

Memorandum



Date: September 4, 2024

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

Agenda Item No. 8(O)(1)

From: Daniella Levine Cava
Mayor

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

Resolution No. R-755-24

Subject: Resolution Ratifying the Award of Contract W-955 – Southwest Wellfield Electrical Distribution Improvements for Raw Water Well Related to Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Programs Acceleration Ordinance

Executive Summary

This item seeks ratification of the award of Contract No. W-955, Southwest Wellfield Electrical Distribution Improvements for Raw Water Well (the "Contract"), with Millo Electrical Contractor, Inc. ("Millo Electrical") in an amount not to exceed \$5,069,440.00 for the replacement of the existing power feeder to 14 wellhouses (east and west) within the Southwest Wellfield and the installation of liquid-filled transformers on concrete slabs located above the flood elevation at the site (the "Project"). The existing power feeder and transformers are reaching the end of their useful life, and the replacement of this electrical equipment will mitigate the loss of raw water to the Alexander Orr Jr. Water Treatment Plant ("AOWTP").

Recommendation

It is recommended that the Board of County Commissioners (the "Board") ratify the action of the County Mayor or County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code related to WASD's Consent Decree and Capital Improvement Programs Acceleration Ordinance ("WASD's Acceleration Ordinance") for the funded project identified below and on Exhibit A.

Capital Improvement Project

Item 1 – Recommendation awarding Southwest Wellfield Electrical Distribution Improvements for Raw Water Well, Contract No. W-955. This item requests ratification of an award for a Contract in an amount not to exceed \$5,069,440.00 with a total Contract period of 560 days to Millo Electrical. The Contract was fully executed and attested by the Clerk's Office on March 4, 2024.

Delegation of Authority

This Contract was awarded pursuant to Section 2-8.2.12 of the Miami-Dade County Code related to WASD's Acceleration Ordinance, which delegates authority to the County Mayor or County Mayor's designee to award certain projects, and 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.

Scope

This Project will be performed at the Southwest Wellfield, 8000 SW 123 Avenue, Miami, Florida 33183, which is located in Commissioner District 10 represented by Commissioner Anthony Rodriguez.

Fiscal Impact/Funding Source

The fiscal impact to the County will be \$5,069,440.00. The funding source is Water Renewal and Replacement Fund from the OMB Water Treatment Plant – Replacement and Renovations Project. The Project is in the FY 2023 – 24 Adopted Budget and Multi-Year Capital Plan

Track Record/Monitoring

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 and the Internal Services Department ("ISD") in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status; performance; safety record, including Occupational Safety and Health Administration ("OSHA") records; and compliance data. The lists that were reviewed include: convicted vendors, debarred vendors, delinquent contractors, suspended vendors, and federal excluded parties. There were no adverse findings related to Millo Electrical's responsibility. This information is being provided pursuant to Resolution No. R-187-12.

Background

This Project is necessary in order to provide continuous raw water to WASD's AOWTP. The existing electrical equipment is reaching the end of its useful life. In order to prevent a service failure, the feeders will be replaced to mitigate the loss of raw water to AOWTP.

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, and to accelerate the approval of WASD's (1) Consent Decree projects and (2) projects identified in WASD Multi-Year Capital Plan's Capital Improvement Program without the need for prior Board approval but subject to ratification by the Board.

Exhibit A includes the details of the competitively bid award for which ratification is being requested. Exhibit A contains the information bulleted below for the contract award:

- Item Number
- Department Name
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Firm Awarded

- Commission District
- Contract Amount
- Funding Source(s)
- Operations and Maintenance Costs
- Estimated Start Date/Estimated End Date
- Contract Measures: SBE Goods & Services; SBE-A/E; SBE-Construction; and CWP Program
- Brief Project Description

Attached as Exhibit B is the recommendation to award the Contract referenced in Item No. 1 in this memorandum. A copy of the Contract for this Project is available from the Intergovernmental Affairs Division of WASD.

