

Memorandum



Date: October 1, 2024

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

Agenda Item No. 8(O)(4)

From: Daniella Levine Cava
Mayor

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

Resolution No. R-865-24

Subject: Resolution Ratifying Award of Construction Contract No. S-20074, Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis, 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 Construction Contract No. S-20074, Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis (the Contract), with R & G Engineering, Inc. (R&G) in an aggregate amount not to exceed \$20,000,000.00, cumulatively. This non-exclusive Contract is for the removal and replacement, inclusive of all appurtenances, work and miscellaneous items needed for a complete and functional installation, of: (1) approximately 58,000 linear feet of existing 8-inch through 36-inch diameter gravity sewer mains on a full reach or point repair basis, and (2) approximately 50,000 linear feet of sewer laterals. The Contract is for a two (2) year term with a not to exceed amount of \$10,000,000.00 and includes two one-year options to renew that can be exercised at the discretion of the County Mayor or County Mayor's designee for up to \$5,000,000.00 per year. The Contract will terminate upon the depletion of the awarded amount or the expiration of the Contract Term, whichever occurs first.

Recommendation

It is recommended that the Board of County Commissioners (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 Miami-Dade Water and Sewer Department's (WASD) 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 Construction Contract No. S-20074, Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis, to R & G. The award was filed on April 24, 2024, and the Contract was fully executed and attested by the Clerk's Office on June 21, 2024.

This project, which is intended to minimize the number of leaks that infiltrate into the County's wastewater pipelines and cause operational inefficiencies and wastewater flows that exfiltrate and seep into the ground, is required pursuant to the County's Consent Decree, which was approved by

the U.S. District Court for the Southern District of Florida on April 9, 2014 in Case No. 1:12-cv-24400-FAM. In addition, WASD is required to make repairs to the sewage collection system to comply with the Volume Sewer Customer Ordinance and the Wellfield Protection Ordinance, section 24-13.1 and section 24-12.1 of the Miami-Dade County Code, respectively.

Delegation of Authority

The Contract was awarded pursuant 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

The work to be performed under the Contract is County-wide and will be performed at various locations throughout Miami-Dade County under different work orders, as ordered by WASD.

Fiscal Impact/Funding Source

The fiscal impact to the County is up to an aggregate amount of \$20,000,000.00 if both options to renew are exercised. The funding sources are: Future WASD Revenue Bonds and WASD Revenue Bonds Sold from OMB Project 9650201 Peak Flow Management Flow Reduction Program in the FY2023-24 Adopted Budget and Multi-Year Capital Plan, Budget Book 3, Page 88 and are detailed on Exhibit A.

Track Record/Monitoring

WASD's Deputy Director of Capital Improvements, 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 R&G's responsibility. This information is being provided pursuant to Resolution No. R-187-12.

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, 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.

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. A copy of the Contract is available upon request 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		Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years On a Yearly Basis	R & G Engineering, Inc.	Various Commission Districts	\$10,000,000.00 (An additional amount of \$5,000,000.00 per renewal option, for a potential aggregate amount of up to \$10,000,000.00)	Future WASD Revenue Bonds and WASD Revenue Bonds Sold	Operations Cost - \$50,000 yearly and Maintenance Cost: \$50,000 yearly	Notice to Proceed Date: 07/22/2024 Completion Date: 07/22/2026 (With option to extend the Contract for two, 1-year options to renew)	n/a	n/a	Trade Set Aside 1 & 2	n/a	Project consists of the removal and replacement of approximately 58,000 linear feet of existing 8-inch through 36-inch diameter gravity sewer mains on a full reach or point repair basis and removal and replacement of approximately 50,000 linear feet of sewer laterals and all other appurtenances, work, and miscellaneous items for a complete, functional, and satisfactory installation.

