

MEMORANDUM

Agenda Item No. 8(N)(6)

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

DATE: April 2, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution approving contract award to NV2A Dragados JV for Construction Services for the South Dade Transit Operations Center, Contract No. CIP227A-DTPW22-CT, in an amount not to exceed \$245,750,156.80, inclusive of a contingency allowance of \$21,995,468.80; authorizing the County Mayor to execute same and exercise the provisions contained therein, including termination provisions; authorizing the use of People's Transportation Plan Bond Program Funds for this project which was added to the People's Transportation Plan 2021-25 five-year implementation plan in April 2021; and further authorizing the use of People's Transportation Plan Bond Program Funds under (1) Prequalification Pool No. RTQ-00888, electrical and electronic components, tools, parts, and supplies in an amount not to exceed \$550,000.00; (2) Prequalification Pool No. EVN0000246, Furniture (Office and Non-Office) in an amount not to exceed \$1,500,000.00; and (3) various contracts listed in exhibit 1 to the Mayor's memorandum for the purchase of information technology equipment and supplies in an amount not to exceed \$2,800,000.00, all for this project which was added to People's Transportation Plan 2021-25 Five-Year Implementation Plan in April 2021

Resolution No. R-262-24

The accompanying resolution was prepared by the Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Eileen Higgins.



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001

Memorandum



Date: April 2, 2024

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

From: Daniella Levine Cava
Mayor 

Subject: Contract Award Recommendation in the Amount of \$245,750,156.80 to NV2A Dragados JV for Construction of the South Dade Transit Operations Center, *Contract No. CIP227A-DTPW22-CT*, Authorizing the Use of People's Transportation Plan Bond Program Funds for Such Purposes, and Authorizing the Use of People's Transportation Plan Bond Program Funds under *Prequalification Pool No. RTQ-00888*, Electrical and Electronic Components, Tools, Parts, and Supplies in the Amount of \$550,000.00; *Prequalification Pool No. EVN0000246*, Furniture (Office and Non-Office) in the Amount of \$1,500,000.00; and Various Contracts for Information Technology Equipment and Supplies in the Amount of \$2,800,000.00

Executive Summary

This item seeks approval from the Board of County Commissioners (Board) to execute a construction contract award for the South Dade Transit Operations Center (Project) in the amount of \$245,750,156.80 to NV2A Dragados JV for a term of 760 days. The Project is being funded by the People's Transportation Plan Bond Program. The Department of Transportation and Public Works (DTPW) is scheduled to commence service of bus rapid transit in the South Dade Transitway in the first quarter of 2025, which includes the largest fleet of electric buses in operation in the country and further supports the Mayor's Climate Action Strategy goals. This Project will serve as the operations center for the electric bus fleet, supporting charging, maintenance, cleaning, and staff for the operation of the service.

This item also seeks approval for the use of People's Transportation Plan Bond Program funds under previously awarded County contract sources for ancillary items required for the Project, including: electronic components such as temporary switchgear to regulate power flow in the amount of \$550,000.00; furniture and fixtures for administrative offices and shared spaces at the facility in the amount of \$1,500,000.00; and information technology equipment and supplies including network equipment, workstations, docking stations, printers, monitors, telecommunications equipment, fiberoptic cabling, and backup power systems in the amount of \$2,800,000.00. These items are being sourced under separately established contract sources to ensure conformity with County standards and to address timeline concerns related to the supply chain. This request authorizes the use of the People's Transportation Plan Bond Program funds for the expenditure of existing allocations and does not result in an increase in contract value for these contract sources.

Recommendation

This contract award recommendation for Board approval is for Construction Services for the South Dade Transit Operations Center, *Contract No. CIP227A-DTPW22-CT*, awarding it to NV2A Dragados JV in the amount of \$245,750,156.80 and authorizing the use of People's Transportation Plan Bond Program funds for such purpose. Additionally, this item recommends approval for the use of People's Transportation Plan Bond Program funds under previously awarded County contract sources for ancillary items required for the Project, including: *Prequalification Pool No. RTQ-00888*, Electrical and Electronic Components, Tools, Parts, and Supplies, in the amount of \$550,000.00, *Prequalification Pool No. EVN0000246*, Furniture (Office and Non-

Office), in the amount of \$1,500,000.00, and one or more Information Technology Department (ITD) contracts or prequalification pools as identified in Exhibit 1 for information technology equipment and supplies as further specified in the Executive Summary in the amount of \$2,800,000.00.

