

Date: January 22, 2025

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

Agenda Item No. 8(O)(1)

From: Daniella Levine Cava
Mayor

Resolution No. R-58-25

Subject: Resolution Ratifying the Action of the County Mayor's Designee to Reject all
Bids and Re-Advertise Contract No. S-20059 - South District Wastewater
Treatment Plant FA Well Monitoring Phase 2-- related to the Miami-Dade Water
and Sewer Department's Consent Decree and Capital Improvement Programs
Acceleration Ordinance

Executive Summary

This item seeks ratification of: (1) the rejection of all bids for Contract No. S-20059 - South District Wastewater Treatment Plant ("SDWWTP") FA Well Monitoring Phase 2 (the "Project") – by the County Mayor's designee, pursuant to the authority delegated in section 2-8.2.12 of the Miami-Dade County Code ("WASD's Acceleration Ordinance"), and (2) the re-advertisement of the Project by Miami-Dade Water and Sewer Department ("WASD"). Because the bids received in response to the original solicitation included requirements for several wage and small business-related measures that are no longer allowed as a result of Florida House Bill 705 ("HB 705") (2024), a bid waiver would be required, or the Project must be re-solicited. The County Mayor's designee decided to reject the bids and move forward with a new solicitation rather than doing a bid waiver.

Recommendation

It is recommended that the Board ratify the actions of the County Mayor or County Mayor's designee, which: (1) rejected all bids received in response to the April 9, 2024, solicitation for Contract No. S-20059, and (2) re-advertised the Project.

Capital Improvement Project

This Project includes furnishing all materials, labor, and equipment necessary to construct two new single zone monitoring wells to an approximate casing depth of 980 feet below land surface. The Contractor will also have to suppress the artesian flow for the existing injection wells at the SDWWTP to allow for the WASD Operations crew to work on the above-ground piping for the wells.

Item 1 –Ratification of the rejection of all bids for Contract No. S-20059 - South District Wastewater Treatment Plant FA Well Monitoring Phase 2. The bids were rejected on July 10, 2024 and attested by the Clerk's Office on the same date.

Scope

As shown on Exhibit A, which provides basic information about this item, the Project is in District 8, which is represented by Commissioner Danielle Cohen Higgins.

Delegation of Authority

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

Track Record/Monitoring

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

Due Diligence

Due diligence was conducted by WASD on the bids. The Internal Services Department's Small Business Division ("SBD") did not review this item because the bids were being recommended for rejection.

Fiscal Impact / Funding Source

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

Background

On September 3, 2024, the Board approved Ordinance No. 14-77 authorizing the County Mayor or County Mayor's designee to award contracts for funded capital projects and related goods and services, to reject bids and proposals received in connection with any competitive procurement, and to accelerate the approval of WASD's: (1) Consent Decree projects, and (2) projects identified in the WASD Multi-Year Capital Plan's Capital Improvement Program without the need for prior Board approval but subject to ratification by the Board.

When bid, this solicitation included a Community Workshop Program ("CWP") goal of 10% and a requirement to apply Miami-Dade County Heavy Construction Responsible Wages. On May 28, 2024, the Florida Governor signed into law HB 705, which became effective on July 1, 2024 and eliminated CWP and Responsible Wages from County capital construction projects. Although bids were received prior to July 1, 2024, the award was not made prior to the effective date of HB 705. As a result, WASD cannot enter into this Contract without a bid waiver. Because there is no guarantee that a bid waiver would be granted, and time is of the essence for this Project, the County Mayor's designee determined that re-soliciting the Contract is the more expeditious route to moving this Project forward.

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

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

Honorable Chairman Anthony Rodriguez
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- Commission District
- Brief Project Description

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



Jimmy Morales
Chief Operating Officer

Exhibit A

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

Item No.	Dept. Name	Type of Solicitation	Contract Type	Contract No. Project 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	Contract No. S-20059	South District Wastewater Treatment Plant FA Well Monitoring Phase 2	REJECT ALL BIDS	District 8 (Danielle Cohen Higgins)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	The scope of this Contract is comprised of elements needed to meet the FDEP UIC permit conditions, including furnishing all materials, labor, and equipment necessary to construct two new single zone monitoring wells to an approximate casing depth of 980 feet below land surface. FA-1R associated with IW-8 and FA-3R associated with IW-12. The Contractor will also have to suppress the artesian flow for the existing injection wells at the SDWWTP to allow for Water and Sewer Department (WASD) Operations crew to work on the above ground piping of the wells.