Attachments



Jimmy Morales
Chief Operating Officer

Exhibit A

Ratification of Contract Awards Authorized by the WASD Accelerate Ordinance

Item No.	Dept. Name	Type of Solicitation	Contract Type	Contract No. Project No.	Project Name	Firm Awarded	Commission District	Contract Amount	Funding Source(s)	Operations and Maintenance Costs	Est. Start Date Est. End Date	Contract Measures				Brief Project Description
												SBE Goods & Services	SBE A/E	SBE Construction	CWP Program	
1	WASD	County Bid Process	Construction Contract		Southwest Wellfield Electrical Distribution Improvements for Raw Water Well	Milo Electrical Contractor, Inc.	District 10 Anthony Rodriguez	\$5,069,440.00	Water Renewal and Replacement Fund	Operations Cost: \$75,000 per year; and Maintenance Cost: \$40,000 per year	Estimated Notice to Proceed Date: 06/10/2024 Completion Date: 12/22/2025 (total contract period is 560 days)	0.94%	n/a	12.25%	n/a	This project will replace the existing power feeder to all 14 wellhouses (East and West) within the Southwest Wellfield located at 8000 SW 123 Avenue, Miami, FL 33183. In addition, new liquid-filled transformers will be installed on concrete slabs located above the flood elevation for this site. The existing power feeder and transformers are reaching the end of their useful life, and this project is to replace the existing equipment is important to provide continuous raw water to AOWTP.

Total Dollar Value of Award: \$5,069,440.00

MDC004

EXHIBIT B

Memorandum



Date:

To: Roy Coley, Director
Water and Sewer Department

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

Subject: Award Recommendation for the Southwest Wellfield Electrical Distribution
Improvements for Raw Water Well; Contract No. W-955

Executive Summary

This memorandum seeks approval to award construction Contract No. W-955, Southwest Wellfield Electrical Distribution Improvements for Raw Water Well (the Contract), to the lowest responsive and responsible bidder, Millo Electrical Contractor, Inc. (Millo Electrical). This project will replace the existing power feeder to all the 14 wellhouses (east and west) within the Southwest Wellfield. In addition, new liquid-filled transformers will be installed on concrete slabs located above the flood elevation for this site. This project is important to provide continuous raw water to the Water & Sewer Department's (WASD) Alexander Orr, Jr. Water Treatment Plant (AOWTP). The existing power feeder and transformers are reaching the end of their useful life, and the replacement of this electrical equipment will mitigate the loss of raw water to AOWTP.

The Project is in the Adopted Budget and Multi-Year Capital Plan. Funding sources will be provided from the Office of Management and Budget (OMB) Project 9650161 Water Treatment Plant – Replacement and Renovations in the FY2023-24 Adopted Budget and Multi-Year Capital Plan.

Recommendation

It is recommended that the County award Contract No. W-955 to Millo Electrical for a total compensation amount of \$5,069,440.00, with a total contract period of 560 consecutive calendar days.

Scope

This Project will be performed at the Southwest Wellfield located at 8000 SW 123rd Avenue, Miami, Florida 33183, in Commission District 10 represented by Commissioner Anthony Rodriguez.

The Project will replace the existing power feeder to all the 14 wellhouses (East and West) within the Southwest Wellfield. In addition, new liquid-filled transformers will be installed on concrete slabs located above the flood elevation for this site. The existing power feeder and transformers are reaching the end of their useful life, and this Project to replace the existing equipment is important to provide continuous raw water to AOWTP.

Delegated Authority

This Project is a Capital Improvement contract being processed under Section 2-8.2.12 of the Miami-Dade County Code (the WASD Acceleration Ordinance). Pursuant to Sections 2-8.2.12 (4)(d) and (e) of the Code, the County Mayor or County Mayor's designee has the authority to, among other things, amend and/or extend the contract to complete any unfinished work; waive liquidated damages; 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 of County Commissioners (the Board).