This item is placed for Board review pursuant to County Code Section 29-124(f). The Board may only consider this item if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board. If CITT has not forwarded a recommendation and 45 days have not elapsed since the issuance of this recommendation, a withdrawal of this item will be requested.

Delegation of Authority

The authority of the County Mayor or County Mayor's designee to execute and implement *Contract No. CIP227A-DTPW22-CT* is consistent with those authorities granted under the County Code, including termination. No additional authority is being requested within the body of the contract.

Further, under the existing prequalification pools and contract sources, the County Mayor or the County Mayor's designee will have the authority to solicit pricing and award contracts up to an aggregate amount of the allocation authorized for use of People's Transportation Plan Bond Program funds by the Board. The County Mayor or the County Mayor's designee will also have the authority to exercise all provisions of the solicitation documents and any resulting contracts pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38.

Scope

PROJECT NAME: Construction Services for the South Dade Transit Operations Center

PROJECT NO: *CIP227A-DTPW22-CT*

CONTRACT NOS: CIP227A-DTPW22-CT, RTQ-00888, EVN0000246, and various ITD contract sources as identified in Exhibit 1

PROJECT

DESCRIPTION: DTPW has identified the need to construct a new 218,600 square foot South Dade Transit Operations Center to maintain, energize, and operate a new fleet of 100 articulated 60-foot battery-electric-buses to be used for Bus Rapid Transit (BRT) along the South Dade Transitway, as well as other Metrobus routes. The facility will include all functional requirements and characteristics needed to maintain and operate this fleet from the 19.79 acre location. DTPW inventoried the southern area of the County for potential bus maintenance facilities and determined that the closest maintenance facility was the Coral Way facility, which has reached its capacity and is approximately 30 miles away from the South Dade Transitway. Additionally, DTPW's current facilities do not have the infrastructure to maintain, energize, or operate this quantity of electric buses; as such, the proposed site includes standard space requirements that are needed to accommodate necessary equipment, furnishings, and infrastructure to operate and maintain the new fleet.

Additionally, the facility will contain electric vehicle charging infrastructure equipment that allows for overhead charging of the fleet. To address the need to safely complete inspections and maintenance services for overhead and bus rooftop equipment without the need for additional fall protection, the

specifications for the facility included a retractable elevated catwalk. This retractable catwalk is only available from European manufacturers with steel products not produced in the United States. Section 2-8.2.6.1(3) of the Code of Miami-Dade County, Florida (the “Code”) provides that “[a]ll solicitations and contracts for projects in which iron and steel products shall be used shall include terms and specifications requiring that any iron and steel products produced through a manufacturing process and used in the project be produced in the United States.” Section 2-8.2.6.1(4)(a) further provides that said requirement does not apply if “[i]ron and steel products are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality.” Because the subject elevated catwalk is only available from European manufacturers with steel not produced in the United States, the provisions of section 2-8.2.6.1(3) do not apply to this component. The provisions have been applied to all other aspects of the Project.

The proposed Project is anticipated to serve as an integral component for bus operations in the south region of the County and will include the following functional spaces:

- Bus Maintenance
- Bus Operations and Administration
- Parts Storage
- Body Repair and Paint
- Service and Wash Lanes
- Security/Vault Pull
- Facilities and Systems Maintenance
- Shared Space
- Pedestrian bridge connecting employee parking and operations building.
- Two-level parking garage with ground level covered parking and charging stations and a second level with approximately 252 employee and visitor parking spaces
- Gate Arm Maintenance Building
- FPL Vault

Additionally, to complete the Project, DTPW identified various existing contract sources to be used to address the following needs:

- Electrical and Electronic Components, Tools, Parts, and Supplies: During Project scoping, a supply chain disruption was identified for electrical switchgears that are used to regulate power flow which would have resulted in a construction delay. DTPW staff, with the assistance of technical consultants, was able to identify lower cost, temporary equipment that can be used to operate the facility while the permanent equipment is manufactured and delivered. This equipment is available under a currently established County prequalification pool. Upon receipt of the permanent equipment, this equipment will serve as a backup to ensure uninterrupted availability of power flow to the facility. No additional spending authority is required to complete this purchase;

however, the prequalification pool requires authorization for the use of People's Transportation Plan Bond Program funds.

