

Memorandum



Date: December 3, 2024

To: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

Agenda Item No. 8(O)(2)

From: Daniella Levine Cava
Mayor

Resolution No. R-1080-24

Subject: Resolution Approving Amendment Number Three to Agreement No. 16MWH009 for Engineering Services for the Proposed Upgrades to the Central District Wastewater Treatment Plant and its Appurtenant Facilities including Pump Stations 1 and 2

EXECUTIVE SUMMARY

This item seeks approval from the Board of County Commissioners (the "Board") to amend a Non-Exclusive Professional Services Agreement between Miami-Dade County (the "County") and Stantec Consulting Services Inc. ("Stantec"), Agreement No. 16MWH009 (the "Agreement"), for the provision engineering services for the proposed upgrades to the Central District Wastewater Treatment Plant ("CDWWTP") and its appurtenant facilities, including Pump Stations 1 and 2. The Agreement awarded a total compensation amount of \$8,800,000.00 for a six (6) year contract term with one (1) two (2) year option-to-renew ("OTR").

Amendment Three to the Agreement (the "Amendment") increases the total compensation by \$3,000,000.00 to allow for additional engineering services, including but not limited to, completing design plans and assisting with the permitting and bidding of construction contracts for a new facility at the CDWWTP, which will serve as: 1) an emergency operations center, 2) a storm shelter, 3) a primary control center, 4) an administration building, and 5) a laboratory.

RECOMMENDATION

It is recommended that the Board approve the Amendment, which increases the compensation amount by \$3,000,000.00 and brings the total Contract amount up from \$8,800,000.00 to \$11,800,000.00. The increase in compensation will enable Stantec to perform additional engineering services for a new facility at the CDWWTP that will serve as an emergency operations center and will centralize existing operations and critical functions, such as administration, laboratory, and a new state of the art control center. A copy of the Amendment is attached hereto as Exhibit "1".

SCOPE

The scope of services to be provided by Stantec involves engineering services to be provided by Stantec at the CDWWTP located at 3989 Rickenbacker Causeway, Miami, Florida 33160 in Commission District 7, which is represented by Commissioner Raquel A. Regalado.

DELEGATION OF AUTHORITY

Upon approval of this item, the County Mayor or County Mayor's designee shall have the authority to execute the Amendment to the Agreement and exercise all provisions contained therein.

FISCAL IMPACT / FUNDING SOURCE

The fiscal impact of the Amendment is \$3,000,000.00. The services to be performed pursuant to this Amendment will be funded from Project No. 9653421 in the FY2024-25 Proposed Budget and Multi-Year Capital Plan.

Funding sources include: WASD Revenue Bonds Sold, Future WASD Revenue Bonds, Future Subordinate Debt, WIFIA Loans, Wastewater Renewal Fund.

TRACK RECORD/MONITOR

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

BACKGROUND:

On June 7, 2016, the Board, via Resolution No. R-456-16, ratified the actions of the County Mayor's designee, as authorized under Section 2-8.2.12 of the Miami-Dade County Code ("WASD's Accelerate Ordinance"), approving the Agreement with Stantec for engineering services for the proposed upgrades to the CDWWTP and its appurtenant facilities, including Pump Stations 1 and 2. On February 3, 2022, the County Mayor's designee exercised the two-year OTR, which extended the Agreement to April 18, 2024, through entry of Amendment One.

On April 16, 2024, the Board, via Resolution No. R-326-24, approved Amendment Two, which extended the Agreement from April 18, 2024 to April 18, 2026, with no additional money.

Approval of the Amendment increases the total compensation amount by \$3,000,000.00 from \$8,800,000.00 to \$11,800,000.00 to cover additional engineering services for the design and construction of an emergency operations center and will centralize existing operations and critical functions, such as administration, laboratory, and a new state of the art control center.

DUE DILIGENCE/SAFETY INFORMATION

Pursuant to Resolution No. R-187-12, and in accordance with the Strategic Procurement Department's guidelines, WASD conducted due diligence to determine Stantec's responsibility. There were no adverse findings related to the responsibility of Stantec.

SMALL BUSINESS ENTERPRISE MEASURES

The Agreement was awarded with a 35% SBE-A/E goal, which will continue to be applied to the Amendment. On September 20, 2024, the Office of Small Business Development ("SBD") reviewed the Amendment for application of Small Business Enterprise ("SBE") measures and compliance with Resolution No. R-1001-15. SBD found that Stantec is in compliance with the SBD measures. See Memorandum from the Director of SBD to the Director of WASD dated September 20, 2024, which is attached hereto as Exhibit "2".

