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**VIA ELECTRONIC CORRESPONDENCE**

December 28, 2022

CCN: 64625  
File No: 8.DC50.52

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**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM),  
Reference DOJ Case No. 90-5-1-1-4022/1,  
Section XI, Paragraph 52 – Potential Delay,  
Section XVII, Paragraph 77 – Notices, Request for Time Extension and Project  
Status Update for CD Appendix D-2, Capital Improvement Projects 1.6, 1.8, 2.12,  
2.13, 2.16 and 2.18 – Thickening and Dewatering Projects at SDWWTP & CDWWTP**

Dear Sir/Madam:

In accordance with Section XI, Paragraph 52, the purpose of this letter is to request a time extension and provide a project status update for the following Consent Decree (CD) Capital Improvement Projects (CIP) that are currently in construction: CD 1.6 South District Wastewater Treatment Plant (SDWWTP) Gravity Sludge Thickening Facility, CD 1.8 SDWWTP Dewatering Facility, CD 2.12 Central District Wastewater Treatment Plant (CDWWTP) Gravity Sludge Thickeners Plant 1, CD 2.13 CDWWTP Gravity Sludge Thickeners Plant 2, CD 2.16 CDWWTP Dewatering Facility and CD 2.18 CDWWTP Odor Control Systems. This notification will also further describe and explain the reasons for the delay, the anticipated duration of the delay, all actions taken or to be taken to prevent or minimize the delay, a schedule for implementation of

any measures to be taken to prevent or mitigate the delay or the effect of the delay, County’s rationale for attributing the delay to a force majeure event, a preliminary statement regarding the reason why such event may cause or contribute to an endangerment to public health or the environment, and documentation to support the force majeure claim.

The County requests an extension to the compliance dates as shown in the table below.

<b>Consent Decree Project Number</b>	<b>Description</b>	<b>Current Compliance Date</b>	<b>Proposed Compliance Date</b>
1.6, 1.8	SDWWTP Thickening and Dewatering Projects	1/6/2023	1/6/2026
2.12, 2.13, 2.16, 2.18	CDWWTP Thickening and Dewatering Projects and Odor Control Systems	1/13/2023	1/13/2026

**Background**

The Consent Decree stipulates that the CD projects associated with the Sludge Thickening and Dewatering Facilities include the replacement of equipment. In February 2016, the County requested a scope modification to CD 1.6, CD 2.12, and CD 2.13 from United States Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection (FDEP). The justification for the scope modification was due to the existing condition of the equipment, the limitations of existing conventional gravity thickeners, and the temporary nature of the structures housing the dewatering equipment. It was recommended for the CDWWTP and SDWWTP to each have a new combined thickening and dewatering building to house new systems utilizing centrifuge technology. The new Sludge Thickening and Dewatering Buildings would provide the County with a more robust and reliable system with a life expectancy of 50 years and a 20-year design life for the major electrical and mechanical equipment. Refer to Attachment A for electronic correspondence related to the requested scope modifications in February 2016.

The Miami-Dade County Water and Sewer Department (WASD) decided to combine these projects under one Design-Build contract solicitation. Both Sludge Thickening and Dewatering Buildings at the CDWWTP and SDWWTP had identical equipment and similar engineering requirements. The Design-Build method was selected, as it is traditionally a faster project delivery method compared to the conventional design, bid, build method.

The SDWWTP project scope states that the Design-Builder (DB) is to utilize the Design Criteria Package (DCP) to perform planning, engineering design, coordination with WASD, permitting, construction, and commissioning of the new Sludge Thickening and Dewatering Building. The outcome from the DB project consists of a combined two-story Sludge Thickening and Dewatering

Building that properly handles secondary sludge from SDWWTP and an odor control system for the facility (process equipment, wet wells, and screening dumpster room) using bio-filters.

The CDWWTP project scope states that the DB is to utilize the DCP to perform planning, engineering design, coordination with WASD, permitting, construction, and commissioning of the new Sludge Thickening and Dewatering Building. The outcome from the DB project was to consist of a combined two-story Sludge Thickening and Dewatering Building that properly handles secondary sludge from CDWWTP and North District Wastewater Treatment Plant (NDWWTP).

On December 22, 2017, the County requested a 24-month schedule extension while the project was still in the procurement phase, which was justified by the consolidation of the multiple projects for operational efficiency, similar layouts, and equipment procurement delays. Refer to Attachment B for the correspondence. The extension was granted in April 2018.

The County submitted an electronic Force Majeure Notification on May 25, 2018, and a written Force Majeure Notification letter to EPA and the FDEP dated June 6, 2018, detailing a Force majeure delay during the procurement phase. The Force majeure impacted the SDWWTP Sludge Thickening and Dewatering Project CD Compliance Date of January 6, 2023, for CD 1.6 and CD 1.8; and the CD Compliance Date of January 13, 2023, for CD 2.12, 2.13, 2.16, and 2.18. The consolidated projects required a re-bid. The consolidated Design-Build delivery project was granted Notice to Proceed (NTP) on July 6, 2020. Currently, the six (6) CD CIP Projects (1.6, 1.8, 2.12, 2.13, 2.16 & 2.18) are 71% complete.

### **Description of Delays**

The project has experienced several delays throughout its execution to substantiate the County's request for an extension to the compliance dates for CD CIP Projects 1.6, 1.8, 2.12, 2.13, 2.16 and 2.18. Below is a summary of each delay.

#### Delay No.1: Procurement Delay for the SDWWTP and CDWWTP - Force Majeure

On June 6, 2018 a Force Majeure Delay Notification Letter was submitted for CD CIP 1.6, 1.8, 2.12, 2.13, 2.16 and 2.18 to provide notice of a delay encountered during the procurement phase that required a re-bid of the project. The sole bidder withdrew their bid, nullifying the progress made to commence the County's largest and most complex project to date. This letter also indicated that re-bidding during the procurement phase will delay and impact the compliance date of January 6, 2023, for CD 1.6 and 1.8 and January 13, 2023, for CD 2.12, 2.13, 2.16 and 2.18. The re-bidding process began on August 9, 2018 and was finalized with the NTP on July 6, 2020. During the procurement phase in the final step of issuing of the Contractor's NTP the project was delayed when the County closed their offices due to the Pandemic from March 2020 to April 2020 and resulted in a 48-day delay in approval of the Contract. The total rebidding process resulted in a 694-day delay in the procurement phase of the project schedule. This force majeure delay occurred after the 24-month extension granted in April 2018 by EPA and FDEP. Refer to

Attachment C and D which provide supporting documentation and justification for the force majeure delay.

Delay No. 2: COVID-19 Delay for the SDWWTP and CDWWTP - Force Majeure

The World Health Organization (WHO) declared the COVID-19 Pandemic, a global disruption, on March 11, 2020. The construction NTP was issued to the DB on July 6, 2020, and construction activities commenced on August 27, 2020. During this time national, state, and local agencies took actions to suppress and control the spread of COVID-19. The County continues taking preventative measures to contain the spread and the impacts of the virus. In July 2022, the County provided FDEP and EPA with a COVID-19 Presentation, identifying that the incurred delays were impacting the schedule and consequently, the project was anticipated to be completed by 2026. The County attributes any delays resulting from impacts of the Pandemic as a force majeure event, as it impacted procurement schedules, affected supply chains, increased shortage/scarcity of products due to the global market disruptions, and resulted in extended manufacturing and delivery schedules for material and equipment on the project.

Delay No. 3: Revised Solids Loading Delay for the SDWWTP and CDWWTP

In accordance with Consent Decree Section VI, Paragraph 19 (i) and Appendix D, the County developed the Capital Project Work Plan Schedule and Project Description based on design criteria and conditions present at the time of the conducted investigations and assessments to identify rehabilitation projects that were intended to address conditions that were causing sanitary sewer overflows or contributing to NPDES permit violations. Subsequently, the Ocean Outfall Legislation (OOL) Program developed a Compliance Plan identifying upgrade projects that were intended to transition the means of disposal from ocean outfalls to deep well injections. Because these OOL projects were defined at later date in time, the design was based on more current conditions, and therefore had a modified set of criteria. In part, the OOL Program design criteria utilized a higher solids concentration for raw wastewater that better aligned with updated data trends. Acknowledging that both the CD projects and the OOL projects will ultimately have to work in unison to comply with the Clean Water Act, NPDES permits, as well as other regulatory requirements, the County reanalyzed the design criteria for both programs to optimize treatment and ensure the most effective and efficient design. The result of which required the CD solid loading design criteria to be revised. This revision extends the plants' solids loading capacity further into the future, as well as maximizes the plants' overall capacity to meet future population growth, while continuing to meet permit requirements.

The referenced CD provision, Section VI, Paragraph 19 (i), acknowledges that the County's implementation of the OOL Program may impact the scope and scheduling of certain capital improvement projects identified in the CD, and furthermore, establishes the County's ability to request of EPA and FDEP modifications to the scope and scheduling of such capital improvement projects based on the aforementioned impacts. It is through this provision, amongst others as defined herein, that the County requests an extension, as the County believes that the substantial revisions to solids loading after the design build package had been awarded qualify as an

applicable schedule modification for CD 1.6, CD 1.8, CD 2.12, CD 2.13, CD 2.16, and CD 2.18. This revision resulted in a delay of 120 days to the design delivery schedule and an additional ongoing delay for incorporating the changes into the construction of the project.

#### Delay No. 4: Class VI Stormwater Permitting Delay for the CDWWTP

As part of the CD 2.12, CD 2.13, CD 2.16, and CD 2.18 permit process, the DB submitted a Class VI stormwater permit application package to the Miami Dade County Regulatory and Economic Resources Department (RER) on March 24, 2021. The design included in the permit package followed the requirements of the DCP, which had been approved by FDEP in April 2017. The proposed design managed all stormwater flows associated within the developed site, inclusive of the roof run-off from the Sludge Thickening and Dewatering Building, via a dedicated collection and transmission system that would convey stormwater to the plant headworks. Upon submittal of the final design for permitting, RER was not in agreement with this stormwater management concept and did not approve the application.

The DB was able to progress the construction of the project with the approval of the Building's Shell Permits received from the City of Miami on April 23, 2021, as the permit did not include stormwater conditions. However, later in the year on December 13, 2021, the DB was informed by the City of Miami that the Master Building Permit was on hold due to the pending Class VI stormwater permit. To avoid making another costly design change, the County and DB attempted to reach an agreement with local regulatory agencies to address concerns separately in an attempt to avoid additional project delays, but the agreement was not attained. Thus, in June 2022 it was determined that a new stormwater system needed to be designed.

On July 26, 2022, the DB submitted a design services proposal to incorporate additional design modifications to the stormwater runoff system. On November 8, 2022, the DB submitted the revised stormwater design to RER; however, the permit was not approved, and additional requirements were provided by RER on November 10 and 17 of 2022. The DB, alongside the County, are working to mitigate any further risk and expedite the schedule, where possible, taking into consideration the permit approval period, cost negotiation period for the additional work, and the construction duration of the additional work to meet the requirements of the stormwater permit.

#### Delay No. 5: Supervisory Control and Data Acquisition (SCADA) System Design Modifications Delay for the CDWWTP and SDWWTP

The original design concept outlined the process control and instrumentation system requirements for the SDWWTP and CDWWTP Sludge Thickening and Dewatering Buildings, including system automation. The DB's proposed SCADA, process control, and instrumentation system design was not aligned with WASD's SCADA standards and modifications to the design were required. The SCADA modifications resulted in the redesign, procurement, testing, installation, and commission of additional equipment which impacted the critical path of the project by 487 calendar days for the SDWWTP and 380 calendar days for the CDWWTP.

### **Actions to Prevent or Minimize the Delays**

Throughout the various delays, construction work has continued, where possible. The County is currently working with the DB to mitigate the delays by expediting other activities to minimize impacts to the overall project schedule. The County will continue to closely monitor construction progress, request frequent updates on material and equipment delivery status, and report any further delay to EPA immediately if/when it becomes known to the County.

### **Anticipated Duration of the Delays**

The County has reviewed the impacts to the overall project schedule as a result of the five delays identified above for the SDWWTP Thickening and Dewatering Projects and the CDWWTP Thickening and Dewatering Projects and Odor Control Systems. The time impact of the delays is estimated to extend the project completion beyond the Compliance date of January 6, 2023 for SDWWTP and January 13, 2023 for CDWWTP. As previously stated, the County is requesting a time extension for CD 1.6 and 1.8 to January 6, 2026 and for CD 2.12, 2.13, 2.16, 2.18 to January 13, 2026.

### **Force Majeure Rationale**

As defined in Section XI, Paragraph 51, "Force Majeure" is defined as any event arising from causes beyond the control of Miami-Dade, of any entity controlled by Miami-Dade, or of Miami-Dade's consultants and contractors that delays or prevents the performance of any obligation under this Consent Decree despite Miami-Dade's best efforts to fulfill the obligation. The requirement that Miami-Dade exercise "best efforts to fulfill the obligation" includes using best efforts to anticipate any potential force majeure event and best efforts to address the effects of any such event (a) as it is occurring and (b) after it has occurred to prevent or minimize any resulting delay to the greatest extent possible. Bid proposals and actions of bidders during the procurement process is out of the County's control. In the case of this project, the bidder's action during procurement resulted in the need to re-bid the project and the need to extend the duration of procurement phase beyond original expectation. These circumstances, as well as the COVID-19 Pandemic related issues, are out of the County's control and are therefore considered Force majeure.