- Furniture: The Project includes administrative offices as well as shared spaces for which furniture will be required. To maintain conformity with County standards and established processes, DTPW is seeking to utilize the already awarded County prequalification pool for furniture. No additional spending authority is required to complete this purchase; however, the prequalification pool requires authorization for the use of People's Transportation Plan Bond Program funds.
- Information Technology Equipment and Supplies: As the enterprise technology department, ITD has established countywide technology standards and will serve as the support and maintenance organization for the technology components of the Project, including network, telecommunications, and workstations. Accordingly, DTPW has worked in close partnership with ITD who will be sourcing the information technology equipment and supplies on behalf of DTPW to ensure conformance with countywide standards. ITD manages numerous contract vehicles on behalf of all County departments. Since these enterprise contract sources have not been authorized for the use of People's Transportation Plan Bond Program funds, this item seeks to gain approval for the use of People's Transportation Plan Bond Program funds on established County contracts in an amount of up to \$2,800,000.00. ITD will determine the appropriate contract from one or more of the contracts listed in Exhibit 1 as purchases are completed.

**PROJECT
LOCATION:**

Property North of Biscayne Drive, West of SW 127 Avenue, and East of SW 129 Avenue

**PRIMARY
COMMISSION
DISTRICT:**

The project is physically located in District 9 represented by Commissioner Kionne L. McGhee; however, as noted above, the facility will be used to energize and maintain a fleet of buses operating on the South Dade Transitway and therefore has a countywide impact.

APPROVAL PATH:

Board of County Commissioners

**USER
DEPARTMENT:**

Department of Transportation and Public Works

**MANAGING
DEPARTMENT:**

Department of Transportation and Public Works

Fiscal Impact / Funding Source

The fiscal impact for *Contract No. CIP227A-DTPW22-CT* will be \$245,750,156.80, with the amount being inclusive of contingency amounts and dedicated allowances. The base contract amount is \$219,511,090.00 with an option amount of \$443,598.00 for a total base and option amount of \$219,954,688.00. The Project is being funded by the People's Transportation Plan Bond Program FY 2023-24 Adopted Budget and Multi-Year Capital Plan, Vol 2, Project 3002564. The fiscal impact for *Prequalification Pool No. RTQ-00888*, Electrical and Electronic Components, Tools, Parts, and Supplies will be \$550,000.00; *Prequalification Pool No. EVN0000246*, Furniture (Office and Non-Office) will be \$1,500,000.00; and various contracts for information technology equipment and supplies as outlined in Exhibit 1 will be \$2,800,000.00. Accordingly, the fiscal impact of the Project is \$250,600,156.80, inclusive of all components.

FUNDING SOURCES:	<u>SOURCE</u>	<u>PROGRAM#</u>	<u>PROJECT#</u>	<u>FUND CODE</u>	<u>AMOUNT</u>
	PTP Bond Program	2000001321	3002564	ET062	\$250,600,156.80

OPERATIONS COST

IMPACT / FUNDING: \$1,200,000.00

MAINTENANCE

COST IMPACT /

FUNDING: \$500,000.00

FUNDING SOURCE

AUTHORIZATION

REQUESTED:

Contract Source Description	Existing Cumulative Allocation (All Departments)	Additional Allocation Requested	Funds Authorized for use of PTP Bond Funds
<i>Prequalification Pool No. RTQ-00888</i> , Electrical and Electronic Components, Tools, Parts, and Supplies	\$97,058,000	\$0.00	\$550,000.00
<i>Prequalification Pool No. EVN0000246</i> , Furniture (Office and Non-Office)	\$118,154,000	\$0.00	\$1,500,000.00
Various ITD Contract Sources – See Exhibit 1	N/A	\$0.00	\$2,800,000.00

**LIFE EXPECTANCY
OF ASSET:**

Buildings - approximately 50 years

Pedestrian bridge - approximately 75 years

Access ramps - approximately 50 years

PTP FUNDING:

