

Memorandum



Date: May 6, 2025

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

Agenda Item No. 3(B)(4)

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Resolution No. R-399-25

Subject: Resolution Ratifying Amendment Number One to the Contract No. W-945 for
Lime Slaker Replacement Project Alexander Orr Jr. Water Treatment Plant

Executive Summary

The item seeks ratification of the approval and execution by the County Mayor or County Mayor's designee of Amendment Number One (the "Amendment") to Contract No. W-945 (the "Contract") between Miami Dade County (the "County") and Poole & Kent Company of Florida ("Poole & Kent") for the Lime Slaker Replacement Project Alexander Orr Jr. Water Treatment Plant (the "Project"). The Amendment, which is attached hereto as Exhibit A, corrects a clerical error that caused the Partial Utilization Milestones No. 2 through No. 7 to be inconsistent with the sequence of work set forth in Specification 01 10 00, Summary of Work- Section 1.4, Contractual Milestones.

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 Miami-Dade Water and Sewer Department's ("WASD") Consent Decree and Capital Improvement Programs Acceleration Ordinance ("WASD's Acceleration Ordinance"), for the Project. Basic information about the Project is set forth on Exhibit A attached hereto.

Scope

This Contract will be performed at the Alexander Orr Jr. Water Treatment Plant, located at 6825 SW 87th Avenue, Miami, FL 33173, in District 6, which is represented by Commissioner Kevin Cabrera.

Capital Improvement Project

Item 1 – Ratification of Amendment Number 1 to Contract W-945- Lime Slaker Replacement Project Alexander Orr Jr. Water Treatment Plant. This item requests ratification of the Amendment, which was fully executed and attested by the Clerk's Office on February 7, 2025.

Delegation of Authority

This item authorizes the County Mayor or County Mayor's designee to exercise any and all rights conferred in the Amendment.

Fiscal Impact/Funding Source

There is no fiscal impact to the County because Amendment Number 1 corrects a clerical error related to the sequence of the work.

Track Record/Monitor

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

Background

In 2007, WASD evaluated the existing lime slaking system (lime slakers and lime slurry feed system), lime unloading station, and tank drainage system at the Alexander Orr Jr. Water Treatment Plant. This evaluation identified recommended improvements to the lime slaking system. Further evaluation of the lime slakers and lime slurry feed system was completed in 2010, 2016 and 2020. This Project will upgrade the existing lime feed and slaking system(s) based on previous evaluations and recommendations for the system, and upon completion, will improve operation, maintenance, and control of the facilities.

Exhibit B includes the details related to the Amendment for which ratification is being requested. Exhibit B contains the information bulleted below for the Amendment.

- Item Number
- Type of Solicitation
- Contract Type
- Contract No. / Project No.
- Project Name
- Firm Awarded
- Commission District
- Change Order Amount
- Change Order Time
- Original Contract Amount
- Adjusted Contract Amount
- Funding Source(s)
- Estimated Start Date/Estimated End Date
- Contract Measures: SBE Goods & Services; SBE-A/E; SBE-Construction; and CWP Program
- Brief Project Description/Amendment/Change Order Description

The solicitation documents and Contract are kept on file with and are available upon request from the Intergovernmental Affairs Division of WASD.



Roy Coley
Chief Utilities and Regulatory Services Officer

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

AMENDMENT NUMBER ONE

TO

CONTRACT NO. W-945

LIME SLAKER REPLACEMENT PROJECT ALEX ORR WATER TREATMENT PLANT

BETWEEN MIAMI-DADE COUNTY

AND

POOLE & KENT COMPANY OF FLORIDA.

THIS AMENDMENT NUMBER ONE is made and entered into this 7 day of February, 2025 ("Effective Date"), by and between MIAMI-DADE COUNTY, a political subdivision of the State of Florida (hereinafter referred to as the "COUNTY"), and Poole & Kent Company of Florida, a Florida corporation authorized to do business in the State of Florida and with offices in Miami-Dade County (hereinafter referred to as "Poole & Kent," and collectively with the County, the "Parties"),

WITNESSETH:

WHEREAS, after a competitive solicitation, on February 21, 2024, the County awarded the Lime Slaker Replacement Project at the Alexander Orr Jr. Water Treatment Plant (the "Project") to Poole & Kent based on its best and final offer in the aggregate amount of \$19,126,900.00 with 1106 consecutive calendar days to reach Final Completion; and

WHEREAS, on April 16, 2024, the County and Poole & Kent entered into Contract W-945 for \$19,126,900.00; and

WHEREAS, in reviewing the Project schedule, the Parties identified a clerical error that caused the Partial Utilization Milestones No. 2 through No. 7 to be inconsistent with the sequence of work specified in the Summary of Work Section 1.4 - CONTRACTUAL MILESTONES, of Specification 01 10 00 - SUMMARY OF WORK; and

WHEREAS, to resolve this inconsistency, the County and the Contractor have agreed to modify the order and duration of the Project Milestones as shown on Attachment A; and

WHEREAS, the County and the Contractor have agreed to extend the duration of Milestone No. 1 - Baseline Construction Project Schedule- as shown on Attachment A, because Milestone No. 1 is directly impacted by the changes reflected on Attachment A,

NOW, THEREFORE, in consideration of the mutual covenants hereafter contained, the County and Poole & Kent hereby agree as follows:

1. The foregoing recitals are true and correct and are incorporated into the body of this Contract.

2. The order and duration of the Project Milestones are modified as shown on Attachment A to this Amendment.
3. All other terms, specifications, covenants and conditions of the Contract not expressly modified or revised herein shall remain in full force and effect.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK-
SIGNATURES APPEAR ON NEXT PAGE)

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment Number One by their duly authorized officers on the date first written above.

