

MEMORANDUM

Agenda Item No. 8(O)(3)

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

DATE: September 3, 2025

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution ratifying action by the County Mayor 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, specifically approval of Change Order No. 2 to Contract No. S-897 for the CD 1.07, South District Wastewater Treatment Plant Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8, between Miami-Dade County and Poole & Kent Company of Florida, which reallocates unused Contract funds in the amount of \$2,937,369.00 to perform additional work

Resolution No. R-866-25

The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Raquel A. Regalado.



Geri Bonzon-Keenan
County Attorney

GBK/jp

Memorandum



Date: September 3, 2025

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

From: Daniella Levine Cava 
Mayor

Subject: Resolution Ratifying Change Order No. 2 to Contract No. S-897 for Consent Decree Project: 1.07- South District Wastewater Treatment Plant Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8 with Poole & Kent Company of Florida

Executive Summary

This item seeks ratification by the Board of County Commissioners (the Board) of the action of the County Mayor or County Mayor's designee approving Change Order No. 2 to Contract No. S-897 (the Contract) between Miami-Dade County (the County) and Poole & Kent Company of Florida (the Contractor) for *Consent Decree Project 1.07- South District Wastewater Treatment Plant (SDWWTP) Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8* (the Project).

Change Order No. 2 is a net-zero monetary modification that reallocates \$2,937,369.00 in unused Contract funds to perform additional critical work, including demolition of the collapsed roof cover of Digester No. 6 and the cleaning and removal of accumulated sludge. Following the startup of Digester Cluster 1, operational challenges and limited capacity in the remaining digesters created the need to bring Digester No. 6 back online. The Contractor, already mobilized on-site, will complete the additional work within six weeks. No time extension is required.

The Project is recognized as Project 1.07 under the current U.S. Environmental Protection Agency (USEPA) Wastewater Consent Decree, underscoring its importance to regulatory compliance and public health. Digester No. 6 must be urgently restored to stabilize biosolids management operations, which is necessary to maintain system capacity and ensure effective operations at the SDWWTP.

Recommendation

It is recommended that the Board ratify Change Order No. 2 to the Contract. Change Order No.2 is a net-zero monetary modification that reallocates unused Contract funds to perform additional work valued at \$2,937,369.00. A copy of Change Order No. 2 to the Contract is attached hereto as Exhibit A, and basic details about the Project are set forth on Exhibit B, attached hereto.

Delegation Authority

The Contract was awarded pursuant to Section 2-8.2.12 of the 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 of the base contract amount, subject to ratification by the Board.

Scope

The Project is being performed at the SDWWTP, located at 8950 S.W. 232nd Street, Miami, FL 33190, in Commission District 8, which is represented by Commissioner Danielle Cohen Higgins.

Fiscal Impact/Funding Source

There is no additional fiscal impact to the County from Change Order No. 2 as unused Contract funds will be reallocated within the Contract.

Track Record/Monitoring

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

Background

On April 9, 2014, the United States District Court for the Southern District of Florida authorized a Consent Decree between Miami-Dade County, the United States of America, the State of Florida, and the Florida Department of Environmental Protection, for improvements to the County's wastewater collection and treatment system. The Contract was awarded to the Contractor on May 18, 2018, for the Project. The award was ratified by the Board on September 5, 2018, via Resolution No. R-908-18. The total Contract award was \$93,361,000.00 with a Contingency Allowance of \$8,170,000.00. The Contract duration was 1,380 calendar days, with a Contingency Allowance of 138 days. The Notice to Proceed was issued on August 8, 2018, which established:

- February 4, 2019 as Field Office Creation Completion Date;
- May 27, 2021 as the Substantial Completion Date for the Acid Phase;
- November 20, 2021 as the Substantial Completion Date for the Digesters; and
- May 19, 2022 as the Final Completion Date.

Change Order No. 1 approved by the Board on January 21, 2021, via Resolution No. R-51-21, extended the Substantial Completion Date for the Digesters and the Final Completion Date by 420 days to January 14, 2023, and July 13, 2023, respectively. After the approval of Change Order No. 1, WASD granted a 138-day time extension through the Contract's Contingency Time Allowance, which established:

- October 12, 2021 as the Substantial Completion Date for the Acid Phase;
- June 1, 2023 as the Substantial Completion Date for the Digesters; and
- November 28, 2023 as the Final Completion Date.

