

Date: May 21, 2024

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

From: Daniella Levine Cava
Mayor



Agenda Item No. 8(O)(1)

Resolution No. R-447-24

Subject: Resolution Ratifying the Actions of the County Mayor or County Mayor's
Designee Rejecting all Bids and Re-Advertising Contract No. S-16030 - Upgrade
of Pump Station No. 0300

Executive Summary

This item seeks ratification of the rejection of all bids for Contract No. S-16030 - Upgrade of Pump Station No. 0300 (the "Project") - by the County Mayor's designee, pursuant to the authority delegated in section 2-8.2.12 of the Miami-Dade County Code ("WASD's Acceleration Ordinance"), as well as ratification of the re-advertisement of the Project by the Miami-Dade Water and Sewer Department ("WASD"). The sole bid received was 270% higher than the Engineer of Record's ("EOR's") estimate, and the EOR recommended rejecting all bids. Both WASD and the EOR agree that, in order to reduce costs, the Project should be re-bid as an installation project, which would utilize owner-furnished equipment ("OFE") obtained under an existing County contract.

Recommendation

Pursuant to WASD's Acceleration Ordinance, it is recommended that the Board ratify the actions of the County Mayor or County Mayor's designee rejecting all bids received in response to the December 14, 2023 solicitation for Contract No. S-16030 and re-advertising the Project.

Capital Improvement Project

This Project covers all required improvements to bring Pump Station No. 0300 to current building standards, enhance system operations, and increase the overall operational efficiency. Additionally, the improvements will allow WASD operational flexibility to better handle the wastewater flows in District 2.

Item 1 – Ratification of the rejection of all bids for Contract No. S-16030 - Upgrade of Pump Station No. 0300. The sole bid received was rejected on March 28, 2024 and was attested by the Clerk of the Board's Office on the same date.

Scope

As shown on Exhibit A, which provides basic information about this item, the Project is in District 2, which is represented by Commissioner Marleine Bastien.

Delegation of Authority

The bid received in response to the solicitation for this Project was rejected pursuant to section 4(b) of WASD's Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to reject bids, subject to ratification by the Board.

Track Record/Monitoring

Once a new solicitation is prepared and a contractor selected, WASD's Deputy Director of Planning, Regulatory Compliance & Capital Infrastructure, Marisela Aranguiz-Cueto, P.E., will oversee the implementation of this Project.

Due Diligence/Safety Information

Due diligence was conducted by WASD on the contractor that submitted a bid. The Internal Services Department (ISD) Small Business Division did not review this item because it is recommended that the bids be rejected, and a new solicitation for the Project be issued.

Fiscal Impact / Funding Source

There is no fiscal impact to the County for the rejection of bids.

Background

On September 3, 2014, the Board approved Ordinance No. 14-77 authorizing the County Mayor or County Mayor's designee to award contracts for funded capital projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in the WASD Multi-Year Capital Plan's Capital Improvement Program without the need for prior Board approval but subject to ratification by the Board.

On December 14, 2023, WASD received one (1) bid for Contract No. S-16030 in the amount of \$80,350,068.00 in response to a solicitation advertised on October 26, 2023. The sole bid was 270% higher than the EOR's estimate of \$29,622,310.59. The EOR reviewed the bid and recommended rejecting all bids. Both WASD and the EOR agree that, in order to reduce costs for the Project, it should be re-bid as an installation project, which would utilize OFE obtained under an existing County contract.

It is in the best interests of the County to reject all bids, review the solicitation, investigate the discrepancies between the bid amounts and the estimate, and re-advertise the Project with a reduced scope and incorporating any necessary changes.

Exhibit A includes the details of the competitive bid for which ratification of the rejection of all bids is being requested. Exhibit A contains the information bulleted below for the contract bid rejection:

- Item Number
- Department Name
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Commission District
- Brief Project Description

Attached as Exhibit B is the recommendation to Reject all Bids and Re-Advertise the Project.



Jimmy Morales
Chief Operations Officer

Exhibit A

Ratification of Reject all Bids and Re-Advertise Contract Awards Authorized by the WASD Accelerate Ordinance

Item No.	Dept. Name	Type of Solicitation	Contract Type	Contract No.		Project Name	Firm Awarded	Commission District	Contract Amount	Funding Source(s)	Operations and Maintenance Costs	Est. Start Date		Contract Measures				Brief Project Description
				Contract No.	Project No.							Est. End Date	SBE Goods & Services	SBE A/E	SBE Construction	CWP Program		
1	WASD	County Bid Process	Construction Contract	Contract No. S-16030		Upgrade of Pump Station No. 0300	REJECT ALL BIDS	District 2 (Marlene Bastien)	n/a	n/a	n/a							The scope of work for this contract covers all required improvements to Pump Station No. 0300, brings the facility up to current building standards, enhances system operations and increases the overall operational efficiency. Additionally, the improvements will allow WASD the operational flexibility to better handle the wastewater flows in District 2.

