

Memorandum



Date: October 6, 2022

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

Agenda Item No. 8(N)(9)

From: Daniella Levine Cava
Mayor

A blue ink signature of Daniella Levine Cava.

Resolution No. R-943-22

Subject: Contract Award Recommendation to JVA Engineering Contractors, Inc. for Project Titled Roadway Improvements to NW 37th Avenue from NW 36th ST to NW 79th ST

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) to execute the contract award recommendation for the project titled Roadway Improvements to NW 37th Avenue from NW 36th ST to NW 79th ST in the amount of \$27,042,339.46 to JVA Engineering Contractors, Inc. and to authorize use of surtax funds for the project. The project makes critically needed infrastructure improvements to the corridor by widening the existing roadway from two to three lanes with on-street parking, sidewalks, curb and gutter, a new storm drainage system, signalization, pavement markings and signage, roadway lighting and a Water and Sewer Department (WASD) Water Main and Gravity Sewer.

Recommendation

The contract award recommendation for the project titled Roadway Improvements to NW 37th Avenue from NW 36th ST to NW 79th ST (*Project No. 20210093; Contract No. 20210093*) in the amount of \$27,042,339.46 to JVA Engineering Contractors, Inc. (JVA) was prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval by the Board.

This contract award recommendation is placed for Board review pursuant to Miami-Dade County Code Section 29-124(f). This recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this award. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item.

Delegation of Authority

The authority of the County Mayor or County Mayor's designee to execute and implement this contract is consistent with those authorities granted under the Code of Miami-Dade County. No additional authority is being requested within the body of this contract.

Scope

PROJECT NAME: Roadway Improvements to NW 37th Avenue from NW 36th Street to NW 79th Street

PROJECT NO: 20210093

CONTRACT NO: 20210093

PROJECT DESCRIPTION: Work for this project includes, but is not limited to, furnishing all labor supervision, materials, equipment, tools and performing all operations necessary to construct the proposed roadway improvements. The project consists of widening the existing roadway from two to three lanes with on-street parking, sidewalks, curb and gutter, a new storm drainage system, signalization, pavement markings and signage, roadway lighting and Water and Sewer Department (WASD) Water Main and Gravity Sewer.

PROJECT LOCATION: NW 37th Avenue from NW 36th Street to NW 79th Street

PROJECT:	<u>PROJECT #</u>	<u>LOCATION</u>	<u>DIST</u>	<u>AMOUNT</u>
DTPW:	75636	NW 37th Avenue from NW 36th St to NW 79th Street	2	\$15,040,157.59
WASD:	3000099	NW 37th Avenue from NW 36th St to NW 79th Street	2	\$9,662,450.32
	3002573	NW 37th Avenue from NW 36th St to NW 79th Street	2	\$2,339,731.55

PRIMARY COMMISSION

DISTRICT: District 2 Commissioner Jean Monestime

APPROVAL PATH: Board of County Commissioners

USING DEPARTMENT: Department of Transportation and Public Works
and Water and Sewer Department

MANAGING DEPARTMENT: Department of Transportation and Public Works

Fiscal Impact / Funding Source

The fiscal impact will be approximately \$27,042,339.46 with the total amount being inclusive of contingency and dedicated allowances. The base contract amount is \$23,650,000.00. This project is being funded by People’s Transportation Plan (PTP), WASD Revenue Bonds Sold and WASD BBC GOB Financing from Project 17 of the Building Better Communities Bond Program.

FUNDING SOURCES:	<u>SOURCE</u>	<u>PROGRAM NO.</u>	<u>AMOUNT</u>	<u>COMMENTS</u>
	PTP	2000000540	\$15,040,157.59	
	WASD Revenue Bonds Sold	2000000072	\$9,662,450.32	

WASD BBC 967090 \$2,339,731.55
GOB Financing

OPERATIONS COST IMPACT / FUNDING: The annual estimated operations cost impact will be approximately \$9,703 and will be funded through the department’s General Fund allocation.

LIFE EXPECTANCY OF ASSET: The life expectancy of the roadway is approximately 25 years.
The life expectancy of the water main is approximately 50 years.