Following the startup and commissioning of Digester Cluster 1, significant operational challenges arose that disrupted biosolids management and required emergency interventions and feed rate adjustments. Due to hydraulic capacity constraints in the remaining digesters, WASD identified an urgent need to repurpose Digester No. 6 in Cluster 2, which is currently out of service due to a partial collapse of its floating roof cover. Repurposing Digester No. 6 is critical to stabilizing operations and maintaining effective biosolids management at the SDWWTP. To safely bring Digester No. 6 back online, the collapsed floating cover must be demolished, and the digester must be cleaned and emptied of all liquid and sludge.

The Contractor, who is already mobilized and on-site, will perform the additional work, leveraging its experience to complete the tasks promptly and at a reasonable cost. WASD has reviewed the proposal and determined the costs to be fair and reasonable. The total cost of \$2,937,369.00 will be offset by the deletion of unused Dedicated Allowances for permit fees, utility conflicts, contaminated soil, electrical cable splicing, and structural repair piping. This results in a net-zero monetary change to the Contract.

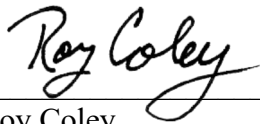
Small Business Enterprise Measures

On April 29, 2025, the Office of Small Business Development (SBD) reviewed the Contract for compliance with a 10.24 percent Small Business Enterprise – Construction (SBE-Con) goal; a 0.86 percent Small Business Enterprise (SBE-Goods) goal; Community Workforce Program; Responsible Wages and Benefits; Residents First Training and Employment Program; and Employ Miami-Dade Program. Change Order No. 2 does not increase the Contract time and does not change the overall value; as such, the goals will remain the same.

Resolution No. R-1001-15 requires that County contracts with small business measures must meet at least 85% of the small business goals applicable to the portion of the contract applicable to date before a change order or contract amendment is considered for Board approval. Resolution No. R-525-17 exempted change orders or amendments for non-compensable time extensions from this requirement. Change Order No. 2 does not add any additional funding to the Contract; therefore, Resolution No. R-1001-15 does not apply.

See the SBD memorandum attached hereto as Exhibit C.

Attachments



Roy Coley
Chief Utilities and Regulatory Services Officer

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

43926

EXHIBIT A

MIAMI-DADE COUNTY, FLORIDA

WATER AND SEWER

CHANGE ORDER TO ORIGINAL CONTRACT



CHANGE ORDER NO: 2

CONTRACT NO: S-897

DATE: 5/7/2025

PROJECT TITLE: CD 1.07 SDWWTP Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8

TO CONTRACTOR: Poole & Kent Company of Florida 1781 NW North River Drive Miami, FL 33125

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 is a net-zero monetary modification that reallocates unused Contract funds to perform additional work valued at \$2,937,369.00. This additional work includes the demolition and clearing of the collapsed roof cover of Digester No. 6 at the South District Wastewater Treatment Plant (SDWWTP).

Monetary Justification:

Contract No. S-897 was awarded to Poole & Kent Company of Florida (the Contractor) on May 18, 2018 for Consent Decree (CD) 1.07- SDWWTP Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8 (the Project). The award was ratified by the Board of County Commissioners (the Board) on September 5, 2018, via Resolution No. R-908-18. The total Contract award was \$93,361,000.00 (Continued below)

Time Justification:

The estimated duration to complete the work related to this Change Order is six weeks; however, no time extension is associated with it, as the project has already reached its construction completion milestone.

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.....	\$93,361,000.00
COST OF CHANGES PREVIOUSLY ORDERED.....	\$0.00
ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE.....	\$93,361,000.00
COST OF CHANGES WITH THIS DOCUMENT.....	\$0.00
ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE.....	\$93,361,000.00
PERCENT INCREASE WITH THIS CHANGE.....	0%
TOTAL PERCENT INCREASE TO DATE.....	0%
TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE.....	1380 / 0 / 0
CONTINGENCY TIME: ORIGINAL CONTRACT / PREVIOUS CHANGES / THIS CHANGE.....	138 / 0 / 0
ADJUSTED DURATION INCLUDING THIS CHANGE.....	1518

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.

Bond No. 106853977 / 82462727

Organization	Name	Accepted By:	Title	Date
Poole & Kent Company of Florida	Kevin Smith, Vice President		Contractor	5/15/25
Travelers Casualty and Surety Company of America & Surety Federal Insurance Company	Nelly Rencorch, Attorney-in-Fact		Surety	May 13, 2025

Title	Name	Date
Approved By: County Attorney (for legal sufficiency)	Juan Fernandez-Barquin	5/21/25
Approved By: County Mayor		5/30/25
Attested By: Clerk of the Board	Olga Valverde	06/05/2025

Juan Fernandez-Barquin,
Clerk of the Court and Comptroller

Attested by:
Deputy Clerk: Olga Valverde - c18183

06/05/2025



MDC005

Monetary Justification (Continued)

with a Contingency Allowance of \$8,170,000.00. The Contract duration was 1,380 calendar days, with a Contingency Allowance of 138 days.

The Notice to Proceed was issued on August 8, 2018, which established: (1) February 4, 2019 as Milestone 1 (Field Office Creation) Completion Date; (2) May 27, 2021 as the Substantial Completion Date for the Acid Phase (Milestone 3); (3) November 20, 2021 as the Substantial Completion Date for the Digesters (Milestone 2); and (4) May 19, 2022 as the Final Completion Date.

Change Order No. 1 extended the Substantial Completion Date for the Digesters and the Final Completion Date by 420 days to January 14, 2023 and July 13, 2023, respectively. Subsequent to the approval of Change Order No. 1, the Miami-Dade Water and Sewer Department (WASD) granted a 138-day time extension through the Contract's Contingency Time Allowance, which extended: (1) the Substantial Completion Date for the Acid Phase to October 12, 2021; (2) the Substantial Completion Date for the Digesters to June 1, 2023; and (3) the Final Completion Date to November 28, 2023.

Following the startup and commissioning of Digester Cluster 1, significant operational challenges arose that disrupted biosolids management and required emergency interventions and feed rate adjustments. Due to hydraulic capacity constraints in the remaining digesters, WASD Operations identified an urgent need to repurpose Digester No. 6 in Cluster 2, which is currently out of service due to a partial collapse of its floating roof cover. Repurposing Digester No. 6 is critical to stabilizing operations and maintaining effective biosolids management at the SDWWTP. To safely bring Digester No. 6 back online, the collapsed floating cover must be demolished, and the digester must be cleaned and emptied of all liquid and sludge.

The Contractor, who is already mobilized and on-site, will perform the additional work, leveraging its experience to complete the tasks promptly and at a reasonable cost. The Contractor's proposal includes:

- \$2,856,878.00 for demolition of the collapsed roof cover and associated structural elements, and
- \$80,493.00 for cleaning and removal of liquid and sludge contents using jetting, vacuuming, and pumping, with disposal to the SDWWTP Headworks.

WASD's Construction Management Team has reviewed the proposal and determined the costs to be fair and reasonable. The total cost of \$2,937,369.00 will be offset by the deletion of unused Dedicated Allowances for permit fees, utility conflicts, contaminated soil, electrical cable splicing, and structural repair piping. This results in a net-zero monetary change to the Contract.

Conclusion

Change Order No. 2 is a net-zero monetary change, which reallocates unused Contract funds for the cleaning and demolition of Digester No. 6's collapsed cover.

WASD acknowledges that the Contractor has expressly reserved its rights with respect to delays, impacts, and issues unrelated to the extra work addressed in Change Order No. 2.

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 or 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.



Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and the Companies do hereby make, constitute and appoint **Nelly Ranchiwich** of **UNIONDALE**, **New York**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 16th day of February, 2024.



State of Connecticut

City of Hartford ss.

By: 
Bryce Grissom, Senior Vice President

On this the 16th day of February, 2024, before me personally appeared Bryce Grissom, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026




Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary, and it is

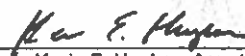
FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 13th day of May, 2025




Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

MDC007

CHUBB

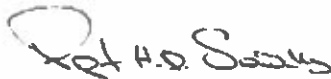
Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Katherine Acosta, Thomas Bean, George O. Brewster, Desiree Cardlin, Colette R. Chisholm, Dana Granice, Susan Lupski, Gerard S. Macholz, Camille Maitland, Robert T. Pearson, Karolynne Ramirez, Nelly Renchiwich, Vincent A. Walsh and Michelle Wannamaker of Uniondale, New York

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY have each executed and attested these presents and affixed their corporate seals on this 5th day of April, 2024.


Rupert HD Swindells, Assistant Secretary


Warren Eichhorn, Vice President



STATE OF NEW JERSEY
County of Hunterdon

SS

On this 5th day of April, 2024 before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Warren Eichhorn, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Warren Eichhorn, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority

Notarial Seal



Albert Contursi
NOTARY PUBLIC OF NEW JERSEY
No 50202369
Commission Expires August 22, 2027


Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment")

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

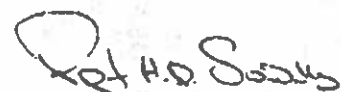
FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this May 13, 2025




Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

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		
MDC009	County Bid Process; Construction Contract		Consent Decree (CD) 1.07 - SDWWTP Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8	Pooler & Kent Company of Florida	District 8 (Danielle Cohen Higgins)	\$0; N/A	Original Contract Amount \$93,361,000.00 Adjusted Contract Amount \$93,361,000.00 (No Adjustment)	Future WASD Revenue Bonds, WASD Revenue Bonds Sold, Wastewater Renewal Fund	Notice to Proceed Start Date: 08/08/2018 Completion Date: 11/28/2023	SBE G/S - 0.86% SBE A/E - N/A SBE Const. - 10.24% CWP Prog. - N/A	This project consists of the construction of Digester Cluster 1 and 2 Upgrades, new Acid Phase Digester Cluster, and new Electrical Substation 7 and 8 Building at the SDWWTP. *** This Change Order is a net-zero monetary modification that reallocates unused Contract funds to perform additional work.

EXHIBIT C

From: [Hidalgo-Gato, Alice \(SPD\)](#)
To: [Brown, Edith D. \(WASD\)](#)
Cc: [Silva, Rita \(SPD\)](#); [Aranguiz-Cueto, Marisela \(WASD\)](#); [Curiel, Juan A. \(WASD\)](#); [Morris, Frances G. \(WASD\)](#); [Adams, Paul \(WASD\)](#)
Subject: Project No. S-897: CD 1.07 SDWWTP Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8
Date: Wednesday, June 11, 2025 1:40:59 PM
Attachments: [image001.png](#)
[image002.png](#)

Change Order No. 2 to Project No. S-897, CD 1.07 SDWWTP Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8 was submitted to the Strategic Procurement Department (SPD) to review for application of Small Business Enterprise (SBE) measures. Project No. S-897 was awarded with a 10.24% Small Business Enterprise - Construction (SBE-Con) goal and a 0.86% Small Business Enterprise – Goods (SBE-Goods). Change Order No. 2 is a net-zero monetary modification and does not change the overall contract value or duration, as such the goals will remain the same.

Resolution No. R-1001-15 requires County contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment is considered for Board approval. The prime, Poole & Kent Company of Florida, has been paid \$81,496,768 for base plus contingency requiring \$7,093,479 be performed by the SBE-Con firms and \$595,741 be performed by the SBE-Goods firm for compliance with R-1001-15. To date, the SBE-Con firms have performed \$9,663,946 and the SBE-Goods firm has performed \$907,907 in compliance with R-1001-15. Poole & Kent Company of Florida and its subcontractors are in compliance with the Responsible Wages and Benefits and workforces programs..

Please let us know if additional information is needed.
Regards,

Alice Hidalgo-Gato, CFE, SBD Section Chief
Strategic Procurement Department
Contract Monitoring and Compliance Section
111 NW 1st Street, 19th Floor
Miami, FL 33128
Office: (305) 375-3153
Cell: (645) 214-4764
Fax: (305) 375-3160

Connect With Us on [Facebook](#) | [Instagram](#) | [LinkedIn](#) | [Twitter](#) | [Website](#)



All Lobbyists must register prior to meeting with County Personnel. [Register online](#) or in person at Clerk of the Board (COB), 111 NW First Street, 17th Floor. The COB may be contacted at (305) 375-5137.



MEMORANDUM (Revised)

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

DATE: September 3, 2025

FROM: 
Glen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(O)(3)

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)(3)
9-3-25

RESOLUTION NO. _____ R-866-25

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-897 FOR THE CD 1.07, SOUTH DISTRICT WASTEWATER TREATMENT PLANT DIGESTERS AND CONTROL BUILDING UPGRADES, ACID PHASE AND SUBSTATION 7 & 8, BETWEEN MIAMI-DADE COUNTY AND POOLE & KENT COMPANY OF FLORIDA, WHICH REALLOCATES UNUSED CONTRACT FUNDS IN THE AMOUNT OF \$2,937,369.00 TO PERFORM ADDITIONAL WORK

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-897 for the Consent Decree (CD) 1.07, South District Wastewater Treatment Plant Digesters and Control Building Upgrades, Acid Phase and Substation 7 & 8, between Miami-Dade County and Poole & Kent Company of Florida. Change Order No. 2 is a net-zero monetary modification that reallocates unused Contract funds to perform additional work valued at \$2,937,369.00. A copy of Change Order No. 2 is attached to the accompanying memorandum as Exhibit A.

The foregoing resolution was offered by Commissioner **Danielle Cohen 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	absent
Sen. René García	absent	Oliver G. Gilbert, III	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	aye
Natalie Milian Orbis	aye	Raquel A. Regalado	aye
Micky Steinberg	aye		

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