### **Schedule for Implementation of any Measures to Prevent or Mitigate the Delay or the Effect of the Delay**

The County will take the following steps to mitigate the delays and/or the effects of these delays:

1. Continue to closely work with the DB during the design and construction activities.
2. Accelerate the schedule and where possible require the contractor to work extended hours.
3. Collaborate with manufacturers/suppliers on behalf of the contractors and explore options to accelerate the fabrication of parts, equipment, and materials.
4. Monitor the ongoing construction and promptly respond to issues that may arise.
5. Report any further delays to EPA if/when issues arise.

**Cause or Contribution to an Endangerment to Public Health, Welfare, or the Environment**

The existing gravity sludge concentrators and sludge handling systems continue to operate while the design and construction work progresses. Therefore, there is no immediate endangerment to the public health, welfare, or the environment.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Should you have any questions regarding this matter, please call me at (786) 552-8894.

Sincerely,



Marisela J. Aranguiz-Cueto, P.E.  
Deputy Director  
Miami-Dade Water and Sewer Department

**Attachments**

- Attachment A – Request for Non-Material Change – CD Project 1.06, 2.12 & 2.13, February 2016
- Attachment B – Consent Decree Request for Schedule Modifications, December 22, 2017
- Attachment C – Force Majeure Notification, June 6, 2018
- Attachment D – Response to EPA's Request for Additional Information on CD Projects with Force Majeure and Delay Notifications, May 2, 2022

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# **Attachment A**

Request for Non-Material Change – CD Project 1.6, 2.12 & 2.13  
February 8, 2016



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**VIA ELECTRONIC CORRESPONDENCE**

February 8, 2016

CCN: 60041  
File No: 8.DC.20.19

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**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)**  
**Reference DOJ Case No. 90-5-1-1-4022/1**  
**Section VI – Specific Capital Improvement Projects, Paragraph 19(i)**  
**Section XX – Modification**  
**Request for Non-Material Change – CD Project 1.06 Gravity Sludge Thickeners**

Dear Sir/Madam:

Pursuant to our discussions during our December 4, 2015 teleconference, Miami-Dade County (County) respectfully requests to modify the scope of work for Appendix D-2, CD Project 1.06 – Gravity Sludge Thickeners. Attached for your review and approval is a technical memorandum outlining the requested non-material change to Project 1.06. This technical memorandum summarizes the presentation made by Water and Sewer Department (WASD) to the United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) at that meeting.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Should you have any questions regarding this matter, please call me at (786) 552-8120.

Sincerely,



Bertha Goldenberg, P.E., LEED® Green Associate  
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Attachments: CD Project 1.06 – Gravity Sludge Thickeners Technical Memorandum

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CC	Pedro Hernandez, PE, Maricela J. Fuentes, PE, Brian Stitt
Subject	CD PROJECT # 1.06 Gravity Sludge Thickeners PCTS: 13194 and CD PROJECT 1.08 Dewatering Facility PCTS: 13204
From	John Ososkie, PE / Consent Decree PMCM Team
Date	January 22, 2016
Page	3

## Technical Memorandum

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### 1. INTRODUCTION

The South District Wastewater Treatment Plant (SDWWTP) serves the southern and southwest portions of Miami-Dade County. The plant is permitted to treat an annual average daily wastewater flow of 112.5 million gallons per day (mgd) with secondary treatment processes, followed by high-level disinfection and filtration, prior to deep well injection. The facility is designed to treat a peak hourly flow of up to 285 mgd to high level disinfection standards. A total of 17 deep injection wells are installed for the disposal of treated effluent from the SDWWTP. The sludge that is generated in the wastewater treatment process is removed from the liquid stream for further processing onsite. The activated sludge wasted from the secondary clarifiers is concentrated using gravity thickeners. From the gravity thickeners, the thickened sludge is stabilized through anaerobic digestion and then dewatered using centrifuges. Biosolids are beneficially reused via land application and composting or disposed of via landfill.

### 2. EXISTING CONDITIONS AND PROJECT OVERVIEW

The SDWWTP thickening and dewatering systems are operated with outdated, inefficient equipment, reducing the effectiveness of the thickening process. Furthermore, the current performance of these units results in a need for additional capacity in the anaerobic digestion system to meet the required 15 day SRT at the SDWWTP. The excess water in the thickened sludge occupies a significant portion of the available digester volume, reducing attainable volatile suspended solids (VSS) destruction, gas production and overall residual reduction. Most modern digestion systems are designed for concentrations two to four times higher than what is currently obtained with the existing gravity thickeners. Each Consent Decree project is further defined below.

#### 2.1. CD 1.06 Gravity Sludge Thickeners

Solids wasting are currently accomplished via a tap off of the returned activated sludge (RAS) force main in each of the three RAS pump stations. A modulating valve and flow meter are used to control the waste activated sludge (WAS) flow rate and wasting duration. The WAS is conveyed to the thickening facility consisting of four circular conventional gravity thickeners. Polymer is injected into the WAS piping upstream of the gravity thickeners to enhance settleability of the WAS in the thickeners.

Each gravity thickener has an inside diameter of 55-feet and a side water depth of 13-feet. The settled solids, known as thickened WAS (TWAS), are collected with a rotating collection mechanism. The TWAS at 1.5 to 2.0 percent solids is withdrawn from the gravity thickener underflow and pumped to the existing 2-stage anaerobic

digesters for stabilization and production of Class B solids. The gravity thickener supernatant is returned to the head of the plant for retreatment. Each thickener is covered for odor containment and foul air withdrawal.

The Consent Decree project (CD 1.06) includes replacement of thickened sludge pumps, and electrical systems in the concentrator pump station as well as rehabilitation of concentrator collector mechanisms and structural rehabilitation and coating of concentrators.

## 2.2. CD 1.08 Dewatering Facility

The temporary dewatering facility is housed in a two-story structure located west of Final Clarifier No. 7. The dewatering system is composed of dewatering centrifuges, a polymer system, sludge transfer pumps, and sludge grinders. Digested sludge from the secondary tanks of the anaerobic digesters is pumped to four existing centrifuges. The solids concentration of this digested sludge ranges between 1 and 2 percent dry solids. Before entering the centrifuges, sludge grinders are used to shred rags, plastics, and other inorganic material to protect equipment, improve cake solids, and/or enhance the quality of the dewatered cake product. Polymer is mixed with sludge upstream of the centrifuge to condition the digested sludge and enhance the dewatering performance of the centrifuges, which ranges between 18 and 22 percent solids. The biosolids are discharged onto a covered screw conveyor. From the screw conveyor, the biosolids are discharged into a truck and transported to the drying beds for further dewatering via evaporation before landfill disposal or composting. The centrate from the centrifuges is returned to the discharge of the headworks (upstream of the biological process) for further treatment.

The polymer system for the dewatering process is a dry polymer type, which includes polymer storage tanks, polymer mixing/make-up tanks, mixers, polymer transfer pumps, polymer feed pumps, and blenders. Presently, 1,500 pound dry polymer bags are emptied in a hopper that transports the dry polymer to a wetting chamber for creating the polymer solution. The solution is then activated within the mixing/make-up tanks, and then transferred to the polymer storage tanks. The polymer solution is then pumped to the point of injection upstream of the centrifuges.

The Consent Decree project (CD 1.08) includes replacement of the existing temporary dewatering building with a new permanent dewatering facility, to include centrifuges, controls, polymer systems, structural, mechanical and electrical systems.

## 3. BASIS OF DESIGN REPORT

There have been two Basis of Design Reports (BODR) related to the overall treatment plant condition and biosolids system improvements at SDWWTP. The first BODR, titled "South District Wastewater Treatment Plant Anaerobic Digesters and Control Buildings Modifications Project", was prepared by CH2M Hill under Consent Decree project 1.07 Digesters and Control Buildings and was submitted to FDEP on October 26, 2015. This BODR recommended that the existing sludge concentrators at SDWWTP be abandoned and a mechanical thickening (i.e., centrifuge) system be utilized. The centrifuges would produce a higher total solids (TS) concentration (estimated at 5.5 percent TS (%TS)), which results in a reduced volumetric flow to the anaerobic digesters. This in turn would reduce the number of digesters required to provide the necessary solids retention time (SRT) for the digestion process. In addition to the recommendations to the thickening systems, this report mentioned utilizing centrifuges for the dewatering systems to provide an end product of approximately 17%TS.

The second BODR, titled "Consent Decree Project 1.06 & 1.08 South District Wastewater Treatment Plant Sludge Thickening and Dewatering Building Basis of Design Report", was prepared by MWH and will be submitted to FDEP in February, 2016. Thickening and dewatering technologies were evaluated under this BODR and further confirmed the recommendation concluded in the first BODR. Based on the thickening technology evaluation, mechanical thickening (i.e., centrifuge) was recommended due to higher performance,

the number of applications within the industry for large wastewater facilities, WASD familiarity with the technology, and the capability of being used for both thickening and dewatering.

Based on the dewatering technology evaluation, the centrifuge was recommended due to lower life cycle cost, higher percentage of dry solids (DS) for the produced biosolids quoted by the equipment manufacturers and the wider industry acceptance, and the capability of sharing spare parts with the thickening units.

Furthermore, the second BODR indicated the new Thickening and Dewatering Building shall be designed for a minimum 20% DS as the benchmark quality for a future biosolids management facility to treat the dewatered product produced to meet Class A/AA biosolids requirements. Both the thickening and dewatering system components will be housed in a common building to facilitate efficient maintenance and operation of the process.

#### **4. CONCLUSIONS**

Due to the existing condition of the equipment, the limitations of the existing conventional gravity thickeners and the temporary nature of the structures housing the dewatering equipment, the SDWWTP requires a new combined thickening and dewatering building to house new thickening and dewatering systems both utilizing centrifuge technology. The project will provide a new Thickening and Dewatering Building with a design life of 20 years for major electrical and mechanical equipment, with the exception of Variable Frequency Drives (VFDs) that shall have a design life of 15 years, and 50 years for the Thickening and Dewatering Building.

#### **5. RECOMMENDATION**

The PMCM Team affirms the CD description for Project 1.08, i.e. "Replace existing interim dewatering building with a new permanent dewatering facility, to include centrifuges, controls, polymer system, structural, mechanical, and electrical systems", remains the same.

However, the CD PMCM Team recommends changing Project 1.06 description to:

- CD 1.06 SDWWTP Sludge Thickening – Install a new mechanical sludge thickening and dewatering systems including mechanical, structural, electrical, and all other ancillary items.



# **Attachment B**

Consent Decree Request for Schedule Modifications

December 22, 2017



miamidade.gov

Water and Sewer  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

VIA ELECTRONIC CORRESPONDENCE

December 22, 2017

CCN: 61576  
File No: 8.DC.52 & 77

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
RE: DOJ No. 90-5-1-1-4022/1  
[Tom.Mariani@usdoj.gov](mailto:Tom.Mariani@usdoj.gov)

Chief, Clean Water Enforcement Branch  
Water Protection Division  
Attn: Brad Ammons  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
[Ammons.Brad@epa.gov](mailto:Ammons.Brad@epa.gov)

Rachael Amy Kamons  
Environmental Enforcement Section  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
[Rachael.Kamons@usdoj.gov](mailto:Rachael.Kamons@usdoj.gov)

Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto:Jason.Andreotta@dep.state.fl.us)

**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)**  
**Reference DOJ Case No. 90-5-1-1-4022/1**  
**Section VI, Paragraph 19(i) – Specific Capital Improvement Project**  
**Section VIII – Supplemental Environmental Project**  
**Section XX – Modification**  
**Request for Schedule Modifications**

*AMM*

Dear Sir/Madam:

Miami Dade County (County) continues to be fully engaged with the successful implementation and compliance of the above referenced Consent Decree (CD). Specifically, with the execution of the eighty-one (81) capital improvement projects included in Appendix D which have an approximate total cost of \$1.55 billion, and the Supplemental Environmental Project (SEP) included in Appendix E. As of today, eighteen (18) projects with a total cost of \$224M have been completed and more than forty (40) projects with an approximate total cost of \$1.07 billion are currently in the procurement and construction phases. Despite the significant efforts and progress up to date, the County has encountered challenges that have delayed the completion of certain capital improvement projects.

In accordance with the provisions of Section XX (Modifications) and Section VI, Paragraph 19(i) (Specific Capital Improvement Projects), of the CD, and pursuant to our discussions during our December 7, 2017 conference call, the County requests modifications to the schedule of forty two (42) projects contained in Appendix D and the SEP included in Appendix E of the CD. This correspondence summarizes the basis for this request.