Total Dollar Value of Award: \$0.00

EXHIBIT B

Memorandum



Date: July 10, 2024

To: Roy Coley, Director
Water and Sewer Department

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

Subject: Request to Reject all Bids and Re-Advertise Contract No. S-20059 – South District
Wastewater Treatment Plant FA Well Monitoring Phase 2

RECOMMENDATION:

Pursuant to the Miami-Dade Water and Sewer Department (WASD) Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's designee approve this recommendation to reject all bids received by WASD in response to the April 9, 2024, solicitation for Contract No. S-20059 and re-advertise the project.

DELEGATION OF AUTHORITY:

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

PROJECT NAME:

S-20059 - South District Wastewater Treatment Plant FA Well Monitoring Phase 2

PROJECT DESCRIPTION:

The scope of this Contract is comprised of elements needed to meet the FDEP UIC permit conditions, including furnishing all materials, labor, and equipment necessary to construct two new single zone monitoring wells to an approximate casing depth of 980 feet below land surface, FA-1R associated with IW-8 and FA-3R associated with IW-12. The Contractor will also have to suppress the artesian flow for the existing injection wells at the SDWWTP to allow for Water and Sewer Department (WASD) Operations crew to work on the above ground piping of the wells.

PROJECT LOCATION:

The work of this Contract will be performed at South District Wastewater Treatment Plant (SDWWTP) located at 8950 SW 232 Street, Miami, Florida 33190 in District Commission District 8, which is represented by Commissioner Danielle Cohen Higgins.

FISCAL IMPACT / FUNDING SOURCE:

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

TRACK RECORD / MONITOR/ SBD HISTORY OF VIOLATIONS:

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

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MDC005

EXPLANATION:

On April 9, 2024, WASD received two (2) bids for S-20059 in response to a solicitation advertised on March 7, 2024.

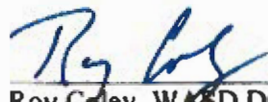
Engineer's Estimate	All Webbs Enterprises, Inc.	Youngquist Brothers, LLC
\$3,753,050.00	\$2,958,900.00	\$7,876,000.00

When bid, this solicitation included a Community Workshop Program (CWP) goal of 10% and a requirement to apply Miami-Dade County Heavy Construction Responsible Wages.

On May 28, 2024, the Governor signed into law House Bill ("HB") 705 which went into effect on July 1, 2024 and eliminated CWP and Responsible Wages from County capital construction projects.

Although bids were received prior to July 1, 2024, the award was not made prior to the effective date of HB 705. As a result, WASD cannot enter into this contract without a bid waiver. There is no guarantee that a bid waiver would be granted. The alternative is to remove the CWP goal and responsible wage requirements and re-bid the project. Time is of the essence for this project; the re-bid will be faster than a bid waiver, with an assured result.

It is in the best interest of the County to reject all bids and re-bid the project without the CWP goals and responsible wage requirements.



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



DATE



MEMORANDUM (Revised)

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

DATE: January 22, 2025

FROM: 
Glen 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 ____, 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)(1)
1-22-25

RESOLUTION NO. R-58-25

RESOLUTION RATIFYING ACTIONS OF THE COUNTY
MAYOR OR COUNTY MAYOR'S DESIGNEE, PURSUANT TO
SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY,
FLORIDA, MIAMI-DADE WATER AND SEWER
DEPARTMENT'S CONSENT DECREE AND CAPITAL
IMPROVEMENT PROJECTS ACCELERATION ORDINANCE:
(1) REJECTING ALL BIDS FOR CONTRACT NO. S-20059 FOR
SOUTH DISTRICT WASTEWATER TREATMENT PLANT FA
WELL MONITORING PHASE 2, AND (2) RE-ADVERTISING
THE PROJECT

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA that this Board hereby ratifies the actions of the County Mayor or County Mayor's designee, pursuant to section 2-8.2.12 of the Code of Miami-Dade County, Florida, the Miami-Dade Water and Sewer Department's Consent Decree and Capital Improvement Projects Acceleration Ordinance: (1) rejecting all bids for Contract No. S-20059 for South District Wastewater Treatment Plant FA Well Monitoring Phase 2, and (2) re-advertising the project.

The foregoing resolution was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared this resolution duly passed and adopted this 22nd day of January, 2025. 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