Fiscal Impact/Funding Source

The fiscal impact to the County is \$5,069,440.00, 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 Office of Management and Budget (OMB) Project 9650161 Water Treatment Plant – Replacement and Renovations in the FY2023-24 Adopted Budget and Multi-Year Capital Plan, Budget Book 3 Page 103
- The funding source is Water Renewal and Replacement Fund
- The life expectancy of the work is 25 years
- The Project does not include General Obligation Bond (GOB) funding
- Operations cost impact / funding: \$75,000.00/year. The funding source for the maintenance impact is WASD Operating Revenues
- Maintenance cost impact / funding: \$40,000.00/year. The funding source for the maintenance impact is WASD Operating Revenues
- The project does not include Art in Public Places
- The IG Fee is included.

Vendor Selection & Track Record

On February 13, 2024, WASD received and opened two (2) bids in response to an advertisement for an open competitive solicitation for Contract No. W-955:

Company Name	Base Bid	Dedicated Allowances	Contingency Allowance	Total Bid*
Millo Electrical Contractor, Inc.	\$4,284,000.00	\$357,040.00	\$428,400.00	\$5,069,440.00
Daniel O'Connell's Sons	\$5,922,000.00	\$455,320.00	\$592,200.00	\$6,969,520.00

The following due diligence was performed in determining that Millo Electrical was the lowest responsive and responsible bidder:

- Because contract measures were assigned, the lowest two (2) bids were forwarded to Internal Services Department's (ISD) Division of Small Business Development (SBD) for a compliance review. On February 20, 2024, SBD issued the results of its compliance review. Both firms were determined to be in compliance with the Implementing Order for the Small Business Enterprise (SBE/Cons) program for construction services. The Project Worksheet and the SBD Compliance Review letter are attached hereto as Exhibits A and B, respectively.
- HDR, Inc., the Engineer of Record (EOR), reviewed the bid submissions and, on February 16, 2024, the EOR determined that the low bid was acceptable as submitted and that Millo Electrical satisfied the requirements of the solicitation. The EOR's letter is attached hereto as Exhibit C.
- Pursuant to Resolution No. R-187-12, WASD performed a review of the vendor information in the Business Management Workforce System (BMWS). WASD discovered no adverse information.

- According to the contract history downloaded from BMWS on February 20, 2024, the County has awarded Millo Electrical one (1) contract over the past three years, with a total value of \$3.5 million.
- Millo Electrical has 17 evaluations in the ISD Capital Improvement Information System (CIIS), with a rating of 3.9 out of a possible 4.0 maximum.

Considering the input of ISD and the EOR, WASD has concluded that the apparent lowest bidder, Millo Electrical, is both responsive and responsible. The total bid of \$5,069,440.00 is approximately 1.8% below the EOR's estimate of \$5,162,729.97; the bidder has a 3.9 rating in CIIS; and there are no protests.

Therefore, it is recommended that Contract No. W-955 be awarded to Millo Electrical for a total compensation amount of \$5,069,440.00 with a total contract period of 560 calendar days (Substantial Completion time of 500 calendar days, Final Completion time of 560 calendar days, plus a Time Allowance of 56 calendar days). The proposed Contract, signed by Millo Electrical, is attached hereto 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 is important to provide continuous raw water to WASD's AOWTP. The existing electrical equipment is reaching the end of its useful life. In order to prevent a service failure, the feeders will be replaced to mitigate the loss of raw water to AOWTP.

Contract Manager Name/Phone/Email

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

Project Manager Name/Phone/Email

Jose Vizoso / 786-552-4369 / jose.vizoso@miamidade.gov

Applicable Ordinances and Measures

Table below depicts 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	12.25%
Responsible Wages and Benefits	Code Section 2-11.16 & Implementing Order 3-24	Building
Sea Level Rise	Ordinance 14-79	
Sustainable Buildings Program	implementing Order 8-8	
Buy American Iron & Steel Procurement Program	Code Section 2-8.2.6.1	

Title	Legislation	Notations
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	

Project Chronology

Event	Projected Date
1. Pre-bid Meeting Date if applicable	1/24/2024
2. Bid opening date	2/13/2024
3. Planned Bid Award date	TBD
4. Planned pre-construction meeting	TBD
5. Planned Notice to proceed	TBD
6. Planned groundbreaking	TBD
7. Planned completion date	TBD

