

MEMORANDUM

Agenda Item No. 8(O)(5)

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

DATE: June 26, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution awarding Contract No. S-973, BBC GOB Basin 0107 (Wastewater Improvements), for a contract period of 420 calendar days and a total contract amount of \$10,997,468.66, funded in part by Building Better Communities General Obligation Bonds Program Project No. 17 – “Countywide Water and Sewer System Enhancements”; authorizing the County Mayor to utilize the Miami-Dade Water and Sewer Department’s Consent Decree and Capital Improvement Programs Acceleration Ordinance, section 2-8.2.12 of the Code, to manage Contract No. S-973; and authorizing the County Mayor to execute the same and to exercise the termination and other provisions contained therein

Resolution No. R-580-25

The accompanying resolution was prepared by the Water & Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Marleine Bastien.


Geri Bonzon-Keenan
County Attorney

GBK/ks

MDC001

Memorandum



Date: June 26, 2025

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

From: Daniella Levine Cava *Daniella Levine Cava*
Mayor

Subject: Award Recommendation for Building Better Communities General Obligation
Bond Project Basin 0107 (Wastewater Improvements), Contract No. S-973

Executive Summary

This memorandum seeks approval from the Board of County Commissioners (the Board) to award Miami-Dade Water and Sewer Department (WASD) Contract No. S-973, Building Better Communities (BBC) General Obligation Bond (GOB) Project Basin 0107 (Wastewater Improvements) (the Contract) to the lowest responsive and responsible bidder, All Construction & Plumbing, Inc. (All Construction). The Contract is to provide water and sewer services to commercial properties that are presently serviced by septic tanks along NW 75 Street from NW 22 Avenue to NW 10 Avenue (The Project). The Project, including mobilization and demobilization, consists of the installation of approximately 7,500 linear feet (LF) of water main, 200 LF of force main and 9,000 LF of sanitary gravity sewer system, within Basin 0107. The Project also includes the installation of fire hydrants, valves and water services.

This Project represents a significant step forward in supporting the continued development and sustainability of the Miami-Dade County Green Technology Corridor (GTC), which is a top priority for the County. By addressing critical infrastructure needs, the Project enhances both water and sewer systems and will make a direct and lasting impact on the community.

The total amount for the Contract, which was competitively solicited, shall not exceed \$10,997,468.66, for a total Contract period of 420 days.

Recommendation

It is recommended that the Contract be awarded to All Construction for a total compensation amount of \$10,997,468.66, with a total Contract period of 420 days.

Scope

The Project will be performed along NW 75 Street from NW 22 Avenue to NW 10 Avenue in District 2, which is represented by Commissioner Marleine Bastien.

Delegated Authority

Upon Board approval, the County Mayor or County Mayor's designee may execute the Contract and exercise all provisions contained therein, including the termination provisions. In addition, the County Mayor or County Mayor's designee will manage the Contract pursuant to section 2-8.2.12 of Code of Miami-Dade County, Florida, (the WASD Acceleration Ordinance), which delegates authority to the County Mayor or County Mayor's designee to, 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.

Fiscal Impact/Funding Source

The fiscal impact to the County is \$10,997,468.66, which WASD has determined is a fair and reasonable amount for the Project's defined scope of work.

The Project is in the FY 2024 – 25 Adopted Budget and Multi-Year Capital Plan.

- Funding will be provided from Capital Program #967090, Commercial and Industrial Corridors – Extension of Sewer System (Connect to Protect) FY 2024-25 Adopted Budget and Multi-Year Capital Plan, Book 3, Page 89 and Capital Program # 2000000072, Small Diameter Water Mains Replacement Program, Volume 3, Page 108.
- The funding sources are: BBC GOB Finance, Future WASD Revenue Bonds, and Water Connection Charges. In addition, this Project may be funded, in part, from the Resilient Florida Grant Program. No Project funding source impacts the General Fund.
- Art in Public Places is not included.
- The life expectancy of the work is thirty (30) years.
- Operations Cost Impact / Funding: Water \$170,000/year and Sewer \$26,000/year. The funding source for the operating impact is WASD Operating Revenues.
- Maintenance Cost Impact / Funding: Water \$170,000/year and Sewer \$52,000/year. The funding source for the maintenance impact is WASD Operating Revenues.

Vendor Selection & Track Record

On December 10, 2025, WASD received and opened the seven (7) bids in response to the October 17, 2024 advertisement for an open competitive solicitation for the Contract:

Company Name	Base Bid	Total Bid*
All Construction & Plumbing, Inc.	\$9,415,105.01	\$10,997,468.66
Maestre Construction, Inc.	\$10,466,417.87	\$12,185,452.20
Lanzo Construction Co Florida	\$11,428,252.88	\$13,272,292.62
RP Utility and Excavation Corp	\$12,573,394.82	\$14,566,329.84
David Mancini and Sons Inc.	\$16,016,693.10	\$18,457,263.20
Ric Man International Inc.	\$16,150,411.14	\$18,608,344.04
Pabon Engineering Inc.	\$16,437,905.68	\$18,932,826.96

*Total bid includes contingency & dedicated allowances

The following due diligence was performed to determine All Construction & Plumbing, Inc. as the lowest responsive and responsible bidder:

- Because contract measures were assigned, the three (3) lowest bids were forwarded to the Office of Small Business Development (SBD) for a Compliance Review. All Construction, a certified SBE-S firm, committed to utilize Urbanik Services & Supplies LLC, a certified SBE-S firm, to perform hauling services at 1.50%. The subcontractor confirmed, via the Business Management Workforce System (BMWS), that it will perform the work to meet SBD's measure. All Construction has satisfied the Contract's 1.50% SBE-S subcontractor goal and is, therefore, in compliance with the Small Business Enterprise measure established for this Contract. The Project Worksheet and the SBD Compliance Review letter are attached hereto as Exhibits A and B, respectively.
- The Engineer of Record, 300 Engineering Group, LLC (EOR), reviewed the bid submission and, on January 10, 2025, determined that the low bid was acceptable as

submitted and that All Construction satisfied the requirements of the solicitation. The EOR letter is attached hereto as Exhibit C.

- Pursuant to Resolution No. R-187-12, WASD performed a review of the vendor information in the BMWS. WASD discovered no adverse information.
- According to the contract history downloaded from the BMWS on February 18, 2025, All Construction has not been awarded a County contract as a prime contractor; however, All Construction has been a subcontractor on at least one County construction contract.
- All Construction has three (3) evaluations in the ISD Capital Improvement Information System (CIIS), with a rating of 3.3 out of a possible 4.0 maximum.
- Because some documents in the All Construction bid submittal were unsigned, WASD requested a responsiveness opinion from the County Attorney's Office (CAO). On March 11, 2025, the CAO determined that the All Construction bid was responsive. A copy of the CAO's Responsiveness Opinion is attached hereto as Exhibit D.

Although the Engineer of Record's (EOR) estimate is \$7,651,077.03, approximately 44% below the total bid amount of \$10,997,468.66, the EOR confirms in Exhibit C that All Construction are qualified and recommends that WASD proceed with the contract award. The EOR explains that the difference between their estimate and All Construction's pricing is due to current fluctuations in material costs, labor rates, and the defined scope of work, as detailed in the Justification Letter. Therefore, WASD has determined that the lowest bidder, All Construction, is both responsive and responsible and recommends that Contract S-973 be awarded to All Construction in the amount of \$10,997,468.66, with a total contract duration of 420 days. The proposed contract, signed by All Construction, is attached as Exhibit E. The bidder has a 3.3 rating in CIIS, and there are no protests.

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

The Project includes one of the Department's top priority projects for the Miami-Dade County GTC and involves improvements to the water and sewer systems.

The Contract consolidates water and sewer projects in one contract document. The water component includes the installation of approximately 7,500 LF of water main, plus fire hydrants, valves, and water service connections. The sewer component includes the installation of approximately 200 LF of force main and 9,000 LF of sanitary gravity sewer mains to extend gravity sewers from the BBC GOB funded sewer improvements in the GTC to serve all customers in WASD's sewer services area, including the east side of the NW 37th AVE.