Total Dollar Value of Award: \$10,000,000.00

MDC004

EXHIBIT B

Memorandum



Date:

To: Roy Coley, Director
Water and Sewer Department

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

Subject: Award Recommendation for Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis, Contract No. S-20074

Executive Summary

This memorandum seeks approval to award construction Contract No. S-20074, Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis (the Contract) to the lowest responsive and responsible bidder, R & G Engineering, Inc. (R&G). This work order based project consists of the removal and replacement of approximately 58,000 linear feet of existing 8-inch through 36-inch diameter gravity sewer mains on a full reach or point repair basis and removal and replacement of approximately 50,000 linear feet of sewer laterals and all other appurtenant and miscellaneous items and work for a complete, functional, and satisfactory installation. The project is in the Adopted Budget and Multi-Year Capital Plan. The funding sources are Future WASD Revenue Bonds, and WASD Revenue Bonds Sold.

Recommendation

It is recommended to award Contract No. S-20074 to R & G Engineering, Inc. for an aggregate amount of up to \$10,000,000.00 for a two-year term (the Contract Term). The Contract will terminate upon the depletion of the awarded amount or the expiration of the Contract Term, whichever occurs first. The County Mayor or designee has the option to extend the Contract for two (2) one (1) year options-to-renew, with an additional amount of \$5,000,000.00 per renewal option, for a potential aggregate amount of up to \$10,000,000.00. The contract will include a price escalation clause, calculated as the lower of 5% or the CPI actual increase. The County has allocated certain funds for this project. Should the bid amounts exceed expected levels, the Department reserves the right to either reduce quantities and/or delete elements of the work while proceeding at the prices bid or reject bids and re-advertise at its sole option.

The total compensation amount for this Contract is for an aggregate amount of up to \$20,000,000.00, with a total contract period of up to 1460 consecutive calendar days, including two (2) one (1) year options to renew of 365 days each. The fiscal impact to the County is \$20,000,000.00.

Scope

This Contract will be performed Countywide in various Commission Districts.

The scope of this Contract consists of the removal and replacement of approximately 58,000 linear feet of existing 8-inch through 36-inch diameter gravity sewer mains on a full reach or point repair basis, and removal and replacement of approximately 50,000 linear feet of sewer laterals and all other appurtenant and miscellaneous items and work for a complete, functional, and satisfactory installation. The project also includes furnishing and installing sanitary sewer manholes, reconnecting existing service laterals and restoration of pavement and other infrastructure disturbed during the course of the work performed. Work also includes traffic control, temporary and permanent paving, proper disposal of removed

RECEIVED BY CLERK
Circuit & County Courts
Miami-Dade County, Florida
FILED FOR RECORD
3:19:11 PM, 4/24/2024
CLERK OF THE BOARD

materials and other appurtenant and miscellaneous related items and work for a completed Project. The work shall be performed at various locations throughout Miami-Dade County, under different work orders, as ordered by the Department. This is a non-exclusive contract, and as such, the Department does not guarantee that the full amount of the Contract will be issued to the Contractor. The actual number of Work Orders assigned will be at the discretion of the Department and dependent only on its needs.

Delegated Authority

This project is a Capital Improvement Contract being processed under Section 2-8.2.12 of the Miami-Dade County Code, a/k/a the WASD Consent Decree and Capital Improvement Program Acceleration Ordinance (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 (Board).

Fiscal Impact/Funding Source

The fiscal impact to the County is \$20,000,000.00, 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 OMB Project 9650201 Peak Flow Management Flow Reduction Program (FRP) in the FY2023-24 Adopted Budget and Multi-Year Capital Plan, Budget Book 3 Page 88.
- The funding sources are Future WASD Revenue Bonds, WASD Revenue Bonds Sold.
- The life expectancy of the work is 50 years.
- Operations Cost Impact / Funding: \$50,000.00 per year. The funding source for the operating impact is WASD Operating Revenues.
- Maintenance Cost Impact / Funding: \$50,000.00 per year. The funding source for the maintenance impact is WASD Operating Revenues.
- The project does not include GOB funding or Art in Public Places.
- The IG Fee is included.

Vendor Selection & Track Record

On February 6, 2024, WASD received and opened the following four (4) bids in response to the January 4, 2024 advertisement for an open competitive solicitation for the Contract.