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SIGNATURE PAGE

**Lime Slaker Replacement Project Southwest Wellfield Electrical Distribution
Improvements for Raw Water Well, W-955**

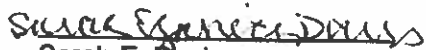


David Clodfelter
OMB DIRECTOR

2/28/2024

DATE

Approved as to legal sufficiency



Sarah E. Davis
Assistant County Attorney

2/28/24

DATE



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

3/1/24

DATE

Attachments



Small Business Development Division

Project Worksheet

Project/Contract Title: South West Wellfield Electrical Distribution Improvements for Raw Water Well
Received Date: 10/16/2023
Project/Contract No: W-955
Funding Source: Water Renewal and Replacement Fund
Department: Water & Sewer
Estimated Cost of Project/Bid: \$4,792,038.02
Description of Project/Bid: South West Wellfield Electrical Distribution Improvements for Raw Water Well.

Contract Measures		
Measure	Program	Goal Percent
Goal	SBE - Con	12.25%
Goal	SBE - Goods	0.94%

Reasons for Recommendation
SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE-Con). SBD reviewed this project pursuant to Implementing Order(s) 3-22 and 3-41 for SBE-Con and SBE-Goods measures. Project information analyzed included the project's scope of services, minimum requirements/qualifications and funding source. An analysis of the factors contained in Implementing Order 3-22 indicates a 12.25% Small Business Enterprise - Construction (SBE-Con) subcontractor goal is appropriate for the trades of: Site Preparation Contractors (2.19%-Demolition/Site Preparation), Commercial and Institutional Building Construction (3.30%-SCH40 PVC Concrete Encased Ductbank), Other Heavy and Civil Engineering Construction (1.59%-General Site Civil Work-1.48%; Specialties/Miscellaneous Work-0.11%), Structural Steel and Precast Concrete Foundation Contractors (3.06%-Concrete Pads/Structural Components-1.77%, Metal Railings/Stairs/Miscellaneous Metals-1.29%) and Painting and Wall Covering Contractors (2.11%-Painting/Coating of Well Houses). SMALL BUSINESS ENTERPRISE - GOODS (SBE - Goods). An analysis of the factors contained in section VIII. B. of Implementing Order 3-41 & Ordinance 14-41 indicates a 0.94% SBE - Goods Subcontractor goal is appropriate in the commodity trade/area of Construction Materials (0.94%) (15010). Community Workforce Program (CWP) is not Applicable. The project is not in a Designated Target Area (DTA). The SBE - Con and SBE - Goods Subcontractor Goals can be met by First Tier, Second Tier and Third Tier, certified SBE-Con & SBE-GS firms. Please be advised that these areas are just a recommendation and firms are not tied to meeting the SBE-Con & SBE-Goods goals in these specific trades/commodities. NAICS 237990 Other Heavy and Civil Engineering Construction, NAICS 238120 Structural Steel and Precast Concrete Contractors, NAICS 238320 Painting and Wall Covering Contractors, NAICS 238910 Site Preparation

Contractors, NAICS 236220 Commercial and Institutional Building Construction, NIGP 15010 Construction Materials.

Small Business Contract Measure Recommendation

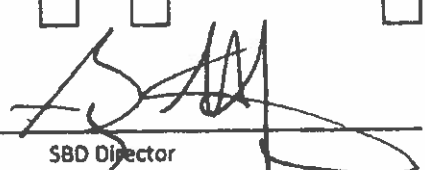
Subtrade

Other Heavy and Civil Engineering Construction
Structural Steel and Precast Concrete Contractors
Painting and Wall Covering Contractors
Site Preparation Contractors
Commercial and Institutional Building Construction
Construction Materials

Category

SBE-Con
SBE-Con
SBE-Con
SBE-Con
SBE-Con
SBE-Goods

Living Wages: YES ☐ NO ☒ Highway: YES ☐ NO ☒ Heavy Construction: YES ☐ NO ☒
Responsible Wages: YES ☒ NO ☐ Building: YES ☒ NO ☐


SBD Director

11-13-23
Date

DATE: February 20, 2024

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

Memorandum

FROM: Gary Hartfield, Director
Office of Small Business Development

SUBJECT: Compliance Review
Project No. W-955
South West Wellfield Electrical Distribution Improvements for Raw Water Well.

