

Memorandum



Date: January 17, 2023

Agenda Item No. 8(N)(3)

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Resolution No. R-25-23

Subject: Supplemental Agreement No. 3 to the Professional Services Agreement with WSP USA Inc. for Engineering Services for the Department of Transportation and Public Works' Capital Improvement Plan; Increasing the Contract Amount by \$19,800,000; and Authorizing the Use of Charter County Transportation Surtax Funds for the South Dade Electric Bus Maintenance Facility and Other Eligible Projects

Executive Summary:

The purpose of this item is to gain approval from the Board of County Commissioners (Board) for Supplemental Agreement No. 3 to the Professional Services Agreement (PSA) with WSP USA Inc. (WSP) for engineering services to support the Department of Transportation and Public Works' Capital Improvement Plan. Supplemental Agreement No. 3 increases the contract capacity by \$19,800,000 (i.e., from \$32,780,000 to \$52,580,000). That is inclusive of a 10 percent contingency, to cover planning, bid and award and design and post design services for the South Dade Electric Bus Maintenance Facility and other non-SMART Program projects (e.g., a mobility center housing operational and community use functions). This Supplemental Agreement is to be funded by the People's Transportation Plan (PTP) Bond Program. This increase is a function of shifting this expense to take place earlier in the timeline of the project and does not increase the total overall cost of the project.

The bus facility will be used to maintain and operate the new fleet of 60-foot battery electric buses, will meet or exceed our sustainable building requirements, and will include solar power production capability in the design. The supplemental agreement facilitates on time project delivery, moving the project forward to 100 percent design and construction bidding thereafter. Compared to other delivery methods, this approach is anticipated to save over one year in project completion, resulting in charging capability at the facility by summer of 2024 and a fully completed project by March of 2025. This item and the additional funding capacity it provides is needed to deliver the much-needed bus facility on time as previously approved by the Board, aligning with the opening of the South Dade TransitWay.

As Miami-Dade County continues to expand southerly, the need to provide quality, on time transit services to residents increases, necessitating a maintenance facility for the Department of Transportation and Public Works' bus fleet within the South Dade area. Furthermore, the forthcoming completion of the South Corridor of the SMART Program (i.e., South Dade TransitWay) requires servicing the electric bus fleet that will operate along the corridor. The proposed facility will provide a proximate location for these buses to be charged, maintained, and stationed. When completed, the facility will be one of the largest electric bus maintenance facilities in the country, setting the standard in the region for sustainable transportation.

Recommendation

This item recommends the Board's approval of the attached Supplemental Agreement No. 3 to a PSA between WSP and Miami-Dade County (Contract No. CIP142-TR15-PE1) for engineering services in support of the Capital Improvement Plan for the Department of Transportation and Public Works (DTPW). Under the supplemental agreement, the contract amount is increased by \$19,800,000, inclusive of a 10 percent contingency allowance, to expedite consulting services for the South Dade Electric Bus Maintenance Facility. The resolution authorizes the use of Charter County Transportation Surtax funding for this purpose.

Scope

The project location is North of Biscayne Dr., West of SW 127th Avenue, and East of SW 129th Court within Commission District 9, which is represented by Commissioner Kionne L. McGhee. However, as the project promotes connectivity to the entire transit system, it is countywide in nature.

Delegated Authority

In accordance with Section 2-8.3 of the County Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the original resolution, which includes authority for the County Mayor or County Mayor's designee to execute this Supplemental Agreement.

Fiscal Impact/Funding Source

The fiscal impact of Supplemental Agreement No. 3 is \$19,800,000 (inclusive of a base amount of \$18,000,000 with a contingency amount of \$1,800,000). This Supplemental Agreement is to be funded by the People's Transportation Plan (PTP) Bond Program from Program No. 2000001321, Project 3002564 – New South Dade Bus Maintenance Facility from Volume 2 of the FY 2022-23 Adopted Budget and Multi-Year Capital Plan and PTP Capital Reserve Fund.