While setting up the process to address all the CD projects, the County recognized the need to bring on additional staff to meet the aggressive schedules mandated by the CD. This was achieved by contracting with a professional consultant team of experts (led by AECOM) to assist the County in Program and Construction Management and oversight of multiple Design Services contracts. The process for hiring Engineering firms in the State of Florida is regulated under Florida Statute 287.055 "The Consultants Competitive Negotiation Act". To comply with the act (as detailed in the First Status Report to the Court dated August 29, 2014), the County experienced a lengthy delay in procuring the Program Management and Design Professional Firms. This resulted in a late start in the validation and design of multiple projects. In addition, dates for downstream activities have been affected as has been presented in the County's requests for modification.

To optimize program execution, the original eighty-one (81) CD projects were split into one hundred seventy-nine (179) individual projects as a result of: 1) multiple project components being performed by different entities, i.e. in-house vs. Contractors, 2) multiple components located far from each other, such as in the case of the smaller pump stations and CD Capital Improvement Project 4.9 Asbestos Containing (AC) pipelines, 3) multiple components required to be performed either in phases or during separate dry seasons due to operational concerns.

*gml*  
Through the CD Program validation process, most of the projects have undergone scope of work changes. In addition, consideration of the County's Ordinance to proactively address sea level rise, the assessment and decision to build new facilities (e.g. new Pump Station (PS) #0301 and new thickening/dewatering buildings), and evaluation of potential adoption of new technology, have and are effectively extending the schedule of the projects.

Furthermore, in many instances, the permitting process has been cumbersome and prolonged due to additional requirements not initially anticipated. Some examples include: changes in the County's hydraulic models (static to dynamic model) which necessitated updates of project model runs for the Pump Stations (PSs) and Force Mains (FMs), tree and property boundary surveys at the plants requiring six month updates, multiple agency review of permits that must be performed in series, and coordination with various municipalities.

Compounding the late start of CD implementation, scope changes, and permitting delays, the County has experienced difficulties in procurement. On September 3, 2014, the County proactively developed and approved an Ordinance to accelerate CD projects through the procurement process (the "Acceleration Ordinance"). The County's standard procurement process requires contracts to be reviewed by a commission committee and subsequently by the Board of County Commissioners ("BCC")

prior to being awarded and executed. The Acceleration Ordinance authorizes the County Mayor or his designee to take certain actions, including the award and execution of contracts, which are subject to ratification by the BCC. However, for the County Mayor or his designee to award such a contract, there must be no bid protests, the contractor must meet certain ratings and submit required documentation and the base value of a recommended award cannot exceed the base estimate by more than ten percent (10%). Unfortunately, the County has experienced all the above listed exceptions and other extenuating circumstances on multiple occasions. This has resulted in the County submitting to EPA and FDEP potential delay and delay notifications due to bid protests, unavoidable re-bids, non-responsive bidders, and bids over 10% of the Opinion of Construction Cost (OPCC). The County has tried to mitigate delays by overlapping and expediting project phases to meet the final CD milestone.

Another challenge has been the limited number of contractors, market saturation and the County's Miscellaneous Construction Contracts Program, which is mandated by County ordinance to provide contracting opportunities for Small Business Enterprises ("SBE") was used to procure many of the CIP projects. Complying with this requirement has resulted in multiple delay and potential delay notifications. This method of procurement for SBEs is somewhat different from methods used for traditional, larger projects. It requires smaller contractors to comply with some non-traditional means and methods. Compliance with this program proved challenging for some of the SBE contractors and resulted in performance and resource shortfalls, ultimately causing delay of some projects.

Additional challenges include unforeseen conditions such as contamination, pipe failure, underground structures encountered during construction and wet weather restrictions, among others. These challenges have been described in the delay and potential delay letters submitted to EPA and FDEP to date.

*Full*  
Attachment 1 presents the forty-three (43) projects for which a schedule modification is requested. The projects are grouped into three categories. The first category highlighted in purple, represents projects under the Wastewater Treatment Plant Thickening/Dewatering contract. The second category highlighted in green, represents projects for which EPA and FDEP have already been notified of anticipated delays, however, additional time is required. The third group in white represents projects that require extensions based on anticipated delays.

Attachment 2 includes a list of projects that have been completed and for which requested time extensions are pending resolution.

Based on the reasons stated in this letter, the County respectfully requests EPA and FDEP, approval of the modifications of final deadlines for the projects included in Attachments 1 and 2. All the requested schedule modifications are within the 15-year period established in the CD for the completion of capital improvement projects included in Appendix D and Appendix E.

Should you have any questions regarding this matter, please call me at (786) 552-8204.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,

  
Lynnette M. Ramirez, P.E.  
Senior Advisor, Capital Projects & Compliance

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*full*

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Southeast District – West Palm Beach  
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Attn: Compliance/Enforcement Section  
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Sarah Davis  
Sherry Negahban  
Richard O'Rourke

*pmc*  
Annalise Mannix  
Robert Fergen  
Al Galambos  
Dan Edwards  
Rolando Roque  
Juan Bedoya  
Lee N. Hefty (RER-DERM)  
Carlos Hernandez (RER-DERM)  
Rashid Istambouli (RER-DERM)  
David Wood (CD PMCM)  
Andrea Suarez Abastida (CD PMCM)  
Scott Eckler (CD PMCM)  
Abby Diaz (CD PMCM)

*Amur*

Attachment 1 - CD Capital Improvement Projects Schedule Extensions Request										
CD Number	Title	Current Phase	CD Project Compliance Date	Anticipated/Actual Construction Start Date	Anticipated Construction End Date	Contingency Factor (Months)	New Recommended CD Project Compliance Date	Previously Requested EPA Extension	Justification	Previously Requested Extension Correspondence
1.06	Thickening Facility	Procurement	9/24/2022	5/7/2018	1/6/2021	24 Months	1/6/2023		Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	
1.08	Dewatering Facility	Procurement	<del>11/28/2019</del> 12/04/2020 (Not Approved)	5/7/2018	1/6/2021	24 Months	1/6/2023	Previously requested new CD Project Compliance Date: 12/04/2020 Letter dated 3/31/2017	Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	Request for Schedule Extension
2.12	Gravity Sludge Thickeners Plant 1	Procurement	4/23/2021	5/7/2018	1/13/2021	24 Months	1/13/2023		Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	
2.13	Gravity Sludge Thickeners Plant 2	Procurement	<del>10/23/2019</del> 12/04/2020 (Not Approved)	5/7/2018	1/13/2021	24 Months	1/13/2023	Previously requested new CD Project Compliance Date: 12/04/2020 Letter dated 3/31/2017	Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	Request for Schedule Extension
2.16	Dewatering Facility	Procurement	8/7/2021	5/7/2018	1/13/2021	24 Months	1/13/2023		Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	
2.18	Odor Control Systems	Construction	<del>7/9/2020</del> 12/04/2020 (Not Approved)	5/7/2018	1/13/2021	24 Months	1/13/2023	Previously requested new CD Project Compliance Date: 12/04/2020 Letter dated 3/31/2017	Multiple child/sub projects Projects combined as one for operational efficiency, similar layout and equipment Procurement delays	Request for Schedule Extension
1.02	Oxygen Production	Procurement	<del>9/13/2019</del> 12/12/2019 (Approved)	7/16/2018	8/24/2020	18 Months (9 Months Re-Bid, 9 Months Construction Contingency)	2/25/2022	Previously requested new CD Compliance Date: 3/31/2021 Letter dated 10/31/2017	Procurement delays Bids cancelled and awaiting re-bid date	Delay Notification
1.09	FOG Removal Facility	Construction	<del>12/7/2017</del> 4/6/2018 (Approved)	6/30/2017	5/24/2018	12 Months	5/24/2019	Previously requested new CD Project Compliance Date: 04/06/2018 Letter dated 1/27/2017	Procurement delays Hurricane delay Construction delays Design changes	Force Majeure Notification
2.02	Building Improvements	Construction	9/6/2017	1/18/2017	3/25/2018	18 Months	9/26/2019	Previously requested new CD Compliance Date: 10/6/2017 Letter dated 11/3/2017	Contractor non-performance Re-design required	Update of Delay Notification
2.03	Headworks/Grit Basin Plant 1	Construction	10/22/2017	8/30/2016	6/19/2018	9 Months	3/16/2019	Previously requested new CD Compliance Date: 5/21/2018 Letter dated 11/7/2017	Design changes Unforeseen conditions Portions of work can only be performed during the dry season Hurricane delay	Failure to Meet Compliance Date Notification
2.04	Headworks/Grit Basin Plant 2	Construction	5/22/2018	8/30/2016	11/26/2018	9 Months	8/23/2019	Previously requested new CD Compliance Date: 4/12/2019 Letter dated 11/18/2017	Design changes Unforeseen conditions Portions of work can only be performed during the dry season Hurricane delay	Delay Notification
2.17	Chlorination Facilities	Construction	9/29/2017	4/18/2016	4/18/2018	6 Months	10/15/2018	Previously requested new CD Compliance Date: 12/31/2017 Letter dated 8/17/2017	Design changes Procurement delays Hurricane delay	Delay Notification
2.19	Co-Gen Improvements	Construction	3/31/2019	7/20/2017	5/22/2019	12 Months	5/21/2020	Previously requested new CD Compliance Date: 8/22/2019 Letter dated 5/18/2017	Procurement delays Hurricane delay	Potential Delay Notification



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CD Number	Title	Current Phase	CD Project Compliance Date	Anticipated/Actual Construction Start Date	Anticipated Construction End Date	Contingency Factor (Months)	New Recommended CD Project Compliance Date	Previous Requested EPA Extension	Justification	Previous Requested Extension Correspondence
2.22	Pump Station No.2	Construction	10/22/2017	1/24/2017	5/25/2018	12 Months	5/25/2019	Previously requested new CD Compliance Date: 4/30/2018 Letter dated 10/19/2017	Procurement delays Unforeseen conditions (contamination) Contractor non-performance	Update of Delay Notification
2.27	Oxygen Production	Procurement	12/30/2019	5/1/2018	2/14/2020	24 Months	2/13/2022	Previously requested new CD Compliance Date: 1/23/2021 Letter dated 12/15/2017	Procurement delays Scope change (cryogenic to VPSA)	Potential Delay Notification
4.05	South Dade 54 inch PCCP FM Rehabilitation	Construction	11/27/2017	10/19/2016	3/28/2018	9 Months	12/23/2018	Previously requested new CD Compliance Date: 6/1/2018 Letter dated 12/7/2017	Design changes Contractor initiated changes Pre-purchase material delays Hurricane delay	Failure to Meet Compliance Date Notification
5.01	Conversion of Sewage Pump Station 418 to Booster Station	Construction	11/24/2018	5/28/2016	10/22/2018	12 Months	10/22/2019	Previously requested new CD Compliance Date: 9/5/2019 Letter dated 12/13/2017	Unforeseen conditions Additional work required Sequencing requirements	Potential Delay Notification
5.04	Replacement of Switchgear PS#0414	Construction	5/9/2018	9/21/2017	9/18/2018	9 Months	6/15/2019	Previously requested new CD Compliance Date: 11/2/2018 Letter dated 11/21/2017	Procurement delays Delay caused by I/I	Delay Notification
5.06	Replacement of Switchgear PS#0416	Construction	5/9/2018	7/20/2017	9/16/2018	9 Months	6/13/2019	Previously requested new CD Compliance Date: 11/1/2018 Letter dated 11/9/2017	Procurement delays Hurricane delay Unforeseen condition (plug valves)	Delay Notification
5.07	Replacement of Switchgear and Rehabilitation of Wetwell PS#0417	Procurement	1/27/2019	6/1/2018	7/26/2019	12 Months	7/25/2020	Previously requested new CD Compliance Date: TBD, will provide update Letter dated 12/15/2017	Procurement delays NTP was not provided on 10/31/17 Awaiting re-bid date	Potential Delay Notification
5.09	Replacement of Pumping and Electrical Equipment at PS#0301	Design	5/9/2018	1/26/2019	1/24/2021	12 Months	1/24/2022	Submitted scope modification and schedule revision request for 10/25/2020 Letter dated 7/28/2017	Change of scope and revised baseline	Scope Modification Request and Schedule Revision Letter
5.11	Installation of 48 inch FM from Kendall Dr. to the Suction Side of PS#0536	Construction	5/9/2018	8/30/2017	5/18/2018	12 Months	5/18/2019	Previously requested new CD Compliance Date: 5/17/2017 Letter dated 12/11/2017	Design changes Procurement delays Hurricane delay Work can only be performed during the dry season	Delay Notification
5.12	Replacement of Switchgear at PS#0187	Construction	5/9/2018	3/9/2017	6/29/2018	9 Months	3/26/2019	Previously requested new CD Compliance Date: 11/9/2018 Letter dated 11/28/2017	Design changes Unforeseen conditions Procurement delays Hurricane delay	Delay Notification