The Office of Small Business Development (SBD), has completed its review of the subject project for compliance with the Small Business Enterprise Construction (SBE-Con) and Small Business Enterprise Goods and Services (SBE-G & S) programs. The contract measures established for this project is a 12.25% SBE-Construction and 0.94% SBE-Goods subcontractor goals.

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 Utilization Plans (UPs) 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.

FIRM:

STATUS:

1. Millo Electrical Contractor, Inc.
2. Daniel O'Connell's Sons, Inc.

Compliant
Compliant

SUMMARY:

Millo Electrical Contractor, Inc. (#1), a certified, SBE-Con firm, committed to perform Electrical and Other Wiring Installation at 6.12% with its own forces. Millo Electrical Contractor, Inc. also committed to utilize Accura Electrical Contractor Inc., a certified, SBE-Con firm to perform Electrical and other wiring installation at 6.13%. The Utilization Plan submitted by Millo Electrical Contractor, Inc was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 12.25% SBE-Con goal.

Millo Electrical Contractor, Inc. also committed to utilize Royal Electrical Supply, Inc., a certified, SBE-G&S firm to supply electrical equipment at 0.94% in satisfaction of the 0.94% SBE-Goods subcontractor goal. The Utilization Plan submitted by Millo Electrical Contractor, Inc was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 0.94% SBE-G&S goal.

Millo Electrical Contractor, Inc. is in compliance with the 12.25% SBE-Con and 0.94% SBE-G&S subcontractor goals established for this contract. Millo Electrical Contractor, Inc. is deemed compliant with Implementing Order 3-22 and 3-41 governing the SBE-Con and SBE-G&S programs respectively.

Daniel O'Connell's Sons, Inc. (#2), a non-certified, SBE-Con firm, committed to utilize SCR Mechanical, LLC., a certified, SBE-Con firm to perform miscellaneous metal work at 2.65% and Solares Electrical Services, Inc., a certified, SBE-Con firm to perform electrical and other wiring installation at 10.04% in satisfaction of the 12.25% SBE-Con subcontractor goal. The Utilization Plan submitted by Daniel O'Connell's Sons, Inc. was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 12.25% SBE-Con goal.

Daniel O'Connell's Sons, Inc. also committed to utilize Royal Electrical Supply, Inc., a certified, SBE-G&S firm to supply electrical equipment at 0.94% in satisfaction of the 0.94% SBE-Goods subcontractor goal. The Utilization Plan submitted by Daniel O'Connell's Sons, Inc. was confirmed by the subcontractor and approved pursuant to the firm's commitment to achieve the 0.94% SBE-G&S goal.

Daniel O'Connell's Sons, Inc. is in compliance with the 12.25% SBE-Con and 0.94% SBE-G&S subcontractor goals established for this contract. Daniel O'Connell's Sons, Inc. is deemed compliant with Implementing Order 3-22 and 3-41 governing the SBE-Con and SBE-G&S programs respectively.

Paul Adams
Project No. W-955
February 20, 2024

SBD has verified that none of the aforementioned firms is listed in the *Compliance Report of Open and Closed Small Business, Wage and/or Workforce Violations in the last three (3) years* with an open violation. Please be reminded that SBD staff reviewed and addressed compliance with the SBE-Con measure. 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 Angel Oliva, SBD Capital Improvement Project Specialist at (305) 375-3174.

c: Laurie Johnson, SBD, ISD
File

Paul Adams
Project No. S-981
September 16, 2022
Page 2

Memo

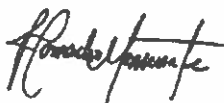
Date: Friday, February 16, 2024

Project: W-955 – Southwest Wellfield - Electrical Distribution Improvements for West Raw Water Wells