PTP FUNDING: Yes

GOB FUNDING: Yes

ARRA FUNDING: No

<u>CAPITAL BUDGET PROGRAM # - DESCRIPTION</u>	<u>AWARD</u>
2000000540 – ROAD WIDENING – COUNTYWIDE Funding Years: FY 2021 – 22 Adopted Budget and Multi – Year Capital Plan, Volume 2 – Transportation and Public Works	\$15,040,157.59
2000000072 – WATER – SMALL DIAMETER WATER MAINS REPLACEMENT PROGRAM Funding Years: FY 2021 – 22 Adopted Budget and Multi – Year Capital Plan, Volume 3 – Water and Sewer	\$9,662,450.32
967090 – COMMERCIAL AND INDUSTRIAL CORRIDORS – EXTENSION OF SEWER SYSTEM (BUILDING BETTER COMMUNITIES BOND PROGRAM) Funding Years: FY 2021 – 22 Adopted Budget and Multi – Year Capital Plan, Volume 3 – Water and Sewer	\$2,339,731.55
CAPITAL BUDGET PROGRAM TOTAL:	\$27,042,339.46

BID PACKAGES ISSUED: Electronic Download

BIDS RECEIVED: 8

CONTRACT PERIOD: 1095 Days Excludes Warranty Administration Period

CONTINGENCY PERIOD: 110 Days

IG FEE INCLUDED IN BASE CONTRACT: Yes

ART IN PUBLIC PLACES: No

BASE ESTIMATE: \$25,550,491.21

BASE CONTRACT AMOUNT: \$23,650,000.00 (DTPW \$13,586,506.90)
(WASD \$10,063,493.10)

CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	<u>TYPE</u>	<u>PERCENT</u>	<u>AMOUNT</u>	<u>COMMENT</u>
	Construction	10%	\$2,365,000.00	(DTPW \$1,358,650.69) (WASD \$1,006,349.31)

OFF-DUTY LAW ENFORCEMENT OFFICER ALLOWANCE: \$495,040.00 (DTPW \$10,000.00 plus WASD \$485,040.00)

BITUMINOUS MATERIAL ADJUSTMENT ALLOWANCE: \$75,000.00 (DTPW)

PERMIT ALLOWANCE: \$402,534.01 (DTPW \$5,000.00 plus WASD \$397,534.01)

FPL CONNECTION ALLOWANCE: \$5,000.00 (DTPW)

FLORIDA CITY GAS RELOCATION ALLOWANCE: \$9,526.60 (WASD)

POTENTIAL CONTAMINATION ALLOWANCE: \$40,238.85 (WASD)

TOTAL AMOUNT: \$27,042,339.46

Track Record / Monitor

EXPLANATION:

This project was advertised on September 16, 2021, and on November 24, 2021, eight engineering contractor firms proffered bids for the referenced project. The three lowest responsive and responsible bids were as follows: the lowest bidder, Magnum Construction Management, LLC d/b/a MCM, proffered a base bid of \$23,634,900.00; this is 7.50 percent below the County's cost estimate; the second lowest bidder, JVA Engineering, Inc., proffered a base bid of \$23,650,000.00; this is 7.44 percent below the County's cost estimate; and the third lowest bidder, Lanzo Construction Comp., proffered a base bid of \$23,885,809.40; this is 6.52 percent below the County's cost estimate.

MCM was originally recommended for award. On May 12, 2022, DTPW sent a letter to MCM extending the bids. On May 18, 2022, MCM requested a meeting to discuss contract price increases due to the current market inflation. A public meeting was held on May 27, 2022, with MCM, DTPW and the County Attorney's Office (CAO). As result of this meeting, and upon consulting with the CAO, DTPW sent a response to MCM explaining that due to the type of contract used, the contract price could not be increased. On June 6, 2022, MCM decided to not continue with this contract and withdrew its bid. Consequently, DTPW prepared this award recommendation to JVA Engineering, Inc., who is the second lowest, responsive, and responsible bidder.

A copy of all bids and the bid tabulation for this project is available by contacting the Chief of the Capital Improvements Division of DTPW.

DTPW has reviewed the Capital Improvements Information System (CIIS) database and found a total of 52 awarded construction contracts for JVA. In addition, a total of 63 evaluations were found in CIIS with an average rating of 3.6 out of a possible total of 4.0 points. Further, a safety records verification was conducted, finding no issues warranting denying this award recommendation.

Following DTPW's standard operating procedures, after award of this contract, a pre-construction meeting will be scheduled. Following completion of the award process, the project will be assigned to Mr. Leo Salgueiro, Project Manager, for day-to-day responsibilities.

BID OPEN DATE:	11/24/2021
BID BOND EXPIRES:	8/21/2022
BID VALID UNTIL:	8/21/2022
ESTIMATED NOTICE TO PROCEED:	8/21/2022
PRIME CONTRACTOR:	JVA Engineering Contractors, Inc.
COMPANY PRINCIPALS:	Jose A. Alvarez (Founder & CEO), Jose M. Alvarez (President), Jorge Goyanes, (Vice President of Construction), Cesar Gonzalez (Senior Project Manager) and Rafael E. Ramon (Chief Administrative Officer)
COMPANY QUALIFIER:	Jose M. Alvarez (President)
COMPANY EMAIL ADDRESS:	info@jvaengineering.com
COMPANY STREET ADDRESS:	6600 NW 32nd Avenue
COMPANY CITY- STATE-ZIP:	Miami, Florida 33147
YEARS IN BUSINESS:	20
PREVIOUS CONTRACTS WITH COUNTY IN THE LAST FIVE YEARS:	13
SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI DADE COUNTY CODE):	Florida Signal & Lighting Contractors, Inc., Bella Fiore Landscaping, LLC and Micar Trucking, Inc.
MINIMUM QUALIFICATIONS EXCEED LEGAL REQUIREMENTS:	Yes