CD Number	Title	Current Phase	CD Project Compliance Date	Anticipated/Actual Construction Start Date	Anticipated Construction End Date	Contingency Factor (Months)	New Recommended CD Project Compliance Date	Previous Requested EPA Extension	Justification	Previous Requested Extension Correspondence
5.16	Upgrade of PS#0198, 0437, 0466, 0680	Construction	12/31/2016	4/25/2016	3/1/2018	10 Months	12/31/2018	Previously requested new CD Project Compliance Date: 12/31/17 Letter dated 9/22/2017	Contractor non-performance	Update of Delay Notification
5.17	Upgrade of PS#0037, 0351, 0370, 0403	Construction	12/31/2017	5/9/2017	2/23/2018	9 Months	11/20/2018	Previously requested new CD Compliance Date: 3/30/2018 Letter dated 12/5/2017	Contractor non-performance Hurricane delay	Delay Notification
1.04	Chlorine Building	Pre -Design	6/1/2022	6/16/2020	8/7/2021	24 Months	8/7/2023		Potential project deferrals Delays to design start Anticipated future conflicts/changes	
1.07	Digesters and Control Building	Procurement	10/28/2021	8/10/2018	11/21/2021	24 Months	11/21/2023		Procurement delays Re-design to incorporate acid phase alternate Future unknown impact of Biosolids P3 project and potential date deferral	
2.01	Miscellaneous Electrical Improvements	Various	3/6/2020	Various	6/14/2020	12 Months	6/14/2021		Multiple child/sub projects Design delays Anticipated future conflicts/changes	
2.05	Oxygenation Trains Plant 1	Procurement	4/15/2018	12/29/2017	4/12/2018	12 Months	4/12/2019		Procurement delays Work can only be performed during the dry season	
2.08	Secondary Clairifiers Plant 2	Procurement	9/12/2023	8/24/2018	5/31/2023	18 Months	12/1/2024		Phasing/Operational Constraints Work can only be performed during the dry season	
2.10	Return Sludge Pump Stations Plant 2	Procurement	9/12/2023	8/24/2018	5/31/2023	18 Months	12/1/2024		Phasing/Operational Constraints Work can only be performed during the dry season	
2.11	Effluent Pump Station	Permitting	5/9/2020	10/26/2018	12/19/2019	18 Months	6/21/2021		Potential Impact from OOL Program with respect to change in motor Hp that may require design changes prior to award. Anticipated future conflicts/changes Electrical conduits are dependent on electrical ductbank installed as part of 2.27	
2.15	Digesters Plant 2	Construction Procurement Design Planning	8/19/2022	Various	6/18/2022	12 Months	6/18/2023		Multiple cluster projects Design changes (jet mixing to linear mixing) Unforeseen conditions (ductbank relocation, soil contamination)	
2.21	Pump Station No.1	Permitting	10/23/2019	7/12/2018	8/26/2019	18 Months	2/26/2021		Design Issues. Potential delay in permitting and procurement due to addition of temp odor control.	
3.02	Primary Clarifiers and Odor Control	Construction/ Procurement	4/18/2021	7/12/2018	4/6/2021	24 Months	4/6/2023		Phasing/Operational Constraints Work can only be performed during the dry season	

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CD Number	Title	Current Phase	CD Project Compliance Date	Anticipated/Actual Construction Start Date	Anticipated Construction End Date	Contingency Factor (Months)	New Recommended CD Project Compliance Date	Previous Requested EPA Extension	Justification	Previous Requested Extension Correspondence
3.03	Oxygenation Trains	Pre-Design	1/17/2024	12/3/2021	3/6/2024	24 Months	3/6/2026		Phasing/Operational Constraints Portions of work can only be performed during the dry season Potential project deferrals Delays to design start Anticipated future conflicts/changes	
3.04	Oxygen Production	Pre-Design	1/12/2024	12/3/2021	3/6/2024	24 Months	3/6/2026		Phasing/Operational Constraints Potential project deferrals Delays to design start Anticipated future conflicts/changes	
4.09	Replace Approximately 30 miles of AC FM Transmission System	Construction	10/8/2019	Various	10/18/2019	12 Months	10/17/2020		Permitting delays (hydraulic model update) Multiple projects county wide Procurement delays Road moratoriums	
4.10	Opa-Locka Airport 48" PCCP Force Main Replacement	Construction	1/28/2018	10/12/2016	1/28/2018	9 Months	10/25/2018		Unforeseen conditions Hurricane delay	
5.03	Upgrade of PS#0692	Procurement	1/27/2019	5/14/2018	6/18/2019	12 Months	6/17/2020		Permitting delays Operational constraints tied to Project 4.05	
5.05	Replacement of Switchgear and Rehabilitation of Wetwell PS#0415	Construction	1/27/2019	10/11/2017	12/6/2018	9 Months	9/2/2019		Permitting delays Procurement delays Unforeseen conditions	
5.18	Upgrade of PS#0441, 0491, 0710, 0827, 0852, 1236	Permitting	12/31/2018	5/7/2018	3/18/2019	9 Months	12/13/2019		Hurricane delay (affecting permitting) Multiple small contracts	
6.0 SEP	Supplemental Environmental Project (SEP)	Procurement	4/8/2019	1/17/2018	2/21/2019	9 Months	11/18/2019		Change of scope (addition of water main) Utility easement challenges Densely industrialized area	

Projects under the Thickening/Dewatering Contract  
 EPA has been notified, however, additional time is requested  
 Additional float is requested

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Attachment 2 - Projects Completed and Pending Resolution									
CD Number	Title	Original CD Project Compliance Date	Actual Construction Start Date	Actual Construction Completion Date	Approved CD Compliance Date	Days Past CD Compliance Date	Previous Requested EPA Extension	Justification	Correspondence
2.24	Gas Monitoring and Alarms	9/19/2017	4/13/2015	9/29/2017	9/19/2017	10 days	Previously requested new CD Project Compliance Date: 10/3/2017 Letter dated: 9/29/2017	Hurricane delay	Notification of Completion
4.8	Rehabilitation of 54-inch PCCP FM in the City of Miami	4/9/2017	3/12/2015	6/16/2017	5/28/2017	19 days	Previously requested new CD Project Compliance Date: 5/28/2017 Letter dated: 5/16/2017	Hurricane delay, defective isolation valve and pipe failure of the newly rehabilitated 54-inch force main at 25% of its rated pressure	Force Majeure Notification

# Attachment C

Force Majeure Notification for CD 1.6, 1.8, 2.12, 2.13, 2.16 and 2.18  
June 6, 2018



miamidade.gov

**Water and Sewer**  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

**VIA ELECTRONIC CORRESPONDENCE**

June 6, 2018

CCN: 61941  
File No: 8.DC.52 & 77

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Ben Franklin Station  
Washington, D.C. 20044-7611  
RE: DOJ No. 90-5-1-1-4022/1  
[Tom.Mariani@usdoj.gov](mailto:Tom.Mariani@usdoj.gov)

Chief, Clean Water Enforcement Branch  
Water Protection Division  
Attn: Brad Ammons  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303  
[Ammons.Brad@epa.gov](mailto:Ammons.Brad@epa.gov)

Rachael Amy Kamons  
Environmental Enforcement Section  
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Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto:Jason.Andreotta@dep.state.fl.us)

**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM)**  
**Reference DOJ Case No. 90-5-1-1-4022/1**  
**Section XI, Paragraph 52 – Force Majeure**  
**Section XVII, Paragraph 77 – Notices**  
**Force Majeure Notification Letter for Consent Decree Appendix D-2, Capital Improvement**  
**Projects 1.6, 1.8, 2.12, 2.13, 2.16 and 2.18(2) - SDWWTP Thickening and Dewatering Projects**  
**and CDWWTP Thickening and Dewatering Projects and Odor Control Systems**

*AMK*

Dear Sir/Madam:

In accordance with the provisions of Section XI, Paragraph 52 of the above referenced Consent Decree (CD), on May 25, 2018, Miami-Dade County (County) electronically notified United States Environmental Protection Agency (EPA) and Florida Department of Environmental Protection (FDEP) of a force majeure of CD Capital Improvement Capital Improvement consolidated Project consisting of CIP 1.6 SDWWTP Thickening Facility, CIP 1.8 SDWWTP Dewatering Facility, CIPs 2.12/2.13 CDWWTP Gravity Sludge Thickeners Plants 1 & 2, CIP 2.16 CDWWTP Dewatering Facility and CIP 2.18(2) CDWWTP Odor Control Systems. Because both sludge thickening and dewatering buildings at Central District WWTP and South District WWTP would have identical equipment and similar engineering requirements, Water and Sewer

Department (WASD) has combined these projects under one Design-Build contract solicitation. This consolidated Project has experienced a force majeure during the procurement phase.

In accordance with Section XI, Paragraph 52, this notification letter shall further describe and explain the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken to prevent or minimize the delay; a schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay; County's rationale for attributing such delay to a force majeure event if it intends to assert such a claim; a statement as to whether, in the opinion of the County, such event may cause or contribute to an endangerment to public health, welfare or the environment, and documentation to support the force majeure claim.

**Explanation and description of the reasons for the delay**

The scope of this project includes a combined Sludge Thickening and Dewatering Building to house the sludge thickening system, the digested sludge dewatering system and other engineering features to support the thickening and dewatering process at both CDWWTP and SDWWTP. The CD CIPs 1.06, 1.08, 2.12, 2.13, 2.16 and 2.18(2) have been delayed due to an issue encountered during its procurement phase that requires re-bid of the project.

The County's design-build solicitation consists of a two-step process, Step 1 is the evaluation of a design-build team's qualifications based on the teams' completed submittal. Step 2 is the evaluation of competitive Technical and Price Proposals from those firms that have successfully advanced through Step 1 who choose to offer a responsive and responsible proposal.

On July 21, 2016, the County advertised the Design-Build Services for the project. On September 16, 2016, the Step 1 qualification package was received from two design-build teams. Later, the County elected both teams to advance to Step 2. The teams were (1) Poole & Kent with Carollo Engineers (P&K) and (2) PC Construction with Hazen and Sawyer (PC). On May 5, 2017, the Step 2 proposal package was received from both teams. At the August 25, 2017 Step 2 Evaluation Meeting, P&K was disqualified for not meeting proposal requirements and the County elected awarding the project to PC. Since the meeting, the County has proceeded with contract negotiation with PC and award process. On May 7, 2018, the County received a withdrawal letter from the selected design-build team, PC, indicating their proposal was based on the anticipated Notice to Proceed date of August 31, 2017 and its bid bond securing the bid has expired. Due to the bid withdraw from the sole qualifier, the County had to cancel the bid and re-advertise the solicitation.

**Actions taken or to be taken to prevent or minimize the delay**

After receiving the withdrawal letter from PC, the County took immediate action and explored all avenues to continue with the current bid solicitation. However, it was determined that bid cancellation was necessary. The bid was cancelled on 5/30/2018. Simultaneously, the County has initiated the preparation of the re-bid and consider ways to mitigate the delay.

Actions to be taken to minimize the delay during procurement may include, but not limited to, the following:

- Inform the County's Internal Service Department of the project's criticality
- Closely monitor schedule and workflow

Actions to be taken to minimize the delay during construction may include, but not limited to, the following:

- Engage the Design-Builder in a focused schedule review of any potential issues that may affect critical path and completion of the work.
- Consider extended hours of work to improve schedule.
- Meet with Design-Builder to discuss additional work resources on the project to expedite key elements of the work.

**Anticipated duration of the delay**

On April 11, 2018, EPA and FDEP approved the County's December 22, 2017 Request for Schedule Modifications which included the CD CIPs 1.06, 1.08, 2.12, 2.13, 2.16 and 2.18. The potential delay will require project re-bid and will impact the Project CD compliance dates of January 6, 2023 for CIPs 1.06 and 1.08 and January 13, 2023 for CIPs 2.12, 2.13, 2.16 and 2.18.

The additional time would be required for the following: (1) Design Criteria Professional to modify the contract documents for the re-bid, (2) re-initialize procurement with the revised documents, (3) solicit Step 1 Qualification submittal from design-build teams, (4) evaluate and select design-build teams that successfully advance to Step 2, (5) solicit Step 2 Technical and Price Proposals, (6) evaluate and select one responsive and responsible team, (7) negotiate contract with the selected team (8) obtain approval from the Director, Board of County Commissioner, and the Mayor, (9) issue award and Notice to Proceed to the selected team, (10) the awarded Design-Builder to develop detailed design, obtain required permits, and construct new Thickening and Dewatering Buildings at both CDWWTP and SDWWTP. The County will transmit the duration of the delay, upon completion of the time impact analysis for the above activities.

**Schedule for implementation of any measures to be taken to prevent or mitigate the delay or the effect of the delay**

The County will take the following steps (in sequence) to prevent or mitigate delay or the effect of the delay:

1. Design Criteria Professional to modify the contract documents for re-bid
2. Meet with WASD Procurement and Internal Service Department to emphasize project's criticality
3. Re-advertise

**Rationale for attributing such delay to a force majeure event**

As defined in Section XI, Paragraph 51, "Force Majeure is defined as any event arising from causes beyond the control of the County. It is out of the County's control to control the bid proposals and actions



of bidders during the procurement process. In this case, bidder's action during procurement resulted in the need to re-bid the project and the need to extend the duration of procurement phase beyond original expectation.

**Cause or contribute to an endangerment to public health, welfare or the environment**

Failure of sludge thickening and dewatering will result in a biological overloading and solids accumulation in the secondary treatment process and may cause effluent limit violations. However, there is no indication that it presents an immediate endangerment to the public health, welfare, or the environment.

Should you have any questions regarding this matter, please call me at (786) 552-8571.

