

Memorandum



Date: October 3, 2023

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

Agenda Item No. 8(O)(2)

From: Daniella Levine Cava
Mayor

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

Subject: Award Recommendation for Green Technology Corridor Wastewater Collection, Transmission and Water Distribution System Expansion for S-2 Basin; Phase 2, West Side of NW 27 Avenue, Contract S-985

Resolution No. R-867-23

EXECUTIVE SUMMARY

This memorandum seeks approval from the Board of County Commissioners (the Board) to award Construction Contract No. S-985, for the extension of the sanitary sewer system to commercial and industrial parcels within the Green Technology Corridor, to the lowest responsive and responsible bidder, Lanzo Construction Co., Florida, (Lanzo). The project consists of the installation gravity sewers, force main, water mains, and appurtenant infrastructure. The proposed pipeline systems are to be along the area of NW 30th Avenue from NW 83rd Street and NW 79th street continue east along NW 79th street to NW 27th Avenue.

This is a General Obligation Bond (GOB) project and is part of the Connect to Protect Miami-Dade County initiative. This will reduce potential health risks associated with compromised or failing septic systems and reducing nutrient loading into Biscayne Bay, by providing sewer access to properties currently served by septic systems. The project location, between the Little River Canal and Miami River, is of high importance for replacing septic systems with connection to the sanitary sewer system. The total bid of \$8,782,144.70 is 34.36% above the Engineer of Record's (EOR) estimate; however, upon analysis the EOR has concluded that the bid price reflects the current 2023 market escalation associated with increased labor and materials costs and is a fair and reasonable amount for the project's defined scope of work.

RECOMMENDATION

It is recommended to award Contract S-985 to Lanzo for a total compensation amount of \$8,782,144.70, with a total contract period of 400 calendar days, plus a 40 calendar day time contingency allowance.

SCOPE

The work of this Contract will be performed on the West Side of NW 27 Avenue in District 2, which is represented by Commissioner Marleine Bastien. The proposed pipeline systems are to be along the area of NW 30th Avenue from NW 83rd Street and NW 79th street continue east along NW 79th street to NW 27th Avenue.

The scope of this Contract is to install approximately 5,900 linear feet of gravity sewer, 1,380 linear feet of sanitary force main, and approximately 2,500 linear feet of water main.

DELEGATED AUTHORITY

Upon Board approval of the Contract, the County Mayor or County Mayor's designee may exercise all provisions, including the termination provisions, within the Contract. In addition, the County Mayor or County Mayor's designee will manage this Contract pursuant to § 2-8.2.12 of the Miami-Dade County's Code of Ordinances, a/k/a the Water and Sewer Department's (WASD) Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to, among other things, negotiate and

settle claims and execute change orders that do not exceed ten percent (10%) of the base contract amount, subject to ratification by the Board.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact to the County is \$8,782,144.70, which WASD has determined is a fair and reasonable amount for the project's defined scope of work.

The project is in the Adopted Budget and Multi-Year Capital Plan.

- Funding will be provided from two (2) Programs:
 - Program #967090 – Commercial and Industrial Corridors – Extension of Sewer System, Volume 3, Book Page: 78, Adopted Budget and Multi-Year Capital Plan for FY 2022-23
 - Program #2000000078 – Water – Small Diameter Water Mains Replacement Program, Volume 3, Book Page: 96, Adopted Budget and Multi-Year Capital Plan for FY 2022-23
- The funding sources are primarily BCC GOB Financing, and may include WASD Revenue Bonds Sold, Future WASD Revenue Bonds, Water Connection Charge and Wastewater Connection Charges when applicable and appropriate.
- The life expectancy of the work is 50 years.
- Operations Cost Impact / Funding: This is an underground pipeline with no mechanical components; Operations Cost, if any, will be minimal. The funding source for any operations impact is WASD Operating Revenues.
- Maintenance Cost Impact / Funding: This is an underground pipeline with no mechanical components; Maintenance Costs, if any, will be minimal. The funding source for any maintenance impact is WASD Operating Revenues.

VENDOR SELECTION & TRACK RECORD

On April 27, 2023, WASD received and opened the following four (4) bids in response to the March 16, 2023, advertisement for an open competitive solicitation for the Contract:

Company Name	Base Bid	Total Bid*
He Builders	\$6,256,522.97	\$7,307,870.96
Lanzo Construction Co. Florida	\$7,561,190.00	\$8,782,144.70
Ric-Man International, Inc.	\$8,083,385.80	\$9,372,225.95
David Mancini & Sons Inc.	\$15,988,033.50	\$18,304,477.86

*Total bid includes contingency & dedicated allowances

The following due diligence was performed to determine the lowest responsive and responsible bidder:

- On May 8, 2023, WASD conducted a responsibility review of the apparent low bidder, He Builders. The solicitation required the successful bidder to submit examples of similar projects to establish their ability to perform the work. He Builders submitted individual resumes, but not the required projects. The purpose of the responsibility review was to explore the apparent low bidder's (He Builders) experience. After the meeting, He Builders submitted additional background information which, after review, the EOR determined to be insufficient. The EOR determined that He Builders was not responsible because of their inexperience with South Florida ground conditions and performing such work in an active roadway.
- Because contract measures were assigned, the three (3) lowest bids were forwarded to Internal Services Department's (ISD) Division of Small Business Development (SBD) for a Compliance

Review. On May 24, 2023, SBD determined that Lanzo was compliant. The Project Worksheet and the SBD Compliance Review letter are attached to this memo as Exhibit A and B, respectively.

- The EOR then reviewed the bid submitted by the apparent second lowest bidder, Lanzo, which was 34.36% above the EOR's estimate of \$6,536,098.50. The EOR stated that the basis of the Engineers Estimate of Probable Cost for S-985 was established utilizing the average prices of Bid Tally S-964 which had a Bid Opening date of February 3, 2022. In the EOR's professional opinion, the difference between the Engineers Estimate of Probable Cost for S-985 and the Lanzo Bid Price reflects the current 2023 market escalation associated with increased labor and materials costs from the S-964 bid. The EOR determined that Lanzo was the lowest, responsible bidder and satisfied the requirements of the solicitation. The Contract S-985 Bid Review Evaluation and Recommendation letter is attached as Exhibit C.
- Pursuant to Resolution R-187-12, WASD performed a review of the vendor information in the Business Management Workforce System (BMWS). WASD discovered no adverse information. Considering the input of ISD and the EOR, WASD concluded that Lanzo is responsible.
- According to the contract history downloaded from the BMWS on May 30, 2023, over the past three (3) years, Lanzo has been awarded seven (7) contracts with a total value of \$46,534,388.00 from the County.
- Lanzo has 39 evaluations in the ISD Capital Improvement Information System (CIIS), with a rating of 3.5 out of a possible 4.0 maximum.

Considering the input of ISD and the EOR, WASD has concluded that the apparent lowest bidder, Lanzo, is both responsive and responsible. Therefore, it is recommended that Contract S-985 be awarded to Lanzo for a total compensation amount of \$8,782,144.70, with a total contract period of 400 calendar days, plus a 40 calendar day contingency period. The proposed contract, signed by Lanzo, is attached to this memo as Exhibit D.

WASD CONTRACT MONITOR

WASD Deputy Director, Planning Regulatory Compliance and Capital Infrastructure, Marisela Aranguiz-Cueto, P.E., will oversee the implementation of the Contract.

