

Date: January 17, 2024

Agenda Item No. 8(O)(3)

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

From: Daniella Levine Cava
Mayor



Resolution No. R-36-24

Subject: Change Order No. 1 to Contract S-912 for Consent Decree (CD) Project 3.06- North District Wastewater Treatment Plant (NDWWTP) Disinfection Facility Improvements by Daniel O'Connell's Sons, Inc.

EXECUTIVE SUMMARY

The item seeks ratification of the approval by the County Mayor or County Mayor's designee of Change Order No. 1 to Contract S-912 (the Change Order) between Miami-Dade County (the County) and Daniel O'Connell's Sons, Inc. (the Contractor) for additional work on the North District Wastewater Treatment Plant (NDWWTP) Disinfection Facility. This Consent Decree project (the Project) included the construction of disinfection facility improvements, new sodium hypochlorite facility, new electrical room, and all associated piping, mechanical and electrical work.

During construction, it was determined that, to ensure continuous operation of critical processes, a redundant power source should be supplied during the switchover process. The Contractor supplied a temporary emergency generator unit during this time, which is to be paid for through this Change Order. Additionally, during construction, this Project experienced two major incidents that impacted the critical path: 1) an inability to isolate flows due to damaged valves, which required the installation of line-stops and 2) unforeseen conditions in relation to the existing roof of the disinfection building. These two incidents resulted in a non-compensable time extension.

Therefore, this Change Order addresses the additional costs and time needed to complete the Project which includes:

1. Approving a payment of \$261,411.64 from the unutilized funds in the Contract for the temporary emergency generator unit; and
2. Extending the total Contract duration by 412 calendar days for installation of the line-stops for system isolation (170-day non-compensable time extension) and demolition/installation of the new roofing system (242-day non-compensable day time extension).

Despite the issuance of this Change Order, this Project was successfully completed under-budget on March 5, 2022.

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) ratify the action of the County Mayor or County Mayor's designee, approving Change Order No. 1 to Contract S-912. The Change Order increases the Contract amount by \$261,411.64 and extends the Contract duration by 412 days. Approval of this Change Order will: (1) increase the total Contract amount from \$12,430,010.00 to \$12,691,421.64 and (2) extend the Final Completion date from October 22, 2020 to December 8, 2021.

SCOPE

As shown on Exhibit A, which provides basic information about Change Order No. 1, the Project is in District 4, which is represented by Commissioner Micky Steinberg.

DELEGATED AUTHORITY

The Contract was awarded pursuant to section 2-8.2.12 of the Miami-Dade County Code related to WASD's Consent Decree and Capital Improvement Program Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to execute change orders that do not exceed ten percent of the base contract amount, subject to ratification by the Board.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact of Change Order No. 1 to the County is \$261,411.64, which Miami-Dade Water and Sewer Department (WASD) has determined is a fair and reasonable amount for the additional work described in Change Order No. 1.

Funding will be from project Wastewater Treatment Plants – Consent Decree Projects, OMB# 964120, Page 90 in the FY2022-23 Adopted Budget and Multi-Year Capital Plan.
Funding sources are: Future WASD Revenue Bonds, WASD Revenue Bond Sold, Wastewater Connection Charges, Wastewater Renewal Fund.

TRACK RECORD/MONITORING

WASD Deputy Director, Planning Regulatory Compliance and Capital Infrastructure, Marisela Aranguiz-Cueto, P.E., will oversee the implementation of Change Order No. 1 to Contract S-912.

BACKGROUND

On September 5, 2018, the County awarded Contract S-912 to the Contractor for furnishing all materials, labor, and equipment necessary for the electrical improvements at the NDWWTP Disinfection Facility Improvements. The total award was \$12,430,010.00, with a Contract duration of 520-calendar days for Substantial Completion and 550-calendar days for Final Completion with a Contingency Time Allowance of 55 days.