Company Name	Base Bid	Allowances	Contingency	Total Bid*
R & G Engineering, Inc.	\$8,317,750.00	\$975,000.00	\$831,775.00	\$10,124,525.00
Maestre Construction, Inc.	\$19,871,358.00	\$935,000.00	\$1,987,135.80	\$22,793,493.80
Pabon Engineering, Inc.	\$23,978,950.00	\$1,438,557.95	\$2,397,895.00	\$27,815,402.95
Comtech Engineering, Inc.	\$31,899,499.00	\$935,000.00	\$3,189,949.90	\$36,024,448.90

*Total bid includes contingency & dedicated allowances

The following due diligence was performed to determine R & G as the lowest responsive and responsible bidder:

- Because contract measures were assigned, the three (3) lowest bids were forwarded to the Internal Services Department's (ISD) Division of Small Business Development (SBD) for a Compliance Review. On March 7, 2024, SBD issued the results of its compliance review. All three 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 to this memo as Exhibit A and B, respectively.
- The WASD Utility Construction Division (Utility Division) reviewed the bid submission and, on February 7, 2024, determined that the low bid was acceptable as submitted and that R & G satisfied the requirements of the solicitation. The email recommendation is attached as Exhibit C.
- Pursuant to Resolution R-187-12, WASD performed a review of the vendor information in the Business Management Workforce System (BMWS). WASD discovered no adverse information. Considering the input of ISD and the Utility Division, WASD concluded that R & G is a responsible bidder.
- According to the contract history downloaded from the BMWS on February 12, 2024, in the past three (3) years, R & G has been awarded three (3) contracts, with a total value of \$4,316,031 from the County.
- R & G has 66 evaluations in the ISD Capital Improvement Information System (CIIS), with a rating of 3.1 out of a possible 4.0 maximum.

Considering the input of ISD and the Utility Division, WASD has concluded that the apparent lowest bidder, R & G, is both responsive and responsible. The total bid of \$10,124,525.00 for the initial two-year period is approximately 1.52% below the EOR's estimate of \$10,280,477.73, the bidder has a 3.1 rating in CIIS, and there are no protests, thereby qualifying for an award under the Acceleration Ordinance, subject to ratification by the Board. Unit bid prices were used for uniform comparison amongst the bidders and the bids were evaluated based upon the lowest bid dollar amount. However, the Contract will be awarded for an aggregate amount of up to \$10,000,000.00 for the initial two-year period. The Contract will terminate upon the depletion of the awarded amount or the expiration of the Contract Term, whichever occurs first. Therefore, it is recommended that Contract S-20074 be awarded to R & G Engineering, Inc. for an aggregate amount of up to \$10,000,000.00 for the Contract Term, which is a two-year period (730 days). The proposed contract, signed by R & G, is attached to this memo as Exhibit D.

WASD Contract Monitor

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

Background

In 1996, the Volume Sewer Customer Ordinance was adopted by the Board to comply with the requirements of the first Consent Decree issued to the County in 1994 resulting from unauthorized discharges from the County's wastewater system. Among the requirements of the First Consent Decree was the evaluation, inspection, and repair of gravity wastewater pipelines. The objective was to minimize the number of leaks that infiltrate into wastewater pipelines which cause operational inefficiencies and wastewater flows that exfiltrate and seep into the ground. This mandate was superseded by the County's current Consent Decree, which was approved by the U.S. District Court for the Southern District of Florida on April 9, 2014, in Case No. 1:12-cv-24400-FAM. Under the current Consent Decree, the repair and rehabilitation of the County's wastewater gravity lines continues to be a regulatory priority.

In addition, WASD is required to make repairs to the sewage collection system to comply with the Volume Sewer Customer Ordinance and the Wellfield Protection Ordinance, Section 24-13.1, and Section 24-12.1 of the Miami-Dade County Code, respectfully.