A copy of the original Agreement and first two Amendment are available upon request from WASD's Intergovernmental Affairs Division.

Attachments



Jimmy Morales
Chief Operating Officer

EXHIBIT 1

**AMENDMENT NUMBER THREE
TO
NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT FOR
ENGINEERING SERVICES FOR THE PROPOSED UPGRADES TO THE
MIAMI-DADE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT AND ITS
APPURTENANT FACILITIES INCLUDING PUMP STATIONS 1 AND 2
BETWEEN MIAMI-DADE COUNTY
AND
STANTEC CONSULTING SERVICES INC.
AGREEMENT NUMBER 16MWH009; PROJECT NO. E15-WASD-10**

THIS AMENDMENT NUMBER THREE is made and entered into this _____ day of _____, 20__ (“Effective Date”), by and between MIAMI-DADE COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as the “COUNTY”) and STANTEC CONSULTING SERVICES INC., a New York corporation authorized to do business in the State of Florida with offices in Miami-Dade County (hereinafter, the “ENGINEER”, and collectively with the COUNTY, the “Parties”).

W I T N E S S E T H

WHEREAS, on June 7, 2016, the Board of County Commissioners (“Board”), via Resolution No. R-456-16, ratified the actions of the County Mayor’s designee, as authorized under Section 2-8.2.12 of the Code of Miami Dade County, by approving the award of a Non-Exclusive Professional Services Agreement with Stantec Consulting Services, Inc. (formerly known as MWH Americas, Inc.), to provide Engineering Services for the Proposed Upgrades to the Miami-Dade Central District Wastewater Treatment Plant (“CDWWTP”) and its Appurtenant Facilities Including Pump Stations 1 and 2, Project No. E15-WASD-10, Agreement No. 16MWH009 (the “Agreement”), with a total compensation amount of \$8,800,000, including a ten percent (10%) contingency allowance, for a six (6) year term with one (1) two (2) year Option to Renew (“OTR”); and

WHEREAS, on February 3, 2022, in accordance with Section 2-8.2.12 of the Code of Miami-Dade County, the County Mayor’s designee executed Amendment Number One to the Agreement in which the County exercised the OTR with the new term starting on April 18, 2022 and expiring on April 18, 2024; and

WHEREAS, on April 16, 2024, the Board, via Resolution No. R-326-24, approved Amendment Number Two to the Agreement, which extended the Agreement for two (2) additional years through April 18, 2026; and

WHEREAS, WASD and the ENGINEER have identified the need for a new facility at the CDWWTP that will serve as an emergency operation center and will centralize existing operations and critical functions, such as administration, laboratory, and a new state of the art control center; and

WHEREAS, the ENGINEER has agreed to continue providing engineering services, including but not limited to, completing design plans and assisting with the permitting and bidding of construction contracts for the new facility at the CDWWTP, which will serve as: 1) an emergency operation center, 2) a storm shelter, 3) a primary control center, 4) an administration building, and 5) a Laboratory; and

WHEREAS, through Amendment Number Three, the County will increase the total Agreement amount by three million dollars (\$3,000,000), thereby increasing the Contract award from eight million eight hundred thousand dollars (\$8,800,000) to eleven million eight hundred thousand dollars (\$11,800,000); and

WHEREAS, Amendment Number Three to the Agreement is the most cost-effective approach to address the County’s infrastructure needs related to the reliability and capacity needs for the CDWWTP,

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained, the COUNTY and the ENGINEER hereby agree to the following:

1. Section 11 of the Agreement is modified as follows:

11.D. Maximum Compensation: The total of all payments to the ENGINEER pursuant to this AGREEMENT shall not exceed eleven million eight hundred thousand dollars (\$11,800,000), inclusive of the original contingency allowance of eight hundred thousand dollars (\$800,000). No maximum amount of compensation is guaranteed to the ENGINEER. The Maximum Compensation may not be increased for the entire duration of the AGREEMENT without approval by the Board of County Commissioners.

11.E. Contingency Allowance Account: No additional monies are being added to the Contingency Allowance Account through this Amendment Number Three.

2. All terms, covenants and conditions of the Agreement not expressly modified or revised herein shall remain in full force and effect.

(SIGNATURES APPEAR ON THE NEXT PAGE)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment Number Three by having the same signed by their duly authorized representatives, the day and year first written above.

