval but subject to ratification by the Board.

Exhibit A includes the details of the competitively bid award for which ratification is being requested. Exhibit A contains the information bulleted below for the contract award:

- Item Number
- Department Name
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Firm Awarded
- Commission District
- Contract Amount
- Funding Source(s)
- Operations and Maintenance Costs
- Estimated Start Date/Estimated End Date
- Contract Measures: SBE Goods & Services; SBE-A/E; SBE-Construction; and CWP Program
- Brief Project Description

Attached as Exhibit B is the recommendation to award the contract referenced in Item No. 1 in this memorandum. The contract listed is executed by the County Mayor or County Mayor's designee in accordance with WASD's Acceleration Ordinance. A copy is available from the Intergovernmental Affairs Division of WASD upon request.

Attachments



Jimmy Morales
Chief Operations Officer

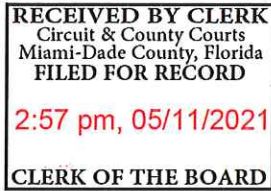
Exhibit A

Ratification of Contract Awards Authorized by the WASD Accelerate Ordinance

Item No.	Dept. Name	Type of Solicitation	Contract Type	Contract No.		Project Name	Firm Awarded	Commission District	Contract Amount	Funding Source(s)	Operations and Maintenance Costs	Est. Start Date	Contract Measures				Brief Project Description
				Contract No.	Project No.								SBE Goods & Services	SBE A/E	SBE Construction	CWP Program	
1	WASD	County Bid Process	Construction Contract	Contract No. S-931		Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58	Poole & Kent Company of Florida	District 8 (Danielle Cohen Higgins)	\$107,605,400.00	Future WASD Revenue Bonds; State Revolving Loan Wastewater Program; WASD Revenue Bonds Sold; Wastewater Connection Charges; WIFIA Loan (Project #: 2000000580 PEAK FLOW MANAGEMENT - SOUTH DISTRICT EXPANSION)	Operations Cost: \$880,000 per year; and Maintenance Cost: \$500,000 per year	Estimated Notice to Proceed Date: 08/02/2021 Completion Date: 12/21/2023 (total contract period is 871 days)	2.00%	n/a	10.65%	n/a	This project is to construct Ocean Outfall Legislation Program Construction Package ST-2A at the South District Wastewater Treatment Plant (SDWWTP) that will increase the plant's permitted average annual daily flow.

Total Dollar Value of Award: \$107,605,400.00

Exhibit B



Memorandum



Date:

To: Josenrique Cueto, Interim Director
Water and Sewer Department

From: Hardeep Anand, Deputy Director
Regulatory Compliance and Capital Improvements Program

A handwritten signature in black ink, appearing to read "Hardeep Anand".

Subject: Recommendation Approving Award of a Construction Contract for Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58, Contract No. S-931

RECOMMENDATION:

Pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's Designee approve this contract award recommendation to Poole & Kent Company of Florida (hereafter "Poole & Kent"), for Contract No. S-931 to construct Ocean Outfall Legislation (OOL) Program Construction Package ST-2A at the South District Wastewater Treatment Plant (SDWWTP). Construction Package ST-2A is one of several proposed projects that will increase the plant's permitted average annual daily flow (AADF) from 112.5 to 131 Million Gallons per Day (MGD) and peak flow capacity from 285 to 305 MGD. The total compensation amount is \$107,605,400 with a total contract period of 871 days. This contract award recommendation was prepared by WASD.

DELEGATION OF AUTHORITY:

Pursuant to Section 2-8.2.12 of the Code of Miami-Dade County, the County Mayor or County Mayor's designee is authorized to amend and execute the Contract. Pursuant to the provisions of Sections 2-8.2.12 (4)(d) and (e) of the Code, the County Mayor or County Mayor's designee will have the authority to amend and/or extend the Contract to complete any unfinished work, waive liquidated damages, negotiate and settle claims, and execute change orders that do not exceed ten percent (10%) of the base contract amount.

PROJECT NAME:

Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58

PROJECT DESCRIPTION:

This project is one in a series of projects that are being processed under Section 2-8.2.12 of the Code, entitled Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Accelerate Ordinance. In general, the project consists of furnishing all materials, labor, and equipment necessary for the construction of proposed headworks, two oxygenation trains and odor control facilities at the SDWWTP, located at 8950 SW 232nd Street Miami, Florida. The project also includes the installation of large diameter pipelines including a connection to an existing 72-inch force main at SW 232 Street.

The scope of work includes, but is not limited to, construction of a new influent metering valve box, a new headworks building (Headworks 3) with an attached odor control building, construction of two new oxygenation trains (Oxygenation Trains 9 and 10), construction of a new electrical substation and electrical building, and the integration of these new structures with the rest of the plant. Specifically, the work includes the following:

1. Demolition - Site
 - a. Demolition of existing piping, pavement, conduits and duct banks as indicated in the plans.
2. Construction – SW 232nd Street Force Main Tie-in, Influent Metering Valve Box, Headworks 3, Odor Control Building, and Process Drain Lift Station
 - a. Construction of a connection to an existing plant 72-inch influent force main header located on SW 232nd Street.
 - b. Construction of a new influent valve box which will regulate the flow to a new headworks building.
 - c. Construction of a new influent valve box which will regulate the flow to a new headworks building.
 - d. Construction of a new headworks building and grit chamber (Headworks 3).
 - e. Construction of a new lift station which will receive flow from the process drains from the new headworks.
 - f. Construction of interconnecting piping between existing and new facilities.
 - g. Furnishing and installation of pumps, screens, collectors, conveyors, gates, valves, and other process mechanical equipment.
 - h. Furnishing and installation of fire alarm systems, electrical systems, SCADA system, MCCs, conduits, duct banks, control panels and lighting systems.
 - i. Furnishing and installation of new sensors, including flowmeters, wastewater samplers and other instruments.
 - j. Furnishing and installation of new fire suppression systems, HVAC systems, water source heat pumps (WHPs) cooling water pumps (CWPs), cooling towers (CTs), fans, air ducts and air purification systems.
 - k. Furnishing and installation, doors, windows, skylights, and rollup doors.
 - l. Furnishing and installation of all plumbing.
 - m. Furnishing and installation of all appurtenances for electrical and control room.
3. Construction – Substation 57/58
 - a. Construction of Substation 57/58 to power all new process areas that are part of the Work.
 - b. Furnishing and installation of new fire alarm system, electrical systems, SCADA system, transformers, switchgears, MCCs, conduits, duct banks, control panels and lighting systems.
 - c. Furnishing and installation of new HVAC systems, water source heat pumps (WHPs), cooling water pumps (CWPs), cooling towers (CTs), fans, air ducts and air purification system.
 - d. Furnishing and installation, doors, windows and rollup doors.
 - e. Furnishing and installation of all plumbing.
 - f. Furnishing and installation of all appurtenances for control room.

4. Construction – Ox. Trains 9 and 10 and Sampling Building
 - a. Construction of two (2) new Oxygenation Trains and Sampling Building.
 - b. Construction of interconnecting piping between existing and new facilities.
 - c. Furnishing and installation of new mechanical aerators, blowers, pumps, gates, valves, and other process mechanical equipment.
 - d. Furnishing and installation of new exterior lighting systems.
 - e. Furnishing and installation of new sensors, including flowmeters, gas samplers, wastewater analyzers, and gas detection.
5. Construction – O2 Trains 9-12 Electrical Building
 - a. Construction of one (1) new electrical building for oxygenation trains 9 and 10.
 - b. Furnishing and installation of new fire alarm system, electrical systems, SCADA system, conduits, MCCs, VFDs, control panels, fire alarm, and lighting systems.
 - c. Furnishing and installation of new HVAC systems, water source heat pumps (WHPs) cooling water pumps (CWPs), cooling towers (CTs), fans, air ducts and air purification system.
 - d. Furnishing and installation, doors, windows and rollup doors.
 - e. Furnishing and installation of all plumbing.
 - f. Furnishing and installation of all appurtenances for control room.
6. Construction – Site and Yard Piping
 - a. Site grading and construction of new yard piping and electrical conduits to connect new structures to the SDWWTP existing electrical, water, sewer, process water, fire alarm and SCADA systems.
 - b. Construction of new pavement and sidewalks around new structures.
 - c. Improvements to the SDWWTP potable water, fire water and plant water distribution networks, including replacement of existing yard piping.
 - d. Contractor shall expose all tie-in locations prior to preparation of Shop Drawings.
 - e. Contractor is responsible for groundwater dewatering as well as any dewatering and disposal of dewatered fluids from the pipe itself for all tie-ins.
 - f. Isolation valves are available for all tie-ins; however, the Contractor shall assume that all tie-ins will require additional temporary isolation provided by the Contractor should the isolation valves not completely shut.

It is WASD's intent to obtain a completely functional and satisfactory installation under this project, and any items of labor, equipment or materials which may be reasonably assumed as necessary to accomplish this and shall be supplied whether or not they are specifically shown on the plans or stated in the specifications. The Contractor shall provide all sheeting, shoring, bracing and all other labor, material or equipment required to preclude damage to, or loss of functionality of, any existing facility or system.

PROJECT LOCATION:

Miami-Dade Water and Sewer Department, South District Wastewater Treatment Plant, 8590 S.W. 232nd Street, Section 21, Township 56, Range 40, Miami-Dade, Florida 33190 and along SW 232 Street.

SMALL BUSINESS DEVELOPMENT (SBD)

SUBMITTAL DATE: 10/26/2020

SIGNOFF DATE: 10/29/2020

SBD REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES: (See EXHIBIT "A", as attached)

TYPE	GOAL	COMMENT
SBE – Construction	10.65%	The estimated value is the product of the goal percentage multiplied by the sum of the Base Estimate plus the Contingency Allowance Amount.
SBE - Goods and Service	2.00%	The estimated value is the product of the goal percentage multiplied by the sum of the Base Estimate plus the Contingency Allowance Amount.
CWP	0.00%	CWP is not applicable, project is not in a Designated Target Area (DTA).

PROJECT TECHNICAL CERTIFICATION REQUIREMENTS:

One of the following licenses are required: State General Contractor, General Engineering Contractor, and/or other category as applicable to Chapter 489 of the Florida Statutes or Chapter 10 of the Miami-Dade County Code.

SUBCONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI-DADE COUNTY CODE):

FIRM NAME	SUBCONTRACTOR OR SUPPLIER	SCOPE OF WORK OR MATERIALS & SERVICES
Dodec, Inc.	Subcontractor	Mechanical work
Eli's Mechanical Corp.	Subcontractor	HVAC
Transamerica Construction Company	Subcontractor	Poured Concrete Foundation and Structure
Structural Steel and Precast Concrete Contractors	Subcontractor	Structural Steel & Precast Concrete
David Mancini and Sons, Inc.	Subcontractor	Large diameter Pipeline
Lanzo Construction, Co. Florida	Subcontractor	Large diameter Pipeline
American Electric	Subcontractor	Electrical Subcontractor
Dade Electric Service	Subcontractor	Electrical Subcontractor
Fisk Electric, Inc.	Subcontractor	Electrical Subcontractor
Solares Electric, Inc.	Subcontractor	Electrical Subcontractor
Corcel Corp.	Supplier	Valves
Lightnin'	Supplier	Aerator Supplier
Huber	Supplier	Screen Supplier

APPLICABLE WAGES:

Yes

MANDATORY CLEARING HOUSE: No

PRIMARY COMMISSION DISTRICT: District 8, Danielle Cohen Higgins

APPROVAL PATH:

Miami-Dade Water and Sewer Department Consent Decree and Capital Improvement Programs Acceleration Ordinance Section 2-8.2.12 of the Code of Miami-Dade County.

MANAGING DEPARTMENT: Miami-Dade Water and Sewer Department

FISCAL IMPACT / FUNDING SOURCE: (See EXHIBIT "B", as attached)

Capital Budget Project No. & Description:

2000000580 PEAK FLOW MANAGEMENT – SOUTH DISTRICT EXPANSION

Book Page: 69, Volume #3, Funding Year: Adopted Budget Book for FY 2020-21, Prior Years' Funds through FY2025-26 Funds

Funding Sources:

Future WASD Revenue Bonds
State Revolving Loan Wastewater Program
WASD Revenue Bonds Sold
Wastewater Connection Charges
WIFIA Loan

OPERATIONS COST IMPACT/FUNDING: \$880,000 per year. The funding source for the operating impact is WASD Operating Revenues.

MAINTENANCE COST IMPACT/FUNDING: \$500,000 per year. The funding source for the operating impact is WASD Operating Revenues.

LIFE EXPECTANCY OF ASSET: 50 years

PTP FUNDING: No

GOB FUNDING: No

ARRA FUNDING: No

TOTAL CONTRACT PERIOD:

The total contract period is 871 days, which includes a contract term of 792 days and a contingency period of 79 days.