**STANDARD
PAYMENT AND
PERFORMANCE
BOND:**

Yes

**REVIEW
COMMITTEE:**

MEETING DATE: N/A

SIGNOFF DATE: 12/27/2021

**APPLICABLE
WAGES:
(RESOLUTION No. R-
54-10)**

Yes

**REVIEW
COMMITTEE
ASSIGNED
CONTRACT
MEASURES:**

<u>TYPE</u>	<u>GOAL</u>
SBE-CONST	7.89 %
SBE-S	2.00%
CWP	10%

**MANDATORY
CLEARING HOUSE:**

Yes

**SEA LEVEL RISE:
(ORDINANCE 14-79)**

Yes

**SUSTAINABLE
BUILDINGS
ORDINANCE:
(I.O. NO. 8-8)**

No

**CONTRACT
MANAGER NAME /
PHONE / EMAIL:**

Alfredo E. Muñoz, P.E. 305-375-2930 Alfredo.Munoz@miamidade.gov

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

Leo Salgueiro 305-375-1202 Leo.salgueiro@miamidade.gov

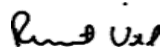
BACKGROUND:

This is a roadway improvement project requested by the BCC for inclusion in the People’s Transportation Plan (PTP). The project is required to increase mobility along NW 37th Avenue for bicycles, pedestrians, and other users.

This project was specifically listed in the Exhibit 1 of the PTP Ordinance as a Board-requested major roadway project for Commission District 2. This

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



DTPW FINANCE OFFICER

DATE

ERP FUND CODE:

C1007
EW223
EW647

BUDGET
APPROVAL
FUNDS

AVAILABLE:

OMB DIRECTOR



OMB DIRECTOR

6/8/2022

DATE

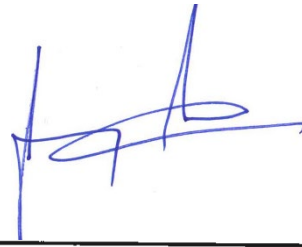
APPROVED AS TO
LEGAL
SUFFICIENCY:

 6/8/22

COUNTY ATTORNEY

DATE

APPROVED FOR
EXECUTION:



MAYOR / MAYOR'S DESIGNEE

6/17/22

DATE

CLERK

DATE



MEMORANDUM

(Revised)

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

DATE: October 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(9)

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)(9)
10-6-22

RESOLUTION NO. R-943-22

RESOLUTION APPROVING CONTRACT AWARD TO JVA ENGINEERING CONTRACTOR, INC. IN THE AMOUNT OF \$27,042,339.46 FOR THE PROJECT TITLED ROADWAY IMPROVEMENTS TO NW 37TH AVENUE FROM NW 36TH ST TO NW 79TH STREET (PROJECT NO. 20210093; CONTRACT NO. 20210093); AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSE WHICH WAS IN THE ORIGINAL EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN AND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE CONTRACT FOR AN ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ALL PROVISIONS CONTAINED THEREIN, INCLUDING ANY TERMINATION PROVISIONS

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:

Section 1. This Board approves the contract award to JVA Engineering Contractor, Inc. in the amount of \$27,042,339.46 for the project titled Roadway Improvements to NW 37th Avenue from NW 36th Street to NW 79th Street (Project No. 20210093; Contract No. 20210093); a copy of the contract document is on file with and available upon request from the Chief of the Capital Improvements Division of the Department of Transportation and Public Works.

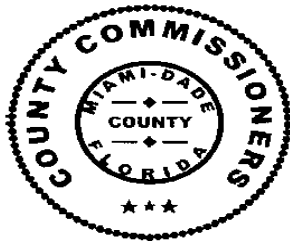
Section 2. This Board authorizes the use of Charter County Transportation Surtax Funds for such purpose which was in the original Exhibit 1 of the People's Transportation Plan and use of Building Better Communities General Obligation Bond Program funds.

Section 3. This Board authorizes the County Mayor or County Mayor's designee to execute the contract for and on behalf of Miami-Dade County and to exercise all provisions contained therein, including any termination provisions.

The foregoing resolution was offered by Commissioner **Sally A. Heyman** , who moved its adoption. The motion was seconded by Commissioner **Keon Hardemon** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of October, 2022. 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: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber
Annery Pulgar Alfonso