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sincerely,



Lynnette M. Ramirez, P.E.,  
Senior Advisor, Capital Improvement Programs & Regulatory Compliance

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Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
Attn: Compliance/Enforcement Section  
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Mayor Carlos A. Gimenez  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128

Kevin T. Lynskey, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146

Jack Osterholt, Deputy Mayor/Director  
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# Attachment D

Response to EPA's Request for Additional Information on CD Projects with Force Majeure and Delay  
Notifications  
May 2, 2022



miamidade.gov

**Water and Sewer**  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

**VIA ELECTRONIC CORRESPONDENCE**

May 2, 2022

CCN: 64335  
File No: 8DC.20.52

Chief, Environmental Enforcement Section  
Environment and Natural Resources Division  
U.S. Department of Justice  
P.O. Box 7611  
Tom Mariani  
Washington, D.C. 20044-7611  
RE: DOJ No. 90-5-1-1-4022/1  
[Tom.Mariani@usdoj.gov](mailto:Tom.Mariani@usdoj.gov)

Chief, Clean Water Enforcement Branch  
Water Protection Division  
Attn: Brad Ammons  
U.S. Environmental Protection Agency, Region 4  
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[Ammons.Brad@epa.gov](mailto:Ammons.Brad@epa.gov)

Rachael Amy Kamons  
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Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
Attn: Compliance/Enforcement Section  
[Jason.Andreotta@dep.state.fl.us](mailto:Jason.Andreotta@dep.state.fl.us)

**RE: Consent Decree (Case: No. 1:12-cv-24400-FAM),  
Reference DOJ Case No. 90-5-1-1-4022/1,  
Section XI, Paragraph 52 – Potential Delay,  
Section XVII, Paragraph 77 Notices, Response to EPA’s Request for Additional  
Information on Consent Decree Projects Listed with Force Majeure and Delay  
Impacts**

Dear Sir/Madam:

This letter serves as a Response Letter to the United States Environmental Protection Agency (EPA) Letter dated March 7, 2022 for additional supplemental information needed from Miami-Dade County before determining whether Force Majeure criteria are met with respect to specific notices and the duration of any Force Majeure impacts in the attached list of project notifications reported. **Attachment A** is a copy of the EPA Letter on the Force Majeure/Delay Notifications dated March 7, 2022.

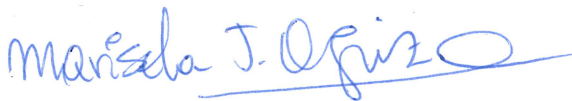
**Attachment B** is a Table of Force Majeure and Delay Notifications listed per project and the response to the EPA's request for Supplemental Information per project needed on Force Majeure and Delay Notifications.

**Attachment C** is the Supplemental/Supporting Documentation for the Force Majeure and Delay Notifications.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering such information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Should you have any questions regarding this matter, please call me at (786) 552-8894.

Sincerely,



Marisela J. Aranguiz, P.E.  
Deputy Director  
Miami-Dade Water and Sewer Department

ec: Anita Patel  
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Florida Department of Environmental Protection  
Southeast District – West Palm Beach  
3301 Gun Club Road, MSC 7210-1  
West Palm Beach, FL 33406  
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Madame Mayor Daniella Levine-Cava  
Miami-Dade County  
111 NW First Street 29<sup>th</sup> Floor  
Miami, Florida 33128  
[Daniella.Cava@miamidade.gov](mailto:Daniella.Cava@miamidade.gov)

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Miami-Dade County Chief Operations Officer  
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Angela Benjamin  
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Miami-Dade County Attorney's Office  
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Roy Coley, Director  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146  
[Roy.Coley@miamidade.gov](mailto:Roy.Coley@miamidade.gov)

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Response to EPA's Request for Additional Information on Consent Decree Projects with Force Majeure  
and Delay Impacts

May 2, 2022

Page 4

Paul Schwartz  
Associate Regional Counsel  
U.S. EPA, Region 4  
61 Forsyth Street, SW  
Atlanta, Georgia 30303  
[Schwartz.Paul@epa.gov](mailto:Schwartz.Paul@epa.gov)

**Attachment A**  
**EPA Letter on the Force Majeure/Delay Notifications dated March 7, 2022**





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**ELECTRONIC MAIL**  
**CONFIRMATION OF EMAIL RECEIPT REQUESTED**

Mr. Roy Coley  
Miami-Dade County  
Director, Water and Sewer Department  
3071 SW 38<sup>th</sup> Avenue  
Miami, Florida 33146  
Roy.Coley@miamidade.gov

Re: Consent Decree (Case No. 1:12-cv-24400-FAM)  
Section XI, Paragraph 52 – Force Majeure/Delay Notifications

Dear Mr. Coley:

The Environmental Protection Agency, Region 4 and the Florida Department of Environmental Protection (FDEP) are in receipt of numerous Force Majeure and/or Delay Notifications, submitted pursuant to Paragraph 52 of the above-referenced Consent Decree. After review of these Force Majeure and Delay Notifications, the EPA and FDEP need additional information from Miami-Dade County (Miami-Dade) before determining whether force majeure criteria are met with respect to specific notices and, if so, the duration of any force majeure impacts. See Enclosure- List of Force Majeure/Delays Notifications, which includes notes regarding the additional information needed.

If you should have any questions regarding this matter, you may contact Mr. Brad Ammons at (404) 562-9769 or via email at [ammons.brad@epa.gov](mailto:ammons.brad@epa.gov). Your attorney may contact Mr. Paul Schwartz at (404) 562-9576 or via email at [schwartz.paul@epa.gov](mailto:schwartz.paul@epa.gov).

Sincerely,

Jairo Castillo, P.E., Chief  
Wastewater Enforcement Section  
Water Enforcement Branch

Enclosure

cc: Mr. Jonathan A. Glogau  
Office of the Attorney General

Mr. Kirk White  
Florida Department of Environmental Protection

Ms. Lisa Self  
Florida Department of Environmental Protection

Ms. Daniella L. Cava  
Miami-Dade County

Ms. Lourdes Gomez  
Miami-Dade Regulatory and Economic Resources

Ms. Angela Benjamin  
Miami-Dade County Attorney

Ms. Rachael Amy Kamons  
U.S. Department of Justice

**Miami-Dade Co., FL**

Consent Decree

List of Force Majeure + Delay Notifications

Date of Req/Notif	Proj. #	Req. Add'l Time	Cause of Delay	Supplemental Info needed	Compliance Deadline
6/1/2017	2.22	Unk	Groundwater contamination at site (Diesel) and stop work order issued for remediation.	Get more detail on length of delay with any supplemental info explaining how full extent of delay and various causes meet force majeure criteria or warrant discretion.	5/25/2019
6/6/2018	1.6, 1.8, 2.12, 2.13, 2.16, 2.18	"Super Project" based on design-build	Withdrawl from bid process by winning contractor. Require re-bid. County will transmit the duration of delay upon completion of time impact analysis (no followup since then).	Get more detail on length of delay. County will continue to provide regular updates regarding duration of and justification for delay regarding these projects that are not yet completed.	Various
3/6/2019	2.22	Unk	County now engaging with contractor's surety bond company for non-completion. County will transmit the duration of delay once Surety determines best course of action.	Get more detail on length of delay, see comment re 6/1/17 notice for this project above.	5/25/2019
6/28/2019	1.11	Unk	Bid protest due to some of the work being in another contract. County will transmit updated info once bid package is re-done.	Get more details on length of delay. County will continue to provide regular updates regarding duration of and justification for delay regarding this project that is not yet completed.	3/26/2021
9/13/2019	Projects in construction.	up to 6 days	Hurricane Dorian delays	Get more details on length of delay and project specific impacts and justifications.	Various
1/10/2020	2.19	Unk	Project 99% constructed on time. Can't test until gas system is upgraded (Fall of 2021)	County to provide regular updates and requests delay in EPA decision until project completion - County will provide details on length of delays and justifications for delays when project complete.	5/21/2020
4/3/2020	Multiple	Unk	COVID-19 pandemic effects.	Get County's response to EPA letter. See EPA letter covered this. Supplemental info on project specific duration and project-specific impacts.	Various

5/5/2020	3.6	Unk	COVID-19 pandemic effects. Impact from unforeseen field conditions in rehabilitating the NDWWTP disinfection building.	Get County's response to EPA letter re COVID impacts. See EPA letter covered this. Need supplemental info on duration of delay caused by FM events – with explanation of durational impact, how it meets FM criteria, of COVID and unforeseen field conditions separately.	9/9/2020
9/10/2020	2.15(3)	Unk	Plant 2/Cluster 3 sludge digesters impact. County decided to make this project subsequent to Projs. 2.15(1) and 2.15(2), which have themselves been delayed due to poor conditions of corbels in digesters. County to provide update once work on Projects 2.15(1) and 2.15(2) completed.	Ask for more details on how much delay in Clusters 1 and 2 and further clarification, when project complete, on to what extent various causes of delays are or are not being claimed as force majeure.	7/21/2022
10/13/2020	2.1(7)	Unk	Project delay for sub-project (7) only. Unforeseen field conditions and remediation needs as well as COVID-19 impact.	Get details on length of delay and whether the “unforeseen field conditions” are claimed as FM too or just COVID impacts are considered force majeure.	6/14/2021
1/15/2021	1.11	Update	Project had to be re-bid and re-advertised.	Get details on length of delay and justification. See comments re notice for this project of 6/28/19.	3/26/2021