IG FEE INCLUDED IN BASE CONTRACT: Yes

ART IN PUBLIC PLACES: No

BASE ESTIMATE: \$ 81,569,076.00

BASE CONTRACT AMOUNT: \$ 94,080,000.00

CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):

Type	AMOUNT	PERCENT
INFRASTRUCTURE	\$ 9,408,000.00	10%

DEDICATED ALLOWANCES:

FOR PERMIT FEES	\$ 2,822,400.00	3.00%
FOR LEAD PAINT AND ASBESTOS ABATEMENT:	\$ 25,000.00	0.30%
FOR GEOTECHNICAL ALLOWANCE.:	\$ 150,000.00	0.16%
FOR UTILITY RELOCATIONS:	\$ 700,000.00	0.74%
FOR CONSTRUCTION OF NEW PLANT ENTRANCE:	\$ 420,000.00	0.45%

TOTAL DEDICATED ALLOWANCE: \$ 4,117,400.00

TOTAL CONTRACT AMOUNT: \$ 107,605,400.00

SEA LEVEL RISE (Ord. No. 14-79):

The impact of sea level rise has been considered as part of the design.

SUSTAINABLE BUILDINGS ORDINANCE (Ord. No. 07-65):

This project does not qualify for compliance with the Sustainable Buildings Ordinance.

TRACK RECORD / MONITOR/SBD HISTORY OF VIOLATIONS:

Due diligence was conducted by WASD and the Internal Services Department (ISD) in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status, safety, performance and compliance data. The lists that were reviewed include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings related to Poole & Kent's responsibility. This information is being provided pursuant to Resolution R-187-12.

EXPLANATION:

WASD operates the SDWWTP, whose service area continues to increase in population due to growth and redevelopment. It has been observed that current wastewater flows to the plant is approximately 85% to 90% of the permitted daily flows. This project is for the construction of proposed infrastructure necessary to increase the plants permitted average annual daily flow (AADF) from 112.5 to 131 Million Gallons per Day (MGD) and increase of the peak flow capacity of the Plant from 285 MGD to 305 MGD.

On April 1, 2021, WASD received and opened four (4) bids in response to an advertisement for an open competitive solicitation for Contract No. S-931, summarized as follows: (See Bid Tabulation, attached as EXHIBIT "C")

<u>Company Name</u>	<u>Base Bid</u>	<u>Total Bid</u>
Poole & Kent Company of Florida	\$94,080,000.00	\$107,605,400.00
PCL Construction, Inc.	\$106,580,000.00	\$121,730,400.00
Daniel O'Connell's Sons	\$109,205,000.00 (*)	\$124,696,650.00
Kiewit Water Facilities Florida Co.	\$114,260,000.00	\$130,408,800.00

(*) Figure was revised due to mathematical error.

Bids were due before 2:00 PM on April 1, 2021. Because of state and local declared emergencies due to COVID-19 and Florida Executive Order 20-69, the County could utilize communications media technologies such as telephonic and video conferencing as provided in Section 120.54(5)(b)2 of the Florida Statutes to conduct virtual opening of sealed bids. Therefore, a virtual bid opening was conducted via Zoom.

At the onset of the virtual bid opening, which included over seventy (70) participants via Zoom, bidders were polled regarding submittal of bids. All four (4) bidders identified above stated that they had submitted bids electronically, however the bid from Poole & Kent was missing. The virtual meeting continued as WASD was in coordination with County Staff from the Clerk of the Board and Information Technology Department (ITD). At approximately 3:00PM Poole & Kent's bid was delivered to WASD and shortly thereafter to the Clerk of the Board. The virtual meeting concluded after WASD made a request to ITD for an explanation of this occurrence. ITD performed forensic tracking of each of the four electronic submittals and provided documentation that all bids were received prior to the 2:00 PM, however Poole & Kent's bid submittal was quarantined by the County's server for a total of 70 minutes. Further, a technical issue with the Microsoft Cloud Server on April 1, 2021 resulted in delays of all other bid submittals, for approximately three (3) to five (5) minutes. But, Poole & Kent's bid, which was timely submitted at 1:47:55 PM, had been quarantined and held for 70 minutes before being forwarded to WASD. The following chart shows the times that each bidder sent their bid and the time that WASD received each of those bids.

Firm Name	Time Sent	Time Received	Delay
Daniel O'Connell's Sons	1:54:08 PM	1:57:06 PM	2 min 58 sec
Kiewit Water Facilities Florida Co.	1:54:24 PM	1:59:25 PM	5 min 1 sec
PCL Construction, Inc.	1:53:25 PM	1:57:36 PM	4 min 11 sec
Poole & Kent Co. of Florida	1:47:55 PM	1:48:24 PM	70 mins 1 sec

Because of this discrepancy, WASD submitted a request for a responsiveness determination to the County Attorney's Office (CAO). In response, the CAO opined that WASD may consider Poole & Kent's bid, since the County's ITD confirmed that the bid was timely submitted prior to the bid due date and time and was simply delayed by the County's own system. (See CAO's formal opinion in Attachment 1 of EXHIBIT "D", as attached)

Therefore, on April 13, 2021, correspondence was sent to all bidders notifying them that all bids were timely submitted, with all bids delayed for at least several minutes as stated above and that Poole & Kent's bid was delayed for seventy (70) minutes. (See Verification of Receipt of Poole & Kent's bid in Attachment 2 of EXHIBIT "D", as attached)

Because contract measures were assigned, the lowest three (3) bids were forwarded to ISD's SBD for a compliance review. On April 19, 2021, SBD issued the results of its compliance review. All three firms, Poole & Kent, PCL Construction, Inc. and Daniel O'Connell's Sons, Inc. were determined to be in compliance with the Implementing Order for the Small Business Enterprise (SBE/Cons) program for construction services and (SBE/GS) program for goods and services. A copy of SBD's Compliance Review is attached hereto as EXHIBIT "E".

In correspondence to WASD dated April 19, 2021, the project's Engineer of Record, Brown and Caldwell, confirmed that Poole and Kent along with their large diameter piping subcontractors and their team of electrical subcontractors met the required minimum experience and recommended award of the contract to Poole & Kent. (See EXHIBIT "F", as attached)

ISD's Capital Improvements Information System (CIIS) database contains seventy (70) contractor evaluations for Poole & Kent, which includes fifty-four (54) interim evaluation. Their overall average evaluation is 3.5 points out of a possible 4 points. (See EXHIBIT "G", as attached)

It is recommended that the project be awarded to Poole & Kent, the lowest responsible, responsive bidder, whose base bid of \$94,080,000.00 is approximately 4.77% above the engineer's base estimate of \$ 89,800,564.00.

The Contract, Collusion Affidavit and the Firm's Responsibility Affidavit (also called "Combined Affidavit") executed by Poole & Kent are attached as EXHIBIT "H", EXHIBIT "I" and Exhibit "J", respectively.

SUBMITTAL DATE: 04/01/2021

ESTIMATED NOTICE TO PROCEED: 08/02/2021

PRIME CONTRACTOR: Poole & Kent Company of Florida

COMPANY PRINCIPAL: Patrick H. Carr

COMPANY QUALIFIERS: David A. Strickland

EMAIL ADDRESS: patc@pkflorida.com

COMPANY ADDRESS: 1781 NW North River Drive
Miami, FL 33125

YEARS IN BUSINESS: 16 years

PREVIOUS EXPERIENCE WITH THE COUNTY IN THE PAST FIVE (5) YEARS:

According to the Firm History Report (attached as EXHIBIT "K") provided by the ISD, Poole & Kent has been awarded twenty-four (24) projects in the past three (3) years with the County, with a total value of \$575,966,434 and a total amount paid of \$291,511,353. These include both construction

contracts and projects solicited as design-build services for the design and construction of WASD facilities and infrastructure.

MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS: Yes

In addition to licensing requirements, bidders were required to submit proof with their bids of the following:

1. With the bid, the successful Bidder shall submit proof that the firm has at least the minimum successful contract experience as required below for this Contract. Such proof shall consist of a list of projects, completed prior to the bid date, with the names and telephone numbers of the Department's or representatives that the Department can contact to confirm the listed experience.
2. The Bidder shall have successfully completed a minimum of three (3) projects demonstrating experience with large wastewater treatment upgrade projects having a total construction value (for each project) of greater than \$75 million.
3. The Bidder's proposed project manager shall have successfully completed a minimum of three (3) projects demonstrating experience with large wastewater treatment upgrade projects having a total construction value (for each project) of greater than \$75 million.
4. The Bidder or the Bidder's Large Diameter Piping Subcontractor shall have successfully completed a minimum of three (3) projects demonstrating experience constructing piping projects that include 54" or larger prestressed concrete cylinder pipe with runs greater than 300 feet and which include connections to existing 72" or larger prestressed concrete cylinder pipe.
5. The Bidder or the Bidder's Large Diameter Piping Subcontractor Project Manager shall have successfully completed a minimum of three (3) projects demonstrating experience constructing piping projects that include 54" or larger prestressed concrete cylinder pipe with runs greater than 300 feet and which include connections to existing 72" or larger prestressed cylinder pipe.
6. The Bidder or Bidder's Electrical Subcontractor shall have successfully completed a minimum of three (3) projects demonstrating experience with medium or high voltage power supply systems, including transformers and switchgear.
7. The Bidder or Bidder's Electrical Subcontractor Lead Electrician shall have successfully completed a minimum of three (3) projects demonstrating experience with medium or high voltage power supply systems, including transformers and switchgear.

In the event a firm is established by executives, supervisors, and other senior field staff (key employees) that would have met these minimum experience requirements with a prior firm, the County reserves the right to qualify the firm based on the County's sole determination and evaluation of the knowledge and prior experience of these key employees employed by the new firm. The experience of key senior personnel with other firms may be counted towards the experience requirement, if acceptable to the Engineer. Should such evidence not be satisfactory to the Engineer, whose decision shall be final, the bid will be considered non-responsive, and the second lowest bidder will be considered for award. The qualifying proof shall be submitted in a separate sealed envelope with the bid.

CONTRACT MANAGER NAME/PHONE/EMAIL:

Isaac Smith / 786-552-8255 / Isaac.Smith@miamidade.gov

PROJECT MANAGER NAME/PHONE/EMAIL:

James Ferguson / 786-552-8756 / James.Ferguson@miamidade.gov

BACKGROUND:

The South District Wastewater Treatment Plant (SDWWTP) is owned and operated by the Miami-Dade Water and Sewer Department. This project is for the construction of proposed infrastructure and is necessary for the increase of SDWWTP's permitted average annual daily flow (AADF) from 112.5 to 131 Million Gallons per Day (MGD) and increase of the peak flow capacity of the Plant from 285 MGD to 305 MGD. Since the SDWWTP's service area continues to increase in population due to growth and redevelopment, it has been observed that current wastewater flows to the SDWWTP is approximately 85% to 90% of the permitted AADF.

It should also be noted that the SDWWTP is one of three (3) regional wastewater treatment facilities operated by WASD and serving the southern portion Miami-Dade County. The wastewater conveyance system to the three wastewater plants is interconnected so flow can be directed between wastewater treatment plants to allow for operational flexibility, therefore the expansion project is part of a regional solution for the wastewater treatment system of the County to meet future flows and loads. The project will also result in a more robust and resilient facility designed to meet WASD's facility hardening criteria. This criterion will allow for the continuous operation of the wastewater treatment system during severe climatological events, which are frequent in the South Florida area.

SIGNATURE PAGE

**Ocean Outfall Legislation Program Construction Package ST-2A
Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58
Project No: N/A ; Contract No: S-931**



**DAVID CLODFELTER
INTERIM OMB DIRECTOR**

5/6/2021

DATE

**APPROVED AS TO LEGAL
SUFFICIENCY**



**ANGELA BENJAMIN
ASSISTANT COUNTY ATTORNEY**

May 6, 2021

DATE



**JIMMY MORALES, CHIEF OPERATIONS OFFICER
ON BEHALF OF MAYOR DANIELLA LEVINE CAVA**

5/10/2021

DATE

Exhibit A



Small Business Development Division

Project Worksheet

Project/Contract Title: OCEAN OUTFALL LEGISLATION PROGRAM
CONSTRUCTION PACKAGE ST-2A HEADWORKS 3,
OXYGENATION TRAINS 9 & 10, AND SUBSTATION 57/58

Received Date: 10/26/2020

Project/Contract No: S-931

Funding Source: EW 667, Revenue Bonds Sold

Department: Water & Sewer

Estimated Cost of Project/Bid: \$89,725,984.00

Description of Project/Bid: In general, the project consists of furnishing all materials, labor, and equipment necessary for the construction of proposed headworks, two oxygenation trains and odor control facilities at the South District Wastewater Treatment Plant (SDWWTP), located at 8950 SW 232nd Street Miami, Florida. The project also includes the installation of large diameter pipelines including a connection to an existing 72-inch force main at SW 232 Street.