BACKGROUND

This project resulted from the adoption of Resolution No. R-597-13 which directed the County Mayor to provide a plan to extend sewer service to commercial and industrial parcels within Miami-Dade County Commission Districts. This GOB project will provide water and wastewater improvements to an area known as Miami-Dade Green Technology Corridor that is in Commission District 2. The proposed pipeline improvement system consists of approximately 9,780 linear feet along the area of NW 30th Avenue from NW 83rd Street and NW 79th street continue east along NW 79th street to NW 27th Avenue and will consist of approximately 2,500 liner feet. The wastewater improvements shall account for approximately 5,900 sanitary sewer gravity pipe, manholes and sewer laterals. The improvement to the sanitary sewer system shall consist of approximately 1,380 linear feet of force main pipe. The improvement to the potable water system shall consist of approximately 2,500 linear feet of water main pipe, valves, and fittings, and shall include fire hydrants, and reconnections to existing meters. This project will ensure that WASD meets the demands expected by future growth in this area while also providing the required flows for the fire protection.

CONTRACT MANAGER NAME/PHONE/EMAIL

Paul Adams / 786-863-9425 / paul.adams@miamidade.gov

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
Award Recommendation S-985
Page 4

PROJECT MANAGER NAME/PHONE/EMAIL

Vivian Galvez / 786-552-4392 / Vivian.Galvez@miamidade.gov

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APPLICABLE ORDINANCES AND MEASURES

Table below identifies the applicable legislative policies.

Title	Legislation	Notations
Local Preference	Code Section 2-8.5	
Local Certified Veteran Business Enterprise Preference	Code Section 2-8.5.1	
Small Business Enterprise - Construction	Code Section 10-33.02 & Implementing Order 3-22	7.5%
Small Business Enterprise - Goods	Code Section 2-8.1.1.1.2 & Implementing Order 3-41	6.5%
Responsible Wages and Benefits	Code Section 2-11.16 & Implementing Order 3-24	Heavy
Sea Level Rise	Ordinance 14-79	
Buy American Iron & Steel Procurement Program	Code Section 2-8.2.6.1	
Community Workforce Program (Clearing House)	Resolution R-1145-99, Code Section 2-1701 & Implementing Order 3-37	10%
Residents First Training and Employment	Code Section 2-11.17 & Implementing Order 3-61	
Employ Miami-Dade Program	Administrative Order 3-63	
Office of Inspector General Fee	Code Section 2-1076	

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SIGNATURE PAGE

**Green Technology Corridor Wastewater Collection, Transmission and Water Distribution
System Expansion for S-2 Basin; Phase 2, West Side of NW 27 Avenue, Contract S-985**

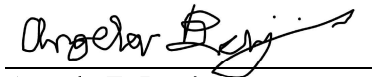


David Clodfelter
OMB DIRECTOR

8/9/2023

DATE

Approved as to legal sufficiency



Angela F. Benjamin
Assistant County Attorney

Aug. 9, 2023

DATE



Jimmy Morales
Chief Operating Officer

08/16/23

DATE



Small Business Development Division

Project Worksheet

Project/Contract Title: Green Technology Corridor Wastewater Collection, Transmission and Water Distribution System Expansion for S-2 Basin; Phase 2, West Side of N.W. 27th Avenue
Received Date: 1/13/2023
Project/Contract No: S-985
Funding Source: Other
Department: Water & Sewer
Estimated Cost of Project/Bid: \$6,086,409.19
Description of Project/Bid: The project consists of furnishing all materials, labor, and equipment, including necessary to construct the proposed 2,500 LF of water mains, 5,882 LF of gravity sewers, and 1,379 LF of force main, including, but not limited to, mobilization; site preparation and clearing and grubbing as necessary; furnish and install new water mains, gravity sewers, and force main; furnish and install connections to the existing water mains and force main; stub-outs for connections to the future Pump Station; site restoration; testing; and other appurtenant and miscellaneous items and work for a complete, satisfactory and functional installation for this force main as shown on the contract drawings and as specified herein. Water mains, gravity sewers, and force mains will be constructed in accordance with MD-WASD Design Standards.

Contract Measures

<u>Measure</u>	<u>Program</u>	<u>Goal Percent</u>
Goal	SBE - Con	7.50%
Goal	SBE - Goods	6.50%
Goal	SBE - CWP	10.00%

Reasons for Recommendation

SMALL BUSINESS ENTERPRISE- CONSTRUCTION (SBE-Con).

SBD reviewed this project pursuant to Implementing Order 3-22 for an SBE-Con measures. Project information analyzed included the project's scope of services, estimated project cost, minimum requirements/qualifications and funding source. Additional factors included surveys conducted with certified firms to determine availability and assignment of the noted measure, these indicate a 7.5% SBE-Con subcontractor goal is appropriate for this contract in the following trades: Highway, Street, and Bridge Construction (Concrete Sidewalk Restoration) - 1.00%, Water and Sewer Line and Related Structures Construction (Installing 12-inch Ductile Iron Pipe and Fittings for Water Main and Force Main) - 2.00% and Commercial and Institutional Building Construction (Sod Restoration) - 1.00% and Plumbing, Heating, and Air-Conditioning Contractors (Constructing Air Release Valve Assemblies (ARV's) - 0.50%, Installing 10-inch Mechanical Joint Plug Valve for Sewage Force Main -2.00%, Installing 12-inch Mechanical Joint Plug Valve for Sewage Force Main - 1.00%).

An attempt was made to assign this project a Set-Aside measure; however, three or more firms did not respond to the Verification of Availability to Bid as being able to meet the project's requirements.

Miami Dade County Heavy Construction Responsible Wages apply to this contract.

CWP 10% Goal Applicable: In a DTA (Designated Target Area).

SMALL BUSINESS ENTERPRISE – GOODS (SBE-Goods).

An analysis of the factors contained in Implementing Order 3-41 & Ordinance 16-109 indicate that a 6.5% SBE-Goods subcontractor goal is appropriate to the Goods & Services portion of this contract in Commodities #65900, Pipe, and Tube Fittings and #15010,

Construction Materials. The SBE-Con & SBE-Goods subcontractor goal can be met by 1st, 2nd and 3rd Tier certified, SBE-Goods firms.

NAICS 237310 Highway, Street, and Bridge Construction, NAICS 237990 Other Heavy and Civil Engineering Construction, NAICS 236220 Commercial and Institutional Building Construction, NAICS 238220 Plumbing, Heating, and Air-Conditioning Contractors, NAICS 238910 Site Preparation Contractors, NAICS 237110 Water and Sewer Line and Related Structures Construction, Other Specialty Trade Contractors, NIGP 15010 Construction Materials, NIGP 65900 Pipe, and Tube Fittings.

Small Business Contract Measure Recommendation

Subtrade

Highway, Street, and Bridge Construction

Water and Sewer Line and Related Structures Construction

Commercial and Institutional Building Construction

Plumbing, Heating, and Air-Conditioning Contractors

Construction Materials

Pipe, and Tube Fittings

Category

SBE-Con

SBE-Con

SBE-Con

SBE-Con

SBE-Goods

SBE-Goods

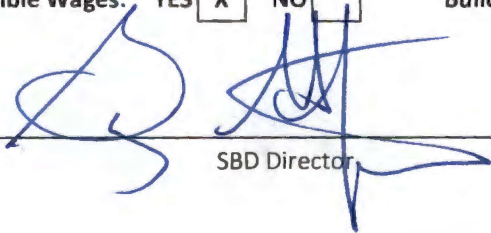
Living Wages: YES ☐ NO ☒

Highway: YES ☐ NO ☒

Heavy Construction: YES ☒ NO ☐

Responsible Wages: YES ☒ NO ☐

Building: YES ☐ NO ☒


SBD Director

2-1-23
Date

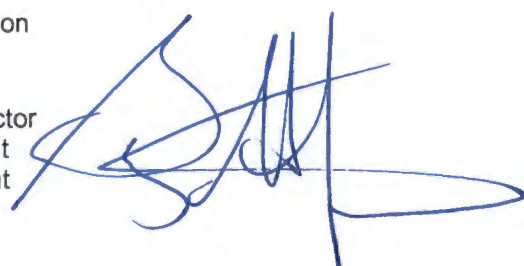
Memorandum

DATE: May 24, 2023

TO: Paul Adams, Chief
Construction Contracts Section
Water & Sewer Department

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

SUBJECT: Compliance Review
Project No. S-985
Green Technology Corridor Wastewater Collection, Transmission and Water Distribution System
Expansion for S-2 Basin; Phase 2, West Side of N.W. 27th Avenue



Small Business Development (SBD), a Division of the Internal Services Department, has completed its review of the subject project for compliance with the Small Business Enterprise Construction (SBE-Con) and Goods (SBE-Goods) programs. The contract measures established for this project is a 7.50% SBE-Construction and 6.50% SBE-Goods subcontractor goal measures.

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

<u>FIRM</u>	<u>STATUS</u>
1. Lanzo Construction CO., Florida	Compliant
2. Ric-Man International, Inc.	Compliant

SUMMARY:

Lanzo Construction CO., Florida (#1), a non-certified, SBE-Con firm, committed to utilize A & R Equipment, Corp., a certified, SBE-Con firm, to perform street, sewer line and related construction work at 7.50% in satisfaction of the 7.50% SBE-Con subcontractor goal. The Utilization Plan submitted by Lanzo Construction CO., Florida was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 7.50% SBE-Con goal.

Lanzo Construction CO., Florida also committed to utilize the following certified, SBE-G&S firms: Micar Trucking Inc. to supply road and highway building materials/goods at 5.07% and MCG Mims Construction Group, LLC to provide pipe and tubings at 1.43% in satisfaction of the 6.50% SBE-Goods subcontractor goal measure. The Utilization Plan (UP) submitted by Lanzo Construction CO., Florida was confirmed by the subcontractors and approved pursuant to the firm's commitment to achieve the 6.50% SBE-Goods subcontractor goal.

Lanzo Construction CO., Florida is in compliance with the 7.50% SBE-Con and 6.50% SBE-Goods subcontractor goals established for this contract. Lanzo Construction CO., Florida is deemed compliant with Implementing Orders 3-22 and 3-41 governing the SBE-Con and SBE-G & S programs.

Ric-Man International, Inc. (#2), a non-certified, SBE-Con firm, committed to utilize the following certified, SBE-Con firms: Lines Unlimited, Inc. to perform paving marking at 0.40% and Palma Paving and Concrete Inc. to perform road restoration work at 7.10% in satisfaction of the 7.50% SBE-Con subcontractor goal. The Utilization Plan (UP) submitted by Ric-Man International, Inc. was confirmed by the subcontractors and approved pursuant to the firm's commitment to achieve the 7.50% SBE-Con subcontractor goal.

Ric-Man International, Inc. also committed to utilize Corcel Corp., a certified, SBE-G&S firm to supply pipe, valves and appurtenances at 6.50% in satisfaction of the 6.50% SBE-Goods subcontractor goal measure. The Utilization Plan (UP) submitted by Ric-Man International, Inc. was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 6.50% SBE-Goods subcontractor goal.

Ric-Man International, Inc. is in compliance with the 7.50% SBE-Con and 6.50% SBE-Goods subcontractor goals established for this contract. Ric-Man International, Inc. is deemed compliant with Implementing Orders 3-22 and 3-41 governing the SBE-Con and SBE-G & S programs.

SBD verified that no firms referenced were identified on the Compliance Report of Open and Closed Small Business, Wage and/or Workforce Violations with an open violation.