**Attachment B**  
**Table of Force Majeure and Delay Notifications**

**Table  
Supplemental Information on Force Majeure and Delay Notifications**

Information Provided in the EPA Letter dated March 7, 2022							Miami-Dade Response for Supplemental Information Requested by EPA	
Date of Req/Notification	Project No.	Project Description	Req. Add'l Time	Cause of Delay	EPA Request for Supplemental Info Needed per Project	Compliance Deadline	Response Comments	Length of Delay
6/1/2017	2.22	CDWWTP Master Pump Station No. 2	Unknown	Groundwater contamination at site (Diesel) and stop work order issued for remediation.	Get more detail on length of delay with any supplemental info explaining how full extent of delay and various causes meet force majeure criteria or warrant discretion.	5/25/2019	This project experienced the following delays that meet the definition of Force Majeure due to discovery of ground water contamination and COVID-19. The delay occurred in the execution of this project when the contractor observed odors and a sheen on the groundwater during the start of excavation for the new foundation footings. Water and Sewer Department (WASD) ceased underground work until the analytical results were received for samples collected on May 11, 2017 from the exposed groundwater in the excavation by the WASD Environmental Compliance staff. The results confirmed petroleum contamination requiring the contractor to obtain an environmental consultant to prepare an approvable Soil and Groundwater Management Plan. The previously undocumented contamination found was not a result of County activities at the Pump Station site. The potential source of contamination is suspected to be related to historical petroleum facilities in the area which meets the criteria for force majeure. The Limited Stop Work Order issued on May 16, 2017 was rescinded on August 11, 2017 which amounts to 87-day delay and a copy of these letters are provided in Attachment C.	87-day
6/6/2018	1.6 1.8 2.12 2.13 2.16 2.18(2)	Thickening and Dewatering at CDWWTP and SDWWTP	"Super Project" based on design-build	Withdrawal from bid process by winning contractor. Require re-bid. County will transmit the duration of delay upon completion of time impact analysis (no follow-up since then).	Get more detail on length of delay. County will continue to provide regular updates regarding duration of and justification for delay regarding these projects that are not yet completed.	Various	On June 6, 2018, the County notified the EPA and FDEP of a Force Majeure which impacted the CD Compliance Date for the Thickening and Dewatering Project. On May 7, 2018, the County received a contractor withdrawal letter dated May 1, 2018 from the selected design-build team due to bid withdrawal from the sole qualifier, and the project was required to re-bid. The new Design-Builder was issued a Notice to Proceed on July 6, 2020. Refer to Attachment C for a copy of the Contractor's Withdrawal letter and Notice to Proceed letter. This caused a delay of approximately 2 years.	2-years
3/6/2019	2.22	CDWWTP Master Pump Station No. 2	Unknown	County now engaging with contractor's surety bond company for non-completion. County will transmit the duration of delay once Surety determines best course of action.	Get more detail on length of delay, see comment re 6/1/17 notice for this project above.	5/25/2019	On February 21, 2019, the County issued a Notice of Termination for Default to the Contractor. The County engaged in meetings and discussions with the Contractor's Surety. On March 6, 2019, the County submitted a Delay Notification Letter to EPA and FDEP. On April 15, 2019, a Memorandum of Understanding was executed between WASD and the Surety. The Surety managed the completion of the contract utilizing the existing contractors, subcontractors, and vendors. Notice to Proceed to restart construction work was issued on April 15, 2019, and the Surety's portion of the project achieved construction completion on August 23, 2021. This project experienced a 54-day delay from when the County terminated the Contractor to issuing the Notice to Proceed (NTP) to the Contractor's Surety. On April 24, 2020, the County submitted to EPA and FDEP a Project Update Notification Letter to advise that the flow meter work was removed from the Contractor's scope of work and will be performed by WASD Wastewater Collection and Transmission Line Division (WWCTLD). The notification also included Contractor delays in the execution of this project due to COVID-19. COVID impacted the Nation-wide delivery of construction materials as well as the ability to maintain healthy staff to execute work effectively (Manufacturers, Contractors, Administrators).  Flow meter installation is still pending for this project to achieve the Consent Decree Project's Substantial Completion.	54-day
6/28/2019	1.11	SDWTP Substations 9 thru 12	Unknown	Bid protest due to some of the work being in another contract. County will transmit updated info once bid package is re- done.	Get more details on length of delay. County will continue to provide regular updates regarding duration of and justification for delay regarding this project that is not yet completed.	3/26/2021	The project CD 1.11 is described as the rehabilitation and replacement of electrical controls and wiring as needed throughout the South District Wastewater Treatment Plant (SDWWTP). This project CD 1.11 was divided into multiple child/sub projects and CD 1.11(1.1) is a child/sub project for General Electrical Design of Substations No. 9, 10, 11 and 12 that experienced Force Majeure delays. The scope of this project is furnishing all materials, labor, and equipment necessary for the electrical improvements of existing Substations 9, 10, 11 and 12. The work involves demolition and replacement of existing electrical transformer and switchgear equipment, panels, busduct, conduits and cabling. The project scope also includes replacement of existing built up roofing and other architectural features. Towards the end of the procurement phase, the County experienced the following delays: 1) the County was required to cancel all bids on May 28, 2019, due to a duplication of a portion of proposed work under another solicitation; 2) the low bidder protested the cancellation of the bids on May 31, 2019, This project was re-advertised for bid on September 26, 2019 and a Notice to Proceed was issued to the Contractor on September 8, 2020. The total number of days delayed during the procurement phase between the bid cancellation on May 28, 2019 to the Notice to Proceed awarded in the procurement of the re-bid issued on September 8, 2020 was 470 -days. A copy of the bid cancellation and the Notice to Proceed issued for the re-bid is provided as an Attachment.	470-day
9/13/2019	Projects in construction.		up to 6 days	Hurricane Dorian delays	Get more details on length of delay and project specific impacts and justifications.	Various	WASD and their contractors have hurricane preparedness guidelines designed to maximize the safety of the public and employees and mitigate potential damages due to hurricanes. On August 29, 2019, WASD issued a directive to their contractors to have the construction site secured per their Responsive Hurricane Preparedness Plan by the close of business day on August 30, 2019. Directive to return the construction sites to their normal condition and activities was given on September 3, 2019. The delays for projects in construction amounts to 5 days. The threat of Hurricane Dorian and the associated activities conducted to minimize the potential risk to public safety and of damage to property caused some delays impacting Capital Improvement Projects (CIP) in construction on the three (3) regional WWTP's, and multiple pump station and force main projects. The following projects were active in construction and impacted by Hurricane Dorian with a 5-day delay are: 1.1 Headworks; 1.2 Oxygen Production; 1.7 Digesters and Control Building; 2.2(2) Remodel Bathrooms, Locker Rooms & Showers; 2.8(1) Secondary Clarifiers Plant 2; 2.10 Return Sludge PS Plant 2; 2.11 Effluent Pump Station; 2.15* Digesters Plant 2 (Clusters 1 & 2); 2.19 (2a) Co-Gen Biogas Treatment Facilities; 2.19 (2b) Co-Gen Restroom and Building Rehab; 2.21 Pump Station No.1; 2.22 Pump Station No.2; 3.2 (2) Primary Clarifiers; 3.5 (2) Secondary Clarifiers; 3.6 Disinfection; 5.5 Replacement of Switchgear and Rehabilitation of Wetwell PS#0415; 5.7 Replacement of Switchgear and Rehabilitation of Wetwell PS#0417. One project required an additional day delay which is CD 2.15 and granted 6-day delay and a copy of the Contractor's request is provided in Attachment C.	5-day Project 2.15 (6-day)
1/10/2020	2.19	CD 2.19 CDWWTP Co-generation Facility	Unknown	Project 99% constructed on time. Can't test until gas system is upgraded (Fall of 2021)	County to provide regular updates and requests delay in EPA decision until project completion - County will provide details on length of delays and justifications for delays when project complete.	5/21/2020	The project installed a new Biological Hydrogen Sulfide (H2S) Biogas Treatment System including five (5) bioreactor vessels and equipment containers, a new Co-Gen Switchgear Building to replace the existing electrical rooms in the Co-Gen Building and Electrical Substation No. 17 and No. 18. A new Biogas Treatment Electrical Building was constructed, including conveyance from the Plant 1 Digesters to the H2S Treatment System and from the H2S Treatment System to the cogeneration engines in the Co-Gen Building. The project also replaced eight (8) rotary sliding vane compressor systems and appurtenances. Construction was completed on October 4, 2019. Currently, performance and acceptance testing of the equipment is pending availability of biogas from the Plant 1 Digesters, therefore this project continues to experience an on-going delay.	Construction completed on October 4, 2019, project continues to be delayed until the biogas for the performance and acceptance test becomes available.
4/3/2020	Multiple		Unknown	COVID-19 pandemic effects.	Get County's response to EPA letter. See EPA letter covered this. Supplemental info on project specific duration and project-specific impacts.	Various	This request for supplemental information on project specific duration and project-specific impacts will be presented in a Special Presentation to EPA at the end of May 2022. All projects in design, permitting, procurement and/or construction phases across Miami-Dade County continue to be impacted by the COVID-19 emergency. On March 19, 2020, the County Mayor extended the Local State of Emergency and identified government offices, open construction sites, engineering services as essential services to be maintained during the state of emergency. However, on March 28, 2020, County Emergency Order 14-20 was issued which suspended all laws, statutes, codes, and regulations relating to County employees performing building code functions including, but not limited to, the review of plans, issuance of permits, performance of inspections and issuance of certificates of occupancy, completion and temporary certificates of occupancy, and all activities related thereto. Project delays due to COVID-19 include 1) Positive cases within construction crews. 2) Quarantine and restrictions. 3) Material shortages and delay in mobilization. 4) Delays and shortages of plant inspections, remote work, and inadequate staffing. 5) National and Local State of Emergency.	Various times delays per project to be provided in a Special Presentation related to the COVID-19 Impacts on the projects.

5/5/2020	3.6	NDWWTP Disinfection Facility	Unknown	COVID-19 pandemic effects. Impact from unforeseen field conditions in rehabilitating the NDWWTP disinfection building.	Get County's response to EPA letter re COVID impacts. See EPA letter covered this. Need supplemental info on duration of delay caused by FM events – with explanation of durational impact, how it meets FM criteria, of COVID and unforeseen field conditions separately.	9/9/2020	This project experienced delays due to discovery of unforeseen corrosion of the building's roof deck that required additional extra work to be performed during the Pandemic and was impacted by a Force Majeure COVID-19. The force majeure delays included quarantine and restrictions, material shortages and delays in mobilization, and delays in plan review, issuance of permits, and inadequate staffing. The unexpected condition caused a 242-day delay in project completion. Refer to Attachment C for a copy of the Contractor's Notice of Force Majeure Event Notification. The Consent Decree project was substantially completed on March 5, 2022. The County previously notified the EPA and FDEP as follows: On April 21, 2020, the County electronically notified the EPA and FDEP of potential delays in construction including COVID-19 Pandemic impacts. On May 5, 2020, the County submitted the Delay and Force Majeure Notification Letter to EPA and FDEP. On September 9, 2020, the County submitted a Failure to Meet Compliance Date Letter to EPA and FDEP.	242-day
9/10/2020	2.15(3)	Plant 2 Digesters Cluster 3 at CDWWTP	Unknown	Plant 2/Cluster 3 sludge digesters impact. County decided to make this project subsequent to Projs. 2.15(1) and 2.15(2), which have themselves been delayed due to poor conditions of corbels in digesters. County to provide update once work on Projects 2.15(1) and 2.15(2) completed.	Ask for more details on how much delay in Clusters 1 and 2 and further clarification, when project complete, on to what extent various causes of delays are or are not being claimed as force majeure.	7/21/2022	This project experienced the following delays that meet the definition of Force Majeure due to faulty equipment and system failures. Procurement of this project is dependent on successful start-up, testing and completion of Consent Decree projects 2.15(1) and 2.15(2). Completion of 2.15(1) is delayed due to failure of start-up and testing of newly installed mixer and digester covers. The technical team, County, consultant, and contractor are currently identifying technical issues and developing a new start-up procedure for the system. Completion of 2.15(2) is delayed due to the delayed issues encountered with CD 2.15(1) and the revised start-up procedures required that are still in process to achieve steady state of operations and the system failures that the project has experienced. These projects have been and continue to be impacted by weather delays, delays in material availability and delivery, and the system failures. The County previously notified the EPA and FDEP as follows: On August 27, 2020, an electronic notification of a potential delay for Project 2.15(3) Digesters Plant 2 Cluster 3 was submitted to EPA and FDEP. On September 10, 2020, the written notification of a potential delay was submitted to EPA and FDEP.	On-going
10/13/2020	2.1(7)	CDWWTP Electrical Improvements	Unknown	Project delay for sub-project (7) only. Unforeseen field conditions and remediation needs as well as COVID-19 impact.	Get details on length of delay and whether the "unforeseen field conditions" are claimed as FM too or just COVID impacts are considered force majeure.	6/14/2021	This project experienced the following delay that meet the definition of Force Majeure due to the COVID-19 impact of the Test Pile Crew. On July 2, 2020, the Contractor notified the County of a delay in mobilization of the test pile crew due to a positive COVID-19 case. Refer to the Attachment C for a copy of the Contractor's Letter dated for the 3-day delay related to this event. The Consent Decree portion of this project was substantially completed on November 17, 2021.	3-day
1/15/2021	1.11	SDWWTP General Electrical	Update	Project had to be re-bid and re-advertised.	Get details on length of delay and justification. See comments re notice for this project of 6/28/19.	3/26/2021	This project experienced unforeseen delays in procurement and the delays that meet the definition of Force Majeure due to COVID-19.  The procurement process for this solicitation faced unforeseen issues and the project went out to bid three (3) times. The initial solicitation was cancelled on March 3, 2020 (see attached Notice of Cancellation) because the lowest bidder was unable to provide an extension of their bid bond. During the second solicitation, Recommendation for Award was issued on August 18, 2020, however, the award was rescinded on December 24, 2020 (See attached), due to post-bid conditions imposed by the awarded contractor. Bid documents were revised and submitted to procurement for third round of bid solicitation. The project was awarded to a construction contractor and the Notice to Proceed was issued on September 22, 2021. This project experienced a 569-day delay from March 3, 2020 when the solicitation was cancelled to September 22, 2021 when the Notice to Proceed was re-issued on the project. In addition, the COVID-19 impacted the procurement phase of the project with limiting gatherings of interested bidders to visit the site and maintaining social distancing, COVID-19 directive by the County impacted office closures to the public and no reports or submittals were being accepted, and the Contractors had delays with subcontractors and vendors bids due to the challenges in maintaining adequate staffing due to COVID-19 Pandemic. This project is currently in construction, at 25% complete, and substantial completion is estimated for November 15, 2024. Refer to Attachment C for a copy of the Notice of Project Cancellation; Rescinding Recommendation for Award and Cancellation of CD 1.11; Final Recommendation of Award; and the Final Notice to Proceed Letter.	569-day

**Attachment C**  
**Supplemental/Supporting Documentation for the**  
**Force Majeure and Delay Notifications**



**CD 2.22**  
**Pump Station No. 2**



Consent Decree PMCM Team  
135 San Lorenzo | Suite 600  
Coral Gables, FL 33146  
(O) 305.444.4691 | (F) 305.447.3580

May 16, 2017

Letter: CD2.22\_GNC-006

Felix Valdes  
President  
V Engineering & Consulting Corp.  
2929 SW 3<sup>rd</sup> Ave., Suite 340  
Miami, FL 33129

Re: Consent Decree Project 2.22 – CDWWTP Master Pump Station No. 2  
Limited Stop Work Order – Underground Construction  
RPQ No. T2250; ER No. S049346; PCTS No. 13162

Dear Mr. Valdes:

As a result of the soil sampling performed by WASD-Environmental Compliance on May 11, 2017 and the subsequent test results shared with the project team today there is evidence of contaminated soil in the area that V-Engineering and Consulting, Corp. (VEC) has started excavating.

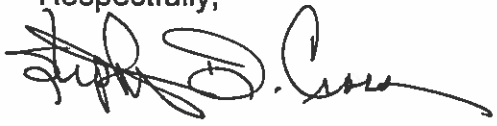
At today's meeting with WASD-Environmental Compliance, Stantec, CD PMCM and VEC Corp. the soil test results and the immediate steps that must be initiated were discussed. VEC is to cease all underground construction. This affects the foundation activities as well as any planned underground utility installation. VEC is to contract with an environmental consultant who shall provide direction on the corrective course of action, develop and monitor the Work Action Plan and fully document the process of working with the contaminated soil. No underground work can resume until the environmental consultant's evaluation and course of action is submitted for review and approval.

This limited Stop Work Directive does not preclude construction activities to continue on electrical and mechanical activities inside the existing pump station structure as well as above ground work associated with the temporary chemical tank configuration.