During the construction of the new Electrical and Control Room for the Disinfection Facility, it was determined that the project required the installation of a Temporary Redundant Emergency Generator Unit (Redundant-EGU) as a redundant power source for the critical equipment while the electrical switchover work was taking place. The electrical switchover is a process of transferring power source from the existing electrical systems to the new electrical systems being installed at the Electrical and Control Room Building. The Redundant-EGU was not part of the original scope of work, and the Contractor was directed to furnish and install a Temporary 1000 kVA Redundant-EGU as well as the required transfer switch, temporary feeder, and additional control circuits and conduits.

The project also experienced two (2) major incidents that impacted the Contract's critical path and resulted in the need for a 412-day time extension to the Contract.

The Contract included the partial demolition of the piping system and the installation of trenches on the West side of the Chlorination Building. However, when the Contractor was ready to perform the demolition on June 16, 2020, WASD Plant Operations was not able to shut down the flow because the existing isolation valves were damaged. Therefore, it was agreed to proceed with the installation of two

(2) 16-inch line-stops and three (3) 20-inch line-stops to isolate the mechanical system that was scheduled for demolition. This new scope added an additional 170 non-compensable days to the project.

The Contract also stated that the Contractor could utilize an existing roof hatch located in the silo roof of the Disinfection Building to install the hypochlorite storage tanks. However, instead of a roof hatch, there was a removable metal deck that was covered by lightweight concrete. The Engineer of Record (EOR) recommended: (1) removal of the existing lightweight concrete in that area and the temporary removal of the existing metal decking and steel beams in order to install the tanks, and (2) reinstallation of the existing metal decking and steel beams and reapplication of the lightweight concrete. When the lightweight concrete in that area of the roof was removed, the Contractor noted that the existing metal deck was corroded and could not be reinstalled. Therefore, it was decided that the Contractor would replace the entire silo roof at the Disinfection Building. The replacement of the entire roof required an additional 242 non-compensable days.

The additional work impacted the construction schedule and resulted in additional costs that will be covered with the unused funds remaining in the Contract. Therefore, this Change Order addresses the additional costs and time needed to complete the project. Change Order No. 1:

1. Approves payment of \$261,411.64 from the unutilized funds in the Contract for installation of the Temporary Redundant Emergency Generator Unit; and
2. Extends the total Contract duration by 412 calendar days for installation of the line-stops for system isolation (170-day non-compensable time extension) and demolition/installation of the new roofing system at the Disinfection Building (242-day non-compensable day time extension).

SMALL BUSINESS ENTERPRISE MEASURES

On June 29, 2023, the Internal Services Department's Small Business Development (SBD) Division reviewed Contract S-912 for compliance with a 13.29 percent Construction (SBE-Con) goal, 1.57 percent Goods and Services (SBE-G&S) goal, Responsible Wages and Benefits, Residents First Training and Employment, and Employ Miami-Dade requirements. SBD determined that Daniel O'Connell's Sons, Inc. is in compliance. See the SBD memorandum, attached hereto as Exhibit B.

A copy of Change Order No. 1 to Contract S-912 is attached hereto as Exhibit C.

Attachments



Jimmy Morales
Chief Operations Officer

Exhibit A

Ratification of Amendments/Change Orders Authorized by the WASD Accelerate Ordinance

No.	Type of Solicit.	Contract No.	Project Name	Firm Awarded	Comm. District	Change Order Amount	Original Contract Amount	Funding Source(s)	Est. Start Date	Contract Measures	Brief Project Description
	Contract Type	Project No.					Adjusted Contract Amount		Est. End Date		
1	County Bid Process; Construction Contract	Contract No. S-912	CD 3.06 North District Wastewater Treatment Plant Disinfection Facility Improvements	Daniel O'Connell's Sons, Inc.	District 4 Micky Steinberg	\$261,411.64; 412 Calendar Days	Original Contract Amount \$12,430,010.00; Adjusted Contract Amount \$12,691,421.64	Future WASD Revenue Bonds; WASD Revenue Bonds Sold; Waste water Connection Charges; Waste-water Renewal Fund	Notice to Proceed Start Date: 02/19/2019 Completion Date: 12/08/2021	SBE G/S - 1.57% SBE A/E - N/A SBE Const. - 13.29% CWP Prog. - N/A	This project is for the electrical improvements at the North District Wastewater Treatment Plant (NDWWTP) Disinfection Facility Improvements. *** This Change Order is for an increase to the contract amount by \$261,411.64 and extends the Contract by 412 non-compensable days.