ATTEST:

JUAN FERNANDEZ-BARQUIN,
CLERK OF THE COURT
AND COMPTROLLER

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk Signature

By: _____
Daniella Levine Cava
County Mayor

Print Name: _____

Date: _____

WITNESSETH:

Jeffrey P.
Stone

Digitally signed by
Jeffrey P. Stone
Date: 2024.08.30
09:49:02 -04'00'

By: _____
Signature

Jeffrey P. Stone _____, Ass't Secretary
Print Name

STANTEC CONSULTING SERVICES INC.
(CORPORATE SEAL)

By: _____
Signature

Ramon Castella, Vice-President
Print name



STATE OF Florida
COUNTY OF Miami - Dade

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 30th day of August, 2024, by Ramon Castella - Vice President, as President, and Jeff Stone - Assistant, as Secretary, _____, a _____, on behalf of Stantec Consulting Services Inc., who is personally known to me or has produced (type of identification) as identification.

[Notary Seal]



(Signature of person taking acknowledgment)

Heidi Perez
(Name typed, printed or stamped)

Approved for Legal Sufficiency

Assistant County Attorney

Memorandum



Date: September 20, 2024

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

From: Gary T. Hartfield, Director
Office of Small Business Development

A handwritten signature in blue ink, appearing to read "G. Hartfield", written over the "From:" line.

Subject: Project No. E15-WASD-10, Proposed Upgrades to the Miami-Dade Central District Wastewater Treatment Plant and its appurtenant facilities including Pump Stations 1 and 2 - Amendment No. 3

Amendment No. 3 to Project No. E15-WASD-10 was submitted to the Office of Small Business Development to review for application of Small Business Enterprise measures. Project No. E15-WASD-10 was awarded with a 35% Small Business Enterprise – Architecture and Engineering (SBE-A/E) goal. Amendment No. 3 increases the contract value. The established SB-A/E goal will apply to Amendment No. 3.

Resolution No. R-1001-15 (R-1001-15) requires County contracts with small business measures meet at least 85 percent of the small business measures applicable to the portion of the contract work performed to date before a change order or contract amendment is considered for Board approval. The prime, Stantec Consulting Services, Inc., has performed \$3,529,689 requiring \$1,050,083 be performed by the SBE-A/E firms for compliance with R-1001-15. To date, the SBE-A/E firms on the project have performed \$1,312,390 in compliance with R-1001-15. Please contact Alice Hidalgo-Gato, SBD Section Chief, at (305) 375-3153 if additional information is needed.

c: Marisela Aranguiz, Deputy Director, WASD
 Juan Curiel, Chief, Assistant Director of Utility Construction, WASD
 James Ferguson, Assistant Director, Planning and Regulation, WASD
 Laura Verdager, Legislative and Municipal Affairs Special Assistant, WASD
 Margaret Moss, Chief, Small Business Initiatives, WASD
 Edith Brown, Chief, Contract Compliance Division, WASD
 Patty Palomo, Chief, Intergovernmental Affairs, WASD
 Donna Palmer, SPA1, WASD
 SBD Section Chiefs
 Samira Selah, SBD Section Manager
 Patrick Hines, SPA1, SBD



MEMORANDUM (Revised)

TO: Honorable Chairman Anthony Rodríguez
and Members, Board of County Commissioners

DATE: December 3, 2024

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(2)

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)(2)
12-3-24

RESOLUTION NO. R-1080-24

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AMENDMENT NUMBER THREE TO A NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND STANTEC CONSULTING SERVICES, INC. FOR ENGINEERING SERVICES AND UPGRADES TO THE MIAMI-DADE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT AND ITS APPURTENANT FACILITIES, WHICH ADDS \$3,000,000.00 TO THE TOTAL COMPENSATION, THEREBY INCREASING THE CONTRACT AWARD FROM \$8,800,000.00 TO \$11,800,000.00; 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 hereby approves, and authorizes the execution of, Amendment Number Three to a Non-Exclusive Professional Services Agreement between Miami-Dade County and Stantec Consulting Services, Inc. for engineering services and upgrades to the Miami-Dade Central District Wastewater Treatment Plant, in substantially the form attached to the accompanying memorandum as Exhibit 1. Amendment Number Three increases the total compensation for the Contract by \$3,000,000.00, thereby bringing the total Contract award up from \$8,800,000.00 to \$11,800,000.00. The Board also hereby authorizes the County Mayor or County Mayor's designee to exercise the provisions contained therein for and on behalf of Miami-Dade County, Florida.

The foregoing resolution was offered by Commissioner **Juan Carlos Bermudez** , who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of December, 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