ATTEST: JUAN FERNANDEZ-BARQUIN,
CLERK OF THE COURT
AND COMPTROLLER

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

By: Olga Valverde
(Deputy Clerk Signature)

By: [Signature]
Daniella Levine Cava
County Mayor

Print Name: Olga Valverde – e18183

Date: 02/07/2025



WITNESSETH:
(CORPORATE SEAL)

POOLE & KENT COMPANY OF FLORIDA

By: [Signature]
Signature

By: [Signature]
Signature

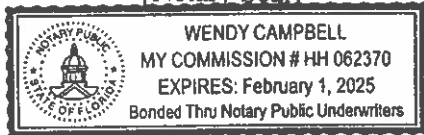
David A. Strickland, Assistant Secretary
Print Name

Brian D. MacClugage, Executive 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 20th day of August, 2024, by Brian D. MacClugage, ^{Executive Vice} as President, and David A. Strickland, ^{Assistant} as Secretary, Poole & Kent, ^{Company of Florida} a corporation, on behalf of the company, who is personally known to me or has produced (type of identification) as identification.

[Notary Seal]



[Signature]
(Signature of person taking acknowledgment)

Wendy Campbell
(Name typed, printed or stamped)

Approved for Legal Sufficiency

[Signature]
Assistant County Attorney

ATTACHMENT A

Milestone No.	Milestone Name/ Description	Duration From NTP (Calendar Days)	Contract Liquidated Damages
1	Baseline Construction Progress Schedule	90	\$500.00
2	Partial Utilization 2A	634	\$500.00
3	Partial Utilization 2B	721	\$500.00
4	Partial Utilization 2C	790	\$500.00
5	Partial Utilization 1A	643	\$500.00
6	Partial Utilization 1B	712	\$500.00
7	Partial Utilization 1C	801	\$500.00
8	Substantial Completion	949	\$1,000.00
9	Final Completion	1006	

Exhibit B

Ratification of Amendments/Change Orders Authorized by the WASD Accelerate Ordinance

No.	Type of Solicit.	Contract No.	Project Name	Firm Awarded	Comm. District	Change Order Amount	Original Contract Amount	Funding Source(s)	Est. Start Date	Contract Measures	Brief Project Description
	Contract Type	Project No.				Change Order Time	Adjusted Contract Amount		Est. End Date		
MDC007	County Bid Process; Construction Contract	Contract No. W-945	Lime Slaker Replacement Project Alexander Orr Jr. Water Treatment Plant	Poole & Kent Company of Florida	District 6 (Kevin Cabrera)	\$0.00; 0	Original Contract Amount \$19,126,900.00; Adjusted Contract Amount \$19,126,900.00	Future WASD Revenue Bonds; WASD Revenue Bonds Sold; Water Renewal and Replacement Fund and Fire Hydrant	Notice to Proceed Start Date: 06/03/2024 Completion Date: 06/14/2027 (total contract period is 1106 days)	SBE G/S - N/A SBE A/E - N/A SBE Const. - 7.00% CWP Prog. - N/A	This project consists of upgrading the existing lime feed and slaking system(s) at the Alexander Orr Jr. Water Treatment Plant. Lime feed and slaking systems are used to aid in neutralizing acid, reducing organics and pathogens, softening hard water, and reducing corrosion in transmission pipes, located at 6825 SW 87 Avenue, Miami, FL. This Amendment corrects a clerical error that caused the Partial Utilization Milestone No. 2 through No. 7 to be inconsistent with the sequence of work specified in the Summary of Work Section 1.4 - Contractual Milestones, of Specification 01 1000 - Summary or Work.



MEMORANDUM
(Revised)

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

DATE: May 6, 2025

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 3(B)(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. 3(B)(4)
5-6-25

RESOLUTION NO. R-399-25

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 THE APPROVAL AND EXECUTION OF AMENDMENT NUMBER ONE TO CONTRACT NO. W-945 BETWEEN MIAMI-DADE COUNTY AND POOLE & KENT COMPANY OF FLORIDA FOR THE LIME SLAKER REPLACEMENT PROJECT ALEXANDER ORR JR. WATER TREATMENT PLANT; 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, Florida, specifically, the approval of Amendment Number One to Contract No. W-945 between Miami-Dade County and Poole & Kent Company of Florida for the Lime Slaker Replacement Project Alexander Orr Jr. Water Treatment Plant. Amendment Number One corrects a clerical error that caused the Partial Utilization Milestones No. 2 through No. 7 to be inconsistent with the sequence of work specified in Specification 01 10 00, Summary of Work, Section 1.4 – Contractual Milestones; and authorizes the County Mayor or County Mayor's designee to exercise the provisions contained therein.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, 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	aye		
Kionne L. McGhee, Vice Chairman	aye		
Marleine Bastien	aye	Juan Carlos Bermudez	aye
Sen. René García	aye	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Raquel A. Regalado	aye	Micky Steinberg	aye
District 6 - Vacant			

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of May, 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