

Date: July 6, 2023

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

Agenda Item No. 8(N)(8)

From: Daniella Levine Cava
Mayor



Resolution No. R-612-23

Subject: Contract Award Recommendation in the Amount of \$15,410,950.45 to H&R Paving Inc. for Roadway Improvements to SW 268 ST from SW 139 Ave to SW 119 Ave

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) to execute a contract award recommendation for the project titled "Roadway Improvements to SW 268 ST from SW 139 Avenue to SW 119 Avenue" in the amount of \$15,410,950.45 to H&R Paving Inc. for a 760-day term. The project is being funded by Road Impact Fees (RIF). This project will provide an increase in traffic capacity while adding bike lanes to improve mobility and safety for cyclists, as well as safety enhancements for pedestrians, and other users, aligning with the goals of the Vision Zero initiative. It will also provide ADA compliance, ensuring the availability of multiple modes of transportation, and include appropriate landscaping enhancements to improve the pedestrian experience as part of a Complete Street design.

Under this project, the specific roadway and traffic operational improvements include, but are not limited to, new road construction, widening, resurfacing, drainage, curb and gutter, sidewalks, signalization, pavement markings and signage, lighting, bicycle lanes, and WASD utility improvements (i.e., new water main, fire hydrants, new water services and reconnections of existing stub outs).

Recommendation

This contract award recommendation for the project titled "Roadway Improvements to SW 268 ST from SW 139 Avenue to SW 119 Avenue," *Contract No. 20210224*, in the amount of \$15,410,950.45 to H&R Paving Inc. was prepared by the Department of Transportation and Public Works (DTPW) and is recommended for approval by the Board. The contract term is 760 days.

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 SW 268 ST from SW 139 Ave to SW 119 Ave

PROJECT NO: 20210224

CONTRACT NO: 20210224

PROJECT DESCRIPTION: Work for this project includes, but is not limited to, furnishing all labor and supervision, materials, equipment and tools and performing all operations necessary to complete construction. The project scope consists of roadway and

traffic operational improvements including, but not limited to, new road construction, widening, resurfacing, drainage, curb and gutter, sidewalks, signalization, pavement markings and signage, lighting, bicycle lanes, and WASD utility improvements (i.e., new water main, fire hydrants, new water services and reconnections of existing stub outs).

**PROJECT
LOCATION:**

SW 268 ST from SW 139 Avenue to SW 119 Avenue

PROJECT:	<u>PROJECT #</u>	<u>LOCATION</u>	<u>DIST</u>	<u>AMOUNT</u>
	3003057	SW 268 ST from SW 139 Ave to SW 119 Ave	8 & 9	\$15,410,950.45

PRIMARY COMMISSION DISTRICT:	District 8	Commissioner Danielle Cohen Higgins
	District 9	Commissioner Kionne L. McGhee

APPROVAL PATH: Board of County Commissioners

**USER
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 \$15,410,950.45 with the total amount being inclusive of contingency and dedicated allowances. The base contract amount is \$13,627,336.77. The project is being funded by Road Impact Fees (RIF) District 06 and WASD Project Funds.

FUNDING SOURCES:	<u>SOURCE</u>	<u>PROGRAM NO.</u>	<u>AMOUNT</u>
	RIF	2000000540	\$12,323,948.79
	WASD	2000000540	3,087,001.66
	TOTAL:		\$15,410,950.45

**OPERATIONS COST
IMPACT / FUNDING:** The annual estimated operations cost impact will be approximately \$24,508.36 and will be funded through the department's General Fund allocation.

MAINTENANCE COST IMPACT / FUNDING: The annual estimated maintenance cost impact will be approximately \$9,219.80 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: No

GOB FUNDING: No

ARRA FUNDING: No

CAPITAL BUDGET PROJECTS:	<u>CAPITAL BUDGET PROGRAM # - DESCRIPTION</u>	<u>AWARD</u>
	2000000540 – ROAD WIDENING – COUNTYWIDE Funding Years: FY 2022 – 23 Adopted Budget and Multi-Year Capital Plan, Volume 2 – Transportation and Public Works	\$15,410,950.45
	CAPITAL BUDGET PROGRAM TOTAL:	\$15,410,950.45

BID PACKAGES ISSUED: Electronic Download

BIDS RECEIVED: 5

CONTRACT PERIOD: 760 Days; Excludes Warranty Administration Period

CONTINGENCY PERIOD: 76 Days

IG FEE INCLUDED IN BASE CONTRACT: Yes

ART IN PUBLIC PLACES: No

BASE ESTIMATE: \$13,627,336.77

BASE CONTRACT AMOUNT: \$13,627,336.77

CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	TYPE	PERCENT	AMOUNT	COMMENT
	Construction	10%	\$1,362,733.68	(DTPW \$1,088,690.80 plus WASD \$274,042.88)

**OFF-DUTY LAW
ENFORCEMENT
OFFICER**

ALLOWANCE: \$50,000.00 (DTPW)

**BITUMINOUS
MATERIAL**

**ADJUSTMENT
ALLOWANCE:** \$60,000.00 (DTPW \$57,000.00 plus WASD \$3,000.00)

PERMIT

ALLOWANCE: \$6,000.00 (DTPW)