Memorandum



Date: June 29, 2023

To: Roy Coley, Director
Miami-Dade Water and Sewer Department

From: Gary T. Hartfield, Director
Small Business Development Division
Internal Services Department

Subject: Project No. S-912: CD 3.06 North District Wastewater Treatment Plant Disinfection Facility Improvements.

Project No. S-912 was awarded with a 13.29% Small Business Enterprise – Construction Services (SBE-Con) goal and 1.57% Small Business Enterprise – Goods goal. Change Order No. 1 to Project No. S-912 was reviewed for application of Small Business Enterprise (SBE) measures. The change order increases the contract value by \$261,411. The awarded SBE goals will apply to this change order.

The project was reviewed for compliance with the 13.29% SBE - Con, and 1.57% SBE-Goods goals, the Responsible Wages and Benefits, Residents First Training and Employment and Employ Miami-Dade requirements. Resolution No. R-1001-15 requires County contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment is considered for Board approval.

The prime, Daniel O'Connell's Son, Inc. (DOC), has performed/requisitioned \$11,843,302 requiring the SBE-Con firms to have performed \$1,337,878 and the SBE-Goods firm to have performed \$158,048 for compliance with Resolution R-1001-15. To date, the SBE- Con firms have performed \$2,422,305 and the SBE-Goods firm \$206,870 in compliance with Resolution R-1001-15.

DOC and its subcontractors are in compliance with the Responsible Wages and Benefits, Residents First Training and Employment Program and Employ Miami-Dade Program. For additional information, please contact Alice Hidalgo-Gato, SBD Section Chief, at 305-375-3153.

c: Marisela Aranguiz-Cueto, Deputy Director, WASD
Juan Curiel, Chief, Assistant Director of Utility Construction, WASD
Laura Verdaguer, Legislative and Municipal Affairs Manager, WASD
Margaret Moss, Chief, Small Business Initiatives, WASD
Edith Brown, Chief, Contract Compliance Division, WASD
Donna Palmer, SPA 1, WASD
SBD Section Chiefs, ISD

EXHIBIT C

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 1

CONTRACT NO: S-912

DATE: 6/23/2023

PROJECT TITLE: CD 3.06 North District Wastewater Treatment Plant Disinfection Facility Improvements
 TO CONTRACTOR: Daniel O'Connell's Sons, Inc. 2999 NE 191 St., Ste 906 Aventura, FL 33180

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

Description of work authorized:

Change Order No. 1 authorizes payment of an additional \$261,411.64 for extended rental services of a temporary 1,000 kVA (kilo-volt-amp) electrical generator unit required for a switchover process and approves an extension of the Substantial and Final Completion Dates by 412 non-compensable days. This Project was successfully completed under-budget on March 5, 2022. More than \$400,000. (Continued below)

Monetary Justification:

Contract S-912 was awarded to Daniel O'Connell's Sons, Inc. (the "Contractor") on August 30, 2018 for Consent Decree (CD) Project 3.06- North District Wastewater Treatment Plant (NDWWTP) Disinfection Facility Improvements (the "Project"). The award was approved by the Board of County Commissioners (the "Board") on September 5, 2018, via Resolution No. R-903-18. The total Contract (Continued below)

Time Justification:

The date of the Notice to Proceed was February 25, 2019, which established July 29, 2020 as the Contract's original Substantial Completion Date and August 28, 2020 as the Contract's original Final Completion Date.