Track Record/Monitor

Josenrique Cueto, P.E., DTPW Deputy Director and Chief Project Delivery Officer, is responsible for monitoring this project.

Background

On March 7, 2017, the Board adopted Resolution No. R-256-17, approving a PSA with WSP (formerly Parsons Brinckerhoff, Inc.) for engineering services for DTPW's Capital Improvement Plan in an amount not to exceed \$11,000,000 for a five-year term. Subsequently, on February 5, 2019, the Board passed Resolution No. R-153-19, approving Supplemental Agreement No. 1 to the PSA with WSP, increasing contract capacity by \$10,780,000 and authorizing the continuation of spending authority for an additional year for work orders related to the SMART Plan. Next, on July 20, 2021, through Resolution No. R-731-21, the Board approved Supplemental Agreement No. 2 to the PSA with WSP, increasing the contract capacity by \$11,000,000 and exercising the option to extend the contract by five years.

DTPW is requesting through Supplemental Agreement No. 3 to increase the contract capacity to a total of \$52,580,000, inclusive of a 10 percent contingency. The additional funding capacity is needed to deliver the much-needed bus facility in time, aligning with the opening of the South Dade TransitWay. Under this supplemental agreement, WSP completes the engineering design for the facility, readying the project for construction bidding. DTPW's existing bus maintenance facilities – Central, Northeast, and Coral Way – are unable to meet the needs of the new electric bus fleet for a variety of reasons, including that the existing sites are currently operating over capacity as identified in DTPW's 2020 Bus Yard

Master Plan Study. Each of these sites holds approximately 25 chargers and do not have spare capacity to charge the South Dade fleet.

WSP has served as the engineer of record for this project and prepared the preliminary designs. Furthermore, the firm has been involved in the design of over 800 maintenance facilities for fleet sizes ranging up to 5,000 vehicles. It has also led over 80 zero emission bus projects ranging from feasibility studies and transition plans through detailed designs for both pilots and full sites, including the design of a new green field 300 battery-electric bus facility for TransLink in Vancouver. The engagement of WSP for the completion of this project will create efficiencies, provide continuity of services, and allow for the project to be delivered on an accelerated schedule with the facility achieving charging capability by summer of 2024 and being fully completed by March of 2025.

The project consists of an over 100,000 square foot electric bus maintenance facility. The site houses parking for 100 60-foot battery-electric buses with overhead pantograph charging infrastructure. The facility includes areas for bus maintenance, parts storage, body repair, and employee/visitor parking. Improvements to the site include stormwater management, paving and landscaping. DTPW requires this facility to maintain, energize, and operate its bus fleet. The facility will meet the highest level of design standards and include state-of-the art industrial equipment. The estimated project construction cost is \$160,000,000.

The South Dade Electric Bus Maintenance Facility was added to the Fiscal Year 2021-25 update to the Five-Year Implementation Plan of the People's Transportation Plan. The supplemental agreement also addresses the planning and design of other Surtax eligible projects within the scope of the PSA. The Surtax eligible projects are not yet identified; however, those projects will be projects that were either identified in the original Exhibit 1 to the People's Transportation Plan or otherwise were added to an update to the Five-Year Plan.

DBE Goal Attainment & Compliance Update

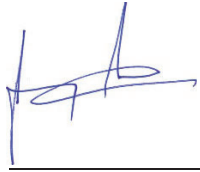
In accordance with 49 CFR Part 26, DTPW's Office of Civil Rights (DBE Unit) recommends a "no change" to the Disadvantaged Business Enterprise (DBE) goal relating to the increased portions of the PSA. As such, WSP shall continue to take all necessary steps towards achieving full compliance of the contracted DBE goal of 22 percent. The DBE goal achieved to date is measured by the invoiced amounts paid to date to DBEs reflected in their team structure and the current contract value. Under Supplemental Agreement No. 3, WSP is encouraged to continue to allocate work associated with the South Dade Electric Bus Maintenance Facility and other Surtax eligible non-SMART Program related projects assigned under Work Order status to DBEs as a priority.

