

Date: May 6, 2025

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Resolution Ratifying Change Order No. 2 to Contract No. S-956 for the North District Wastewater Treatment Plant Municipal Injection Wells (NE-2) by Youngquist Brothers LLC

Agenda Item No. 3(B)(7)

Resolution No. R-402-25

Executive Summary

The item seeks ratification of the action of the County Mayor or County Mayor's designee approving Change Order No. 2 to Contract No. S-956 (Contract) between Miami-Dade County (County) and Youngquist Brothers LLC (Contractor) for the North District Wastewater Treatment Plant (NDWWTP) Municipal Injection Wells (NE-2) (Project). Change Order No. 2 grants a 77-day non-compensable time extension to the Contract for the needed repositioning of the risers and ports for the Injection Wells (IWs). The 77-day extension to the Contract moved the Project's Substantial Completion Date from May 22, 2024 to August 7, 2024 and the Final Completion Date from July 22, 2024 to October 7, 2024.

Recommendation

It is recommended that the Board ratify Change Order No. 2 to Contract No. S-956. Change Order No. 2 extends the Contract's duration by 77-calendar days, thereby modifying the Substantial Completion Date from May 22, 2024 to August 7, 2024 and the Final Completion Date from July 22, 2024 to October 7, 2024.

Capital Improvement Project

Item 1– Change Order No. 2 to Contract No S-956 grants a 77-day non-compensable time extension. A copy of Change Order No. 2 to Contract No. S-956 is attached hereto as Exhibit A.

Delegation of Authority

The 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 execute change orders that do not exceed ten percent (10%) of the base contract amount, subject to ratification by the Board.

Scope

As shown on Exhibit B, which provides basic information about Change Order No. 2, the Project is located in District 4, which is represented by Commissioner Micky Steinberg.

Fiscal Impact/Funding Source

There is no fiscal impact to the County from Change Order No. 2. Change Order No. 2 provides for a non-compensable time extension of 77 days to the Contract's duration.

Track Record/Monitoring

WASD Deputy Director, Planning, Regulatory Compliance and Capital Infrastructure, Marisela Aranguiz-Cueto, P.E., will oversee the implementation of Change Order No 2 to Contract No. S-956.

Background

Contract No. S-956 was awarded to the Contractor on May 27, 2021 for the NDWWTP Municipal Injection Wells (NE-2) via Resolution No. R-819-21. The total Contract award was \$77,763,530.00, with a Contingency Allowance of \$6,592,230.00, and a Contract duration of 943 days, with a Contingency Time Allowance of 94 days. The Notice to Proceed was issued on September 20, 2021, which established April 20, 2024 as the Contract’s Final Completion Date.

The Miami-Dade Water and Sewer Department approved a 94 calendar-day non-compensable time extension to the Contract through the Contingency Time Allowance account, which extended the Contract’s Substantial Completion Date to May 22, 2024 and the Contract’s Final Completion Date to July 22, 2024.

During construction, the Project experienced a delay to the critical path that resulted in the need for a 77-day non-compensable time extension.

Specifically, the scope of the Project included the installation of five (5) IWs. For each of the five (5) IWs, the Contractor was responsible for procuring, delivering, and installing one seamless stainless steel riser with a two-inch diameter port for alternative access to the effluent water for testing and inspection purposes. The Contractor installed the stainless steel riser with port to the elevation shown on the Contract drawings, for IW-5N at 15.6 feet and for IW-9N at 15.1 feet. However, during the design of the new Effluent Pump Station project (NE-1/S-965), which includes all the pumps and piping to connect to the IWs, it was discovered that the piping to connect to IW-5N and IW-9N had to be re-positioned to accommodate the new Effluent Pump Station project’s layout. The risers and ports for IWs 5N and 9N, therefore, had to be repositioned. To accomplish this, the Contractor removed the existing stainless steel riser piece; furnished new stainless steel pipe; installed a sufficient length of stainless steel pipe, such that the top of the flange is at the elevation indicated in the revised drawing; and re-installed the 2-inch diameter stainless steel ports for the two IWs.