Contract Manager Name/Phone/Email

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

Project Manager Name/Phone/Email

Juan Curiel / 786-552-8399 / juan.curiel@miamidade.gov

Applicable Ordinances and Measures

The 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	Trade Set Aside - All Other Specialty Trades Painting & Wall Covering
Small Business Enterprise - Services	Code Section 2-8.1.1.1.1 & Implementing Order 3-41	No Measure
Small Business Enterprise - Goods	Code Section 2-8.1.1.1.2 & Implementing Order 3-41	No Measure
Responsible Wages and Benefits	Code Section 2-11.16 & Implementing Order 3-24	Heavy
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	
Residents First Training and Employment	Code Section 2-11.17 & Implementing Order 3-61	
Employ Miami-Dade Program	Administrative Order 3-63	
Art in Public Places	Code Section 2-11.15	
Office of Inspector General Fee	Code Section 2-1076	

Project Chronology

Event	Projected Date
1. Pre-bid Meeting Date if applicable	1/17/2024
2. Bid opening date	2/06/2024
3. Planned Bid Award date	3/06/2024
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

**Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity
Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis,
Contract No. S-20074**



David Clodfelter
OMB DIRECTOR

4/16/2024
DATE

Approved as to legal sufficiency



Assistant County Attorney

4/11/24
DATE



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

4-24-24
DATE



Office of Small Business Development Division

Project Worksheet

Exhibit A

Project/Contract Title: Two-Year Countrywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis.

Received Date: 8/18/2023

Project/Contract No: S-20074

Funding Source: WSD Revenue Bond

Department: Water & Sewer

Estimated Cost of Project/Bid: \$8,753,537.23

Description of Project/Bid: The work order-based project consists of the removal and replacement of approximately 58,000 linear feet of existing 8-inch diameter through 36-inch diameter gravity sewer mains on a full reach or point repair basis and removal and replacement of approximately 50,000 linear feet of sewer laterals and all other appurtenant and miscellaneous items and work for a complete, functional, and satisfactory installation.

Contract Measures

Measure	Program	Goal Percent
Trade Set Aside 1	SBE - Con	
Trade Set Aside 2	SBE - Con	

Reasons for Recommendation

SMALL BUSINESS ENTERPRISE - CONSTRUCTION (SBE-Con)

An analysis of the factors contained in the project package, as well as the factors contained in Section VI.D. of Implementing Order 3-22 indicates that a SBE-Construction (SBE-Con) Trade Set Aside measure is appropriate for this contract in the following trades: Trade Set Aside 1: All Other Specialty Trade Contractors (Sidewalk and/or Curb & Gutter, Concrete Driveway and Fence Replacement); Trade Set Aside 2: Painting and Wall Covering Contractors (Paving Marking and Signage Work). An attempt was made to make this project a Set-Aside however, three (3) or more firms failed to respond to the Verification of Availability to Bid process as being able to meet the project's requirements.

CWP Not Applicable: All County wide work orders will be less than 30 days.

SMALL BUSINESS ENTERPRISE - GOODS & SERVICES (SBE-Goods and SBE-Services).

An analysis of the factors contained in the project package, as well as the factors contained in Implementing Order 3-41 indicates a No Measure is appropriate. This project was evaluated for SBE-G&S applicability, but no opportunities were possible.

NAICS 237310 Highway, Street, and Bridge Construction, NAICS 238220 Plumbing, Heating, and Air-Conditioning Contractors, NAICS 238910 Site Preparation Contractors, NAICS 238990 Fencing contractors (except electronic containment fencing for pets), NAICS 238140 Masonry Contractors, NAICS 238990 All Other Specialty Trade Contractors, NAICS 238320 Painting and Wall Covering Contractors.