This letter acknowledges that V-Engineering and Consulting, Corp. will incur additional expenditures to address the contaminated soils. As the additional costs are difficult to quantify and this work needs to be expedited we suggest that this work be performed on a force account basis.

If there are questions on this direction, the construction activities impacted or any additional support required from the project team members, please contact me at 786-858-3210 to expedite resolution.

Respectfully,

A handwritten signature in black ink, appearing to read "Stephen D. Cross". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen D. Cross  
PMCM Area Construction Manager

cc: Daniel Edwards/WASD  
Victor Fernandez-Cuervo/WASD  
Ana Caveda/WASD  
David Wood/ CD PMCM  
Andrea Suarez/CD PMCM  
Scott Eckler/CD PMCM  
Abby Diaz/CD PMCM  
Tory Champlin/CD PMCM  
Warren Howard/CD PMCM  
Ricardo Rodriguez/CD PMCM  
Marcelino Gomez/CD PMCM  
Antonio Inojal/Stantec  
Sussette Irizarry/Stantec  
Brantley Tate/VEC  
Ricardo Garcia/VEC  
Samantha Diaz/VEC  
Saide Randel/VEC-SCR



Consent Decree PMCM Team  
135 San Lorenzo | Suite 600  
Coral Gables, FL 33146  
(O) 305.444.4691 | (F) 305.447.3580

August 21, 2017

Letter: CD2.22\_GNC-009

Mr. Felix Valdes  
President  
V Engineering & Consulting Corp.  
2929 SW 3<sup>rd</sup> Ave., Suite 340  
Miami, FL 33129

Re: Consent Decree Project 2.22 – CDWWTP Master Pump Station No. 2  
Rescind Limited Stop Work Order – Underground Construction  
RPQ No. T2250; ER No. S049346; PCTS No. 13162

Reference: 1. Submittal 015719-001\_Draft Contaminated Soil Management Plan  
2. Letter CD2.22\_GNC-006\_Limited Stop Work Order-Underground Construction  
dated May 16, 2017

Dear Mr. Valdes:

With the acceptance (submittal review code "Make Corrections Noted") of Submittal 015719-001\_draft contaminated soil management plan (Reference No. 1) the limited stop work restricting below grade construction activities (Reference No. 2) is being rescinded with an effective date of August 11, 2017. This date reflects the meeting with representatives from WASD-Environmental, V-Engineering and Consulting, Corp., Nutting Environmental of Florida, Stantec and CD PMCM to review the requirements and responsibilities for the resumption of below grade work.

For scheduling purposes VEC's August 2017 monthly schedule update should incorporate the following dates associated with the Limited Stop Work-Underground Construction:

Start Date: May 16, 2017 (Calendar Day 113)  
End Date: August 11, 2017 (Calendar Day 200)

As previously indicated (Reference No. 2) V-Engineering and Consulting, Corp. will incur additional expenditures to address the contaminated soils. As previously noted the additional costs are difficult to quantify. The management of the contaminated soils and groundwater is to be performed on a force account basis.

While the management of the contaminated soils and groundwater has been identified as an unforeseen condition and the additional scope of work required to satisfy the requirements of the draft contaminated soil management plan, there are associated construction activities that remain within the original scope of work. Specifically, the excavation trench safety and dewatering activities remain contractual obligations that were known at the time of bid and not considered as additional scope of work.

Please prepare and submit the groundwater mitigation plan and dewatering permit for the project's excavation activities.

If there are questions on the cessation of the Limited Stop Work Order for underground construction and the responsibility for dewatering the excavations, please contact me at 786-858-3210 for clarification.

Respectfully,



Stephen D. Cross  
PMCM Area Construction Manager

Attachments: Submittal 015719-001\_draft contaminated soil management plan

cc: Daniel Edwards/WASD  
Victor Fernandez-Cuervo/WASD  
Ana Caveda/WASD  
David Wood/ CD PMCM  
Andrea Suarez/CD PMCM  
Scott Eckler/CD PMCM  
Abby Diaz/CD PMCM  
Tory Champlin/CD PMCM  
Warren Howard/CD PMCM  
Ricardo Rodriguez/CD PMCM  
Pedro Mendez/CD PMCM  
Antonio Inojal/Stantec  
Anamaria Sarmiento/Stantec  
Ricardo Garcia/VEC  
Samantha Diaz/VEC  
Saide Randel/VEC-SCR

**CD 1.6, 1.8, 2.12, 2.13, 2.16 and 2.18(2)**  
**Thickening and Dewatering at CDWWTP and SDWWTP**



May 1, 2018

Patty Palomo  
Chief Intergovernmental Affairs  
Miami-Dade Water and Sewer Department  
3071 SW 38<sup>th</sup> Ave  
Miami FL 33233

**VIA US MAIL & ELECTRONIC MAIL**

Re: Withdrawal of Proposal – SDWTP and CDWTP Sludge Thickening and Dewatering Buildings  
(Contracts No. S-884 and No. S-888)

Ms. Palomo,

This letter is to inform Miami Dade County (“County”) that PC Construction Company d/b/a PCEO, Inc. (“PC”) hereby withdraws its Proposal for the above-referenced Project. As you know, PC originally submitted its proposal on May 5, 2017, almost one year ago. That proposal was based on information and pricing available at that time as well as the representations from the County regarding the anticipated Notice to Proceed date of August 31, 2017. PC’s proposal included a bid bond securing the bid for only 180 days from proposal submission which has long since expired. If you have any questions please feel free to contact me.

Sincerely,

**PC Construction Company**

Brian Walker  
Vice President

CC: Clerk of the Board



July 06, 2020

VIA EMAIL

Mr. Patrick Carr  
Poole & Kent Company of Florida  
1781 N.W. North River Drive  
Miami, FL 33125

Email: patrickc@pkflorida.com

**Re: NOTICE TO PROCEED**

DESIGN-BUILD SERVICES FOR THE CONSTRUCTION OF THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT AND CENTRAL DISTRICT WASTEWATER TREATMENT SLUDGE THICKENING AND DEWATERING BUILDINGS, CONSENT DECREE PROJECTS 1.06/1.08/2.12/2.13/2.16/2.18(2)  
ISD Project No. DB18-WASD-02  
WASD Contract No. 19PKCOF002  
Work Orders: S-884 and S-888

Dear Mr. Carr:

This letter will serve as your notification that you are to proceed with the commencement of work as described in the Design Build ISD Project No. DB18-WASD-02 and Contract No. 19PKCOF002, starting July 6, 2020, and work must be completed in accordance with the Contract Documents. The complete execution of this NTP establishes the commencement date for the work described in the Request for Design Build Services (RDBS), DB18-WASD-02. The terms and conditions applicable to this contract are in DB18-WASD-02, executed June 12, 2020, and the complete contract documents, including but not limited to the Design Build RTI/RTA including special provisions contained therein, drawings, specifications, addenda, and any contract modifications or change orders, etcetera. The total contract value for this Contract is \$195,555,440.00, which includes contingencies and dedicated allowances. Any further amounts required for this Contract must be authorized by the County Mayor or the County Mayor’s designee in accordance with his County Mayor’s powers granted under Section 2-8.2.12.

The construction durations and completion dates shall be in accordance with the table below for all Milestones. In accordance with Article 6.2.2 Liquidated Damages, failure to complete the work on or before these Milestones dates shall result in Contract Liquidated Damages per the Table below.

<b>CD 1.06, 1.08 SDWWTP (S-884) Milestone No.</b>	<b>Milestone Type/Name</b>	<b>Calendar Days from NTP</b>	<b>Milestone Completion Date (NTP + Duration)</b>	<b>Contract Liquidated Damages</b>
1	Substantial Completion	909	12/31/2022	\$5,100/day
1A	Final Completion	1029	04/30/2023	\$2,500/day
<b>CD 2.12, 2.13, 2.16, 2.18(2) CDWWTP (S-888) Milestone No.</b>	<b>Milestone Type/Name</b>	<b>Calendar Days from NTP</b>	<b>Milestone Completion Date (NTP + Duration)</b>	<b>Contract Liquidated Damages</b>
2	Substantial Completion	966	02/26/2023	\$6,700/day
2A	Final Completion	1086	06/26/2023	\$2,500/day



**NOTICE TO PROCEED**

ISD Project No. DB18-WASD-02  
WASD Contract No. 19PKCOF002  
S-884 and S-888

Failure to complete Milestone 1 on or before the Consent Decree Compliance Date of January 06, 2023 shall result in Consent Decree Liquidated Damages per Article 6.2.3. Failure to complete Milestone 2 on or before the Consent Decree Compliance Date of January 13, 2023 shall result in Consent Decree Liquidated Damages per Article 6.2.3. The Design-Builder shall not be responsible for payment of penalties incurred by the County prior to the Milestones 1 and 2 deadlines. Please note these Consent Decree Liquidated Damages are in addition to the Contract Liquidated Damages and may be assessed separately and/or in combination.

This letter shall serve as a reminder that all work must be performed in accordance with the Contract Documents and all applicable Federal, State, and Local Laws, Codes, and Regulations. Please make sure to contact the PMCM assigned Project Manager and PMCM Construction Managers within 48 hours of receipt of this letter to coordinate design and construction activities.

**CD PMCM Project Manager**

Jie “Jane” House, P.E.  
Cell: (561) 523-8938  
Email: houja@miamidade.gov

**CD PMCM Construction Manager for SDWWTP (S-884) “CD1.08”**

Marcelino Torres, P.E.  
Cell (305) 746-1068  
Email: Marcelino.Torres@miamidade.gov

**CD PMCM Construction Manager for CDWWTP (S-888) “CD2.16”**

Julio Diamante, P.E.  
Office (786) 552-4329  
Cell (732) 900-7260  
Email: Julio.Diamante@miamidade.gov

It is the intent of the Department for the Design-Builder to fulfill all duties and obligations imposed by the contract documents, which can be reasonably assumed as necessary to fulfill the intent of the contract documents and to provide a complete, fully functional, and satisfactory Project.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,



**Daniel J. Edwards, P.E.**  
Consent Decree Sr Program Manager  
**Miami-Dade Water and Sewer Department**  
Office 786-552-8354, Cell 786-232-5257

**NOTICE TO PROCEED**

ISD Project No. DB18-WASD-02  
WASD Contract No. 19PKCOF002  
S-884 and S-888

cc: Lynnette Ramirez (WASD)  
Patty Palomo (WASD)  
Robert Fergen (WASD)  
Wayne Myers (WASD)  
Leo Pou (WASD)  
Martin Dorward (PMCM)  
Aric Barto (PMCM)  
Andrea Suarez (PMCM)  
Scott Eckler (PMCM)  
Brian Stitt (PMCM)  
Jane House (PMCM)  
Marcelino Torres (PMCM)  
Julio Diamante (PMCM)  
Brian LaMay (Stantec)  
Ramon Castella (Stantec)  
Jeovanni Ayala-Lugo (Stantec)  
Edith Brown (WASD)  
Stephen Pollock, IG  
Alice Hildalgo-Gato, DSBD  
Surety Company  
File

**CD 1.11**  
**General Electrical Design Substation No. 9, 10, 11, and 12**

CLERK OF THE BOARD

2019 MAY 28 AM 8:37

# Memorandum



Date: CLERK OF THE BOARD & COUNTY CT'S  
MIAMI-DADE COUNTY, FLA.  
#1

To: Kevin Lynskey, Director  
Water and Sewer Department

From: *Alissa Penalzo*  
Alissa Penalzo, Assistant Director  
Intergovernmental and Internal Operations

Subject: Request to Reject all Bids for CD 1.11 General Electrical Design Substations 9, 10, 11 and 12 - Project No.: N/A; Contract No.: S-914

---

## RECOMMENDATION:

Pursuant to the Miami-Dade Water and Sewer Department (WASD) Consent Decree and Capital Improvement Programs Acceleration Ordinance, Section 2-8.2.12 of the Code of Miami-Dade County, it is recommended that the County Mayor or County Mayor's designee approve this recommendation to reject all bids received by WASD in response to the open competitive solicitation for Contract No. S-914.

## DELEGATION OF AUTHORITY:

The County Mayor or County Mayor's designee is authorized to reject bids pursuant to the provisions of Sections 2-8.2.12 (4)(b) of the Code of Miami-Dade County.

## PROJECT NAME:

CD 1.11 General Electrical Design Substations 9, 10, 11 and 12

## PROJECT DESCRIPTION:

The scope of work includes, but is not limited to, furnishing all materials, labor, and equipment necessary for the electrical improvements for Substations 9 and 10 and 11 and 12. The work generally includes, but is not limited to, demolition and replacement of existing electrical transformer and switchgear equipment and panels, electrical busduct, conduits, and cabling; associated instrumentation and controls; and modifications to the existing substation buildings, including: replacement of existing built-up roofing, new interior and exterior lighting, power and lighting panels, new doors, louvers, equipment pads, exhaust fans, and air conditioning and filtration equipment; and new sidewalks, fencing, and site grading.

## PROJECT LOCATION:

The Project is located within WASD's South District Wastewater Treatment Plant at Electrical Substation Nos. 9, 10, 11 and 12, 8590 S.W. 232nd Street, Section 21, Township 56, Range 40, Miami-Dade, Florida 33190.