During construction, WASD approved an extension of the Contract Completion Dates by 55 calendar days through the Contract's Contingency Time Allowance. The Contract (Continued below)

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

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

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT	\$12,430,010.00
COST OF CHANGES PREVIOUSLY ORDERED	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE	\$12,430,010.00
COST OF CHANGES WITH THIS DOCUMENT	\$261,411.64
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE	\$12,691,421.64
PERCENT INCREASE WITH THIS CHANGE	2%
TOTAL PERCENT INCREASE TO DATE	2%
TIME ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	550 / 0 / 412
CONTINGENCY TIME ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	55 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE	1017

CERTIFYING STATEMENT:

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

Organization	Name	Accepted By:	Title	Date
Daniel O'Connell's Sons, Inc.			Contractor	6/27/2023
Travelers Casualty and Surety Company of America	Michael E. Watts		Attorney-in-Fact	6/27/23

Title	Name	Date
Approved By: <u>County Attorney</u> (for legal sufficiency)		7/14/23
Approved By: <u>County Mayor</u>		7/20/23
Attested By: <u>Clerk of the Board</u>		

Description of work authorized: (Continued)

.00 in unutilized funds remained in the Contract as of Final Completion. The remaining unutilized funds in the Contract will be used to pay for the additional rental cost for the 1,000 kVA electrical generator unit.

MDC006

Time Justification: (Continued)

s Substantial Completion Date was extended to September 22, 2020, and the Contract's Final Completion Date was extended to October 22, 2020.

The Project experienced two (2) major incidents that impacted the Contract's critical path and resulted in the need for an additional 412-day non-compensable time extension to the Contract.

1. Installation of Line-stops for System Isolation (170-Day Non-Compensable Time Extension)

The Contract included the partial demolition of an existing abandoned-in-place piping system that was part of an injection well no longer in use, and the installation of concrete trenches, for chemical piping, on the West side of the Chlorination Building. During construction, the Contractor noted that, as specified by the Contract, the trench would be installed on top of an existing 36-inch pipe that services the low-lift pumping system. Therefore, the trench would interfere with the pipe in an event of future maintenance and repairs.

During a meeting held on October 11, 2019, in order to avoid this conflict, Plant Operations requested that the new trench location be re-routed, and the Engineer of Record ("EOR") provided revised drawings depicting the new routing of the trench. In order to accommodate the new trench route, the drawings from the EOR required additional demolition works of existing 16-in and 20-in abandoned in place pipes. Although these pipes were no longer in use, they were still connected by isolation valves to the secondary effluent lines that are in operation.

The Contractor was ready to perform the demolition on June 16, 2020; however, WASD Plant Operations was unable to shut down the flow because the existing isolation valves were damaged. To resolve this problem, the Contractor install two (2) 16-inch line-stops and three (3) 20-inch line-stops, so the demolition could occur. This new scope delayed the Substantial Completion of the Contract by 210 days to March 11, 2021.

The installation of the five (5) line stops was paid for through the Contract's Contingency Allowance at a cost of \$60,346.50. WASD processed 40-days of the 210-day time extension through the Contract's Contingency Time Allowance, and the remaining 170-day time extension will be processed through Change Order No. 1.

2. New Roofing System at Disinfection Building (242-Day Non-Compensable Time Extension)

The Contract stated that the Contractor could utilize an existing roof hatch located in the silo roof of the Disinfection Building to install the hypochlorite storage tanks. However, instead of a roof hatch, there was a removable metal deck that was covered by lightweight concrete.

The EOR recommended the removal of the existing lightweight concrete in that area and the temporary removal of the existing metal decking and steel beams in order to facilitate the installation of the tanks. The existing metal decking and steel beams were to be reinstalled and covered with lightweight concrete.

When the lightweight concrete in that area was removed, however, the Contractor noted that the existing metal deck was corroded and could not be reinstalled. Therefore, it was decided to replace the entire silo roof at the Disinfection Building. The replacement of the entire roof required an additional 242 days. The 242-day non-compensable time extension will be processed through this Change Order No. 1.

Monetary Justification: (Continued)

award was \$12,430,010.00, with a Contingency Allowance of \$1,067,000.00, and a Contract duration of 520-calendar days for Substantial Completion and 550-calendar days for Final Completion with a Contingency Time Allowance of 55 days.

During the construction of the new Electrical and Control Room for the Disinfection Facility, the Miami-Dade Water and Sewer Department ("WASD") and the Program Management Construction Management Team ("PMCM") determined that the Project required the installation of a Temporary Redundant Emergency Generator Unit ("Redundant-EGU") as a redundant power source for the critical equipment while the electrical switchover work was taking place. The electrical switchover is a process of transferring power source from the existing electrical systems to the new electrical systems being installed at the Electrical and Control Room Building. This switchover process had an estimated time of completion of approximately 90 days.

The Redundant-EGU was not part of the original scope of work, but the Contractor was directed to furnish and install a Temporary 1000 kVA Redundant-EGU, as well as the required transfer switch, temporary feeder, and additional control circuits and conduits. It was estimated that the Redundant-EGU would be needed from October 6, 2020, to January 25, 2021—112 days. The cost for the Redundant-EGU rental for the 112-day period was approved through the Contract's Contingency Allowance in the amount of \$236,234.70.

The Redundant-EGU was delivered to the Project on October 6, 2020, however, due to operational issues, unforeseen conditions, and additional operational requests, the switchover activity was delayed beyond the original 112-day estimated time, and the Redundant-EGU was needed for an additional 259 days, through October 12, 2021, when the switchover work was finalized, and the Redundant-EGU was demobilized from the Project.

The Contractor provided a cost proposal of \$261,411.64 for rental and use of the Redundant-EGU for the additional 259 days (January 26, 2021, to October 12, 2021). The PMCM reviewed the Contractor's cost proposal for the extended rental time of the Redundant-EGU and found the Contractor's Cost Proposal fair, reasonable, and appropriate.

Conclusion:

Change Order No. 1 to the Contract will grant the Contractor \$261,411.64 for the extended rental services of the Redundant-EGU required for a Switchover Process and will grant a 412-day non-compensable time extension, which results in an extension of the Substantial Completion Date from September 22, 2020, to November 8, 2021, and an extension of the Final Completion Date from October 22, 2020, to December 8, 2021.

This change order is revocable if not ratified by the Board of County Commissioners. In the event the Board of County Commissioners does not ratify this Change Order, the Contractor is not entitled to lost profits or other consequential or indirect damages; however, the Contractor is eligible for payment for any work done prior to failure of ratification.

Time Justification Declaration:

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



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

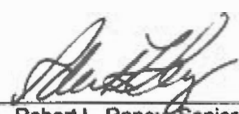
KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Michael E Watts** of **WEST HARTFORD**, Connecticut, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April**, 2021.



State of Connecticut

City of Hartford ss.

By: 
Robert L. Raney, Senior Vice President

On this the **21st** day of **April**, 2021, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June**, 2026




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

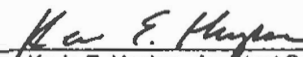
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **27th** day of **June**, 2023




Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

MDC008



MEMORANDUM

(Revised)

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

DATE: January 17, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(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(O)(3)
1-17-24

RESOLUTION NO. R-36-24

RESOLUTION RATIFYING ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, SPECIFICALLY APPROVING CHANGE ORDER NO. 1 TO CONTRACT S-912 BETWEEN MIAMI-DADE COUNTY AND DANIEL O'CONNELL'S SONS, INC. FOR AN INCREASE TO THE CONTRACT AMOUNT BY \$261,411.64 AND A 412 NON-COMPENSABLE DAY TIME EXTENSION TO THE CONTRACT FOR CD PROJECT 3.06 NORTH DISTRICT WASTEWATER TREATMENT PLANT (NDWWTP) DISINFECTION FACILITY IMPROVEMENTS

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 ratifies the action of the County Mayor or County Mayor's designee, as authorized by section 2-8.2.12 of the Code of Miami-Dade County, specifically, the approval of Change Order No. 1 to Contract S-912 between Miami-Dade County and Daniel O'Connell's Sons, Inc. for an increase to the Contract amount of \$261,411.64 and a 412 non-compensable day time extension to the Contract for CD Project 3.06 North District Wastewater Treatment Plant (NDWWTP) Disinfection Facility Improvements. A copy of Change Order No. 1 is attached to the accompanying memorandum as Exhibit C. The original contract documents are kept on file with, and are available upon request from, the Intergovernmental Affairs Division of the Miami-Dade Water and Sewer Department.

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	aye
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 17th day of January, 2024. 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.

SED

Sarah E. Davis