

Memorandum



Date: October 16, 2024

Agenda Item No. 8(N)(10)

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Subject: Supplemental Agreement No. 3 to the Professional Services Agreement with HNTB Corporation for Construction, Engineering, and Inspection Services for the South Corridor Rapid Transit Project, *Contract No CIP155-DTPW19-CEI*

Executive Summary

This item requests approval from the Board of County Commissioners (Board) to extend the Professional Services Agreement (PSA) with HNTB Corporation (HNTB) for Construction, Engineering, and Inspection Services (CEI) for the South Corridor Rapid Transit Project (Project) by 339 calendar days. This additional time is in line with the proposed time extension of the construction contract, enabling HNTB to oversee the owner-requested technology change in the signal system (i.e., traffic controllers) and the deployment of the fare collection system. There is no cost associated with this supplemental agreement.

Recommendation

This item recommends approval of the attached Supplemental Agreement No. 3 with HNTB (*Contract No CIP155-DTPW19-CEI*) and Miami-Dade County (County) for CEI Services for the South Corridor Rapid Transit Project, extending the PSA by 339 calendar days. This is a non-compensable time extension, aligning the Project schedule with that of the construction contract.

Scope

The Project extends from SW 344 Street to the Dadeland South Station within Districts 7, 8, and 9, represented by Commissioners Raquel A. Regalado, Danielle Cohen Higgins, and Kionne L. McGhee, respectively. However, the South Dade TransitWay has a countywide impact as it promotes connectivity to the entirety of the transit system.

Delegation of Authority

In accordance with Section 2-8.3 of the County Code related to identifying delegation of Board authority, there is no authority beyond that specified in the resolution, which includes authority for the County Mayor or County Mayor's designee to execute this Supplemental Agreement.

Fiscal Impact/Funding Source

There is no fiscal impact associated with this item.

Track Record/Monitor

Rakeshpal S. Gill, DTPW Construction Manager 3, is responsible for the Project's implementation.

Background

The South Dade TransitWay is an existing 20-mile long corridor connecting South Dade to the Metrorail. The South Corridor Project is one of the Strategic Miami Area Rapid Transit (SMART) Corridors and will provide the County an opportunity to significantly improve access and mobility within this area of the County.

On October 4, 2019, a Notice to Professional Consultants was advertised under full and open competition for CEI services for the Project. On January 31, 2020, HNTB Corporation was found in compliance with the applicable FTA and Disadvantaged Business Enterprise requirements established for the solicitation. On February 2, 2021, the contract with HNTB was awarded with a not to exceed amount of \$21,185,737.85. On July 6, 2023, Supplemental Agreement No. 2 was approved under Resolution No. R-609-23 to extend the contract duration by 400 calendar days and to add additional funds in the amount of \$3,700,000.

This Supplemental Agreement 3 extends the contract time by 339 non-compensable calendar days – ending on August 30, 2025. In 2019, the design-build contract for construction of the South Corridor was advertised; it specified the design, programming, and installation of Econolite traffic signal controllers shall serve all intersections along the corridor. Subsequent to the award of the design-build contract and following an analysis period for the Advanced Traffic Management System (ATMS) Project, the County selected the Siemens 2070LX traffic controller as the only qualified modern traffic controller for use in Miami-Dade County. Accounting for the complex operations and maintenance of the South Corridor, the risk analysis showed that it would benefit the County to issue a Change Order to the contractor to program, install, and integrate the Siemens 2070LX traffic controllers along the corridor. Notably, an additional risk analysis was performed following the termination of Yunex Traffic (the ATMS Contractor) and no further change in the technology is recommended. The recommended additional 339 days to the CEI PSA are consistent with Change Order No. 2 to the design-build contract with OHL Contractor Inc. for installation of the traffic controllers along the TransitWay and additional scope (e.g., resurfacing work). Change Order No. 2 is scheduled for approval by the Board in October 2024.