Small Business Contract Measure Recommendation

Subtrade	Category
All Other Specialty Trade Contractors	SBE-Con
Painting and Wall Covering Contractors	SBE-Con

Living Wages:

YES ☐ NO ☒

Highway: YES ☐ NO ☒

Heavy Construction: YES ☒ NO ☐

Responsible Wages:

YES ☒ NO ☐

Building: YES ☐ NO ☒


SBD Director

9-20-23
Date

Memorandum



DATE: March 7, 2024

Exhibit B

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

FROM: Gary Hartfield, Director
Office of Small Business Development

SUBJECT: Compliance Review
Project RPQ No. S-20074
Two Year Countrywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for Additional Two Years on a Yearly Basis

A handwritten signature in blue ink, likely belonging to Gary Hartfield, the Director of the Office of Small Business Development.

Office of Small Business Development (SBD), has completed its review of the subject project for compliance with the Small Business Enterprise - Construction (SBE-Con) program for construction. The contract measures established for this project are an SBE-Con Trade Set Aside in Concrete, Sidewalk and/or Curb and Gutter work and an SBE-Con Trade Set Aside in Traffic Stripes and Markings: Painted and/or Thermoplastic work.

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:

1. R & G Engineering, Inc.
2. Maestre Construction, Inc.
3. Pabon Engineering, Inc.

STATUS:

Compliant
Compliant
Compliant

SUMMARY:

R & G Engineering, Inc. (1)., a certified SBE-Con firm, committed to utilize the following certified, SBE-Con firms: Quality Construction Performance, Inc. to perform 100% of the Concrete, Sidewalk and/or Curb and Gutter trade and Litz Engineering, Inc. to perform 100% of the Traffic Stripes and Markings: Painted and/or Thermoplastic trade. The subcontractors confirmed their participation via the BMWS in agreement with the measures.

R & G Engineering, Inc. has satisfied the contract's Trade Set Aside measures for Concrete, Sidewalk and/or Curb and Gutter work and Traffic Stripes and Markings: Painted and/or Thermoplastic trade and is in compliance with the overall Small Business measure established for this contract.

Maestre Construction, Inc. (2)., a certified SBE-Con firm, committed to utilize the following certified SBE-Con firms: One Way Striping, Inc. to perform 50% of the Paving Marking and Thermoplastic Work and Palma Paving and Concrete, Inc. and Perez Borroto Construction LLC to perform 50% of the Concrete, Sidewalk and/or Curb and Gutter work. The subcontractors confirmed their participation via the BMWS in agreement with the measures. Maestre Construction, Inc. as an SBE-Con firm will perform 50% of each trade set aside.

Maestre Construction, Inc. has satisfied the contract's Trade Set Aside measures for Concrete, Sidewalk and/or Curb and Gutter work and Traffic Stripes and Markings: Painted and/or Thermoplastic trade and is in compliance with the overall Small Business measure established for this contract.

Pabon Engineering, Inc. (3)., a certified SBE-Con firm, committed to utilize the following certified, SBE-Con firms: Concrete By M&J, Inc. to perform 100% of the Concrete, Sidewalk and/or Curb and Gutter trade and Pavement Marking & Signs, Inc. to perform 100% of the Traffic Stripes and Markings: Painted and/or Thermoplastic trade. The subcontractors confirmed their participation via the BMWS in agreement with the measures.

Pabon Engineering, Inc. has satisfied the contract's Trade Set Aside measures for Concrete, Sidewalk and/or Curb and Gutter work and Traffic Stripes and Markings: Painted and/or Thermoplastic trade and is in compliance with the overall Small Business measure established for this contract.

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.

Please be reminded that SBD staff reviewed and addressed compliance with the SBE-Con measures. The Contracts and Specifications Section of WASD 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

Rodriguez, Jean-Marie (WASD)

From: Galvez, Vivian (WASD)
Sent: Wednesday, February 7, 2024 9:13 AM
To: Rodriguez, Jean-Marie (WASD)
Cc: Curiel, Juan A. (WASD); Adams, Paul (WASD)
Subject: S-20074 Bid Submission Review

Exhibit C

Contract S-20074 is a work order driven contract developed by the WASD Utility Construction Division. Based upon my review of the R & G Engineering, Inc. (R&G) bid submission, R&G has demonstrated that they have the experience to perform the work called for under S-20074 and are responsible. The R & G bid is 2% below the engineer's estimate and is reasonable for the services required.