The Contractor was compensated \$97,417.83 through the Contract’s Contingency Allowance for this work. An additional seventy-seven (77) days were needed to complete this work, which will be approved through this Change Order.

Small Business Enterprise Measures

On February 28, 2025, the Office of Small Business Development (SBD) reviewed Contract No. S-956 for compliance with Resolution No. R-1001-15. Change Order 2 increases the Contract time and does not change the overall Contract value. This Project does not have a Small Business Enterprise measure, and therefore, Resolution No. R-1001-15 does not apply. See the SBD memorandum attached hereto as Exhibit C.

Attachment



Roy Coley
Chief Utilities and Regulatory Services Officer

EXHIBIT A

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

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 2 CONTRACT NO: S-956 DATE: 2/19/2025
PROJECT TITLE: NDWWTP Municipal Injection Wells (NE-2)
TO CONTRACTOR: YOUNGQUIST BROTHERS LLC 15465 Pine Ridge Road Fort Myers, Fl 33908

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES IN THE PLANS AND SPECIFICATIONS FOR THIS PROJECT AND TO PERFORM THE WORK ACCORDINGLY, SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS

Description of work authorized: Change Order No. 2 grants a 77-day non-compensable time extension to the Contract due to issues that affected the Project's critical path.
Monetary Justification: No additional monies are being awarded through this Change Order.
Time Justification: Contract S-956 (the "Contract") was awarded to Youngquist Brothers LLC (the "Contractor") on May 27, 2021 for the North District Wastewater Treatment Plant ("NDWWTP") Municipal Injection Wells (NE-2) (the "Project"). The award was approved by the Board of County Commissioners (the "Board") on September 1, 2021 via Resolution No. R-819-21. The total Contract award was (Continued below)

This change order includes not only all direct costs of contractor such as labor, material, job overhead, and profit markup; but also includes any costs for modifications or changes in sequence of work to be performed, delays, rescheduling, disruption, extended direct overhead or general overhead, acceleration, material or other escalation which include wages and other impact costs.

Contractor hereby waives, fully releases, discharges and acquits Miami-Dade County of any and all liability for claims, additional costs, and any requests for additional time arising out of the fulfillment of the contract and this change order from the date of the contract award to and including execution of this change order.

SUMMARY OF CONTRACT AMOUNT / TIME

ORIGINAL CONTRACT AMOUNT	\$77,783,530.00
COST OF CHANGES PREVIOUSLY ORDERED	\$923,685.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE	\$78,687,215.00
COST OF CHANGES WITH THIS DOCUMENT	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE	\$78,687,215.00
PERCENT INCREASE WITH THIS CHANGE	0%
TOTAL PERCENT INCREASE TO DATE	1%
TIME ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	943 / 0 / 77
CONTINGENCY TIME ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE	94 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE	1114

CERTIFYING STATEMENT: The Contractor certifies that the changes and supporting cost data included is in its considered opinion necessary and accurate and that the prices quoted are fair and reasonable.

Organization	Name	Accepted By:	Title	Date
YOUNGQUIST BROTHERS LLC	[Signature]	[Signature]	Contractor	February 21, 2025
Surety	[Signature]	[Signature]	Surety	February 24, 2025

Title	Name	Date
Approved By County Attorney (for legal sufficiency)	[Signature]	2/28/25
Approved By County Mayor	[Signature]	3/6/25
Attested By Clerk of the Board	[Signature]	03/10/2025

Juan Fernandez-Barquin, Clerk of the Court and Comptroller

Attested by: [Signature]
Deputy Clerk: Olga Valverde - e18183

03/10/2025



Time Justification: (Continued)

\$77,763,530.00, with a Contingency Allowance of \$6,592,230.00, and a Contract duration of 943 days, with a Contingency Time Allowance of 94 days. The Notice to Proceed was issued on September 20, 2021, which established April 20, 2024, as the Contract's Final Completion Date.

The Miami-Dade Water and Sewer Department ("WASD") approved a 93 calendar-day non-compensable time extension to the Contract, through the Contingency Time Allowance account, which extended Contract's substantial Completion Date to May 22, 2024, and the Contract's Final Completion Date to July 22, 2024.

During construction, the Project experienced a delay to the critical path that resulted in the need for a 77-day non-compensable time extension. Specifically, the scope of the Project included the installation of five (5) Injection Wells ("IW"). For each of the five (5) IWs, the Contractor was responsible for procuring, delivering and installing one seamless stainless-steel ("SS") riser with a two-inch diameter port for alternative access to the effluent water for testing and inspection purposes. The Contractor installed the SS riser with port to the elevation shown on the Contract drawings, for IW-5N at 15.6 feet and for IW-9N at 15.1 feet. However, during the design of the new Effluent Pump Station project (NE-1/S-965), which includes all the pumps and piping to connect to the IWs, it was discovered that the piping to connect to IW-5N and IW-9N had to be re-positioned to accommodate the new Effluent Pump Station project's layout. The risers and ports for IWs 5N and 9N, therefore, had to be repositioned. To accomplish this, the Contractor removed the existing stainless-steel riser piece, furnished new stainless-steel pipe; installed a sufficient length of stainless-steel pipe, such that the top of the flange is at the elevation indicated in the revised drawing, and re-installed the 2-inch diameter stainless steel ports for the two IWs.

The Contractor was compensated \$97,417.83 through the Contract's Contingency Allowance for this work. The Contractor needed 77 days to complete this work, which will be approved through this Change Order.

Conclusion:

Change Order No. 2 grants a 77-day non-compensable time extension, which extends the Project's Substantial Completion Date from May 22, 2024, to August 7, 2024 and the Final Completion Date from July 22, 2024, to October 7, 2024.

This Change Order is revocable if not ratified by the Board of County Commissioners. In the event the Board of County Commissioners does not ratify this Change Order, the Contractor is not entitled to lost profits of other consequential or indirect damages, however, the Contractor is eligible for payment for any work done prior to failure of ratification.

Time Justification Declaration:

A time extension is provided for additional work performed outside the scope of the original Contract that affects the critical path schedule of the contracted work or previously approved changes. Should additional work be required which does not affect the critical path schedule, no time extension will be granted. Should one item of additional work run concurrent with another item of additional work, only time not duplicated can be provided.

KNOW ALL BY THESE PRESENTS, that Endurance Assurance Corporation, a Delaware corporation ("EAC"), Endurance American Insurance Company, a Delaware corporation ("EAIC"), Lexon Insurance Company, a Texas corporation ("LIC"), and/or Bond Safeguard Insurance Company, a South Dakota corporation ("BSIC"), each, a "Company" and collectively, "Sompo International," do hereby constitute and appoint: Brook T. Smith, Raymond M. Hundley, Jason D. Cromwell, Barbara Duncan, Mark A. Guldry, Jill Kemp, Lynnette Long, Amy Smith, Deborah Neichter, Theresa Hintzman, Beth Frymire, Leigh McCarthy, Michael Dix, Susan Ritter, Ryan Britt, Kelsey Hoagland, Jacob Motto, Natasha Richardson, Michael Ocasio, Suzanna Knight, Elizabeth Kille, Melissa Ray as true and lawful Attorney(s)-in-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of One Hundred Million Dollars (\$100,000,000).

Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the board of directors of each Company by unanimous written consent effective the 30th day of March, 2023 for BSIC and LIC and the 17th day of May, 2023 for EAC and EAIC, a copy of which appears below under the heading entitled "Certificate"

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the board of directors of each Company by unanimous written consent effective the 30th day of March, 2023 for BSIC and LIC and the 17th day of May, 2023 for EAC and EAIC and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 25th day of May, 2023.

Endurance Assurance Corporation
By: *Richard M Appel*
Richard Appel, SVP & Senior Counsel



Endurance American Insurance Company
By: *Richard M Appel*
Richard Appel, SVP & Senior Counsel



Lexon Insurance Company
By: *Richard M Appel*
Richard Appel, SVP & Senior Counsel



Bond Safeguard Insurance Company
By: *Richard M Appel*
Richard Appel, SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 25th day of May, 2023, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/her/it is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: *Amy Taylor*
Amy Taylor, Notary Public - My Commission Expires 3/9/27



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified, that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the board of directors of each Company by unanimous written consent effective 30th day of March, 2023 for BSIC and LIC and the 17th day of May, 2023 for EAC and EAIC and said resolutions have not since been revoked, amended or modified:

*RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, MATTHEW E. CURRAN, MARGARET HYLAND, SHARON L. SIMS, CHRISTOPHER L. SPARRO, and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company.*

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 24th day of February, 2025

By: *Daniel S. Lohr*
Daniel S. Lohr, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. Please read this Notice carefully.

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

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		Change Order Description
1	County Bid Process; Construction Contract	Contract No. S-956	NDWWTP Municipal Injection Wells (NE-2)	Youngquist Brothers, LLC	District 4 (Micky Steinberg)	\$0; 77-day non-compensable time extension	Original Contract Amount \$77,763,530.00 Adjusted Contract Amount \$78,687,215.00 (Adjusted By Change Order 1)	WASD Revenue Bonds Sold, WASD Subordinate Debt Sold, WIFIA, Wastewater Connection Charges, Wastewater Renewal Fund, and Wastewater Special Construction Fund	Notice to Proceed Start Date: 07/26/2021 Completion Date: 10/07/2024	SBE G/S - N/A SBE A/E - N/A SBE Const. - N/A CWP Prog. - N/A	This project consists of the construction of five deep injection wells and two dual-zone monitoring wells at the North District Wastewater Treatment Plant. *** This Change Order extends the Contract's Final Completion date by 77-days.

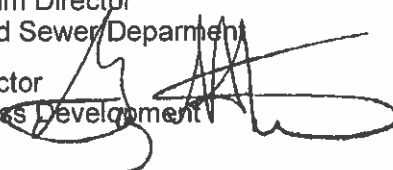
EXHIBIT C

Memorandum



Date: February 28, 2025

To: Amanda Kinnick, Interim Director
Miami-Dade Water and Sewer Department

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

Subject: Project No. S-956, NDWWTP Municipal Injection Wells (NE-2)

As part of the Change Order approval process, Project No. S-956, NDWWTP Municipal Injection Wells (NE-2) was submitted to the Office of Small Business Development (SBD) for review for compliance with Resolution R-1001-15. Change Order No. 2 increases the contract time and does not change the overall contract value. This project does not have a Small Business Enterprise measure, as such R-1001-15 does not apply.

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
Edith Brown, Chief, Contract Compliance Division, WASD
Laurie Johnson, SBD Section Chief
Alice Hidalgo-Gato, SBD Section Chief
Patrick Hines, SPA1, SBD



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)(7)

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)(7)
5-6-25

RESOLUTION NO. _____ R-402-25

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 CHANGE ORDER NO. 2 TO CONTRACT NO. S-956, FOR THE NORTH DISTRICT WASTEWATER TREATMENT PLANT MUNICIPAL INJECTION WELLS (NE-2), BETWEEN MIAMI-DADE COUNTY AND YOUNGQUIST BROTHERS LLC, WHICH GRANTS A 77-DAY NON-COMPENSABLE TIME EXTENSION TO THE CONTRACT

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, approval of Change Order No. 2 to Contract No. S-956, for the North District Wastewater Treatment Plant Municipal Injection Wells (NE-2), between Miami-Dade County and Youngquist Brothers LLC. Change Order 2 grants a 77-day non-compensable time extension to the Contract, which modifies the Substantial Completion Date from May 22, 2024 to August 7, 2024 and the Final Completion Date from July 22, 2024 to October 7, 2024. A copy of Change Order No. 2 is attached to the accompanying memorandum as Exhibit B.

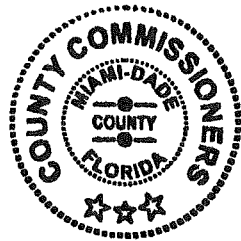
The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

	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 the 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