Contract Measures		
<u>Measure</u>	<u>Program</u>	<u>Goal Percent</u>
Goal	SBE - Con	10.65%
Goal	SBE - Goods	2.00%

Reasons for Recommendation
SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE-Con) An analysis of the factors contained in Implementing Order 3-22 indicates a 10.65% SBE - Con subcontractor goal is appropriate for this contract for the trades of Commercial and Institutional Building Construction (3.171%-GC), Site Preparation Contractors (7.16%-Site Preparation) and Other Building Equipment Contractors (0.323%-Building/Windows/Piping). CWP Not Applicable: Not in a DTA SMALL BUSINESS ENTERPRISE - GOODS & SERVICES (SBE-Goods) An analysis of the factors contained in Implementing Order 3-41 indicates a 2.00% (SBE - Goods) Subcontractor Goal is appropriate for this contract in the commodity of Construction Materials (2.00%) (15010). The SBE - Con and SBE - Goods Subcontractor Goals can be met by First Tier (Prime Contractors) and Second Tier (Subcontractors) certified SBE firms. NAICS 237110 Water and Sewer Line and Related Structures Construction, NAICS 236220 Commercial and Institutional Building Construction, NAICS 238290 Other Building Equipment Contractors, NAICS 237990 Other Heavy and Civil Engineering Construction, NAICS 238910 Site Preparation Contractors, NIGP 15010 Construction Materials, NIGP 65800 Pipe, Tubing and Accessories

Small Business Contract Measure Recommendation	
<u>Subtrade</u>	<u>Category</u>
COMMERCIAL AND INSTITUTIONAL BUILDING CONSTRUCTION	SBE-Con
SITE PREPARATION CONTRACTORS	SBE-Con
OTHER BUILDING EQUIPMENT CONTRACTORS	SBE-Con
CONSTRUCTION MATERIALS	SBE-Goods

Living Wages: YES ☐ NO ☒

Highway: YES ☐ NO ☒

Heavy Construction: YES ☐ NO ☒

Responsible Wages: YES ☒ NO ☐

Building: YES ☒ NO ☐



SBD Director

3/08/21
Date

FY 2020 - 21 Adopted Budget and Multi-Year Capital Plan

PEAK FLOW MANAGEMENT - SOUTH DISTRICT EXPANSION

PROJECT #: 2000000580

DESCRIPTION: Redirect flows to regional plants and account for peak flows through 2035
 LOCATION: Systemwide
 Various Sites

District Located:
 District(s) Served:

Systemwide
 Countywide

EXHIBIT
 "B"

REVENUE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Future WASD Revenue Bonds	0	7,649	1,127	1,873	0	22,834	43,500	101,217	178,200
State Revolving Loan Wastewater Program	10,000	0	0	0	0	0	0	0	10,000
WASD Revenue Bonds Sold	18,274	0	0	0	0	0	0	0	18,274
Wastewater Connection Charges	55,148	15,946	31,472	23,985	7,000	5,000	7,000	0	145,551
Wastewater Special Construction	1	0	0	0	0	0	0	0	1
Fund									
WIFIA Loan	299,183	0	0	0	0	0	0	0	299,183
TOTAL REVENUES:	382,606	23,595	32,599	25,858	7,000	27,834	50,500	101,217	651,209
EXPENDITURE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Construction	95,147	35,675	62,984	77,119	75,559	81,700	88,152	121,875	638,211
Planning and Design	1,915	769	1,285	1,574	1,542	1,668	1,758	2,487	12,998
TOTAL EXPENDITURES:	97,062	36,444	64,269	78,693	77,101	83,368	89,910	124,362	651,209

PUMP STATIONS - GENERATORS AND MISCELLANEOUS UPGRADES

PROJECT #: 9652002

DESCRIPTION: Install emergency generators and construct miscellaneous upgrades at various wastewater pump stations
 LOCATION: Systemwide
 Various Sites

District Located:
 District(s) Served:

Systemwide
 Systemwide

REVENUE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Future WASD Revenue Bonds	0	3,080	3,456	4,802	5,600	5,046	2,850	300	25,134
WASD Revenue Bonds Sold	2,346	0	0	0	0	0	0	0	2,346
TOTAL REVENUES:	2,346	3,080	3,456	4,802	5,600	5,046	2,850	300	27,480
EXPENDITURE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Construction	2,346	3,080	3,456	4,802	5,600	5,046	2,850	300	27,480
TOTAL EXPENDITURES:	2,346	3,080	3,456	4,802	5,600	5,046	2,850	300	27,480

PUMP STATIONS - IMPROVEMENT PROGRAM

PROJECT #: 9651071

DESCRIPTION: Upgrade pump stations systemwide to meet departmental forecasted demands
 LOCATION: Systemwide
 Various Sites

District Located:
 District(s) Served:

Systemwide
 Systemwide

REVENUE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Future WASD Revenue Bonds	0	8,387	5,863	569	0	0	0	29,807	44,626
WASD Revenue Bonds Sold	103,504	0	0	0	0	0	0	0	103,504
Wastewater Connection Charges	5,168	2,500	0	0	0	0	0	0	7,668
TOTAL REVENUES:	108,672	10,887	5,863	569	0	0	0	29,807	155,798
EXPENDITURE SCHEDULE:	PRIOR	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	FUTURE	TOTAL
Construction	89,739	11,886	4,984	484	0	0	0	25,336	132,429
Planning and Design	15,837	2,097	879	85	0	0	0	4,471	23,369
TOTAL EXPENDITURES:	105,576	13,983	5,863	569	0	0	0	29,807	155,798

EXHIBIT
"C"

TABULATION OF BIDS
Miami-Dade Water and Sewer Department
Construction Contract for Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58
Contract No. S-931

Base Engineer's Estimate: \$89,800,564

BID DATE: April 1, 2021

Item	Description	Engineers OPCC	Daniel O'Connell's Sons	Kiewit Infrastructure South Co.	PCL Construction, Inc.	Poole & Kent Company of Florida
0-1	General Requirements. General Requirements or Home/Field Office Overhead, which include cost associated with and delineated in the general and supplemental conditions including Division 01 of the Contract. For performing preparatory work and operations in mobilizing for beginning the work of the Project, including setting up temporary facilities, preparing shop drawing submittals, supplies, materials, personnel, safety equipment and first aid supplies, etc.; including the costs of bonds, required insurance, and other preconstruction expenses; excluding the actual cost of permits, which are paid under a separate dedicated allowance; excluding the cost of the materials which are paid under the other bid items.		\$5,500,000.00	\$5,000,000.00	\$5,500,000.00	\$4,500,000.00
1-1	General Site Civil and Yard Piping Demolition: For demolition, removal and disposal of existing asphalt pavement, concrete curbs, sidewalks, concrete pads, retaining walls, drainage structures, and concrete valve collars. For demolition, removal, disposal, and capping of, drain-pipes, sanitary pipes, sludge pipes, and storm drainage pipes.	\$1,158,253.00	\$500,000.00	\$450,000.00	\$500,000.00	\$2,000,000.00
1-2	General Site Civil: For cranes and lifts, providing and installing all new paving, grading and drainage work within the general project site, furnishing and installing all new landscaping, seeding and sodding for the general site work indicated in the Contract Documents.	\$3,699,509.00	\$1,250,000.00	\$1,200,000.00	\$1,500,000.00	\$1,000,000.00
1-3	Dewatering and Shoring: For all dewatering and shoring required for the general site work indicated in the Contract Documents.	\$1,357,198.00	\$400,000.00	\$10,000.00	\$1,500,000.00	\$2,000,000.00
1-4	Site Electrical: For site electrical including electrical site demolition and new electrical ductbanks, electrical manholes and cabling as indicated in the Contract Documents.	\$4,968,274.00	\$3,500,000.00	\$4,000,000.00	\$4,000,000.00	\$3,500,000.00
1-5	Site Yard Piping-Small Bore: For small bore (24-inches and smaller) piping as indicated in the Contract Documents	\$3,480,198.00	\$2,480,000.00	\$6,000,000.00	\$6,000,000.00	\$3,000,000.00
1-6	Site Yard Piping-Large Bore: For large bore (larger than 24-inch) piping as indicated in the Contract Documents.	\$10,229,949.00	\$24,500,000.00	\$22,000,000.00	\$19,000,000.00	\$21,000,000.00
1-7	General Site. The sum of bid item No. 1-1 through 1-6.	\$24,893,381.00	\$32,630,000.00	\$33,660,000.00	\$32,500,000.00	\$32,500,000.00
2-1	Influent Flow Meter and Valve Box. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$6,577,352.00	\$7,000,000.00	\$8,500,000.00	\$7,845,000.00	\$7,000,000.00
3-1	Headworks 3 and Odor Control. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$26,863,796.00	\$24,500,000.00	\$31,500,000.00	\$22,090,000.00	\$15,500,000.00
4-1	Oxygenation Train 9. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$9,829,739.00	\$12,250,000.00	\$15,000,000.00	\$14,000,000.00	\$11,580,000.00

TABULATION OF BIDS
Miami-Dade Water and Sewer Department
Construction Contract for Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58
Contract No. S-931

Base Engineer's Estimate: \$89,800,564		BID DATE: April 1, 2021				
Item	Description	Engineers OPCC	Daniel O'Connell's Sons	Kiewit Infrastructure South Co.	PCL Construction, Inc.	Poole & Kent Company of Florida
5-1	Oxygenation Train 10 and Sampling Building. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$8,979,240.00	\$13,000,000.00	\$15,000,000.00	\$14,345,000.00	\$13,000,000.00
6-1	Oxygenation Train 9-10 Electrical Building. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$3,297,535.00	\$3,325,000.00	\$600,000.00	\$1,900,000.00	\$5,000,000.00
7-1	Substation 57/58. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$9,359,521.00	\$11,000,000.00	\$5,000,000.00	\$8,400,000.00	\$5,000,000.00
8	Subtotal of Items No. 0-1, 1-7, 2-1, 3-1, 4-1, 5-1, 6-1, and 7-1.	\$89,800,564.00	\$109,205,000.00	* \$114,260,000.00	\$106,580,000.00	\$94,080,000.00
9-1	Permitting Dedicated Allowance. This item establishes a fund for reimbursement of the cost of required construction permits, fees, inspections, and/or impact fees, if authorized by the Engineer, for the sum of 3.0% of the Subtotal, Item No.8, (0.03) x (Item No. 8).	\$2,694,016.92	\$3,276,150.00	\$3,427,800.00	\$3,197,400.00	\$2,822,400.00
9-2	Lead Paint and Asbestos Dedicated Allowance. This item establishes a fund for the demolition, handling, and removal of materials containing lead paint or asbestos encountered during construction in any existing structure or existing field item within the boundaries of the Work, if authorized by the Engineer.	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
9-3	Geotechnical Dedicated Allowance. This item establishes a fund for completing work exclusively related to addressing geotechnical/foundation and dewatering issues that were unknown at the time when the Bid Documents were issued, if authorized by the Engineer.	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00
9-4	Utility Conflicts Dedicated Allowance. This item establishes a fund for completing Work exclusively related to addressing underground utility conflicts that were unknown at the time when the Bid Documents were issued, if authorized by the Engineer.	\$700,000.00	\$700,000.00	\$700,000.00	\$700,000.00	\$700,000.00
9-5	New Plant Entrance Dedicated Allowance. This item establishes a fund for completing Work exclusively related to constructing a new entrance for the SDWWTP, if authorized by the Engineer.	\$420,000.00	\$420,000.00	\$420,000.00	\$420,000.00	\$420,000.00
9-6	Total Allowances. The sum of Bid Item Nos. 9-1 through 9-5.	\$3,989,016.92	\$4,571,150.00	\$4,722,800.00	\$4,492,400.00	\$4,117,400.00
10	Contingency Account. For Unforeseeable Conditions, Minor Construction Changes and Quantity Adjustments, additional work not covered by other items, if ordered by the Engineer, 10% of the Subtotal, Item No. 8 (Item No. 8 * 0.10).	\$8,980,056.40	\$10,920,500.00	\$11,426,000.00	\$10,658,000.00	\$9,408,000.00
11	Grand Total with Contingency and Allowances. SUBTOTAL BID (Item 8) + Total Allowances (Item 9-6) + Contingency Account (Item 10).	\$102,769,637.32	\$124,696,650.00	\$130,408,800.00	\$121,730,400.00	\$107,605,400.00

* Subtotal revised due to mathematical error by PCL Construction, Inc.

LOW BIDDER

From: Arteaga, Cliff (ITD)
 To: Smith, Isaac (WASD); Muniz, Eddy (ITD)
 Cc: Barral, Mario R. (ITD); Parham, Paul (ITD)
 Subject: RE: Email Time Verification
 Date: Thursday, April 1, 2021 4:33:52 PM



I looked at the path the message took and it looks like it got delayed right before it handed it off to our ISP FireEye (Hop 6). The delay recorded was 70 minutes.

This was out of our control.

1	DM6PR16MB3545.namprd16.prod.outlook.com (ffe80:b5d4:1c2e:4ab1:623b)	DM6PR16MB3545.namprd16.prod.outlook.com (ffe80:b5d4:1c2e:4ab1:623b%7f)	4/1/2021 1:47:55 PM		mapi
2	DM6PR16MB3545.namprd16.prod.outlook.com (2603:10b6:5:1c8::31)	DM5PR16MB2261.namprd16.prod.outlook.com (2603:10b6:4:b6::38)	4/1/2021 1:47:55 PM	0 seconds	Microsoft SMTP Server (version=TLS1_2, cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384)
3	nam12-dm6-obe.outbound.protection.outlook.com (mail-dm6nam12lp2171.outbound.protection.outlook.com (104.47.59.171))	mx0b-0015e101.pphosted.com	4/1/2021 1:48:11 PM	16 seconds	ESMTP
4	pps.filterd (m0043740.ppop.net [127.0.0.1])	mx0b-0015e101.pphosted.com (8.16.0.43/8.16.0.43)	4/1/2021 1:48:24 PM	13 seconds	SMTP
5	mx0a-0015e101.pphosted.com (mx0a-0015e101.pphosted.com [67.231.148.16])	prd09-use1-44 (envelope-from <prvs=5725136c19=christinem@pkflorida.com>) FireEye ETP	4/1/2021 2:58:25 PM	70 minutes 1 second	ESMTPS (cipher=AES256-GCM-SHA384)
6	mx.us.email.fireeyecloud.com (unknown [10.88.252.26]) (using TLSv1.2	use1-etp-content-mta-inbound-prd09-22.cso.fireeye.com (Postfix)	4/1/2021 2:58:30 PM	5 seconds	cipher ECDHE-RSA-AES256-GCM-SHA384 (256/256 bits)) (No client certificate requested): ESMTPS

From: Smith, Isaac (WASD) <Isaac.Smith@miamidade.gov>
 Sent: Thursday, April 1, 2021 3:57 PM
 To: Arteaga, Cliff (ITD) <artc@miamidade.gov>; Muniz, Eddy (ITD) <Eddy.Muniz@miamidade.gov>
 Cc: Barral, Mario R. (ITD) <Mario.Barral@miamidade.gov>; Parham, Paul (ITD) <Paul.Parham@miamidade.gov>
 Subject: Email Time Verification

Hi Cliff/Eddy,
 Please advise on the 2 times on this email. We would like to know where the delay was. The time is important because the bid needed to be received by 2:00pm.
 The sent time of 1:48pm
 The received time of 3:00pm

Isaac Smith
 Construction Contracts Division
 Miami-Dade Water and Sewer Department
 3071 SW 38 Ave., Suite 107, Miami, Florida 33146
 Office: (786) 552-8989
www.miamidade.gov/water
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Memorandum



Date: April 5, 2021

To: Isaac Smith,
Chief, Construction Contracts Division, Miami-Dade Water and Sewer Department

From: Angela Benjamin
Assistant County Attorney

Subject: Request for Responsiveness Determination
Ocean Outfall Legislation Program, Construction Package ST-2A, Headworks 3
Oxygenation Trains 9 & 10, and Substation 57/58, Contract No. S-931

In memoranda addressed to me, Angela Benjamin, dated April 5, 2021, you asked this office if a proposal submitted by Poole and Kent Co. of Florida ("Poole and Kent") in response to an Advertisement for Bids is responsive.

The Bid Advertisement (inclusive of addenda attached) requires bidders to submit their bids via email to you before 2:00 pm on April 1, 2021. The County's ITD has confirmed that Poole and Kent submitted its bid before the deadline, but that email was quarantined for 70 minutes before it was placed in your inbox.

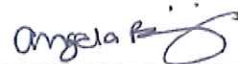
For the reasons set forth below, we conclude that the County may consider Poole and Kent's proposal.

Discussion

Based on the facts set forth above, the County may accept Poole and Kent's proposal.

In general, a proposal may be rejected if there is a material variance between the proposal and the advertisement. A minor variance, however, will not invalidate the proposal. *See Robinson Elec. v. Dade Cnty.*, 417 So. 2d 1032, 1034 (Fla. 3d DCA 1982). There is a two part test to determine whether a noncompliance is material: (1) whether the effect of the waiver would deprive the government of the assurance that the contract would be entered into, performed and guaranteed in accordance with the requirements of the solicitation; and (2) whether it would place a proposer in a position of advantage over other proposers. *Id.*

Applying those principles here, we conclude the County may consider Poole and Kent's proposal. Accepting the submission of a timely submitted proposal that was simply delayed by the County's own system would not deprive the government of assurances that the contract would be entered into and does not place Poole and Kent in a position of advantage over other proposers.

/s/ 
Angela F. Benjamin

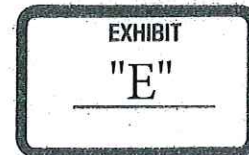
Memorandum



DATE: April 19, 2021

TO: Isaac Smith, Chief
Construction Contracts
Water and Sewer Department

FROM: Gary Hartfield, Division Director
Internal Services Department
Small Business Development



SUBJECT: Compliance Review
Project No. S-931
Ocean Outfall Legislation Program Construction Package St-2a Headworks 3, Oxygenation
Trains 9 & 10, And Substation 57/58

Small Business Development (SBD), a Division of the Internal Services Department, has completed its review of the subject project. The established contract measures for this project is a 10.65% Small Business Enterprise Construction (SBE-Con) and 2.00% Small Business Enterprise Goods (SBE-Goods) subcontractor goals.

The Miami-Dade Water and Sewer Department has submitted bid documents that included the Certificate of Assurance for the firms listed below acknowledging the project's SBE measures. The firms also submitted their Utilization Plan (UP) identifying the SBE subcontractors to fulfill the SBE-Con and SBE-Goods goals via the Business Management Workforce System (BMWS) and the following is their pre-award compliance status and summary.

FIRM(S):

1. PCL Construction, Inc.
2. Poole & Kent Company of Florida
3. Daniel O' Connell's Sons, Inc.

STATUS:

Compliant
Compliant
Compliant

SUMMARY:

PCL Construction, Inc. (#1), a non-certified SBE-Con firm, committed to utilize the following certified, SBE-Con firms: H & R Construction Group, Inc. to perform concrete and masonry work at 7.27% and RF Environmental Services, Inc. to perform NAICS 238220, Mechanical Contractors work at 3.51% in satisfaction of the 10.65% SBE-Con subcontractor goal. The Utilization Plan (UP) submitted by PCL Construction, Inc. and confirmed by the subcontractors was approved pursuant to the firm's commitment to achieve the 10.65% SBE-Con subcontractor goal.

PCL Construction, Inc. also committed to utilize A & B Pipe and Supply, Inc., a certified SBE-Goods firm to supply pipe material and valves at 2.06% in satisfaction of the 2.00% SBE-Goods subcontractor goal. The Utilization Plan (UP) submitted by PCL Construction, Inc. and confirmed by the subcontractor was approved pursuant to the firm's commitment to achieve the 2.00% SBE-Goods subcontractor goal.

PCL Construction, Inc. is in compliance with the 10.65% SBE-Con and 2.00% SBE-Goods subcontractor goals established for this contract. PCL Construction, Inc. is deemed compliant with Implementing Orders 3-22 and 3-41 governing the SBE-Con and SBE-Goods programs.

Poole & Kent Company of Florida (#2), a non-certified SBE-Con firm, committed to utilize the following certified, SBE-Con firms: Dodec, Inc. to perform NAICS 238220, Mechanical Contractors work at 3.21%, Eli's Mechanical Corp. to perform HVAC work at 1.77% and Transamerica Construction Company to perform NAICS 238110, Poured Concrete Foundation and Structure Contractors and NAICS 238120, Structural Steel and Precast Concrete Contractors work at 5.72% in satisfaction of the 10.65% SBE-Con subcontractor goal. The Utilization Plan submitted by Poole & Kent Company of Florida was approved and confirmed by the subcontractors pursuant to the firm's commitment to achieve an overall SBE-Con goal of 10.65%.

Poole & Kent Company of Florida also committed to utilize Corcel Corp., a certified SBE-Goods firm to furnish valves at 2.00% in satisfaction of the 2.00% SBE-Goods subcontractor goal. The Utilization Plan (UP) submitted by Poole & Kent Company of Florida and confirmed by the subcontractor was approved pursuant to the firm's commitment to achieve the 2.00% SBE-Goods subcontractor goal.

Poole & Kent Company of Florida is in compliance with the 10.65% SBE-Con and 2.00% SBE-Goods subcontractor goals established for this contract. Pool & Kent Company of Florida is deemed compliant with Implementing Orders 3-22 and 3-41 governing the SBE-Con and SBE-Goods programs.

Daniel O' Connell's Sons, Inc. (#3), a non-certified SBE-Con firm, committed to utilize the following certified, SBE-Con firms: Dade Electric Service, Inc. to perform electrical work at 8.75%, SCR Mechanical, LLC to perform NAICS 238220, Mechanical Contractors work at 1.19% and Sunshine State Air Conditioning, Inc. to perform HVAC work at 2.23% in satisfaction of the 10.65% SBE-Con subcontractor goal. The Utilization Plan submitted by Daniel O' Connell's Sons, Inc. was approved and confirmed by the subcontractors pursuant to the firm's commitment to achieve an overall SBE-Con goal of 10.65%.

Daniel O' Connell's Sons, Inc. also committed to utilize Corcel Corp., a certified SBE-Goods firm to provide pipes, tubing and fittings at 2.28% in satisfaction of the 2.00% SBE-Goods subcontractor goal. The Utilization Plan (UP) submitted by Daniel O' Connell's Sons, Inc. and confirmed by the subcontractor was approved pursuant to the firm's commitment to achieve the 2.00% SBE-Goods subcontractor goal.

Daniel O' Connell's Sons, Inc. is in compliance with the 10.65% SBE-Con and 2.00% SBE-Goods subcontractor goals established for this contract. Daniel O' Connell's Sons, Inc. is deemed compliant with Implementing Orders 3-22 and 3-41 governing the SBE-Con and SBE-Goods programs.

SBD has verified that none of the aforementioned firms are listed with an open violation on the Compliance Report of Open and Closed Small Business, Wage and/or Workforce Violations in the last three (3) years as of April 19, 2021.

Please be reminded that SBD's review is specific to the SBE-Con and SBE-Goods programs. The Contracts and Specifications Section of the Miami-Dade Water and Sewer Department is responsible for any other issues that may exist. Should you have any questions or need any additional information, please do not hesitate to call Caesar E. Suarez, SBD Capital Improvement Project Specialist at (305) 375-3141.

c: Laurie Johnson, ISD/SBD

2333 Ponce De Leon Boulevard
Suite R-205
Coral Gables, FL 3334
305.704.4428
www.browncaldwell.com



April 19, 2021



Mr. Isaac Smith,
Chief, Construction Contracts Division
Miami-Dade Water and Sewer Department
3071 SW 38th Avenue
Miami, Florida 33146

RE: MD-WASD Contract S-931 – Recommendation to issue a Notice of Intent of Award for Contract S-931 to Poole & Kent Company of Florida.

Dear Mr. Smith:

The bid opening for Contract S-931, SDWWTP Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58, Contract S-931, took place on April 1, 2021 at 2pm. Four bids were received from the following firms: Daniel O'Connell's Sons, Kiewit Water Facilities Florida Company, PCL Construction Inc., and Poole & Kent Company of Florida. Table 1 below presents the Subtotal Bid (Item 4 of the Bid Items Form) and the Grand Total with Contingency and Allowances (Item 7 of the Bid Items Form).

Table 1 – S-931 Bidding Results

Contractor	Subtotal Bid	Grand Total with Contingencies and Allowances
Daniel O'Connell's Sons	\$109,205,000.00 ⁽¹⁾	\$124,696,650.00
Kiewit Water Facilities Florida Company	\$114,260,000.00	\$130,408,800.00
PCL Construction Inc.	\$106,580,000.00	\$121,730,400.00
Poole & Kent Company of Florida	\$94,080,000.00	\$107,605,400.00

Notes:

(1) There is a mathematical error in the Daniel O'Connell's Sons bid items form. The reported value for the Subtotal Bid was: \$111,205,000.00; however, the summation of the bid items, which is reported in this table, is \$109,205,000.00.

April 19, 2021

Mr. Isaac Smith,
Chief, Construction Contracts Division
Page 2

MD-WASD requested that Brown and Caldwell, as the project's Engineer of Record (EOR), review the bid package to evaluate if Poole & Kent Company of Florida; a) meet the minimum construction experience criteria defined in the Contract Documents, b) are compliant and responsive with the bid requirements and c) if that the bid prices generally align with the EOR's Opinion of Probable Construction Cost (OPCC). Brown and Caldwell has reviewed the bid documents provided by MD-WASD and concludes the following:

- a) Poole & Kent Company of Florida meets the minimum construction experience defined in the Contract Documents.
- b) The bid from Poole & Kent Company of Florida is compliant and responsive with the bid requirements.
- c) While there are outliers within the individual bid items, the overall bid is within the low- and high-end ranges of the Engineer's OPCC. Note that the low bidder, Poole & Kent Company, was approximately 4.8% higher than the Engineer's OPCC.

Table 2 and Table 3 are provided as attachments to this letter. Table 2 compares the Engineer's OPCC, to the four bidding contractors, while Table 3 compares the compliance of the Poole & Kent bid versus bid documentation requirements.

With the above review, we recommend that MD-WASD proceed with an Issuance of a Notice of Intent of Award for Contract S-931 to Poole & Kent Company of Florida.

Please do not hesitate to contact us if there are any questions.

Very truly yours,

Brown and Caldwell

William Eleazer, P.E
Project Manager
Phone: (305) 967-1776
Email: beleazer@brwncald.com

Attachment: Table 2 – Contract S-931 – Bid Analysis
Table 3 – Contract S-931 – Poole & Kent Bid Review Summary

cc: Gisselly Anania, OOL Program
Pedro Quiros Pierce, OOL Program

2333 Ponce De Leon Boulevard
Suite R-205
Coral Gables, FL 3334
305.704.4428
www.browncaldwell.com



Table 2 - Contract S-931 - Bid Analysis

Bid Item	Description	Engineer's O'PCC	Daniel O'Connell's Sons	Kiewit	PCL	Poole & Kent
0-1	General Requirements. General Requirements or Home/Field Office Overhead, which include cost associated with and delineated in the general and supplemental conditions including Division 01 of the Contract. For performing preparatory work and operations in mobilizing for beginning the work of the Project, including setting up temporary facilities, preparing shop drawing submittals, supplies, materials, personnel, safety equipment and first aid supplies, etc.; including the costs of bonds, required insurance, and other preconstruction expenses; excluding the actual cost of permits, which are paid under a separate dedicated allowance; excluding the cost of the materials which are paid under the other bid items.	(Allocated throughout bid items)	\$5,500,000.00	\$5,000,000.00	\$5,500,000.00	\$4,500,000.00
1-1	General Site Civil and Yard Piping Demolition: For demolition, removal and disposal of existing asphalt pavement, concrete curbs, sidewalks, concrete pads, retaining walls, drainage structures, and concrete valve collars. For demolition, removal, disposal, and capping of, drain-pipes, sanitary pipes, sludge pipes, and storm drainage pipes.	\$1,158,253.00	\$500,000.00	\$450,000.00	\$500,000.00	\$2,000,000.00
1-2	General Site Civil: For cranes and lifts, providing and installing all new paving, grading and drainage work within the general project site, furnishing and installing all new landscaping, seeding and sodding for the general site work indicated in the Contract Documents.	\$3,699,509.00	\$1,250,000.00	\$1,200,000.00	\$1,500,000.00	\$1,000,000.00

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Table 2 - Contract S-931 - Bid Analysis

Bid Item	Description	Engineer's OPC	Daniel O'Connell's Sons	Kiewit	PCL	Poole & Kent
1-3	Dewatering and Shoring: For all dewatering and shoring required for the general site work indicated in the Contract Documents.	\$1,357,198.00	\$400,000.00	\$10,000.00	\$1,500,000.00	\$2,000,000.00
1-4	Site Electrical: For site electrical including electrical site demolition and new electrical ductbanks, electrical manholes and cabling as indicated in the Contract Documents.	\$4,968,274.00	\$3,500,000.00	\$4,000,000.00	\$4,000,000.00	\$3,500,000.00
1-5	Site Yard Piping-Small Bore: For small bore (24-inches and smaller) piping as indicated in the Contract Documents	\$3,480,198.00	\$2,480,000.00	\$6,000,000.00	\$6,000,000.00	\$3,000,000.00
1-6	Site Yard Piping-Large Bore: For large bore (larger than 24-inch) piping as indicated in the Contract Documents.	\$10,229,949.00	\$24,500,000.00	\$22,000,000.00	\$19,000,000.00	\$21,000,000.00
1-7	General Site. The sum of Bid Item No. 1-1 through 1-6.	\$24,893,381.00	\$32,630,000.00	\$33,660,000.00	\$32,500,000.00	\$32,500,000.00
2-1	Influent Flow Meter and Valve Box. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$6,577,352.00	\$7,000,000.00	\$8,500,000.00	\$7,845,000.00	\$7,000,000.00
3-1	Headworks 3 and Odor Control. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$26,863,796.00	\$24,500,000.00	\$31,500,000.00	\$22,090,000.00	\$15,500,000.00

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Table 2 - Contract S-931 - Bid Analysis

Bid Item	Description	Engineer's OPCC	Daniel O'Connell's Sons	Kiewit	PCL	Poole & Kent
4-1	Oxygenation Train 9. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$9,829,739.00	\$12,250,000.00	\$15,000,000.00	\$14,000,000.00	\$11,580,000.00
5-1	Oxygenation Train 10 and Sampling Building. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$8,979,240.00	\$13,000,000.00	\$15,000,000.00	\$14,345,000.00	\$13,000,000.00
6-1	Oxygenation Train 9-10 Electrical Building. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$3,297,535.00	\$3,325,000.00	\$600,000.00	\$1,900,000.00	\$5,000,000.00
7-1	Substation 57/58. For all elements including local site civil, shoring, dewatering, concrete, metals, piping and mechanical, process equipment and electrical. All testing and startup to make a complete and operable system.	\$9,359,521.00	\$11,000,000.00	\$5,000,000.00	\$8,400,000.00	\$5,000,000.00
8	Subtotal of Items No. 0-1, 1-7, 2-1, 3-1, 4-1, 5-1, 6-1, and 7-1.	\$89,800,564.00	\$109,205,000.00 ⁽¹⁾	\$114,260,000.00	\$106,580,000.00	\$94,080,000.00
9-1	Permitting Dedicated Allowance. This item establishes a fund for reimbursement of the cost of required construction permits, fees, inspections, and/or impact fees, if authorized by the Engineer, for the sum of 3.0% of the Subtotal, Item No.8, (0.03) x (Item No. 8).	\$2,694,016.92	\$3,276,150.00	\$3,427,800.00	\$3,197,400.00	\$2,822,400.00

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Table 2 - Contract S-931 - Bid Analysis

Bid Item	Description	Engineer's OPC	Daniel O'Connell's Sons	Kiewit	PCL	Poole & Kent
9-2	Lead Paint and Asbestos Dedicated Allowance. This item establishes a fund for the demolition, handling, and removal of materials containing lead paint or asbestos encountered during construction in any existing structure or existing field item within the boundaries of the Work, if authorized by the Engineer.	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
9-3	Geotechnical Dedicated Allowance. This item establishes a fund for completing work exclusively related to addressing geotechnical/foundation and dewatering issues that were unknown at the time when the Bid Documents were issued, if authorized by the Engineer.	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00
9-4	Utility Conflicts Dedicated Allowance. This item establishes a fund for completing Work exclusively related to addressing underground utility conflicts that were unknown at the time when the Bid Documents were issued, if authorized by the Engineer.	\$700,000.00	\$700,000.00	\$700,000.00	\$700,000.00	\$700,000.00
9-5	New Plant Entrance Dedicated Allowance. This item establishes a fund for completing Work exclusively related to constructing a new entrance for the SDWWTP, if authorized by the Engineer.	\$420,000.00	\$420,000.00	\$420,000.00	\$420,000.00	\$420,000.00
9-6	Total Allowances. The sum of Bid Item Nos. 9-1 through 9-5.	\$3,989,016.92	\$4,571,150.00	\$4,722,800.00	\$4,492,400.00	\$4,117,400.00
10	Contingency Account. For Unforeseeable Conditions, Minor Construction Changes and Quantity Adjustments, additional work not covered by other items, if ordered by the Engineer, 10% of the Subtotal, Item No. 8 (Item No. 8 * 0.10).	\$8,980,056.40	\$10,920,500.00	\$11,426,000.00	\$10,658,000.00	\$9,408,000.00

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Table 2 - Contract S-931 - Bid Analysis

Bid Item	Description	Engineer's O'PCC	Daniel O'Connell's Sons	Kiewit	PCL	Poole & Kent
1.1	Grand Total with Contingency and Allowances. SUBTOTAL BID (Item 8) + Total Allowances (Item 9-6) + Contingency Account (Item 10) .	\$102,769,637.32	\$124,696,650.00	\$130,408,800.00	\$121,730,400.00	\$107,605,400.00

Notes:

(1) There is a mathematical error in the Daniel O'Connell's Sons bid items form. The reported value for the Subtotal Bid was: \$111,205,000.00; however, the summation of the bid items, which is reported in this table, is \$109,205,000.00.

Table 3 - Poole & Kent Bid Review Summary

<u>Item</u>	<u>Included</u>	<u>Review</u>
Executed Proposal Form with Bid Items		
Executed Proposal Form	Included	Compliant
Bid Items Form	Included	Compliant
Financial/Equipment/Key Persons Form	Included	Compliant
Financial Assets Form	Included	Compliant
Bidders Experience Form	Included	Compliant
Trench Safety Form	Included	Compliant
Certified Resolution for Bid Bond	Included	Compliant
Bid Bond	Included	Compliant
Questionnaire	Included	Compliant
ISD Form #1 Local Business Preference Affidavit (Optional)	Included	Compliant
Certificate of Assurance (COA)	Included	Compliant
Residents First Training and Employment Program Affidavit (RFTE 1 Contractors)	Included	Compliant
Qualifications and Experience (Required by SP 1.0)		
Bidder has a well-trained and competent organization which has done work of similar character and value.	Included	Compliant
Bidder will have available to do the work at the proper time or times, adequate equipment and facilities, listing such equipment and facilities in such detail that the information can be quickly and accurately checked.	Included	Compliant
Bidder has ample repair parts and supplies to maintain all equipment and facilities properly and with a minimum of delay.	Included	Compliant
If the Bidder is a corporation, the names of all corporate officers and the name of the executive who will give his personal attention to this work.	Included	Compliant
Detailed financial information relating to the resources of the Bidder	Included	Compliant
Qualifications and Experience (Required by SP 1.3)		
The Bidder shall have successfully completed a minimum of one (1) project demonstrating experience with large wastewater treatment upgrade projects having a total construction value of greater than \$75 million and three (3) projects demonstrating experience with large wastewater treatment upgrade projects having a total construction (for each project) of greater than \$25 million. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.	Included	Compliant
The Bidder's proposed project manager shall have successfully completed a minimum of two (2) projects	Included	Compliant

Table 3 - Poole & Kent Bid Review Summary

<u>Item</u>	<u>Included</u>	<u>Review</u>
demonstrating project management experience with large wastewater treatment upgrade projects having a total construction value (for each project) of greater than \$25 million. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.		
The Bidder or the Bidder's Large Diameter Piping Sub-contractor shall have successfully completed a minimum of three (3) projects demonstrating experience constructing piping projects that include 48" or larger prestressed concrete cylinder pipe with runs greater than 300 feet and which include connections to existing 48" or larger prestressed concrete cylinder pipe. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.	Included	Compliant
The Bidder or the Bidder's Large Diameter Piping Sub-contractor Project Manager shall have successfully completed a minimum of one (1) project demonstrating experience constructing piping projects that include 48" or larger prestressed concrete cylinder pipe with runs greater than 300 feet and which include connections to existing 48" or larger prestressed cylinder pipe. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.	Included	Compliant
The Bidder or Bidder's Electrical Subcontractor shall have successfully completed a minimum of three (3) projects demonstrating experience with medium or high voltage power supply systems, including transformers and switchgear. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.	Included	Compliant
The Bidder or Bidder's Electrical Subcontractor Lead Electrician shall have successfully completed a minimum of one (1) project demonstrating experience with medium or high voltage power supply systems, including transformers and switchgear. These projects shall have been performed within the past ten (10) years from the date of the Invitation to Bid.	Included	Compliant
Bid Items Required under Section 02 10 90	Included	Compliant
Bid Items Required under Section 46 41 23	Included	Compliant



Capital Improvements Information System

Contractor Evaluations Report (All Contracts)

EXHIBIT

"G"

Dept	Contract	Type	Contractor / Architect Name	Date	Rater	Period	Rate
ID	I-190008	7360	Poole & Kent Company of Florida	1/8/2020	Marc LaFrance	Completion of construction	3.6
ID	E162061-B	7360	Poole & Kent Company of Florida	12/7/2020	Kevin Montero	Project conclusion or closeout	3.5
WS	S-890	CON	Poole & Kent Company of Florida	2/25/2021	Huren An (Jeff)	Completion of construction	2.8
WS	S-897	CON	Poole & Kent Company of Florida	3/29/2021	Huren An (Jeff)	Interim	3.5
WS	S-897	CON	Poole & Kent Company of Florida	3/6/2020	Huren An (Jeff)	Interim	3.2
WS	S-882R	CON	Poole & Kent Company of Florida	3/6/2020	Huren An (Jeff)	Interim	2.9
WS	S-908R	CON	Poole & Kent Company of Florida	5/15/2020	Huren An (Jeff)	Interim	3.4
WS	S-903	CON	Poole & Kent Company of Florida	7/29/2020	Huren An (Jeff)	Completion of construction	3.7
WS	S-922	CON	Poole & Kent Company of Florida	7/31/2020	Huren An (Jeff)	Interim	3.5
WS	S-882R	CON	Poole & Kent Company of Florida	7/31/2020	Huren An (Jeff)	Interim	3.2
WS	S-905R	CON	Poole & Kent Company of Florida	12/4/2020	Huren An (Jeff)	Completion of construction	3.9
WS	S-812 (A)	CON	Poole & Kent Company of Florida	9/28/2009	Mario Garcia	Interim	3.5
WS	S-805 (A)	CON	Poole & Kent Company of Florida	9/29/2009	Mario Garcia	Interim	3.3
WS	S-816 (A)	CON	Poole & Kent Company of Florida	9/10/2009	Mario Garcia	Completion of construction	4.0
WS	S-805 (A)	CON	Poole & Kent Company of Florida	6/30/2010	Mario Garcia	Interim	3.8
WS	S-829 (A)	CON	Poole & Kent Company of Florida	6/30/2010	Mario Garcia	Interim	3.4
WS	S-817 (A)	CON	Poole & Kent Company of Florida	7/2/2010	Mario Garcia	Interim	3.6
WS	S-812 (A)	CON	Poole & Kent Company of Florida	7/2/2010	Mario Garcia	Interim	3.6
WS	S-829 (A)	CON	Poole & Kent Company of Florida	5/3/2011	Mario Garcia	Interim	2.5
WS	S-805 (A)	CON	Poole & Kent Company of Florida	5/3/2011	Mario Garcia	Interim	3.7
WS	S-817 (A)	CON	Poole & Kent Company of Florida	5/12/2011	Mario Garcia	Interim	3.7
WS	S-812 (A)	CON	Poole & Kent Company of Florida	5/12/2011	Mario Garcia	Interim	3.7
WS	S-812 (A)	CON	Poole & Kent Company of Florida	8/23/2011	Mario Garcia	Project conclusion or closeout	3.8
WS	S-817 (A)	CON	Poole & Kent Company of Florida	8/23/2011	Mario Garcia	Interim	3.7
WS	S-805 (A)	CON	Poole & Kent Company of Florida	8/23/2011	Mario Garcia	Interim	3.8
WS	S-829 (A)	CON	Poole & Kent Company of Florida	8/23/2011	Mario Garcia	Interim	3.0
WS	W-857 (A)	CON	Poole & Kent Company of Florida	10/7/2011	Robert Stebbins Jr.,	Interim	3.8
WS	S-829 (A)	CON	Poole & Kent Company of Florida	1/31/2012	Mario Garcia	Project conclusion or closeout	3.0
WS	S-805 (A)	CON	Poole & Kent Company of Florida	2/24/2012	Mario Garcia	Interim	3.7
WS	S-817 (A)	CON	Poole & Kent Company of Florida	10/1/2012	Mario Garcia	Interim	3.8
WS	W-857 (A)	CON	Poole & Kent Company of Florida	11/30/2012	Robert Stebbins Jr.,	Project conclusion or closeout	3.8
WS	WO: 1						
WS	DB09-WASD-05	DES	Poole & Kent Company of Florida	11/25/2013	Mario Garcia	Interim	3.9
WS	S-805 (A)	CON	Poole & Kent Company of Florida	2/7/2014	Mario Garcia	Completion of construction	3.7
WS	S-863	CON	Poole & Kent Company of Florida	5/20/2014	Mario Garcia	Interim	4.0
WS	DB09-WASD-05	DES	Poole & Kent Company of Florida	5/20/2014	Mario Garcia	Interim	4.0
WS	DB09-WASD-05	DES	Poole & Kent Company of Florida	8/6/2014	Mario Garcia	Interim	3.7
WS	S-863	CON	Poole & Kent Company of Florida	8/7/2014	Mario Garcia	Interim	3.8
WS	S-863	CON	Poole & Kent Company of Florida	10/23/2014	Mario Garcia	Project conclusion or closeout	3.0
WS	S-863	CON	Poole & Kent Company of Florida	10/23/2014	Mario Garcia	Interim	4.0
WS	S-863	CON	Poole & Kent Company of Florida	2/18/2015	Mario Garcia	Project conclusion or closeout	4.0
WS	S-852	CON	Poole & Kent Company of Florida	3/12/2015	Augustin J Durand	Interim	2.8
WS	WO: 1						
WS	DB09-WASD-05	DES	Poole & Kent Company of Florida	5/5/2015	Mario Garcia	Project conclusion or closeout	4.0
WS	P0141	7360	Poole & Kent Company of Florida	7/20/2015	Augustin J Durand	Interim	3.3
WS	P0141	7360	Poole & Kent Company of Florida	11/13/2015	Joaquin O. Roa	Project conclusion or closeout	4.0
WS	S-877	CON	Poole & Kent Company of Florida	11/8/2017	Jules Durand	Interim	3.8
WS	WO: 1						
WS	S-871	CON	Poole & Kent Company of Florida	11/14/2017	Huren An (Jeff)	Interim	3.3
WS	S-903	CON	Poole & Kent Company of Florida	12/8/2017	Huren An (Jeff)	Interim	3.4
WS	S-889	CON	Poole & Kent Company of Florida	1/18/2018	Huren An (Jeff)	Interim	3.5
WS	S-903	CON	Poole & Kent Company of Florida	3/2/2018	Daniel Edwards	Interim	3.6
WS	S-889	CON	Poole & Kent Company of Florida	5/16/2018	Huren An (Jeff)	Interim	3.4
WS	S-903	CON	Poole & Kent Company of Florida	5/18/2018	Huren An (Jeff)	Interim	3.4
WS	S-905R	CON	Poole & Kent Company of Florida	5/21/2018	Huren An (Jeff)	Interim	4.0
WS	S-852	CON	Poole & Kent Company of Florida	5/29/2018	Augustin J Durand	Project conclusion or closeout	3.6
WS	WO: 1						
WS	S-889	CON	Poole & Kent Company of Florida	8/3/2018	Huren An (Jeff)	Interim	3.6
WS	S-877	CON	Poole & Kent Company of Florida	8/22/2018	Jules Durand	Project conclusion or closeout	3.8
WS	S-890	CON	Poole & Kent Company of Florida	8/21/2018	Huren An (Jeff)	Interim	2.8
WS	S-891	CON	Poole & Kent Company of Florida	11/26/2018	Huren An (Jeff)	Interim	3.3
WS	S-905R	CON	Poole & Kent Company of Florida	1/9/2019	Huren An (Jeff)	Interim	4.0
WS	P0210	7360	Poole & Kent Company of Florida	2/12/2019	Huren An (Jeff)	Interim	3.0
WS	S-891	CON	Poole & Kent Company of Florida	2/12/2019	Huren An (Jeff)	Interim	3.3

WS	S-880	CON	Poole & Kent Company of Florida	2/19/2019	Daniel Edwards	Interim	3.0
WS	S-880	CON	Poole & Kent Company of Florida	2/20/2019	Daniel Edwards	Interim	2.7
WS	S-909	CON	Poole & Kent Company of Florida	2/21/2019	Huren An (Jeff)	Interim	3.1
WS	S-905R	CON	Poole & Kent Company of Florida	2/25/2019	Huren An (Jeff)	Interim	4.0
WS	S-897	CON	Poole & Kent Company of Florida	8/9/2019	Huren An (Jeff)	Interim	3.3
WS	S-891	CON	Poole & Kent Company of Florida	8/29/2019	Huren An (Jeff)	Interim	3.5
WS	P0210	7360	Poole & Kent Company of Florida	8/29/2019	Huren An (Jeff)	Interim	3.2
WS	P0210	7360	Poole & Kent Company of Florida	8/29/2019	Huren An (Jeff)	Interim	3.4
WS	S-870	CON	Poole & Kent Company of Florida	10/25/2019	James Ferguson	Interim	3.2
WS	WO: 1						
WS	S-909	CON	Poole & Kent Company of Florida	11/15/2019	Huren An (Jeff)	Interim	3.2

Evaluation Count: 70 Contractors: 1 Average Evaluation: 3.5

CONTRACT

THIS CONTRACT, made and entered into on the _____ day of _____, 20_____, by and between Miami-Dade County, Florida, acting by and through the Office of the Mayor, party of the first part (hereinafter sometimes called the "County"), and **Poole & Kent Company of Florida**, party of the second part (hereinafter sometimes called "Contractor");

WITNESSETH

That the parties hereto, for and in consideration of the covenants and agreements hereinafter set forth, mutually agree as follows, to wit:

1. That the Contractor shall furnish all labor, materials and equipment and perform all work in the manner and form provided by the Contract Documents covering the Project of the County known and identified as

**"OCEAN OUTFALL LEGISLATION PROGRAM, CONSTRUCTION
PACKAGE ST-2A, HEADWORKS 3, OXYGENATION TRAINS 9 & 10,
AND SUBSTATION 57/58, CONTRACT NO. S-931"**

for the aggregate amount reflected by the Proposal, said aggregate amount being of **One Hundred Seven Million Six Hundred Five Thousand Four Hundred Dollars and No Cents (U.S. Dollars) \$107,605,400.00.**

2. That the Contractor shall begin the work to be performed under this Contract on a day to be specified in a written order issued by the Engineer, and shall fully complete all work hereunder within the time or times stated in the Proposal.

3. That the County shall pay to the Contractor for the faithful performance of this Contract, in lawful money of the United States, and subject to additions and deductions as provided in the Contract Documents, the total amount of the Proposal as set forth above at the times and in a manner stated in the General Covenants and Conditions of the Contract Documents.

4. It is further mutually agreed that if at any time after the execution of this Contract, Surety Performance and Payment Bond, the County shall deem the surety upon such bonds to be unsatisfactory, or if for any reason such bond shall become inadequate to cover the performance of the work, the Contractor shall at its own expense, within five (5) days after the receipt of notice from the County to do so, furnish an additional bond or bonds in such form and amount and with such surety or sureties as shall be satisfactory to the County. In such event, no further payment to the Contractor shall be deemed to be due under this Contract until such new or additional security shall have been furnished in a manner and form satisfactory to the County.

5. The "Contract Documents" are hereby defined as the Questionnaire, the Advertisement for Bids, the Instructions to Bidders, the Proposal, the Certified Resolution (Proposal/Prescribed Bid Bond), the Prescribed Bid Bond, the Contract, the Surety Performance and Payment Bond, the Certified Resolution (Contract/ Surety Performance and Payment Bond), the General Terms and Conditions, the Supplemental General Terms and Conditions, Special Provisions, the Supplemental General Conditions (if Ordinance 90-143 is applicable) including Wage and Benefit Schedules, the Specifications, the Plans, any Addenda which may be issued, the Subcontractor /Supplier Listing Form (Ordinance 97-104 as amended by Ordinance 00-30), the Reporting Subcontracting Policies and Procedures (Ordinance 98 -15

S-931

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CONTRACT

9), the Small Business Enterprise Programs Participation Provisions and Forms (if applicable), and the provisions for the following: Vendors Affidavit (Uniform County Affidavits); Criminal Record (Felony) (as amended by Ordinance 00-30; Community Workforce Program County Code Section 2-1701, Office of Miami-Dade County Inspector General (IG) (if Ordinance 97-215 as amended by Ordinance 99-15 is applicable); Sworn Statement – Public Entity Crimes [Florida Statute Sect. 287.133 (3) (a)]; Change Orders; Notice to Proceed, Referenced Codes and Standards, Warranties and Guarantees, all related correspondence, field notes, logs, and other documents.

The General Terms and Conditions of said Contract Documents are incorporated herein by reference and made a part hereof as though fully set forth herein. The Contract Documents are complementary, so that a recital in one is tantamount to a recital in all, and the Contractor specifically acknowledges that it has read and understands all of said Contract Documents.

6. The various indemnities of the Contractor contained in the Contract Documents indemnifying the County from liability for damages to persons or property caused by acts, omissions, or defaults in the performance of the Contract Documents shall have a monetary limitation of the larger of the following: \$1,000,000.00, or the entire amount of the Contract.

7. The County retains the right to audit any and all information regarding this Contract as described in the General Covenants and Conditions, Section 41 "Audit Rights and Review of Records".