To: Jose Vizoso (WASD PM)

Antoinette Altamirano (WASD – Construction Contracts Specialist)
Paul Adams (WASD - Chief, Construction Contracts Division)

From: Jorge Camacho, PE (HDR PM)



W-955 – Southwest Wellfield - Electrical Distribution Improvements for West Raw Water Wells–
Subject: Review Completion

HDR Engineering Inc (HDR), has completed the evaluation of the information provided by the lowest bidder, Millo Electrical Contractor, Inc. for W-955 project for the Southwest Wellfield - Electrical Distribution Improvements for West Raw Water Wells. With the information received yesterday in the letter dated February 15, 2024, we can attest the information is complete and they met the minimum requirements established in the contract documents for this project.

The bid cost presented by Millo Electrical Contractor, Inc is 1.8% lower than the OPCC developed for this project by HDR, which is within the range of acceptance (10%) required by WASD. The information provided by Millo Electrical Contractor, Inc. acknowledges all of the addendums developed for this RFP and dismisses our concerns related to bid items 004 and 008. Their proposal is complete.

HDR recommends the award of this project to Millo Electrical Contractor, Inc.

CONTRACT

Exhibit D

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 Millo Electrical Contractor, Inc _____, party of the second part (hereinafter sometimes called "Contractor");

WITNESSETH

That the parties hereto, for and in consideration of the covenants and agreements hereinafter set forth, mutually agree as follows, to wit:

1. That the Contractor shall furnish all 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:

2. **South West Wellfield Electrical Distribution Improvements for Raw Water Well
Contract No. W-955**

for the aggregate amount reflected by the Proposal, said aggregate amount being of Five Million Sixty Nine Thousand Four Hundred Forty Dollars and 00 Cents (U.S. Dollars) \$ 5,069,440.00.

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 Contract 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 Contract Conditions, any Supplemental General Contract 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 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

CONTRACT

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 Contract 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 Contract 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 Contract Conditions Article on 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:

Juan Fernandez-Barquin
Clerk of the Court and Comptroller

MIAMI DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Attested by: _____
Deputy Clerk

By: _____
Mayor

(PARTY OF THE FIRST PART)

Date

Approved as to Form and Legal Sufficiency

Assistant County Attorney

WHEN THE CONTRACTOR IS A CORPORATION

(CORPORATION SEAL)

ATTEST

(Secretary)
Alien Gonzalez
(Print or type name)

Millo Electrical Contractor, INC

(Name of Corporation)

By: _____
(Signature of Officer)

Marlon Thaireaux

(Print or type name)

President

(Official Title)

16511 SW 58th Terr Miami FL 33193

(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.

Millo Electrical Contractor, INC



MEMORANDUM

(Revised)

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

DATE: September 4, 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)
9-4-24

RESOLUTION NO. R-755-24

RESOLUTION RATIFYING ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO THE 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 APPROVAL OF THE AWARD OF CONTRACT NO. W-955 BETWEEN MIAMI-DADE COUNTY AND MILLO ELECTRICAL CONTRACTOR, INC. FOR SOUTHWEST WELLSFIELD ELECTRICAL DISTRIBUTION IMPROVEMENTS FOR RAW WATER WELL IN A TOTAL AMOUNT NOT TO EXCEED \$5,069,440.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN

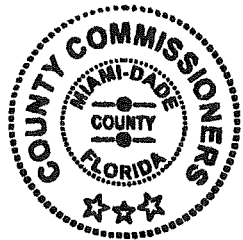
WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

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, approval of the award of Contract No. W-955 between Miami-Dade County and Millo Electrical Contractor, Inc. for Southwest Wellfield Electrical Distribution Improvements for Raw Water Well in a total amount not to exceed \$5,069,440.00; and authorizes the County Mayor or County Mayor's designee to exercise the provisions contained therein. The solicitation documents and contract 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 **Marleine Bastien** ,
 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	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 4th day of September, 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