Total Dollar Value of Award: \$0.00

MDC004

Memorandum



Date: March 25, 2024

To: Roy Coley, Director
Water and Sewer Department

From: Marisela Aranguiz-Cueto, P.E., *MA*
Deputy Director of Planning, Regulatory Compliance, and Capital Infrastructure
Water and Sewer Department

Subject: Request to Reject all Bids and Re-Advertise Contract No. S-16030 - Upgrade of Pump Station No. 0300

RECOMMENDATION:

Pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's designee approve this recommendation to reject all bids received by WASD in response to the December 14, 2023 solicitation for Contract No. S-16030 and re-advertise the project.

DELEGATION OF AUTHORITY:

The County Mayor or County Mayor's designee is authorized to reject bids pursuant to the provisions of Section 2-8.2.12 (4)(b) of the Code of Miami-Dade County.

PROJECT NAME:

S-16030 - Upgrade of Pump Station No. 0300

PROJECT DESCRIPTION:

The project scope of work of this Contract covers all required improvements to Pump Station No. 0300, brings the facility up to current building standards, enhances system operations and increases the overall operational efficiency. Additionally, the improvements will allow WASD the operational flexibility to better handle the wastewater flows in District 2. The project period is 730 calendar days to Substantial Completion, 800 calendar days to Final Completion, plus an 80 calendar day time contingency allowance.

PROJECT LOCATION:

The work of this Contract will be performed at Pump Station No. 0300, located at 12700 Northwest 30th Avenue, Opa-Locka, Florida, 33054 in District 2, which is represented by Commissioner Marleine Bastien.

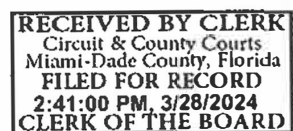
FISCAL IMPACT / FUNDING SOURCE:

There is no fiscal impact to the County for the rejection of bids

TRACK RECORD / MONITOR/ SBD HISTORY OF VIOLATIONS:

Due diligence was conducted by WASD on the bids, there was no review by the Internal Services Department Small Business Division.

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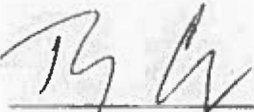


EXPLANATION:

On December 14, 2023, WASD received one (1) bid for S-16030 in response to a solicitation advertised on October 26, 2023. As shown below, the sole bidder was 270% higher than the engineer's estimate. The Engineer of Record has reviewed the bids and recommended rejecting all bids. Both WASD and the EOR agree that the project should be re-bid as an installation project, utilizing owner furnished equipment (OFE) obtained under an existing County contract to reduce costs.

Engineer's Estimate	Poole & Kent Company of Florida
\$29,622,310.59	\$80,350,068.00

It is in the best interest of the County to reject all bids, review the solicitation, investigate the discrepancies between the bid amounts and the estimate, and re-advertise the project with a reduced scope and incorporating any necessary changes.



Roy Coley, WASD Director
on behalf of Mayor Daniella Levine Cava

3/28/24
DATE



MEMORANDUM

(Revised)

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

DATE: May 21, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(1)

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)(1)
5-21-24

RESOLUTION NO. _____ R-447-24

RESOLUTION RATIFYING ACTIONS OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE, PURSUANT TO SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, MIAMI-DADE WATER AND SEWER DEPARTMENT'S CONSENT DECREE AND CAPITAL IMPROVEMENT PROJECTS ACCELERATION ORDINANCE: (1) REJECTING ALL BIDS FOR CONTRACT NO. S-16030 FOR THE UPGRADE OF PUMP STATION NO. 0300, AND (2) RE-ADVERTISING THE PROJECT

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 hereby ratifies the actions of the County Mayor or County Mayor's designee, pursuant to section 2-8.2.12 of the Code of Miami-Dade County, Florida, the Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Projects Acceleration Ordinance: (1) rejecting all bids for Contract No. S-16030 for the Upgrade of Pump Station No. 0300, and (2) re-advertising the project.

The foregoing resolution was offered by Commissioner **Eileen Higgins** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** 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	absent	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	absent	Eileen Higgins	aye
Kionne L. McGhee	absent	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of May, 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