The Utility Construction Division recommends that Contract S-20074 be awarded to R & G Engineering, Inc

CONTRACT

Exhibit D

THIS CONTRACT, made and entered into on the _____ day of _____, 2024, 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 R & G Engineering, 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: 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

TWO-YEAR COUNTYWIDE CONTRACT FOR REMOVAL AND REPLACEMENT OF SANITARY SEWER GRAVITY MAINS, WITH COUNTY OPTION TO RENEW FOR AN ADDITIONAL TWO YEARS ON A YEARLY BASIS, CONTRACT NO. S-20074

at the unit prices reflected in the Proposal, for an aggregate amount up to Ten Million Dollars and No Cents (U.S. Dollars) \$10,000,000.00. The Contract will be awarded for an aggregate amount of up to \$10,000,000.00 for a two-year term (the "Contract Term"). Unless the Contract is renewed, it will terminate upon the depletion of the awarded amount or the expiration of the Contract Term, whichever occurs first. The Contract Term will commence with issuance of the Notice to Proceed.

The County Mayor or designee has an option to extend the Contract for two (2) one (1) year options-to-renew, with an additional aggregate amount of \$5,000,000.00 per renewal option, for a potential total aggregate amount of up to \$10,000,000.00. The Contract will include a price escalation clause, calculated as the lower of 5% or the CPI actual increase. The County does not guarantee that the full amount of the Contract will be issued to the Contractor. Continuation of the Contract beyond the initial period is a County prerogative, not a right of the bidder. This prerogative will be exercised only when such continuation is clearly in the best interest of the County. The actual amount of work orders assigned is also a prerogative of the County in its sole discretion and dependent only upon its needs.

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 Advertisement for Bids, the Instruction to Bidders, the Proposal, the Certified Resolution (Proposal/Prescribed Bid Bond) the

CONTRACT

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 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

Date

(PARTY OF THE FIRST PART)

Approved as to Form and Legal Sufficiency

Assistant County Attorney

WHEN THE CONTRACTOR IS A CORPORATION

(CORPORATION SEAL)

ATTEST

(Secretary)
Ramon Garcia
(Print or type name)

R & G Engineering, Inc.
(Name of Corporation)

By: (Signature of Officer)

Ramon Garcia
(Print or type name)

President
(Official Title)

10830 NW 23RD Street

Miami, FL 33172
(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.



MEMORANDUM (Revised)

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

DATE: October 1, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(4)

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 ____, majority plus one ____, 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) ____, 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)(4)
10-1-24

RESOLUTION NO. R-865-24

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 APPROVAL OF THE AWARD OF CONSTRUCTION CONTRACT NO. S-20074 BETWEEN MIAMI-DADE COUNTY AND R & G ENGINEERING, INC. FOR A TWO-YEAR COUNTYWIDE CONTRACT FOR REMOVAL AND REPLACEMENT OF SANITARY SEWER GRAVITY MAINS, WITH COUNTY OPTION TO RENEW FOR AN ADDITIONAL TWO YEARS ON A YEARLY BASIS, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$20,000,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN, INCLUDING THE TWO ONE-YEAR OPTIONS TO RENEW

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 the award of Contract No. S-20074 between Miami-Dade County and R & G Engineering, Inc. for a Two-Year Countywide Contract for Removal and Replacement of Sanitary Sewer Gravity Mains, with County Option to Renew for an Additional Two Years on a Yearly Basis, in an aggregate amount not to exceed \$20,000,000.00 (\$10,000,000.00 for the initial two-year term plus \$5,000,000.00 for each option

to renew) and authorizing the County Mayor or County Mayor's designee to exercise the provisions contained therein, including the two one-year options to renew. A copy of the award is attached to the accompanying memorandum as Exhibit B.

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

Oliver G. Gilbert, III, Chairman	aye		
Anthony Rodríguez, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	absent	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of October, 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