Yes

GOB FUNDING: No

ARRA FUNDING: No

CAPITAL BUDGET PROJECTS:	<u>CAPITAL BUDGET PROGRAM # - DESCRIPTION</u>	<u>AWARD CIP227A-DTPW22-CT</u>
	2000001321 – Bus – New South Dade Maintenance Facility, FY 2023- 24 Adopted Budget and Multi-Year Capital Plan, Vol 2. Transportation and Public Works	\$245,750,156.80

BID PACKAGES ISSUED: Electronic Download

BIDS RECEIVED: 3

CONTRACT PERIOD: 760 Days

CONTINGENCY PERIOD: 76 Days

IG FEE INCLUDED IN BASE CONTRACT: Yes

ART IN PUBLIC PLACES: Yes

BASE CONTRACT AMOUNT: \$219,954,688.00

CONTINGENCY ALLOWANCE (SECTION 2-8.1 MIAMI DADE COUNTY CODE):	TYPE	PERCENT	AMOUNT
	Construction	10%	\$21,995,468.80

ART IN PUBLIC PLACES: A total allocation of \$1,256,011.81 in public art funds is being transferred to the County’s Art in Public Places Pool of Trust Funds for transit-related enhancement projects. These funds are to be used at the sole discretion and by mutual agreement of the Department of Cultural Affairs, Art in Public Places and DTPW.

PRICE ESCALATION ADJUSTMENT ALLOWANCE: \$900,000.00

ALLOWANCES FOR PERMIT / UTILITIES CONNECTION FEES: \$2,900,000.00

**TOTAL OF
AMOUNT:**
CONTRACT: \$245,750,156.80 (excluding Art in Public Places)
**CIP227A-DTPW22-
CT**

Background

With the implementation of the South Corridor Rapid Transit project (South Dade Transitway), the County inventoried the southern area of the County for potential bus maintenance facilities and determined that the closest maintenance facility was the Coral Way facility, which has reached its capacity and is approximately 30 miles away from the Transitway. Therefore, this operations center will improve DTPW's operational efficiencies by decreasing the turnaround time of placing buses back in revenue service.

The solicitation for Contract No. CIP227A-DTPW22-CT was advertised on September 28, 2023, and on December 20, 2023, three contractors submitted bids. The lowest bidder, NV2A Dragados JV, proffered a base bid of \$219,954,688.00, which was 12.83 percent above the County's cost estimate. The second lowest bidder, Lemartec Corporation, proffered a base bid of \$224,541,730.20 which was 15.19 percent above the County's cost estimate. Lastly, the third lowest bidder, OHLA Building, proffered a base bid of \$293,916,000.00, which was 50.78 percent above the County's cost estimate.

The Project was bid on a unit price basis, and a copy of all bids, and the bid tabulation is available by contacting the Chief of Capital Improvements, DTPW.

Due Diligence

DTPW has performed a due diligence on the lowest bidder which did not reveal any adverse findings on the company. As such, DTPW recommends that NV2A Dragados JV, the lowest responsive, responsible bidder, be awarded this contract for the sum of \$245,750,156.80.

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.

Following DTPW's standard operating procedures, after the award of this contract, a pre-construction meeting will be scheduled. After completion of the award process, the project will be assigned to Bassam Moubayed, DTPW Construction Division Chief, for contract monitoring and compliance.

BID OPEN DATE: December 20, 2023

BID BOND EXPIRES: June 17, 2024

BID VALID UNTIL: June 17, 2024

**ESTIMATED NOTICE
TO PROCEED:** March 2024

**PRIME
CONTRACTOR:** NV2A Dragados JV

COMPANY Gilberto Neves
PRINCIPALS:

COMPANY Gilberto Neves
QUALIFIER:

COMPANY EMAIL gneves@nv2agroup.com
ADDRESS:

COMPANY STREET
ADDRESS: 9100 S Dadeland Boulevard, Suite 600

COMPANY CITY-
STATE-ZIP: Miami, FL 33156

YEARS IN BUSINESS: NV2A 7 years & Dragados USA, Inc 19 years

PREVIOUS
CONTRACTS WITH
COUNTY IN THE LAST CIP235 The Underline Phase 3, CIP207 Dadeland South
FIVE YEARS: Intermodal, Seaport Terminal B for NV2A and Miami
International Airport, North Terminal for Dragados USA