Contract Manager Name/Phone/Email

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

Project Manager Name/Phone/Email

Enrique Febles / 786-552-4384 / enrique.febles@miamidade.gov

Applicable Ordinances and Measures

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 - Services	Code Section 2-8.1.1.1.1 & Implementing Order 3-41	1.5%
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	
Office of Inspector General Fee	Code Section 2-1076	

Project Chronology

Event	Projected Date
1. Pre-bid Meeting Date if applicable	TBD
2. Bid opening date	TBD
3. Planned Bid Award date	TBD
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
BBC GOB Basin 0107 (Wastewater Improvements), S-973



David Clotfelter
OMB DIRECTOR

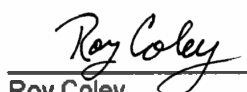
3/25/2025
DATE

Approved as to legal sufficiency



Sarah Elanika Davis
Assistant County Attorney

3/14/25
DATE



Roy Coley
Chief Utilities and Regulatory Services Officer

4/23/25
DATE

Attachments



Small Business Development Division

Project Worksheet

Project/Contract Title: GOB Basin 0107 (Wastewater Improvements) **Received Date:** 7/4/2024
Project/Contract No: S-973 – Project No. 16139 **Funding Source:** BBC GOB Funding
Department: Miami-Dade Water and Sewer Department
Estimated Cost of Project/Bid: \$7,296,383.68
Description of Project/Bid: The project is to provide sewer and water services to commercial properties that are presently serviced by septic tanks along NW 75 Street from NW 22 Avenue to NW 10 Avenue. The project, including mobilization and demobilization, consists in the installation of approximately 7,500 LF of Water Main, 200 LF of Force Main and 9,000 LF of Sanitary Gravity Sewer System, within Basin 0107. The Project also includes the installation of fire hydrants valves and water services. This contract is a consolidated water and sewer projects in one contract document. The sewer project is to extend gravity sewers from the GOB funded sewer improvements in the GTC to serve all customers in WASD's sewer services area, include the eastside side of the NW 37th AVE.

Contract Measure		
Measure	Program	Goal Percent
Goal	SBE - Services	1.50%
Reason for Recommendation		
SMALL BUSINESS ENTERPRISE – GOODS & SERVICES (SBE-G&S). SBD reviewed this project pursuant to Implementing Order 3-41 for an SBE-G or SBE-S measure. Project information analyzed included the project's scope of services, estimated project cost, minimum requirements/qualifications and funding source; these indicate a 1.50% SBE-Services Subcontractor Goal is appropriate in the following recommended commodities: (NIGP 98852) Landscaping , (NIGP 79050) Sodding and (NIGP 962 39) HAULING SERVICES		

Living Wages: YES ☐ NO ☒ **Highway:** YES ☐ NO ☒ **Heavy Construction:** YES ☐ NO ☒
Responsible Wages: YES ☐ NO ☒ **Building:** YES ☐ NO ☒

SBD Director

8/12/24
 Date

Memorandum



DATE: February 6, 2025

EXHIBIT B

TO: Amanda Kinnick, Interim Director
Water and Sewer Department

FROM: Gary Hartfield, Director
The Office of Small Business Development

A handwritten signature in black ink, appearing to be "G. Hartfield", written over the name in the "FROM" field.

SUBJECT: Compliance Review
Contract No. S-973/Project No. 16139
GOB Basin 0107 (Wastewater Improvements)

The Office of Small Business Development (SBD) has completed its review of the subject project for compliance with the Small Business Enterprise Services (SBE-S) Program for construction services. The contract measure established for this project is a 1.50% SBE-S subcontractor goal.

The Miami Dade County Water and Sewer Department has submitted bid proposal documents that included the Certificate of Assurance for the firms listed below acknowledging the project's SBE-S measure. The firms also submitted their Utilization Plans (UPs) identifying the SBE subcontractors to fulfill the goal via the Business Management Workforce System (BMWS) and the following is their pre-award compliance status and summary.

FIRMS:

- 1- All Construction & Plumbing, Inc.
- 2- Maestre Construction, Inc.
- 3- Lanzo Construction Co., Florida

STATUS:

Compliant
Compliant
Compliant

SUMMARY:

All Construction & Plumbing, Inc., (1), a certified SBE-S firm committed to utilize Urbanik Services & Supplies LLC a certified SBE-S firm to perform hauling services at 1.50%. The subcontractor confirmed its participation via the BMWS in agreement with the measure. All Construction & Plumbing, Inc., has satisfied the contract's 1.50% SBE-S subcontractor goal and is in compliance with the Small Business Enterprise measure established for this contract.

Maestre Construction, Inc., (2), a non-certified SBE-S firm committed to utilize E Plus Engineering and Construction, LLC, a certified SBE-S firm, to provide engineering services at 1.50%. The subcontractor confirmed its participation via the BMWS in agreement with the measure. Maestre Construction, Inc., has satisfied the contract's 1.50% SBE-S subcontractor goal and is in compliance with the Small Business Enterprise measure established for this contract.

Lanzo Construction Co., Florida, (3), a non-certified SBE-S firm committed to utilize Micar Trucking, Inc., a certified SBE-S firm, to provide trucking and hauling services at 1.50%. The subcontractor confirmed its participation via the BMWS in agreement with the measure. Lanzo Construction Co., Florida has satisfied the contract's 1.50% SBE-S subcontractor goal and is in compliance with the Small Business Enterprise measure established for this contract.

SBD has verified that none of the aforementioned firms is listed on 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's review is specific to the SBE-S Program. The Water and Sewer Department is responsible for any other issues that may exist. Should you have any questions or need any additional information, please do not hesitate to contact Darrell Belgrave, Capital Improvement Project Specialist, at darrell.belgrave@miamidade.gov or (305) 375-3151.

c: Laurie Johnson, SBD
Antoinette Altamirano, Water and Sewer

January 10th, 2025

Miami-Dade Water and Sewer Department
Contracting Office
3575 S LeJeune Rd
Miami FL, 33133

Subject: WASD/E15-WASD-03A/Task #5/GOB Basin 0107 Wastewater and Water System Improvements, PCTS No. 16139, ER No. W017375/Recommendation for Award

Miami-Dade Water and Sewer Department, Contracting Office

The bid opening for the GOB Basin 0107 Wastewater and Water System Improvements, Contract S-973, took place on December 10th, 2024 at 02:00 pm via virtual zoom meeting. The apparently lowest bidder is All Construction & Plumbing, Inc (C&P). Upon review of the bid package, 300 Engineering Group, LLC. has found that C&P satisfies the minimum required experience and are properly qualified. C&P's bid is acceptable within the Engineering of Record (EOR) Opinion of Probable Cost. Please refer to the table below:

	Base Bid	Total Bid
EOR	6,432,406.33	\$ 7,651,077.03
C&P	9,415,105.01	\$ 10,997,468.66
% (Difference)	46.37%	43.74%

The difference in pricing between the EOR and C&P is due to current fluctuations in material costs, labor rates, and the scope of work required as outlined in the Justification Letter provided by 300 Engineering.

As per the Contractor's resubmittal of experience and qualifications, 300 Engineering is of the opinion that all project requirements have been met. Contractor provided a total of nine (9) total projects as part of their past experience. Three (3) of these projects are of similar size and scope, and the remaining projects provide similar experience at a smaller scale compared to this project. However, as per S-973, Attachment A - Bidder Qualifications, it states that the 3 projects submitted require similar projects in size and scope for water main distribution and/or sanitary sewer main collection systems. In addition, the Northwood Square Project and the North Beach Ocean Park City of Miami Beach project both qualify and WASD may accept this experience under the amount of water main installation experience they have provided as the S-973 Qualifications states water and/or sanitary. Please refer to the following page for a breakdown of each project provided and which criteria were met, including a % comparison of LF provided and the LF within this project's scope.

300 Engineering evaluated all technical aspects of C&P's qualifications and have concluded that this project's technical requirements have been met. Therefore, upon confirming that C&P meets all necessary non-technical qualifications as well, the Engineer of Record considers C&P to be qualified and recommends that WASD proceed with the Contract Awards process.

If there are any questions, please do not hesitate to contact us.

Sincerely



Rafael Ballesteros, PE
Engineer of Record

Email: info@300engineering.com PH: 305-763-9829 | Fax: 305-675-2373 | 3850 Bird Road | Suite 601 | Miami, Florida 33146 |

Web: www.300engineering.com

Minimum Requirements for Table 10: Provided Project References								
ID	Project Name	LF of Pipeline	Diameter and Pipeline Type	Project Status	Similar Scope	Similar Scale	Public right-of-way construction/installation/repair/replacement of water main distribution systems and/or sanitary sewer main collection systems, and maintenance of vehicular traffic	Completed within the past five (5) years similar in detail to the Project's Scope of Work
1	Bayshore Park Development City of Miami Beach	1,200 650	24" VPM 4" FM	Completed	Yes	No, low LF quantity	Yes	Yes 2013
2	Shopping Plaza New Development	800 350 500	12" VPM 4" Sanitary 12" average	Completed	Yes	No, low LF quantity	Yes	Yes 2011
3	North Beach Ocean Park City of Miami Beach	1,200	6" VPM	Completed	Yes	No, only water main	Yes	Yes 2013
4	Highland Hotel New Civil Construction	1,700 800 700	24" VPM 8" Sanitary Drainage	Completed	Yes	No, low LF quantity	Yes	Yes 2012
5	Northwood Square	2,100 1,100 100	24" VPM 4" FM Drainage	In Progress (75% Completed)	Yes	Yes	Yes	Ongoing The (75% Completed Contractor to clarify if pipeline was completed prior to bid and the 25% remaining is restoration/other)
6	Residences at Naranga Lakes	696 761 30	8" Sanitary 12" VPM 8" VPM	Completed	Yes	No, low LF quantity	Yes	Yes 2014
7	Lynn and Perry Thompson Memorial Park	3,519 14,515 3,500 14,920	8" Sanitary 6" Sanitary 7" Water Service 6" San. Lateral	Completed	Yes	Yes	Yes	Yes 2012
8	Whisper Key Condominiums	808	8" Sanitary	Completed	Yes	No, only sanitary	Yes	Yes 2011
9	Crystal Cove and Marathon Key	2,094 4,218	8" Sanitary 12" VPM	Completed	Yes	Yes	Yes	Yes 2012

Not Met / Clarification Needed

Summary table of pipeline quantities within this project

Purpose	Total LF
Water Main	7,735
Force Main	130
Sanitary Sewer	9,842

Summary table of total pipeline quantities from a total of page (5) projects provided by Contractor

Purpose	Total LF	% of SOW Met
Water Main	11,901	154%
Force Main	1,950	1500%
Sanitary Sewer	20,242	224%
Drainage	1,870	N/A

Memorandum



Date: March 11, 2025

To: Paul F. Adams
Chief, Construction Contracts Division
Miami-Dade Water and Sewer Department

EXHIBIT D

From: Jose I. Ortega
Assistant County Attorney
County Attorney's Office

Subject: Request for Responsiveness Review - WASD Contract S-973

This memorandum is prepared in response to your email to Eduardo Gonzalez requesting a responsiveness opinion on the bid submittal received from All Construction & Plumbing Inc. ("All Construction") in response to the Advertisement for Bids for BBC GOB Basin 0107 (Wastewater Improvements) Contract No. S-973 (the "Solicitation"). Bids for the Solicitation were opened on December 10, 2024. On January 10, 2025, the Engineer of Record ("EOR") had determined that All Construction met the requirements of the Solicitation, and on February 6, 2025, Small Business Development ("SBD") issued a compliance memo consisting of a Project Worksheet, SBD Compliance Memo, and EOR Letter. While reviewing documents in preparation of the award memorandum, the Water and Sewer Department ("WASD") discovered that All Construction's bid did not include a fully executed proposal or a signed bid bond. Following a review of the Solicitation and the information contained in your opinion request, I conclude that All Construction's bid is responsive. Please note that the below opinion is solely based on the information set forth in your opinion request and the Solicitation. If new or additional facts are discovered, this opinion is subject to alterations or retractions.

FACTS

Section 11 of the Solicitation, Signature of Bidders, states the following regarding signature requirements:

11. SIGNATURE OF BIDDERS

The Questionnaire, Proposal, Bid Bond and other such instruments must each be executed in the following manner:

- (a) If from a corporation, it must be signed in ink by an authorized officer, and the secretary or assistant secretary, with the corporate seal legibly affixed. A certified copy of a resolution of the Board of Directors of the Corporation authorizing the officer who signs the instrument to do so in its behalf shall be furnished.
- (d) It must include the exact name of the contracting organization, individual or entity.
- (e) It must be properly acknowledged before a notary public.
- (f) A bid submitted by a corporation must list the name of the State wherein the corporation was chartered and the business address of the corporation.

The sixth page of the copy of All Construction's proposal that you provided contains a signature from Vladimir Marrero, All Construction's president. The copy provided does not contain the corporate seal legibly affixed or a certified copy of a resolution of the Board of Directors of the Corporation authorizing Vladimir Marrero to sign on All Construction's behalf. However, a search on the website of

the Florida Department of State's Division of Corporations (sunbiz.org), reveals that Vladimir Marrero is an authorized officer of All Construction.

Section 12 of the Solicitation, Bid Security, states the following requirements:

12. BID SECURITY

- (a) Each Bid Proposal must be accompanied by a Bid Bond, or by a certified check or Cashier's Check, in an amount not less than five percent (5%) of the total amount of the bid. The Bid Bond shall be on the prescribed form, duly executed by the Bidder as principal and having as surety therein a surety company acceptable to the County and authorized to write such Bid Bond in accordance with the qualifications specified for Performance and Payment Bonds in Section 20 of the Instructions to Bidders. ANY BID THAT IS NOT ACCOMPANIED BY A BID SECURITY SHALL BE CONSIDERED NON-RESPONSIVE.

The bid bond provided was not duly executed by All Construction, the principal. However, the bid bond was executed by Old Republic Surety Company, the surety.

DISCUSSION

There is a two part test to determine if a specific noncompliance in a bid constitutes a substantial and thus nonwaivable issue: (1) whether the effect of the waiver would be to deprive the County of the assurance that the contract would be entered into, performed and guaranteed according to its specific requirements; and (2) whether it would adversely affect competitive bidding by placing a bidder in a position of advantage over other bidders. See, e.g., Glatstein v. City of Miami, 399 So. 2d 1005 (Fla. 3d DCA), rev. denied, 407 So.2d 1102 (Fla. 1981).

Here, All Construction's non-compliance with the proposal signature requirements neither (1) deprives the County of the assurance that the contract would be entered into, performed and guaranteed according to its specific requirements nor (2) adversely affects competitive bidding by placing a bidder in a position of advantage over other bidders. The County is able to verify that the signatory is an authorized representative of All Construction, and the signature provided clearly evinces All Construction's intent to be bound by its proposal.

Further, although All Construction failed to sign the bid bond submitted with its proposal, its signature on the proposal shows, in conjunction with the surety's signature on the bid bond, each party's intent to be bound by the bid bond. In the past, we have opined that generally, an unsigned bid may be considered responsive if it "is accompanied by other material indicating the bidder's intention to be bound by the unsigned bid (such as the submission of a bid guarantee or a letter signed by the bidder, with the bid, referring to and clearly identifying the bid itself)." 48 C.F.R. 14.405 (c)(1); To Salmons Dredging Co., B-130203, 1957 WL 1437, at *2 (Comp. Gen. January 22, 1957) ("It is established that an unsigned bid may be considered for award if accompanied by a letter, bond or other document signed by the bidder clearly evincing his intent to submit the bid."). Here, we can apply the same logic in reverse and satisfy the Glatstein test. To P-B Engineering Co., B-229739, 88-1 CPD 71 (Comp. Gen. January 25, 1988) ("[T]he absence of a principal's signature on a bid bond is a minor informality that can be waived where the unsigned bond is submitted with a signed bid . . .").

For these reasons, I conclude that the identified issues are waivable, and All Construction's bid is responsive.



Jose I. Ortega

CONTRACT

THIS CONTRACT, made and entered into on the ___ day of _____, 20___, 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 _____, 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:

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

**BBC GOB Basin 0107 (Wastewater Improvements)
Contract No. S-973**

for the aggregate amount reflected by the Proposal, said aggregate amount being of **Ten Million, Nine Hundred and Ninety-Seven Thousand, Four Hundred and Sixty-Eight Dollars and Sixty Six Cents (U.S. Dollars) \$10,997,468.66.**

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 Advertisement for Bids, Questionnaire, Instruction to Bidders, Proposal, Certified Resolution for Proposal and Bid Form, Bid Bond, all forms submitted pre and post award, including, without limitation, Miami-Dade County Vendor Affidavits Form, Sworn Statement – Public Entity Crimes, Clearinghouse Affidavit, Job Order Request form, and the Small Business Enterprise Programs Participation Provisions and Forms (if applicable), this Contract, Certified Resolution for Contract and Performance and Payment Bond, Performance and Payment Bond, Standard Construction General Contract Conditions, revised August 1, 2023, the Technical Specifications, Plans and Drawings designated in the specifications, all Technical Appendices, all Addenda, Water & Sewer Department Special Provisions, Change Orders to the Contract, Notice to Proceed, Referenced Codes and Standards,

CONTRACT

Warranties and Guarantees, all related correspondence, field notes, logs, and other documents.

The Standard Construction 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 Standard Construction General Contract Conditions, Article 12 G (Miscellaneous Provisions – Audit Rights)

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

(PARTY OF THE FIRST PART)

Date

Approved as to Form and Legal Sufficiency

Assistant County Attorney

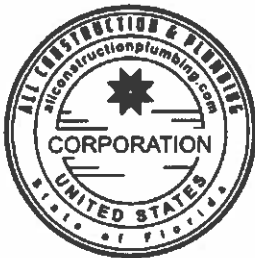
WHEN THE CONTRACTOR IS A CORPORATION

(CORPORATION SEAL)

ATTEST


(Secretary)

Barbara Alicia Fernandez
(Print or type name)



All Construction and Plumbing

(Name of Corporation)

By: 
(Signature of Officer)

Vladimir Marrero

(Print or type name)

President / Owner
(Official Title)

10040 sw 38th Terr, MIAMI FL 33165
(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 Anthony Rodriguez
and Members, Board of County Commissioners

DATE: June 26, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(5)

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 *Daniella Lurie Carr* Mayor
Veto _____
Override _____

Agenda Item No. 8(O)(5)
6-26-25

RESOLUTION NO. R-580-25

RESOLUTION AWARDED CONTRACT NO. S-973, BBC GOB BASIN 0107 (WASTEWATER IMPROVEMENTS), FOR A CONTRACT PERIOD OF 420 CALENDAR DAYS AND A TOTAL CONTRACT AMOUNT OF \$10,997,468.66, FUNDED IN PART BY BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BONDS PROGRAM PROJECT NO. 17 – “COUNTYWIDE WATER AND SEWER SYSTEM ENHANCEMENTS”; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO UTILIZE THE MIAMI-DADE WATER AND SEWER DEPARTMENT’S CONSENT DECREE AND CAPITAL IMPROVEMENT PROGRAMS ACCELERATION ORDINANCE, SECTION 2-8.2.12 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO MANAGE CONTRACT NO. S-973; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE THE SAME AND TO EXERCISE THE TERMINATION AND OTHER 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 awards Contract No. S-973 (the “Contract”) for BBC GOB Basin 0107 (Wastewater Improvement), in substantially the form attached to the accompanying memorandum as Exhibit E, to All Construction & Plumbing, Inc. for a total contract period of 420 calendar days and a total contract amount of \$10,997,468.66, funded in part by Building Better Communities General Obligation Bonds Program Project No. 17 – “Countywide Water and Sewer System Enhancements. The Board also authorizes the County Mayor or County Mayor’s designee: (1) to use the Miami-Dade Water and Sewer Department’s Consent Decree and Capital Improvement Programs Acceleration Ordinance, section 2-8.2.12 of the Code of Miami-Dade County, Florida,

to manage the Contract; (2) to execute the Contract for and on behalf of the County; and (3) to exercise the termination and other provisions contained within the Contract.

The foregoing resolution was offered by Commissioner **Kionne L. McGhee**, who moved its adoption. The motion was seconded by Commissioner **Marleine Bastien** 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	absent
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 26th day of June, 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