Please be reminded that SBD staff reviewed and addressed compliance with the SBE-Con and SBE-G&S measures. 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, SBD. ISD

May 19, 2023

Miami Dade Water and Sewer Department
Paul F. Adams, Chief
Construction Contracts Division
3070 SW 38th Ave, Suite 107
Miami, FL 33146

**RE: Green Technology Corridor Wastewater Collection, Transmission and Water Distribution System Expansion for S-2 Basin; Phase 2, West Side of NW 27th Ave
Contract S-985 Bid Review Evaluation and Recommendation
T&A Project No. 19004**

Dear Mr. Adams,

Thompson and Associates, Inc. has completed a review of the four (4) bid submittals for the S-985 project that opened on April 27, 2023 @2:00 pm. The bid prices were compared to the Estimate of Probable Cost and, in our opinion, the difference in bid prices reflects the current market escalation associated with labor and materials since the Estimate of Probable Cost was generated in 2019.

The apparent lowest bidder, HE Builders submittal of \$7,307,870.96 did not provide documentation demonstrating experience with the scope of work that was advertised in the Special Provisions Attachment A Bidder Qualifications. Miami Dade Water and Sewer Department (MDWASD) conducted a responsibility review meeting on May 8, 2023, at which time representatives from HE Builders had the opportunity to discuss the submittal and present additional information not originally provided with the bid submittal, including the minimum of three (3) years of experience necessary to perform the advertised scope of work which involves the installation of water main and gravity sewer infrastructure within public rights-of-way, maintenance of traffic, and knowledge of the soil conditions. At the conclusion of the responsibility review, MDWASD requested that HE Builders provide a supplemental submittal packet with updated project experience and a list of subcontractors by May 12, 2023. After carefully reviewing the documentation provided by HE Builders, it is our professional opinion that HE Builders does not have the local knowledge or experience to perform the work required to complete this important project. Even considering HE Builders subcontractor list, CSD Inc's (8) eight projects demonstrates some local experience, but the projects provided in the resumes and company profile are not similar in nature to the requirements of this contract. Those projects included subdivision infrastructure installation but not utility installations within public rights-of-way with vehicular traffic in FDOT roadways as requested in the responsibility review meeting. The bid submittal from HE Builders with supporting supplemental information is insufficient and

HE Builders has been deemed not responsible for the scope of work listed in the bid documents for the S-985 Bid.

The second lowest bidder Lanzo Construction Company submittal of \$8,782,144.70 also provided documentation demonstrating experience with the scope of work that was advertised in the Special Provisions Attachment A Bidder Qualifications. The recent team experience included in their bid submittal demonstrated very similar work completed for MDWASD, Broward County Water & Wastewater Services, Broward County Municipalities, and Various Palm Beach County Municipalities. Lanzo clearly demonstrated their expertise related to local pipeline installations of similar scope and greater which were performed by the Lanzo Construction Company forces and their leadership team.

It is our opinion that the bid submittal by the second lowest bidder for the amount of \$8,782,144.70 by Lanzo Construction Company is found to be the most responsive and responsible bidder for this project scope of work.

Please feel free to contact me at (954) 761-1073 or via email gkrawczyk@thompson-inc.com if you have any additional questions or comments.

Sincerely,

Thompson & Associates, Inc.
George Krawczyk, P.E. #66646
Senior Project Manager



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 **Lanzo Construction Co., Florida dba Lanzo Construction Company**, 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

Green Technology Corridor Wastewater Collection, Transmission and Water Distribution System Expansion for S-2 Basin; Phase 2, West Side of NW 27 Avenue, Contract S-985

for the aggregate amount reflected by the Proposal, said aggregate amount being of **Eight Million, Seven Hundred and Eighty-Two Thousand, One Hundred and Forty-Four Dollars and Seventy Cents (U.S. Dollars) \$8,782,144.70.**

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 Terms 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 Notice to Quote, the Instruction 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 9), the Small Business Enterprise Programs Participation Provisions

CONTRACT

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 his designee, 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 Mayor or the 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.

9. "Contract Execution Date" means the date of the last signature on this contract.