8. Notwithstanding and prevailing over any other provision of the Contract Documents to the contrary, the County Mayor or Mayor's designee's, may exercise the provisions of Section 2-8.2.12 (4)(d) and (e) of the Code of Miami-Dade County. Any change orders or amendments shall not exceed 10 percent of the base contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to emergency actions impacting remediation, public safety, health requirements or recovery from natural disaster and the foregoing change orders and amendments shall require ratification by the Board; provided further that the County Mayor or his designee may reduce in any amount the scope and compensation payable under this Contract and grant compensable and non-compensable time extensions thereunder. Pursuant to Section 2-8.2.12 (5), the County Mayor or the County Mayor's designee's award and execution of this Contract is subject to ratification by the Board of County Commissioners. If the Mayor or the Mayor's designee's action is not ratified, and such legislative action becomes final, this Contract shall be deemed terminated without further notice. In such event, the Contractor shall not be entitled to recovery of any lost profits or other consequential or indirect damages. However, the Contractor is eligible for payment for any work done prior to failure of the ratification, in accordance with General Terms and Conditions Article 11.D(1) Termination for Convenience.

CONTRACT

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four (4) counterparts, each of which shall be deemed an original Contract, all as of the day and year first hereinbefore written.

(OFFICIAL SEAL)

ATTEST: Harvey Ruvin
Clerk of the Board

MIAMI DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Mayor or Mayor's Designee

(PARTY OF THE FIRST PART)

Approved as to Form and Legal Sufficiency

Assistant County Attorney
Miami-Dade Water and Sewer Department

WHEN THE CONTRACTOR IS A CORPORATION

(CORPORATION SEAL)

ATTEST


Assistant Secretary

David A. Strickland

(Print or type name)

Poole & Kent Company of Florida

(Name of Corporation)

By: 

(Signature of Officer)

Patrick H. Carr

(Print or type name)

President & CEO

(Official Title)

1781 N.W. North River Drive

Miami, FL 33125

(Address)

(PARTY OF THE SECOND PART)

* Attach to each counterpart a certified copy of a resolution of the Board of Directors of the corporation authorizing the officer who signs the Contract and Surety Performance and Payment Bond to do so in its behalf.

CERTIFIED RESOLUTION

Assistant

I, David A. Strickland, the duly elected Secretary of
(Name)

Poole & Kent Company of Florida, a Corporation organized and existing under the laws of the State of Delaware, do hereby certify that the following Resolution was unanimously adopted and passed by a quorum of the Board of Directors of the said Corporation at a meeting held in accordance with law and the by-laws of the said Corporation:

"IT IS HEREBY RESOLVED that Patrick H. Carr, the duly
(Name)
elected President & CEO of **Poole & Kent Company of Florida**
(Title of Officer)

be and is hereby authorized to execute and submit a Contract and Surety Performance and Payment Bond to Miami-Dade County, Florida, and the Miami-Dade Water and Sewer Department, respectively, for a certain Project entitled

**OCEAN OUTFALL LEGISLATION PROGRAM, CONSTRUCTION
PACKAGE ST-2A, HEADWORKS 3, OXYGENATION TRAINS 9 & 10,
AND SUBSTATION 57/58, CONTRACT NO. S-931**

and such other instruments in writing as may be necessary in behalf of the said Corporation, and that the Contract, Surety Performance and Payment Bond and other such instruments signed by him shall be binding upon the said Corporation as its own acts and deeds."

I further certify that the above Resolution is in force and effect and has not been revised, revoked or rescinded.

Given under my hand and the Seal of the said Corporation this 27th day
of April, 2021.
(Month) (Year)

By:


Assistant (Secretary)

David A. Strickland

(Print or type name)

(SEAL)

Poole & Kent Company of Florida
(Corporate Title)



COLLUSION AFFIDAVIT

(Code of Miami-Dade County Section 2-8.1.1 and 10-33.1) (Ordinance No. 08-113)

BEFORE ME, A NOTARY PUBLIC, personally appeared Patrick H. Carr who
being duly sworn states: (insert name of affiant)

I am over 18 years of age, have personal knowledge of the facts stated in this affidavit and I am
an owner, officer, director, principal shareholder and/or I am otherwise authorized to bind the
bidder of this contract.

I state that the bidder of this contract:

☒ is not related to any of the other parties bidding in the competitive solicitation, and that
the contractor's proposal is genuine and not sham or collusive or made in the interest or
on behalf of any person not therein named, and that the contractor has not, directly or
indirectly, induced or solicited any other proposer to put in a sham proposal, or any other
person, firm, or corporation to refrain from proposing, and that the proposer has not in
any manner sought by collusion to secure to the proposer an advantage over any other
proposer.

OR

☐ is related to the following parties who bid in the solicitation which are identified and listed
below:

Note: Any person or entity that fails to submit this executed affidavit shall be ineligible for
contract award. In the event a recommended contractor identifies related parties in the
competitive solicitation its bid shall be presumed to be collusive and the recommended
contractor shall be ineligible for award unless that presumption is rebutted by presentation of
evidence as to the extent of ownership, control and management of such related parties in the
preparation and submittal of such bids or proposals. Related parties shall mean bidders or
proposers or the principals, corporate officers, and managers thereof which have a direct or
indirect ownership interest in another bidder or proposer for the same agreement or in which a
parent company or the principals thereof of one (1) bidder or proposer have a direct or indirect
ownership interest in another bidder or proposer for the same agreement. Bids or proposals
found to be collusive shall be rejected.

By: 
Signature of Affiant
Patrick H. Carr, President & CEO
Printed Name of Affiant and Title
Poole & Kent Company of Florida
Printed Name of Firm

April 27, 20 21
Date
7 / 5 - 3 / 1 / 6 / 3 / 4 / 6 / 6 /
Federal Employer Identification Number
1781 NW N. River Drive, Miami, FL 33125
Address of Firm

SUBSCRIBED AND SWORN TO (or affirmed) before me this 27th day of April, 2021

He/She is personally known to me or has presented _____
as identification. Type of identification _____



Signature of Notary

HH 018836

Serial Number

Christine Mendez

Print or Stamp Name of Notary

October 31, 2024

Expiration Date

Notary Public – State of Florida





Miami-Dade County

VENDOR AFFIDAVITS FORM

(Uniform County Affidavits)

**Internal Services Department (ISD)
Procurement Management Services Division
Vendor Services Section**111 NW 1st Street, Suite 1300, Miami, Florida 33128-1974
Telephone: 305-375-5773www.miamidade.gov/procurement

The completion of the Vendor Affidavits Form allows vendors to comply with affidavit requirements outlined in Section 2-8.1 of the Code of Miami-Dade County. Vendors are required to have a complete Vendor Registration Package on file, including required affidavits, prior to the award of any County contract. **It is the vendor's responsibility to keep all affidavit information up to date and accurate by submitting any updates to the ISD, Procurement Management Services Division, Vendor Services Section.**

EXHIBIT

"J"

**FEDERAL EMPLOYER
IDENTIFICATION NUMBER (FEIN)**

In order to establish a file for your firm, you must enter your firm's FEIN. This number becomes your "County Vendor Number". Please enter your Federal Employer Identification Number (FEIN) or if none, then enter the owner's Social Security Number (SSN).

☒ FEIN 75-3163466**NORTH AMERICAN INDUSTRY
CLASSIFICATION SYSTEM (NAICS)**

The North American Industry Classification System (NAICS) is the standard used by the federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing and publishing statistical data related to the U.S. business economy.

☐ NAICS Code**SECTION 2: VENDOR AFFIDAVITS FORM (pages 5-8)**

Poole & Kent Company of Florida

A) Name of Entity, Individual(s), Partners or Corporation
1781 NW North River Drive Miami

Street Address (P.O. Box Number is not permitted)

City

B) Doing Business As (If same as line A, leave blank)
Florida USA 33125

State (U.S.A.)

Country

Zip Code

1. MIAMI-DADE COUNTY OWNERSHIP DISCLOSURE AFFIDAVIT
(Sec. 2-8.1 of the Miami-Dade County Code)

Firms registered to do business with Miami-Dade County, shall require the person contracting or transacting such business with the County to disclose under oath his or her full legal name, and business address. Such contract or transaction shall also require the disclosure under oath of the full legal name and business address of all individuals having any interest (legal, equitable, beneficial or otherwise) in the contract other than subcontractors, materialmen, suppliers, laborers or lenders. Post office box addresses shall not be accepted hereunder. If the contract or business transaction is with a corporation the foregoing information shall be provided for each officer and director and each stockholder holding, directly or indirectly, five (5) percent or more of the outstanding stock in the corporation. If the contract or business transaction is with a partnership, the foregoing information shall be provided for each partner. If the contract or business transaction is with a trust, the foregoing information shall be provided for the trustee and each beneficiary of the trust. The foregoing disclosure requirements shall not apply to contracts with publicly-traded corporations, or to contracts with the United States or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State. Use duplicate page if needed for additional names.

If no officer, director or stockholder owns (5%) or more of stock, please write "None" below.

PRINCIPALS

FULL LEGAL NAME	TITLE	ADDRESS

OWNERS**CHECK BOXES BELOW**

FULL LEGAL NAME	TITLE	% OF OWNERSHIP	ADDRESS	GENDER		RACE / ETHNICITY						
				M	F	White	Black	Hispanic	Asian/Pacific Islander	Native American/Alaskan Native	Other	

If a percentage of the firm is owned by a publicly traded corporation or by another corporation, indicate below in the space "Other Corporations".

OTHER CORPORATIONS

OTHER CORPORATIONS	% OF OWNERSHIP											
EMCOR Group, Inc.	100%											

2. MIAMI-DADE COUNTY EMPLOYMENT DISCLOSURE AFFIDAVIT

(County Ordinance No. 90-133, amending Section 2.8-1(d)(2) of the Miami-Dade County Code)

The following information is for compliance with all items in the aforementioned Section:

1. Does your firm have a collective bargaining agreement with its employees? Yes X No
2. Does your firm provide paid health care benefits for its employees? Yes X No
3. Provide a current breakdown (number of persons) in your firm's work force indicating race, national origin and gender.

		NUMBER OF EMPLOYEES	
		Males	Females
White		64	6
Black		16	2
Hispanic		38	11
Asian/Pacific Islander		3	0
Native American/Alaskan Native			
Other			
Total Number of Employees		121	19
		140	
		Total Employees	

3. MIAMI-DADE COUNTY EMPLOYMENT DRUG-FREE WORKPLACE CERTIFICATION

(Section 2-8.1.2(b) of the Miami-Dade County Code)

All persons and entities that contract with Miami-Dade County are required to certify that they will maintain a drug-free workplace and such persons and entities are required to provide notice to employees and to impose sanctions for drug violations occurring in the workplace.

In compliance with Ordinance No. 92-15 of the Code of Miami-Dade County, the above named firm is providing a drug-free workplace. A written statement to each employee shall inform the employee about:

1. Danger of drug abuse in the workplace
2. The firm's policy of maintaining a drug-free environment at all workplaces
3. Availability of drug counseling, rehabilitation and employee assistance programs
4. Penalties that may be imposed upon employees for drug abuse violations

The firm shall also require an employee to sign a statement, as a condition of employment that the employee will abide by the terms of the drug-free workplace policy and notify the employer of any criminal drug conviction occurring no later than five (5) days after receiving notice of such conviction and impose appropriate personnel action against the employee up to and including termination. Firms may also comply with the County's Drug Free Workplace Certification where a person or entity is required to have a drug-free workplace policy by another local, state or federal agency, or maintains such a policy of its own accord and such policy meets the intent of this ordinance.

4. MIAMI-DADE COUNTY DISABILITY AND NONDISCRIMINATION AFFIDAVIT

(Article 1, Section 2-8.1.5 Resolution R182-00 Amending R-385-95 of the Miami-Dade County Code)

Firms transacting business with Miami-Dade County shall provide an affidavit indicating compliance with all requirements of the Americans with Disabilities Act (A.D.A.).

I, state that this firm, is in compliance with and agrees to continue to comply with, and assure that any subcontractor, or third party contractor shall comply with all applicable requirements of the laws including, but not limited to, those provisions pertaining to employment, provision of programs and services, transportation, communications, access to facilities, renovations, and new construction.

The American with Disabilities Act of 1990 (A.D.A.), Pub. L. 101-336, 104 Stat 327, 42 U.S.C. Sections 225 and 611 including Titles I, II, III, IV and V.

The Rehabilitation Act of 1973, 29 U.S.C. Section 794

The Federal Transit Act, as amended, 49 U.S.C. Section 1612

The Fair Housing Act as amended, 42 U.S.C. Section 3601-3631

I, hereby affirm that I am in compliance with the below sections:

Section 2-10.4(4)(a) of the Code of Miami-Dade County (Ordinance No. 82-37), which requires that all properly licensed architectural, engineering, landscape architectural, and land surveyors have an affirmative action plan on file with Miami-Dade County.

Section 2-8.1.5 of the Code of Miami-Dade County, which requires that firms that have annual gross revenues in excess of five (5) million dollars have an affirmative action plan and procurement policy on file with Miami-Dade County. Firms that have a Board of Directors that are representative of the population make-up of the nation may be exempt.

5. MIAMI-DADE COUNTY DEBARMENT DISCLOSURE AFFIDAVIT

(Section 10.38 of the Miami-Dade County Code)

Firms wishing to do business with Miami-Dade County must certify that its contractors, subcontractors, officers, principals, stockholders, or affiliates are not debarred by the County before submitting a bid.

I, confirm that none of this firms agents, officers, principals, stockholders, subcontractors or their affiliates are debarred by Miami-Dade County.

6. MIAMI-DADE COUNTY VENDOR OBLIGATION TO COUNTY AFFIDAVIT

(Section 2-8.1 of the Miami-Dade County Code)

Firms wishing to transact business with Miami-Dade County must certify that all delinquent and currently due fees, taxes and parking tickets have been paid and no individual or entity in arrears in any payment under a contract, promissory note or other document with the County shall be allowed to receive any new business.

I, confirm that all delinquent and currently due fees or taxes including, but not limited to, real and personal property taxes, convention and tourist development taxes, utility taxes, and Local Business Tax Receipt collected in the normal course by the Miami-Dade County Tax Collector and County issued parking tickets for vehicles registered in the name of the above firm, have been paid.

7. MIAMI-DADE COUNTY CODE OF BUSINESS ETHICS AFFIDAVIT

(Article 1, Section 2-8.1(i) and 2-11(b)(1) of the Miami-Dade County Code through (6) and (9) of the County Code and County Ordinance No 00-1 amending Section 2-11.1(c) of the County Code)

Firms wishing to transact business with Miami-Dade County must certify that it has adopted a Code that complies with the requirements of Section 2-8.1 of the County Code. The Code of Business Ethics shall apply to all business that the contractor does with the County and shall, at a minimum; require the contractor to comply with all applicable governmental rules and regulations.

I confirm that this firm has adopted a Code of business ethics which complies with the requirements of Sections 2-8.1 of the County Code, and that such code of business ethics shall apply to all business that this firm does with the County and shall, at a minimum, require the contractor to comply with all applicable governmental rules and regulations.

8. MIAMI-DADE COUNTY FAMILY LEAVE AFFIDAVIT

(Article V of Chapter 11, of the Miami-Dade County Code)

Firms contracting business with Miami-Dade County, which have more than fifty (50) employees for each working day during each of twenty (20) or more work weeks in the current or preceding calendar year, are required to certify that they provide family leave to their employees.

Firms with less than the number of employees indicated above are exempt from this requirement, but must indicate by letter (signed by an authorized agent) that it does not have the minimum number of employees required by the County Code.

I confirm that if applicable, this firm complies with Article V of Chapter 11 of the County Code, which requires that firms contracting business with Miami-Dade County which have more than fifty (50) employees for each working day during each of twenty (20) or more work weeks in the current or preceding calendar year are required to certify that they provide family leave to their employees.

9. MIAMI-DADE COUNTY LIVING WAGE AFFIDAVIT

(Section 2-8.9 of the Miami-Dade County Code)

All applicable contractors entering into a contract with the County shall agree to pay the prevailing living wage required by this section of the County Code.

I confirm that if applicable, this firm complies with Section 2-8.9 of the County Code, which requires that all applicable employers entering a contract with Miami-Dade County shall pay the prevailing living wage required by the section of the County Code.

10. MIAMI-DADE COUNTY DOMESTIC LEAVE AND REPORTING AFFIDAVIT

(Article 8, Section 11A-60 - 11A-67 of the Miami-Dade County Code)

Firms wishing to transact business with Miami-Dade County must certify that it is in compliance with the Domestic Leave Ordinance.

I confirm that if applicable, this firm complies with the Domestic Leave Ordinance. This ordinance applies to employers that have, in the regular course of business, fifty (50) or more employees working in Miami-Dade County for each working day during the current or preceding calendar year.

AFFIRMATION

I, being duly sworn, do attest under penalty of perjury that the entity is in compliance with all requirements outlined in these Miami-Dade County Vendor Affidavits.

I also attest that I will comply with and keep current all statements sworn to in the above affidavits and registration application. I will notify the Miami-Dade County Vendor Services Section immediately if any of the statements attested hereto are no longer valid.


(Signature of Affiant)

April 27, 2021

(Date)

Patrick H. Carr, President & CEO

Printed Name of Affiant and Title

NOTARY PUBLIC INFORMATION

Notary Public — State of: Florida

State

Miami-Dade

County of

SUBSCRIBED AND SWORN TO (or affirmed) before me this 27th day of April, 2021.

by _____

He or she is personally known to me ☒

Or has produced identification ☐

Type of Identification Produced _____



Signature of Notary Public

HH 018836

(Serial Number)

Christine Mendez

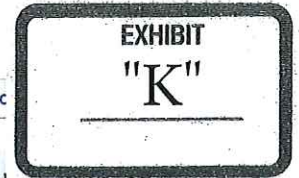
Print or Stamp of Notary Public

October 31, 2024

Expiration Date



Vendor Profile: Contracts



General Public Profile Users Commodity Codes **Contacts & Owners** Comments Certifications **Contracts** Conc

Workforce Comp/EEO EDP Registrations Reports

Poole & Kent Company of Florida

System Vendor Number: 20040092

Listed below are the contracts to which this vendor is assigned.

Contracts as Prime Contractor

Actions	Contract Number & Title	Prime Contact	Status	Dates	Award Amount	Paid Amount
View	I-190008: 311 Relocation to LightSpeed Interior Reconfiguration	Wendy Campbell (change)		10/18/2019 to 12/16/2019	\$248,017	\$207,742
View	TW938: AOWTP Pump 6 Replacement	Wendy Campbell (change)	1 incomplete audit	4/19/2019 to 9/30/2019	\$7,841,070	\$5,480,555
View	TS922: CD 1.05.2 EFFLUENT PS ELECTRIA	Wendy Campbell (change)	1 incomplete audit	11/6/2019 to 9/30/2021	\$25,576,690	\$17,667,069
View	S-880: CD 2.03 AND 2.04 PLANT 1 AND PLANT 2 HEADWORKS UPGRADES, 2.18(1) ODOR CONTROL SYSTEMS AND 2.25(2) VENTILATION IMPROVEMENTS	Wendy Campbell (change)		8/24/2016 to 10/7/2019	\$15,895,297	\$14,175,057
View	S-889: CD 2.15(1) PLANT 2 CLUSTER 1 DIGESTER UPGRADES	Wendy Campbell (change)		10/19/2016 to 6/18/2021	\$26,411,043	\$27,476,624
View	S-891: CD 2.19(2) CO-GEN FACILITY AND 2.01(6) ELECTRICAL IMPROVEMENTS	Wendy Campbell (change)	1 incomplete audit	7/19/2017 to 6/30/2019	\$36,003,300	\$32,145,807
View	P0210: CD 2.21 PUMP STATION 1 AND CD 2.25_4_ VENTILATION IMPROVEMENTS	Wendy Campbell (change)		4/6/2018 to 10/8/2019	\$4,155,850	\$3,198,412
View	T908R: CD 5.03 UPGRADE OF PS 0692	Wendy Campbell (change)		1/23/2019 to 9/30/2019	\$10,118,300	\$7,470,848
View	S-903: CD 5.12 UPGRADE OF SEWAGE PUMP STATION NO. 0187	Wendy Campbell (change)		2/7/2017 to 1/23/2019	\$5,798,030	\$5,449,675
View	S-905R: CD 5.5 UPGRADE OF PUMP STATION 0415	Wendy Campbell (change)		9/19/2017 to 7/15/2020	\$6,988,345	\$5,790,823
View	T882R: CD1.02 OXYGEN PRODUCT SDWWTP	Wendy Campbell (change)		2/6/2019 to 9/30/2019	\$9,084,330	\$6,325,791
View	S-890: CDWWTP CHLORINATION FACILITIES CONSENT DECREE PROJECT 2.17	Wendy Campbell (change)	1 incomplete audit	4/18/2016 to 12/21/2017	\$13,413,000	\$13,074,087
View	S-870: CDWWTP INDUSTRIAL INJECTION WELL SURFACE FACILITIES	Wendy Campbell (change)		3/16/2017 to 11/10/2019	\$26,067,922	\$25,335,349
View	TS909: CDWWTP PLANT2 CLUSTER2 DIGETER	Wendy Campbell (change)		5/18/2018 to 7/23/2022	\$29,227,440	\$18,640,715
View	DB09-WASD-05 (BUILD): DESIGN-BUILD OF COGENERATION FACILITY IMPROVEMENTS AT SOUTH DISTRICT WASTEWATER TREATMENT PLANT	Wendy Campbell (change)	Closed	4/2/2012 to 1/7/2016	\$18,039,955	\$0
View	TDB18WASD2: Designbuild Thickening Sludge	Wendy Campbell (change)	1 incomplete audit	8/6/2020 to 6/27/2023	\$195,555,440	\$20,022,672
View	RTQ-00299_0006: HVAC AND CONTROLS - RTQ	Wendy Campbell (change)		6/1/2016 to 5/31/2024	\$0	\$0
View	E162061-B: Lightspeed Removal of 5 RTU and Installation of Temporary Roof	Wendy Campbell (change)	Closed	3/25/2020 to 4/24/2020	\$288,955	\$288,233
View	S-852: MASTER PUMP STATION NO. 3	Wendy Campbell (change)		2/19/2014 to 6/18/2015	\$21,976,500	\$18,766,180
View	S-877: NORTH DISTRICT WASTEWATER TREATMENT PLANT NEW PUMPS FOR EXISTING DEEP INJECTION WELL PUMPING STATION	Wendy Campbell (change)	Closed	9/1/2016 to 12/31/2019	\$6,300,550	\$5,515,032

View	S-871: NORTH DISTRICT WASTEWATER TREATMENT PLANT PRETREATMENT/SLUDGE TRANSFER REHABILITATION	Wendy Campbell (change)	Closed	10/22/2015 to 1/31/2018	\$17,895,350	\$15,901,032
View	RTQ-00103_0003: PROTECTIVE COATING SERVICES - PREQUALIFICATION	Wendy Campbell (change)		5/14/2015 to 5/31/2023	\$0	\$0
View	TS897: SDWWTP DIGESTER & CONTROL BLD	Wendy Campbell (change)		10/3/2018 to 6/18/2021	\$93,361,000	\$48,579,653
View	S-863 (P0082): SOUTH DISTRICT WASTEWATER TREATMENT PLANT SCREENING SYSTEMS IMPROVEMENTS FOR PLANTS 1 & 2 (S-863)	Wendy Campbell (change)	Closed	4/2/2013 to 12/31/2019	\$5,720,050	\$0
Number of contracts as prime: 24					\$575,966,434	\$291,511,353

Contracts as Subcontractor

Actions	Contract Number & Title	Sub Contact	Status	Prime	Current Subcontract	Paid Amount
View	W130078: GERSTEIN JUSTICE BUILDING - INSTALL NEW FAN WALLS	Carla Woodall (change)	Closed	Dodec, Inc.	\$0 0.00%	\$0
Number of contracts as subcontractor: 1					\$0	\$0

Customer Support

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MEMORANDUM

(Revised)

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

DATE: September 1, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

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

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(3)
9-1-21

RESOLUTION NO. R-821-21

RESOLUTION RATIFYING ACTION BY COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA SPECIFICALLY APPROVING AWARD OF A CONSTRUCTION CONTRACT FOR OCEAN OUTFALL LEGISLATION PROGRAM CONSTRUCTION PACKAGE ST-2A HEADWORKS 3, OXYGENATION TRAINS 9 & 10, AND SUBSTATION 57/58, CONTRACT NO. S-931, TO POOLE & KENT COMPANY OF FLORIDA, IN THE TOTAL AMOUNT NOT TO EXCEED \$107,605,400.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the action of the County Mayor or County Mayor's designee, as authorized by Section 2-8.2.12 of the Code of Miami-Dade County, specifically, to approve the award of a construction contract for Ocean Outfall Legislation Program Construction Package ST-2A Headworks 3, Oxygenation Trains 9 & 10, and Substation 57/58, Contract No. S-931, to Poole & Kent Company of Florida. in the total amount not to exceed \$107,605,400.00; and authorizes the County Mayor or County Mayor's designee to exercise the provisions contained in such contract, as set forth in the accompanying memorandum and attachments thereto. The solicitation documents and executed contract are kept on file with and are available upon request from the Intergovernmental Affairs Division of the Miami-Dade Water and Sewer Department.

The foregoing resolution was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Sally A. Heyman** 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	absent
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 1st day of September, 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.

Angela F. Benjamin