SUB CONTRACTORS
AND SUPPLIERS
(SECTION 10-34
MIAMI DADE
COUNTY CODE): See Attachment 1

MINIMUM
QUALIFICATIONS
EXCEED LEGAL Yes
REQUIREMENTS:

STANDARD PAYMENT
AND PERFORMANCE
BOND: Yes

REVIEW **MEETING DATE:** N/A **SIGNOFF DATE:** 4/18/2023
COMMITTEE:

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

REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES:	<u>TYPE</u>	<u>GOAL</u>
	SBE-CONST	20%
	SBE-G&S	0.25%
	CWP	10%

**MANDATORY
CLEARING HOUSE:** Yes

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

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

Track Record / Monitor

CONTRACT

MANAGER NAME / PHONE / EMAIL:	Alejandro Martinez- Esteve, RR, LEED AP	786-469-5257	Alejandro.Martinez- Esteve@miamidade.gov
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PROJECT MANAGER

NAME / PHONE / EMAIL:	Bassam Moubayed	(305) 375-2111	Bassam.Moubayed@miamidade.gov
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Jimmy Morales
Chief Operations Officer

Attachment

Exhibit 1

Information Technology Contract Listing

Contract/Prequalification Pool Title	Contract/Prequalification Pool No.
Voice/Data Communication Products and Services	RTQ-01592
Uninterrupted Power Supply (UPS) Systems Maintenance and Repair	RTQ-00004
Electrical & Electronic Components, Tools, and Parts	RTQ-00888
Technology Product Solutions and Related Services	23-6692
Telecommunication Services, Equipment, & Materials	RTQ-02124 / MCC Program
Cisco Software, Hardware, Maintenance and Professional Services	EVN0000101
Dell Hardware, Software, and Services	RTQ-01286
Information Technology Hardware	RFP852
PC Parts and Peripherals	RTQ-00983

ATTACHMENT 1
COP227A-DTPW-22 LIST OF SUBCONTRACTORS AND VENDORS

Primary Contractor

1. NV2A Dragados JV

Sub-Contractors:-Goods and Services

- a. Dream Clean, Inc
- b. Guaranteed Fence Corp.
- c. Longitude Surveyors, LLC
- d. Polaris Fire Protection, Inc
 - i. A&B Pipe and Supply, Inc

Contractors SBE Const Goal

- a. Baker Concrete Construction, Inc
 - ii. Trade Solutions, LLC
- b. Concrete Pro, Inc
- c. Fence Master, Inc
- d. Hypower, LLC
 - iii. Low Voltage System, Inc
 - iv. Victoria Electric, Inc
- e. LCN Group, Inc
- f. Lead Engineering Contractors, LLC
 - v. Quality Construction Performance, Inc
- g. Mars Contractor, Inc
- h. Office Furniture by Tempo, Inc
- i. Paradise Awnings Corporation
- j. People's Plumbing & Mechanical, Inc
- k. SCR Mechanical, LLC
- l. Sleiman Construction, LLC
- m. Sunshine State Air Conditioning, Inc
- n. Supreme Ceiling & Interior, Inc
- o. Tri-County Pavement Markings, Inc



MEMORANDUM

(Revised)

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

DATE: April 2, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(6)

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)(6)
4-2-24

RESOLUTION NO. _____ R-262-24

RESOLUTION APPROVING CONTRACT AWARD TO NV2A DRAGADOS JV FOR CONSTRUCTION SERVICES FOR THE SOUTH DADE TRANSIT OPERATIONS CENTER, CONTRACT NO. CIP227A-DTPW22-CT, IN AN AMOUNT NOT TO EXCEED \$245,750,156.80, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$21,995,468.80; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN, INCLUDING TERMINATION PROVISIONS; AUTHORIZING THE USE OF PEOPLE'S TRANSPORTATION PLAN BOND PROGRAM FUNDS FOR THIS PROJECT WHICH WAS ADDED TO THE PEOPLE'S TRANSPORTATION PLAN 2021-25 FIVE-YEAR IMPLEMENTATION PLAN IN APRIL 2021; AND FURTHER AUTHORIZING THE USE OF PEOPLE'S TRANSPORTATION PLAN BOND PROGRAM FUNDS UNDER (1) PREQUALIFICATION POOL NO. RTQ-00888, ELECTRICAL AND ELECTRONIC COMPONENTS, TOOLS, PARTS, AND SUPPLIES IN AN AMOUNT NOT TO EXCEED \$550,000.00; (2) PREQUALIFICATION POOL NO. EVN0000246, FURNITURE (OFFICE AND NON-OFFICE) IN AN AMOUNT NOT TO EXCEED \$1,500,000.00; AND (3) VARIOUS CONTRACTS LISTED IN EXHIBIT 1 TO THE MAYOR'S MEMORANDUM FOR THE PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT AND SUPPLIES IN AN AMOUNT NOT TO EXCEED \$2,800,000.00, ALL FOR THIS PROJECT WHICH WAS ADDED TO PEOPLE'S TRANSPORTATION PLAN 2021-25 FIVE-YEAR IMPLEMENTATION PLAN IN APRIL 2021

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 the foregoing recital and incorporates it into this resolution.

Section 2. Approves the contract award to NV2A Dragados JV for Construction Services for the South Dade Transit Operations Center in an amount not to exceed \$245,750,156.80, inclusive of the contingency allowance of \$21,995,468.80.

Section 3. Authorizes the use of People's Transportation Plan Bond Program funds in an amount not to exceed \$245,750,156.80 for this project which was added to the People's Transportation Plan 2021-25 Five-Year Implementation Plan in April 2021 and further authorizes the County Mayor or County Mayor's designee to execute the contract and exercise the provisions contained therein, including termination.

Section 4. Further authorizes the use of People's Transportation Plan Bond Program Funds for certain eligible purchases for this project as further detailed in the Mayor's memorandum under (1) *Prequalification Pool No. RTQ-00888*, Electrical and Electronic Components, Tools, Parts, and Supplies in an amount not to exceed \$550,000.00; (2) *Prequalification Pool No. EVN0000246*, Furniture (Office and Non-Office) in an amount not to exceed \$1,500,000.00; and (3) various contracts listed in Exhibit 1 to the Mayor's memorandum for the purchase of information technology equipment and supplies in an amount not to exceed \$2,800,000.00, all for this project which was added to the People's Transportation Plan 2021-25 Five-Year Implementation Plan in April 2021. All contract documents for Contract No. CIP227A-DTPW22-CT are on file with and are available upon request from the Chief of the Capital Improvements Division of the Department of Transportation and Public Works. A copy of the solicitation documents for *Prequalification Pool No. RTQ-00888*, *Prequalification Pool No. EVN0000246*, and the various contract documents listed in Exhibit 1 to the Mayor's memorandum are on file and available upon request from the Strategic Procurement Department.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kevin Marino Cabrera** 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 2nd day of April, 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.

Annery P. Alfonso

THIS CONTRACT, made and entered into on the [REDACTED] day of [REDACTED], 20[REDACTED],
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

NV2A Dragados JV

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:

SOUTH DADE TRANSIT OPERATIONS CENTER (SDTOC)

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:

Two Hundred Forty-Five Million Seven Hundred Fifty Thousand One
Hundred Fifty-Six and Eighty cents.

\$245,750,156.80

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.

BHQ

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 - All RFI Response Letters Issued |
| ☒ 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.

CONTRACT NO. CIP227A-DTPW22-CT

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: Juan Fernandez-Barquin
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 JOINT VENTURE:

_____ NV2A Dragados JV (Name of Joint Venture)	
By: _____ (Signature of Joint Venture)	By: _____ (Signature of Joint Venture)
Gilberto Neves _____ (Print or type name)	_____ (Print or type name)
Authorized signatory for NV2A Dragados JV _____ (Title)	_____ (Title)
9100 S. Dadeland Blvd, Suite 600 _____ Miami FL 33156 _____ (Address)	_____ (Address)

(PARTIES OF THE SECOND PART)

NOTE: Complete Joint Venture in accordance with Section 16 of the Instructions to Prospective Contractors.

BHQ



Memorandum



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

From: Javier A. Betancourt, Executive Director

Date: March 22, 2024

Re: CITT AGENDA ITEM 7A:

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS APPROVE CONTRACT AWARD TO NV2A DRAGADOS JV FOR CONSTRUCTION SERVICES FOR THE SOUTH DADE TRANSIT OPERATIONS CENTER, CONTRACT NO. CIP227A-DTPW22-CT, IN AN AMOUNT NOT TO EXCEED \$245,750,156.80, INCLUSIVE OF A CONTINGENCY ALLOWANCE OF \$21,995,468.80; AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN, INCLUDING TERMINATION PROVISIONS; AUTHORIZE THE USE OF PEOPLE'S TRANSPORTATION PLAN BOND PROGRAM FUNDS FOR THIS PROJECT WHICH WAS ADDED TO THE PEOPLE'S TRANSPORTATION PLAN FY 2021-25 FIVE-YEAR IMPLEMENTATION PLAN IN APRIL 2021; AND FURTHER AUTHORIZE THE USE OF PEOPLE'S TRANSPORTATION PLAN BOND PROGRAM FUNDS UNDER (1) PREQUALIFICATION POOL NO. RTQ-00888, ELECTRICAL AND ELECTRONIC COMPONENTS, TOOLS, PARTS, AND SUPPLIES IN AN AMOUNT NOT TO EXCEED \$550,000.00; (2) PREQUALIFICATION POOL NO. EVN0000246, FURNITURE (OFFICE AND NON-OFFICE) IN AN AMOUNT NOT TO EXCEED \$1,500,000.00; AND (3) VARIOUS CONTRACTS LISTED IN EXHIBIT 1 TO THE MAYOR'S MEMORANDUM FOR THE PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT AND SUPPLIES IN AN AMOUNT NOT TO EXCEED \$2,800,000.00, ALL FOR THIS PROJECT WHICH WAS ADDED TO PEOPLE'S TRANSPORTATION PLAN FY2021-25 FIVE-YEAR IMPLEMENTATION PLAN IN APRIL 2021 (**DTPW – BCC LEGISLATIVE FILE NO. 240383**)

On March 20, 2024, the CITT voted (8-0) **against** the recommendation to the BCC to approve the above referenced item. The vote was as follows:

Robert Wolfarth, Chairperson – Nay
Mary Street, Esq., 1st Vice-Chairperson – Nay
Hon. Peggy Bell, 2nd Vice-Chairperson – Nay

Joseph Curbelo – Nay
Qjuezari Harvey – Nay
David Marin – Nay
Robert Ruano – Absent

Meg Daly – Absent
Kenneth Kilpatrick – Nay
Miguel Murphy – Nay
Paul J. Schwiep, Esq. – Absent

The CITT then voted 8-0 in favor of the urging resolution to the BCC that's referenced below. The vote was as follows:

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST ("CITT")
URGING MIAMI-DADE COUNTY TO LOWER THE AMOUNT OF TRANSPORTATION SURTAX
FUNDS COMMITTED TO THE DEVELOPMENT OF THE SOUTH DADE TRANSIT OPERATIONS
CENTER BY, AMONG OTHER THINGS, IMPLEMENTING ALL FEASIBLE RECOMMENDATIONS
OF THE "VALUE ENGINEERING STUDY REPORT FOR THE SOUTH DADE BATTERY
ELECTRIC BUS FACILITY" CONDUCTED BY PMA CONSULTANTS, LLC AND DATED MAY 4,
2023, AND ACTIVELY SEEKING ADDITIONAL FUNDING SOURCES FOR THE PROJECT,
INCLUDING STATE AND FEDERAL GRANTS AND EARMARKS, ROAD IMPACT FEE FUNDS,
AND/OR GENERAL FUNDS

Robert Wolfarth, Chairperson – Aye
Mary Street, Esq., 1st Vice-Chairperson – Aye
Hon. Peggy Bell, 2nd Vice-Chairperson – Aye

Joseph Curbelo – Aye
Qjuezari Harvey – Aye
David Marin – Aye
Robert Ruano – Absent

Meg Daly – Absent
Kenneth Kilpatrick – Aye
Miguel Murphy – Aye
Paul J. Schwiep, Esq. – Absent

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