Additionally, approval of this extension allows HNTB to oversee the deployment of the fare collection system on the South Dade TransitWay, which was being considered under a separate procurement, but was ultimately included in the design-build contract to achieve consistency with contract documents and project schedule. As a result of the additional time being requested for the construction contract, as well as the expanded scope, the contract with HNTB Corporation for CEI services will need to be extended.

This extension will use funds already available in the contract; consequently, this item has no fiscal impact.

Small Business Goal Attainment

Measure Program	Goal Percent
Goal DBE	20.00%

Due Diligence

Pursuant to Resolution No. R-187-12, and in accordance with the Internal Services Department's Procurement Guidelines, DTPW staff exercised due diligence to determine

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
Page 3

Consultant responsibility for HNTB Corporation. The lists that were referenced included, but were not limited to: convicted vendors, debarred vendors, delinquent contractors, suspended vendors and federal excluded parties. There were no adverse findings relating to the Consultant's responsibility. There are nine evaluations on record for HNTB Corporation in the Capital Improvements Information System with an average rating of 3.7 out of a possible 4.0 points.



Jimmy Morales
Chief Operating Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: October 16, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(10)

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(N)(10)
10-16-24

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 3 BETWEEN HTNB CORPORATION AND MIAMI-DADE COUNTY FOR THE SOUTH CORRIDOR RAPID TRANSIT PROJECT, CONTRACT NO. CIP155-DTPW19-CEI, TO EXTEND THE CONTRACT DURATION BY 339 CALENDAR DAYS

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 authorizes the County Mayor or County Mayor's designee to execute Supplemental Agreement No. 3 between HTNB and Miami-Dade County for the South Corridor Rapid Transit Project, Contract No. CIP155-DTPW19-CEI, in substantially the form attached hereto and made a part hereof, extending the contract duration by 339 calendar days.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

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

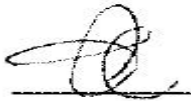
The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of October, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override 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: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Annery Pulgar Alfonso

SUPPLEMENTAL AGREEMENT NO. 3 TO THE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN MIAMI-DADE COUNTY, FLORIDA
AND HNTB CORPORATION.

This Thrid Supplemental Agreement is made and entered into as of the ___ day of _____
2024 by and between Miami-Dade County, Florida, a public body, hereinafter referred to as the
“COUNTY”, and HNTB Corporation, hereinafter referred to as the “CONSULTANT”.

WITNESSETH

WHEREAS, the COUNTY and the CONSULTANT entered into a Professional Services Agreement to provide Construction, Engineering and Inspection Services for the South Corridor (South- Dade Transitway) Rapid Transit Project, Contract Number CIP155-DTPW19-CEI; and

WHEREAS, the parties wish to make certain revisions in the Professional Services Agreement as provided below a result of County requested additions in scope, additional staff needed to provide oversight on various concurrent work locations along the 20-mile corridor, and the time extension of Design-Build Contract No. CIP-155- DTPW19-DB between OHLA.

NOW, THEREFORE, the parties hereto do mutually agree to amend the Professional Services Agreement as follows:

TABLE OF CONTENTS

Refer to the list of Exhibits and add the following:

SECTION II – PROFESSIONAL SERVICES

No additional services are being added. The design build contract was extended due to modifications to the contract, impacting the duration of the PSA

SECTION XV- DURATION OF AGREEMENT

Remove first paragraph included under Section XV, and append with the new paragraph as follows:

This Agreement shall remain in full force and effect for a period of 1,699 calendar days after its date of execution and issuance of the Notice to Proceed, or until depletion of the funds allocated to pay for the cost of the services described in the Agreement.

This Agreement, regardless of where executed, shall be governed by and construed according to the laws of the State of Florida, and venue shall be in Miami-Dade County, Florida.

IN WITNESS THEREOF the parties hereto have executed these presents this _____ day of _____, 2024.

ATTEST:

JUAN FERNANDEZ-BARQUIN

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

By: _____

By: _____
COUNTY MAYOR OR DESIGNEE

Approved by County Attorney
as to Form and Legal Sufficiency:

ATTEST:

HNTB CORPORATION
(Corporate Seal)

By: *Marcie Henderson*



By: *[Signature]*