As of December 6, 2022, the consultant continues to maintain a DBE participation rate of 15 percent and is encouraged to increase its participation upon its next compliance review. With the increased amount, DTPW still expects the consultant to achieve the contracted DBE goal of 22 percent by the end of the contract term, April 1, 2027. The DBE Unit will continue to closely monitor the consultant's progress toward achieving the goal for the duration of the contract.

Due Diligence

Pursuant to Resolution No. R-187-12 and in accordance with the Internal Services Department's Procurement Guidelines, DTPW staff exercised due diligence. According to the Firm History Report provided by the Internal Services Department, WSP received five contracts from Miami-Dade County during the five years immediately preceding the award of this contract with a total value of \$14,885,166.

There are 72 performance evaluations in the Capital Improvements Information Systems Database reflecting a rating of 3.7 points out of a possible 4.0 points, representing an above satisfactory performance rating.

A handwritten signature in blue ink, appearing to read 'Jimmy Morales', is written over a horizontal line.

Jimmy Morales
Chief Operational Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: January 17, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(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(N)(3)
1-17-23

RESOLUTION NO. _____ R-25-23

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT NO. 3 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN WSP USA INC. AND MIAMI-DADE COUNTY FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS' CAPITAL IMPROVEMENT PLAN, CONTRACT NUMBER CIP142-TR15-PE1, INCREASING THE CONTRACT AMOUNT BY \$19,800,000.00; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THE SOUTH DADE ELECTRIC BUS MAINTENANCE FACILITY AND OTHER SURTAX ELIGIBLE PROJECTS WHICH WERE INCLUDED IN THE ORIGINAL EXHIBIT 1 TO THE PEOPLE'S TRANSPORTATION PLAN OR WERE OTHERWISE ADDED TO THE FIVE-YEAR IMPLEMENTATION PLAN; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS 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:

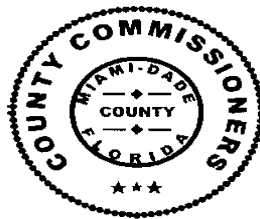
Section 1. Approves Supplemental Agreement No. 3 to Professional Services Agreement between WSP USA Inc. and Miami-Dade County for engineering services for the Department of Transportation and Public Works' Capital Improvement Plan, Contract No. CIP142-TR15-PE1, which increases the contract amount by \$19,800,000.00; authorizes the use of Charter County Surtax Transportation funds for the South Dade Electric Bus Maintenance Facility and other surtax eligible projects which were included in the original Exhibit 1 to the People's Transportation Plan or were added to the Five-Year Implementation Plan as explained in the County Mayor's memorandum.

Section 2. Authorizes the County Mayor or County Mayor's designee to execute the Supplemental Agreement No. 3 in substantially the forms attached hereto, for and on behalf of Miami-Dade County and to exercise all provisions contained therein.

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

Oliver G. Gilbert, III, Chairman	aye	
Anthony Rodríguez, Vice Chairman	aye	
Marleine Bastien	aye	Juan Carlos Bermudez aye
Kevin Marino Cabrera	aye	Sen. René García aye
Roberto J. Gonzalez	aye	Keon Hardemon nay
Danielle Cohen Higgins	absent	Eileen Higgins aye
Kionne L. McGhee	nay	Raquel A. Regalado aye
Micky Steinberg	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of January, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Annery Pulgar Alfonso

SUPPLEMENTAL AGREEMENT NO. 3 TO THE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN MIAMI-DADE COUNTY, FLORIDA
AND WSP USA INC.

This Third Supplemental Agreement is made and entered into as of the ____ day of _____
2023 by and between Miami-Dade County, Florida, a public body, hereinafter referred to as the
“COUNTY”, and WSP USA Inc., hereinafter referred to as the “CONSULTANT”.