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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: Luis G. Montaldo, Clerk AD Interim
Miami-Dade County, Florida

MIAMI DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
Mayor

(PARTY OF THE FIRST PART)

Approved as to Form and Legal Sufficiency

Assistant County Attorney

WHEN THE CONTRACTOR IS A CORPORATION

(CORPORATION SEAL)

Lanzo Construction Co., Florida
dba Lanzo Construction Company
(Name of Corporation)

ATTEST

VICE PRESIDENT (Secretary)

KEVIN PAWLOWSKI
(Print or type name)

By: _____
(Signature of Officer)

JAMES M. TILLI
(Print or type name)

ASSISTANT SECRETARY
(Official Title)

2199 PONCE DE LEON BLVD., SUITE #202,

CORAL GABLES, FL 33134
(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

I, KEVIN PAWLOWSKI, the duly elected ~~Secretary~~ ^{VICE PRESIDENT} of
(Name)
Lanzo Construction Co., Florida dba Lanzo Construction Company, a
Corporation organized and existing under the laws of the State of Florida, 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 JAMES M. TILLI, the duly
(Name)
elected ASSISTANT SECRETARY of Lanzo Construction Co., Florida dba
(Title of Officer) Lanzo Construction Company

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

GREEN TECHNOLOGY CORRIDOR WASTEWATER COLLECTION, TRANSMISSION AND WATER DISTRIBUTION SYSTEM EXPANSION FOR S-2 BASIN; PHASE 2, WEST SIDE OF NW 27 AVENUE, CONTRACT NO. S-985

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 2ND day
of JUNE, 20 23.
(Month) (Year)

By: 

VICE PRESIDENT (Secretary)

KEVIN PAWLOWSKI

(Print or type name)

Lanzo Construction Co., Florida dba
Lanzo Construction Company
(Corporate Title)

(SEAL)



MEMORANDUM

(Revised)

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

DATE: October 3, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(2)

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)(2)
10-3-23

RESOLUTION NO. R-867-23

RESOLUTION AWARDING A CONTRACT (CONTRACT S-985) TO LANZO CONSTRUCTION CO., FLORIDA WITH A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$8,782,144.70, TO BE FUNDED PRIMARILY WITH BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS, AND A TOTAL CONTRACT TERM OF 440 CALENDAR DAYS FOR THE EXTENSION OF THE SANITARY SEWER SYSTEM TO COMMERCIAL AND INDUSTRIAL PARCELS IN THE GREEN TECHNOLOGY CORRIDOR; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO UTILIZE WASD'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE, SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, TO MANAGE CONTRACT S-985; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

WHEREAS, this Board desires to accomplish the purpose 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 the foregoing recital and incorporates it into this resolution.

Section 2. Awards Contract (Contract S-985) to Lanzo Construction Co., Florida with a total contract amount not to exceed \$8,782,144.70 and a total contract term of 440 calendar days inclusive of a 40-calendar daytime contingency allowance for the extension of the sanitary sewer system to commercial and industrial parcels in The Green Technology Corridor in substantially the form attached as Exhibit D to the accompanying memorandum.

Section 3. Authorizes the County Mayor or County Mayor's designee to use WASD's Consent Decree and Capital Improvement Programs Acceleration Ordinance, section 2-8.2.12 of the Code of Miami-Dade County, to manage the Contract; and to execute the same and to exercise the termination and other provisions contained therein.

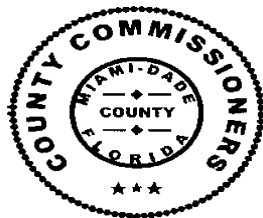
The foregoing resolution was offered by Commissioner **Anthony Rodriguez**, who moved its adoption. The motion was seconded by Commissioner **Danielle Cohen Higgins** and upon being put to a vote, the vote was as follows:

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	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 3rd day of October, 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.

Angela F. Benjamin