**PERMIT ALLOWANCE
FOR WASD:** \$68,000.00 (WASD)

FUEL ADJUSTMENT: \$70,000.00 (DTPW)

**FPL CONNECTION
ALLOWANCE:**

\$4,000.00 (DTPW)

**MATERIAL
ADJUSTMENT**

\$150,000.00 (DTPW)

**STEEL GUARD
ADJUSTMENT:**

\$10,000.00 (DTPW)

**For Reimbursement of
Cost Independent Private
Sector Inspector (IPSIG)
(.25%)**

\$320.00 (DTPW \$126.71 plus WASD \$193.29)

**For Reimbursement of
Cost Utility Access
Program (UAP)**

\$2,560.00 (DTPW \$1,013.70 plus WASD \$1,546.30)

TOTAL AMOUNT: \$15,410,950.45

Track Record / Monitor

EXPLANATION:

This project was advertised on August 18, 2022, and on October 5, 2022, five engineering firms proffered bids. The three lowest responsive and responsible bids were as follows: the lowest bidder, Acosta Tractors, Inc., proffered a base bid of \$12,874,997.31, which was 5.89 percent above the County's cost estimate; the second lowest bidder, H&R Paving, Inc., proffered a base bid of \$13,627,336.77, which was 12.08 percent above the County's cost estimate; and the third lowest bidder, JVA Engineering Contractors, Inc., proffered a base bid of \$13,747,577.75, which was 13.06 percent above the County's cost estimate.

In January 2023, representatives from Acosta Tractor approached the department to express concern over escalation in personnel cost which would impact the project. Specifically, the recent wage increases published by the

County directly impacted the classifications which would be used on this project. Acosta expressed that these costs, and other costs not covered by the contract's material price escalation clause, would impact the company's ability to perform. Thereafter, Acosta Tractor officially submitted a request to withdraw its bid. In order to not negatively impact the contractor and project, the department moved to award to the second lowest and responsive bidder, H&R Paving.

This project was bid on a unit price basis. A copy of all bids, and the bid tabulation for this project, is available by contacting the Chief of Capital Improvements, DTPW.

DTPW has reviewed the Capital Improvements Information System (CIIS) and found one awarded construction contract for H&R Paving Inc. In addition, a total of 238 evaluations were found in CIIS with an average rating of 3.3 out of a possible total of 4.0 points. As such, DTPW recommends that H&R Paving Inc., the lowest responsive, responsible bidder, be awarded this contract for the sum of \$15,410,950.45.

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

Pursuant to Board policy, a safety records check for the recommended awardee was conducted. Based on OSHA records from the last five years, DTPW did not find any significant issues. A copy of the OSHA reports is available upon request.

BID OPEN DATE:	10/05/2022
BID BOND EXPIRES:	04/05/2023
BID VALID UNTIL:	04/05/2023
ESTIMATED NOTICE TO PROCEED:	04/05/2023
PRIME CONTRACTOR:	H&R Paving Inc.
COMPANY PRINCIPALS:	Raul Gonzalez
COMPANY QUALIFIER:	Raul Gonzalez
COMPANY EMAIL ADDRESS:	ae@hrpaving.com

COMPANY STREET

ADDRESS: 1955 NW 110th Avenue

**COMPANY CITY-
STATE-ZIP:** Miami, Florida 33172

YEARS IN BUSINESS: 46

**PREVIOUS
CONTRACTS WITH
COUNTY IN THE
LAST FIVE YEARS:** 3

**SUB CONTRACTORS
AND SUPPLIERS
(SECTION 10-34
MIAMI DADE
COUNTY CODE):** Florida City Engineering Contractor, Inc., Highway Striping, Inc., and S.S L.
Corp.

**MINIMUM
QUALIFICATIONS
EXCEED LEGAL
REQUIREMENTS:** Yes

**STANDARD PAYMENT
AND PERFORMANCE
BOND:** Yes

REVIEW COMMITTEE: **MEETING DATE:** N/A **SIGNOFF DATE:** 2/16/2022

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

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	<u>TYPE</u>	<u>GOAL</u>
	SBE-CONST	8.83%
	CWP	10%
	SBE-Services	0.62%

**MANDATORY
CLEARING HOUSE:** Yes

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

**SUSTAINABLE
BUILDINGS**

ORDINANCE: No
(I.O. NO. 8-8)

CONTRACT

MANAGER NAME / Alfredo E. Muñoz, P.E. 305-375-2930 Alfredo.Munoz@miamidade.gov
PHONE / EMAIL:

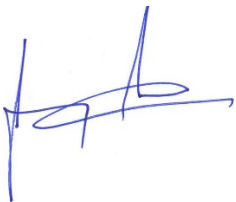
PROJECT MANAGER

NAME / PHONE / Leo Salgueiro 305-375-2111 Leosalgueiro@miamidade.gov
EMAIL:

BACKGROUND:

The project was originally defined as the SW 264 Street / SW 268 Street connector. The original scope included the construction of a new major intersection connecting SW 264 Street with SW 268 Street through US-1. Additionally, the scope included a new intersection at the Busway and US-1 at SW 134 Avenue. Furthermore, this project proposed improvements to all intersecting streets. During the design process, right-of-way issues impacted the original scope. As a result, a decision was made to modify the project's scope. The new scope removed the construction of the new intersection at US-1 and maintained the improvements to SW 268 Street from SW 139 Avenue to SW 119 Avenue. Additionally, the improvements to SW 264 Street from west of SW 147 Avenue to US-1 were separated and later included in the Bus Rapid Transit (BRT) South Corridor Project. This project will implement elements of the SW 264 Street Master Plan Study (US-1 to SW 147 Avenue) and provide a continuous left turn lane along SW 268 Street.

The project is identified in the Transportation Improvement Program (TIP) and Capital Budget Book. This master plan includes the result of traffic studies and incorporates proposed improvements from the Naranja Charrette area master plan completed in 2001. It is expected that the Naranja Charrette proposed changes in land use will add additional traffic from the redevelopment of the area.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: July 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

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

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)(8)
7-6-23

RESOLUTION NO. R-612-23

RESOLUTION APPROVING CONTRACT AWARD TO H&R PAVING INC. IN THE AMOUNT OF \$15,410,950.45 FOR THE PROJECT TITLED ROADWAY IMPROVEMENTS TO SW 268 ST FROM SW 139 AVE TO SW 119 AVE (CONTRACT NO. 20210224); AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND IMPLEMENT THIS CONTRACT

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 approves the contract award to H&R Paving Inc. in the amount of \$15,410,950.45 for the project titled "Roadway Improvements to SW 268th ST from SW 139th Avenue to SW 119th Avenue" (Contract No. 20210224) and authorizing the County Mayor or County Mayor's designee to execute and implement this contract. 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.

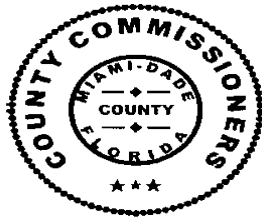
The foregoing resolution was offered by Commissioner **Danielle Cohen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Juan Carlos Bermudez** and upon being put to a vote, the vote was as follows:

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	absent
Roberto J. Gonzalez	aye	Keon Hardemon	absent
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	absent
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of July, 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

JUAN FERNANDEZ-BARQUIN, CLERK



By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

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
H&R Paving Inc

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 plant, 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:

Roadway Improvements to SW 268 Street from SW 139 Avenue to SW
119 Avenue

for the amount reflected by the Proposal, based on the Contract unit prices shown in the Proposal heretofore provided by the County, a copy of said Proposal being a part of the Contract Documents, the aggregate amount of this Contract (the application of unit prices to the quantities actually performed) not to exceed:

Fifteen Million, Four Hundred Ten Thousand, Nine Hundred Fifty
dollars and Forty Five cents

\$15,410,950.45

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 within the Contract Documents.
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 aggregate unit prices for work performed 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 and the Performance Bond and Payment Bond, the County shall find 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 his 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 surety shall have been furnished in a manner and form satisfactory to the County.
5. The "Contract Documents" are hereby defined as: (electronic check box)
- | | |
|---|--|
| ☒ Questionnaire | ☒ Proposal |
| ☒ Advertisement for Bids | ☒ Financial Statement |
| ☒ Instructions to Prospective Contractors | ☒ General Covenants and Conditions |
| ☒ Code and Ordinance Requirements | ☒ Additional Contractor Responsibilities |
| ☒ Protest Information | ☒ Applicable Federal Requirements |
| ☒ Special Provisions | ☒ Department of Business Development Provision |
| ☒ Combined Affidavit | ☒ Wages and Benefits Provisions |
| ☒ Specific Code / Affidavits Applications | ☒ Specifications |
| ☒ Ownership Disclosure Form | ☒ Standards |
| ☒ Community Workforce Program;
Job Order Request Form | ☒ Plans / Sketches |
| ☒ Contract | ☒ All Addenda Issued |
| ☒ Bid Bond | ☐ Other |
| ☒ Performance and Payment Bond
(if required, Bid Bond is required) | |
6. The 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 he has read and understands all of said Contract Documents.
7. 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.
8. The County retains the right to audit any and all information regarding this Contract as described in the Appendix A – Code and Ordinance Requirements, Section 21 and in the Instructions To Prospective Contractor, Section 19.

IN WITNESS WHEREOF, the parties hereto have executed this Contract in four counterparts, each of which shall be deemed an original Contract, all as of the day and year first herein before 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

(PARTY OF THE FIRST PART)

Approved For Sufficiency of Execution Only:

By: _____
Assistant County Attorney

WHEN THE CONTRACTOR IS A CORPORATION:

(CORPORATION SEAL)

ATTEST By: _____

(Secretary)

(Print or type name)

Her Paving Inc.

(Name of Corporation)

Paul Gonzalez

(Signature of Officer)

Paul Gonzalez

(Print or type name)

President

(Official Title)

1955 NW 110 Ave

Miami, FL 33172

(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, the Performance Bond and Payment Bond to do so in its behalf.