WITNESSETH

WHEREAS, Miami-Dade County (County) on March 31, 2017, entered into a Professional
Services Agreement with CONSULTANT., formerly known as Parsons Brinckerhoff, Inc., to provide
Engineering Services for Department of Transportation and Public Works’ Capital Improvement Plan,
Contract Number CIP142-TR15-PE1; and

WHEREAS, on February 7, 2019, the County entered into the First Supplemental Agreement No. 1
with CONSULTANT, which increased the contract capacity to \$21,780,000 (inclusive of the contingency
allowance) to provide additional professional services as required. Subsequently, on July 20, 2021 the
County entered into Supplemental Agreement No. 2 with CONSULTANT, which increased the contract
capacity to \$32,780,000 (inclusive of a 10% contingency) and extended the option to renew for 5
additional years to provide additional professional services as required.

WHEREAS, the parties wish to make certain revisions in the Professional Services Agreement as
provided below.

NOW, THEREFORE, the parties hereto do mutually agree to amend the Professional Services
Agreement as follows:

CONTRACT NO.: CIP142-TR15-PE1
ISD PROJECT NO.: E15-DTPW-04
SUPPLEMENTAL AGREEMENT NO. 3

1

SECTION IV – COMPENSATION

Refer to Section IV, Paragraph F, Maximum Compensation, and amend as follows:

Although the COUNTY makes no assurances that any work orders will be issued to the CONSULTANT, the total payments to the CONSULTANT pursuant to this agreement shall not exceed \$52,580,000 (inclusive of a 10% contingency allowance).

This Agreement, regardless of where executed, shall be governed by and construed according to the laws of the State of Florida, and venue shall be in Miami-Dade County, Florida.

IN WITNESS THEREOF the parties hereto have executed these presents this _____ day of _____, 2023.

ATTEST:

HARVEY RUVIN

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____

By: _____
COUNTY MAYOR OR DESIGNEE

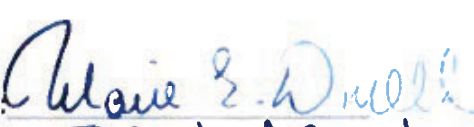
Approved by County Attorney

as to Form and Legal Sufficiency:

ATTEST:

WSP USA INC.
(Corporate Seal)

By: 

By: 

for Robert Clifford
Transportation Regional Manager

CONTRACT NO.: CIP142-TR15-PE1
ISD PROJECT NO.: E15-DTPW-04
SUPPLEMENTAL AGREEMENT NO. 3

3



Memorandum



To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Javier A. Betancourt, Executive Director 

Date: December 22, 2022

Re: **CITT AGENDA ITEM 7E:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE SUPPLEMENTAL AGREEMENT NO. 3 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN WSP USA INC. AND MIAMI-DADE COUNTY FOR ENGINEERING SERVICES FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS' CAPITAL IMPROVEMENT PLAN, CONTRACT NUMBER CIP142-TR15-PE1, INCREASING THE CONTRACT AMOUNT BY **\$19,800.000.00**; AUTHORIZE THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THE SOUTH DADE ELECTRIC BUS MAINTENANCE FACILITY AND OTHER SURTAX ELIGIBLE PROJECTS WHICH WERE INCLUDED IN THE ORIGINAL EXHIBIT 1 TO THE PEOPLE'S TRANSPORTATION PLAN OR WERE OTHERWISE ADDED TO THE FIVE-YEAR IMPLEMENTATION PLAN; AND AUTHORIZE THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN (**DTPW – BCC LEGISLATIVE FILE NO. 222884**) **SURTAX FUNDS ARE REQUESTED**

On December 21, 2022, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-046. The vote was as follows:

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice-Chairperson – Aye
Robert Wolfarth, 2nd Vice-Chairperson – Aye

Hon. Peggy Bell – Aye
Joseph Curbelo – Absent
Qjuezari Harvey – Aye
L. Elijah Stiers, Esq. – Absent
Ernest Thomas – Aye

Omar K. Bradford, Esq. – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Aye
Mary Street, Esq. – Absent

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney