

# Memorandum



**Date:** November 2, 2021

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

Agenda Item No. 8(N)(1)

**From:** Daniella Levine Cava  
Mayor

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

Resolution No. R-1043-21

**Subject:** Change Order No.2 for the Project Titled Bridge Replacement at North Miami Avenue over the Little River Canal (Bridge No. 874127) (DB16-DTPW-04) Contract No. 20160165-Contractor Douglas N. Higgins, Inc.

## Recommendation

The attached Change Order No. 2 for Contract between Douglas N. Higgins Inc. (DNHI) and Miami-Dade County has been prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval.

**Delegation of Authority:** In accordance with Section 2-8.3 of the Miami-Dade Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution which includes authority for the Mayor and Mayor's designee to execute the agreement and receive and expend these and any additional funds should they become available.

## **CHANGE ORDER 2 NUMBER:**

### Scope

#### **PROJECT NAME:**

Bridge Replacement at North Miami Avenue Over the Little River Canal  
(Bridge No. 874127)

#### **PROJECT NO:**

DB16-DTPW-04

#### **CONTRACT NO:**

20160165

### **PROJECT**

#### **DESCRIPTION:**

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

### **PROJECT**

#### **LOCATION:**

North Miami Avenue over Little River Canal

Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners  
Page No. 2

**PRIMARY  
COMMISSION**

**DISTRICT:** District 3, represented by Commissioner Keon Hardemon

**APPROVAL PATH:** Board of County Commissioners

**USING**

**DEPARTMENT:** Department of Transportation and Public Works

**MANAGING**

**DEPARTMENT:** Department of Transportation and Public Works

**Fiscal Impact/Funding Source**

**FUNDING**

| <b>SOURCE(S)</b> | <b><u>SOURCE</u></b> | <b><u>PROGRAM</u></b> | <b><u>AMOUNT</u></b> | <b><u>COMMENTS</u></b> |
|------------------|----------------------|-----------------------|----------------------|------------------------|
|                  | RIF                  | 2000000534            | \$2,925,350.00       |                        |

**CHANGE ORDER**

**FUNDING  
SOURCE:** N/A

**PTP FUNDING:** No

**GOB FUNDING:** No

**CAPITAL BUDGET**

| <b>PROJECTS:</b> | <b><u>CAPITAL BUDGET PROJECT # - DESCRIPTION</u></b>                                                                                                                                                                                                                      | <b><u>ESTIMATE</u></b> |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
|                  | BRIDGE REHABILITATION – COUNTYWIDE<br>IMPROVEMENTS (P2000000534) Project: 3000794 –<br>REPLACE N MIAMI AVENUE/LITTLE RIVER CANAL<br>(#874127) BRIDGE is included in FY 2020 - 21 Adopted<br>Budget and Multi-Year Capital Plan, Vol 2. Transportation<br>and Public Works | \$2,925,350.00         |

**CHANGE ORDER  
DESCRIPTION:** This Change Order extends the contract duration by 174 non-compensable calendar days.

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

**TIME  
JUSTIFICATION:** This Change Order extends the contract time by 174 non-compensable calendar days due to the following:

The contract was delayed by 174 non-compensable calendar days due to an unanticipated and unforeseen excessive review period by the United States Army Corps of Engineers (USACE) of their required permit application.

|                     | <b><u>Original<br/>Contract<br/>Values</u></b> | <b><u>Previous<br/>Adjustment to<br/>Values</u></b> | <b><u>This<br/>Change<br/>Order<br/>Values</u></b> | <b><u>Current<br/>Totals</u></b> | <b><u>Total<br/>Paid</u></b> |
|---------------------|------------------------------------------------|-----------------------------------------------------|----------------------------------------------------|----------------------------------|------------------------------|
| <b>BASE:</b>        | \$2,767,000.00                                 | \$0.00                                              | \$0.00                                             | \$1,723,174.00                   | \$1,043,826.00               |
| <b>CONTINGENCY:</b> | \$158,350.00                                   | \$0.00                                              | \$0.00                                             | \$158,350.00                     | \$0.00                       |
| <b>DEDICATED:</b>   | <u>\$0.00</u>                                  | <u>\$0.00</u>                                       | <u>\$0.00</u>                                      | <u>\$0.00</u>                    | <u>\$0.00</u>                |
| <b>TOTALS:</b>      | \$2,925,350.00                                 | \$0.00                                              | \$0.00                                             | \$1,881,524.00                   | \$1,043,826.00               |

|                            | <b><u>Original<br/>Contract<br/>Duration</u></b> | <b><u>Previous<br/>Adjustments<br/>To Duration</u></b> | <b><u>Change Order<br/>Duration</u></b> | <b><u>Current<br/>Totals</u></b> |
|----------------------------|--------------------------------------------------|--------------------------------------------------------|-----------------------------------------|----------------------------------|
| <b>BASE DURATION:</b>      | 790                                              | 292                                                    | 174                                     | 1256                             |
| <b>CONTINGENCY:</b>        | <u>79</u>                                        | <u>0</u>                                               | <u>0</u>                                | <u>79</u>                        |
| <b>TOTAL<br/>DURATION:</b> | 869                                              | 292                                                    | 174                                     | 1335                             |

#### **INITIATING FACTORS FOR CHANGE ORDER**

| <b><u>Reason</u></b>    | <b><u>Cost</u></b> | <b><u>Duration</u></b> |
|-------------------------|--------------------|------------------------|
| Unforeseen Conditions   | N/A                | 174                    |
| County Requested Change | <u>N/A</u>         | <u>0</u>               |
| Total                   | N/A                | 174                    |

#### **Tack Record / Monitor PERFORMANCE**

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

**PRIME  
CONTRACTOR:** Douglas N. Higgins, Inc

**COMPANY**

**PRINCIPAL:** Daniel N. Higgins

**COMPANY**

**QUALIFIER:** Daniel N. Higgins

**COMPANY EMAIL:** [danh@dnhiggins.com](mailto:danh@dnhiggins.com)

**COMPANY ADDRESS:** 5355 McIntosh Rd, Suite E

**COMPANY**

**CITY/STATE/ZIP:** Sarasota, Florida 34233

**YEARS IN BUSSINESS**

**AT TIME OF AWARD:** 51

**PREVIOUS**

**CONTRACTS WITH**

**COUNTY IN THE LAST**

**FIVE YEARS AT TIME**

**OF AWARD:**

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

**SUBCONTRACTORS**

**AND SUPPLIERS**

**(SECTION 10-34**

**MIAMI-DADE**

**COUNTY CODE):**

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

**REVIEW  
COMMITTEE  
ASSIGNED  
CONTRACT  
MEASURES:**

**TYPE**

**GOAL**

**COMMENT**

SBE-A/E

6.31 %

SBE-CON

Trade Set-Aside:  
Traffic Stripes and  
Markings: Painted  
and/or Thermoplastic

CWP

10 %

**PROJECT**

**MANAGER:**

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

DEPARTMENT  
FINANCE:



DTPW FINANCE OFFICER

Aug 13, 2021

DATE

ERP FUND CODE: CI002

KC

ag

BUDGET  
APPROVAL  
FUNDS  
AVAILABLE:



OMB DIRECTOR

Aug 18, 2021

DATE

APPROVED AS  
LEGAL  
SUFFICIENCY:



OFFICE OF COUNTY ATTORNEY

Aug 18, 2021

DATE

APPROVED  
PURSUANT TO  
SECTION 2-8.1 OF  
THE MIAMI-DADE  
COUNTY CODE:



CHIEF OPERATIONS OFFICER

August 30, 2021

DATE

CLERK:

DATE

# MIAMI-DADE COUNTY, FLORIDA

## DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS

### CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 2  
 PROJECT TITLE: Bridge Replacement at N. Miami Avenue over Little River Canal (874127)  
 TO CONTRACTOR: DOUGLAS N. HIGGINS INC. 5355 McIntosh Rd, Suite E Sarasota, FL 34233

CONTRACT NO: 20160165

DATE: 4/22/2021

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

**Description of work authorized:**

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

**Monetary Justification:**

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

**Time Justification:**

This Change Order extends the contract time by 174 non-compensable calendar days due to the following:  
 The contract was delayed by 174 non-compensable calendar days due to an unanticipated and unforeseen excessive review period by the United States Army Corps of Engineers (USACE) of their required permit application.

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

**SUMMARY OF CONTRACT AMOUNT / TIME**

|                                                                           |                 |
|---------------------------------------------------------------------------|-----------------|
| ORIGINAL CONTRACT AMOUNT-----                                             | \$2,925,350.00  |
| COST OF CHANGES PREVIOUSLY ORDERED-----                                   | \$0.00          |
| ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE-----                        | \$2,925,350.00  |
| COST OF CHANGES WITH THIS DOCUMENT-----                                   | \$0.00          |
| ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE-----                       | \$2,925,350.00  |
| PERCENT INCREASE WITH THIS CHANGE-----                                    | 0%              |
| TOTAL PERCENT INCREASE TO DATE-----                                       | 0%              |
| TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE-----             | 790 / 292 / 174 |
| CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE----- | 79 / 0 / 0      |
| ADJUSTED DURATION INCLUDING THIS CHANGE-----                              | 1335            |

**CERTIFYING STATEMENT:**

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

|                                         |                                                                       |               |              |
|-----------------------------------------|-----------------------------------------------------------------------|---------------|--------------|
| <u>Accepted By:</u>                     |                                                                       | <u>Title</u>  | <u>Date</u>  |
| <u>Organization</u>                     | <u>Name</u>                                                           |               |              |
| DOUGLAS N. HIGGINS INC.                 | Kelly A. Wilkie                                                       | Contractor    | 7/1/21       |
| <u>Surety</u>                           | Lisa M. Wilmot                                                        | <u>Surety</u> | July 1, 2021 |
| Hartford Accident and Indemnity Company | Lisa M. Wilmot, Attorney-in-Fact, FL Non-Resident License No. P017062 |               |              |

|                                                                |             |             |
|----------------------------------------------------------------|-------------|-------------|
| <u>Title</u>                                                   | <u>Name</u> | <u>Date</u> |
| Approved By: <u>County Attorney</u><br>(for legal sufficiency) | _____       | _____       |
| Approved By: <u>County Mayor</u>                               | _____       | _____       |
| Attested By: <u>Clerk of the Board</u>                         | _____       | _____       |

**Description of work authorized: (Continued)**

**Time Justification Declaration:**

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



# POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 06155

[Bond.claims@thehartford.com](mailto:Bond.claims@thehartford.com)

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

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: **HYLANT GROUP INC**  
Agency Code(s): **35-351588, 35-350851, 81-151273**

- |                                     |                                                                                                                          |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <b>Hartford Fire Insurance Company</b> , a corporation duly organized under the laws of the State of Connecticut         |
| <input checked="" type="checkbox"/> | <b>Hartford Casualty Insurance Company</b> , a corporation duly organized under the laws of the State of Indiana         |
| <input checked="" type="checkbox"/> | <b>Hartford Accident and Indemnity Company</b> , a corporation duly organized under the laws of the State of Connecticut |
| <input type="checkbox"/>            | <b>Hartford Underwriters Insurance Company</b> , a corporation duly organized under the laws of the State of Connecticut |
| <input type="checkbox"/>            | <b>Twin City Fire Insurance Company</b> , a corporation duly organized under the laws of the State of Indiana            |
| <input type="checkbox"/>            | <b>Hartford Insurance Company of Illinois</b> , a corporation duly organized under the laws of the State of Illinois     |
| <input type="checkbox"/>            | <b>Hartford Insurance Company of the Midwest</b> , a corporation duly organized under the laws of the State of Indiana   |
| <input type="checkbox"/>            | <b>Hartford Insurance Company of the Southeast</b> , a corporation duly organized under the laws of the State of Florida |

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

*Susan E. Hurd, Vicki S. Duncan, Michael M. Hylant, Jamie Laurencelle, Kristie A. Pudvan,  
Lisa M. Wilmot, Judy K. Wilson, Kathy S Zack, Terri Mahakian*

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

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 23, 2016 the Companies have caused these presents to be signed by its Assistant Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



*Shelby Wiggins*

Shelby Wiggins, Assistant Secretary

*Joelle L. LaPierre*

Joelle L. LaPierre, Assistant Vice President

STATE OF FLORIDA

COUNTY OF SEMINOLE

SS. Lake Mary

On this 20th day of May, 2021, before me personally came Joelle L. LaPierre, to me known, who being by me duly sworn, did depose and say: that (s)he resides in Seminole County, State of Florida; that (s)he is the Assistant Vice President of the Companies, the corporations described in and which executed the above instrument; that (s)he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that (s)he signed his/her name thereto by like authority.



*Jessica Ciccone*

Jessica Ciccone  
My Commission HH 122280  
Expires June 20, 2025

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of July 1, 2021

Signed and sealed in Lake Mary, Florida.



*Keith D. Dozois*

Keith D. Dozois, Assistant Vice President



## MEMORANDUM

(Revised)

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

**DATE:** November 2, 2021

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

**SUBJECT:** Agenda Item No. 8(N)(1)

Please note any items checked.

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



Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(N)(1)  
11-2-21

RESOLUTION NO. R-1043-21

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CHANGE ORDER NO. 2 BETWEEN DOUGLAS N. HIGGINS, INC. (DNHI) AND MIAMI-DADE COUNTY FOR PROJECT TITLED BRIDGE REPLACEMENT AT NORTH MIAMI AVENUE OVER THE LITTLE RIVER CANAL (BRIDGE NO. 874127) (DB16-DTPW-04) CONTRACT NUMBER 20160165, EXTENDING THE CONTRACT DURATION BY 174 NON-COMPENSABLE CALENDAR DAYS

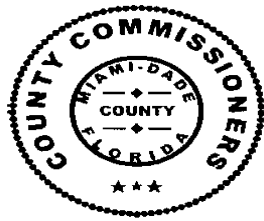
**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board authorizes the County Mayor or County Mayor's designee to execute Change Order No. 2 between Douglas N. Higgins, Inc. (DNHI) and Miami-Dade County for Project Titled Bridge Replacement at North Miami Avenue over the Little River Canal (Bridge No. 874127) (DB16-DTPW-04) Contract Number 20160165, extending the contract duration by 174 non-compensable calendar days.

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

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

The Chairperson thereupon declared this resolution duly passed and adopted this 2<sup>nd</sup> day of November, 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.

A handwritten signature in black ink, appearing to read "B. Libhaber", is written over a horizontal line.

Bruce Libhaber