**FISCAL IMPACT / FUNDING SOURCE:**

There is no fiscal impact to the County for the rejection of bids.

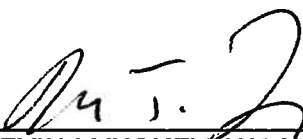
**TRACK RECORD / MONITOR/SBD HISTORY OF VIOLATIONS:**

Due diligence was conducted by WASD and the Internal Services Department (ISD) in accordance with ISD's Procurement Guidelines to determine responsibility, including verifying corporate status and performance, safety and compliance data.

**EXPLANATION:**

On December 6, 2018, the Department received bids for the Project. During a review of the bids, the County learned that it had already awarded the roofing repair work for the electrical substations included in this Project under a separate solicitation which had been open competitively bid among Small Business Enterprise (SBE) roofing firms.

It is in the best interest of the County to proceed with roofing repairs to protect the contents of the electrical substations from water damage and avoid any potential interruption to plant operations. Therefore, WASD recommends rejecting all bids received and re-advertising the project with a revised scope of work.

  
\_\_\_\_\_  
KEVIN LYNSKEY, WASD DIRECTOR  
ON BEHALF OF MAYOR CARLOS A. GIMENEZ

5.24.19  
DATE

# Memorandum



**Date:** May 24, 2019

**To:** Lynnette Ramirez, Senior Advisor  
Capital Projects and Compliance

**From:**   
Isaac Smith, Chief  
Construction Contract Division

**Subject:** For the Director's Signature: Request to Reject all Bids for CD 1.11 General Electrical Design - Substations 9, 10, 11 and 12, Contract No.: S-914

---

Attached for your review and the Director's approval is the Rejection of All Bids (attached) received for construction Contract No. S-914, Consent Decree Project 1.11 General Electrical Design - Substations 9, 10, 11 and 12.

**The attached recommendation has been reviewed and approved by County Attorney's Office.**

On December 6, 2018, the Department received and opened five (5) bids for the subject project with base bids as follows:

Aarya Construction & Design, Inc.	\$ 4,648,000.00
Poole & Kent Company of Florida	\$ 4,996,000.00
Kiewit Infrastructure South	\$ 5,101,000.00
Solares Electrical Services	\$ 5,589,580.00
Lunacon Construction Group	\$ 5,794,957.43

During evaluation of bids, we learned that the Department had already awarded the roofing repair work for the electrical substations included in this project under a separate solicitation which had been open competitively bid among Small Business Enterprise (SBE) roofing firms. Further, prior to opening bids, the Department also issued NTP to the SBE roofing contractor, which also has acquired necessary permits to begin construction.

Since we reserve the right to reject any and all bids and re-advertise for bids, when its in the best interest of the County, I recommend the following:

- Proceed with roofing repairs to protect the contents of the electrical substations from water damage and avoid any potential interruption to plant operations and
- Reject all bids received for CD 1.11 and re-advertising immediately with a revised scope of work.

## Attachments

**Cc:** Alissa Penalosa  
Dan Edwards



miamidade.gov

Water and Sewer  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471

Construction Contracts Section  
Tel: (786) 552-8989

September 1, 2020

VIA EMAIL & OVERNIGHT DELIVERY

Aarya Construction and Design, Inc.  
7657 N.W. 50th Street  
Miami, FL 33166

RE: **NOTICE TO PROCEED**  
CD 1.11 GENERAL ELECTRICAL DESIGN – SUBSTATIONS 9,  
10, 11 AND 12, CONTRACT NO. S-914R, PCTS No. 13215  
(Site Address: South District Wastewater Treatment Plant, 8590 S.W.  
232nd Street, Miami, Florida 33190. District 8, Daniella Levine Cava)

Gentlemen:

In reference to the subject project, notice is hereby given to proceed with the work on September 8, 2020. The Department reserves the right to change the Notice to Proceed date. The awarded amount of this project is \$5,491,790.00. The construction durations and completion dates shall be in accordance to the table below for all Milestones. (Note if the NTP Date is changed, the Milestone Completion Date in the below table will be adjusted accordingly). In accordance with Special Provisions Section SP 3.1, failure to complete the work on or before the Milestones shall result in Contract Liquidated Damages per Table below.

Milestones	Description	Duration	Milestone Completion Date (NTP + Duration)	Contract Liquidated Damages
1	Substantial Completion for CD 1.11	600	5/01/2022	\$1,500 Per Day
2	Final Completion	690	7/30/2022	\$750 Per Day

The Contract Documents state that “Failure to complete Milestone 1 on or before the Consent Decree Compliance Date of March 26, 2021 shall result in Consent Decree Liquidated Damages per Special Provisions Section SP 3.2.” In the event the above Consent Decree Compliance Date occurs before the Substantial Completion date established in Section SP 3.1 Table 1, the Consent Decree Liquidated Damages shall commence on the later of the two dates. Please note these Consent Decree Liquidated Damages are in addition to the Contract Liquidated Damages and may be assessed separately and/or in combination.

In the event that the Contractor becomes entitled to a Compensable Time Extension, the established daily Liquidated Indirect Costs shall be \$1,150 per day.

This letter shall serve as reminder that all work must be performed in accordance with the Contract Documents and in accordance with all applicable Federal, State and local laws codes and regulations. Please contact Aaron Anderson, Project Manager, at least 48 hours before you begin construction by telephoning (786) 338-5393.

Very truly yours,

Isaac Smith, Chief  
Construction Contracts Division

cc: Dan Edwards  
Mayler Porro-Vazquez  
Robert Fergen  
Oscar Vasquez  
David Diffie  
Edith Brown  
Tory Champlin (PMCM)  
Jane House (PMCM)  
Aaron Anderson (PMCM)  
Antonio Inojal (Stantec)  
Brian LaMay (Stantec)  
Brian Stitt (Consultant)  
Stephen Pollock, IG  
Alice Hidalgo-Gato, DSBD  
Surety Company  
File



**CD 2.15**

**Contractor's Request for Time Extension for Hurricane Dorian (6-day Delay)**



Poole & Kent Company of Florida  
1781 N.W. North River Drive  
Miami, FL 33125  
P.O. Box 420556  
Miami, FL 33242

Phone: 305.325.1930  
Fax: 305.324.0522

March 13, 2020

Emailed to: [Stephen.Cross@miamidade.gov](mailto:Stephen.Cross@miamidade.gov)

Consent Decree PM/CM Team  
3071 SW 38<sup>th</sup> Ave, Suite 553  
Miami, Florida 33146

Attn: Stephen Cross

Re: **Central District WWTP CD2.15(1) Digester Cluster No.01**  
**Miami-Dade Contract S-889, Poole & Kent Job No. 16612**  
**Request for Time Extension - Hurricane Dorian**

Dear Mr. Cross:

On August 28th, 2019, Governor Ron DeSantis issued Executive Order 19-189, declaring a state of emergency for counties in the path of Hurricane Dorian. The Governor is urging all Floridians on the East Coast to prepare for impacts, as the latest forecasts from the National Hurricane Center projects Hurricane Dorian will make landfall on Florida's East Coast as a major hurricane.

Therefore, in accordance with Article 8, Section C, Part B of the General Terms and Conditions, please issue a Work Order / Change Order extending the project duration six (6) calendar days for the cumulative impact resulting from Force Majeure of Hurricane Dorian.

August 29<sup>th</sup>, 2019 thru September 3<sup>rd</sup>, 2019 = 6 Calendar Days

If you have any questions, please call me direct.

Sincerely,  
**Poole & Kent Company of Florida**

A handwritten signature in blue ink, appearing to read "Andrew Gershon".

Andrew Gershon  
Project Manager

**CD 3.6**  
**NDWWTP Disinfection Facility**  
**Contractor's Notice of Force Majeure Event**



ESTABLISHED 1879

**Daniel O'Connell's Sons**  
Construction Managers and  
General Contractors

2999 NE 191<sup>st</sup> St  
Suite 906  
Aventura, FL 33180  
786-864-0003  
www.oconnells.com

April 9, 2020

Transmittal Method: Via Email

Mr. Pedro Angel  
Construction Manager  
Consent Decree PM/CM Team

RE: CD 3.06 North District WWTP Disinfection Improvements  
NOTICE OF FORCE MAJEURE EVENT  
WASD Contract No. S-912, DOC 2018-104

Mr. Angel,

Please be advised Daniel O'Connell's Sons (DOC) continues to comply with applicable guidelines and direction from WASD regarding the current COVID 19 pandemic. These efforts have had an impact on productivity on a daily basis as initial screening and self certifications are required before work commences. DOC has complied with the WASD request for a COVID-19 plan and applies the plan requirements daily to mitigate the effects of the COVID-19 disease. However, this past week DOC received letters (Attachments A & B) from subcontractors and suppliers stating their concerns and expectations of the adverse impacts on their operations in prosecuting the work on this Project.

The COVID-19 pandemic is considered by DOC to be a Force Majeure event. We expect an impact on the availability of healthy workforce and potential impacts to the fabrication and delivery of materials and equipment to the project timely and meeting schedules.

Article 1 of the Supplemental General Terms and Conditions defines "Force Majeure" as an Act of God including but not limited to an epidemic which impacts the materials, supplies, labor, services, permits, etc required to complete the Project and is outside of the control of all parties involved.

DOC shall provide documentation of specific incidences as they occur. Accordingly, DOC reserves its rights under this Notice to claim relief from delays and damages incurred due to the COVID-19 pandemic.

Sincerely,  
**DANIEL O'CONNELL'S SONS**

Jaime Vélez  
Project Manager

CC: Robert Murphy, P.E. – DOC  
George Brodeur – DOC

José Murphy, P.E. – DOC  
Enrique Cardona – PMCM  
DOC File No. 2018-104

ATTACHMENT "A"



04/03/2020

### Notice of Force Majeure Event

Dear Clients:

We are closely monitoring the outbreak and spread of COVID-19 and the impact it may have on our business and our clients. We are working to continue providing and delivering the same level of work and service you have come to expect, while remaining in compliance with all guidelines issued by municipalities, counties, states and the federal government.

At this time, it is reasonable to expect that the COVID-19 virus will have an adverse impact upon our ability to continue providing labor and materials to your project and timely perform all of our obligations under our contract. The scope of this potential impact is currently unknown. We can expect a reduction in available labor due to policies requiring social distancing and self-isolation to prevent the spread of the virus. In addition, the impact on our supply chains for materials, many of which are shipped from overseas, may be severe.

Therefore, we write to provide notice that we consider the COVID-19 outbreak a Force Majeure event in relation to the Project. As a result, to the extent permitted by our contract, we reserve all rights to: (1) an extension of time based upon any delay to the project caused by COVID-19; (2) additional compensation based upon costs incurred related to any delay to the project caused by COVID-19; and (3) additional compensation based upon increased costs of materials.

While we provide this notice as a precaution, we assure you that we are doing everything in our power to avoid any delays or increased costs to the project, while remaining compliant with the directions, guidelines and requirements issued by municipalities, counties, states and the federal government.

We will continue to share information as it becomes available and do our very best to keep you informed about any further actions as it relates to your project. If you have any further questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Loveland', is written over a faint blue circular stamp.

David M Loveland

Vice President

# CORRIM Company

Corrosion Immune Fiberglass Doors and Frames  
1870 Stillman Drive · Oshkosh, WI 54901-1010

ATTACHMENT "B"

[www.corrim.com](http://www.corrim.com)

P: (920) 231-2000 · F: (920) 231-2238

April 6, 2020

To whom it may concern,

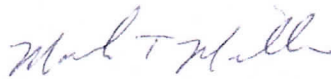
As a country we are going through difficult times with the Covid-19 Stay at Home orders by our state governments. With this being said Corrim Company has been classified as an essential company due to the product we supply.

Due to this essential manufacturer order, Corrim Company has received letters from the US Military classifying specific projects as Mission Essential which states that those orders have a priority and have preference ahead of all other orders.

Corrim Company is doing our best to get these orders through our plant and try to not upset our current lead time but due to the nature of these orders we may see a delay of the original estimated ship date by 2 to 4 weeks.

Please bear with us as we work through these strenuous times together.

Sincerely,



Mark Miller  
President



John Morelli  
Vice President

**CD 2.01(7)**

**Contractor's Notification of COVID-19 Impacts on Test Pile Crew**





ESTABLISHED 1879

**Daniel O'Connell's Sons**  
Construction Managers and  
General Contractors

2999 NE 191<sup>st</sup> St  
Suite 906  
Aventura, FL 33180  
786-864-0003  
www.oconnells.com

August 10, 2020

Transmittal Method: Via Email

Mr. Rennie Lopez  
Construction Manager  
Consent Decree PM/CM Team

RE: CD 2.01 (7) Electrical Improvements- Substations 7A, 8A, 9A, & 10A  
NOTICE OF DELAY DUE TO UNFORESEEN CONDITIONS  
Central District WWTP  
Contract No. S-943  
DOC 2020-103

Mr. Lopez,

With the following DOC wishes to hereby formalize a Contract Time Extension request for thirty-two (32) calendar days as communicated in separate previous correspondences due to unforeseen conditions, COVID-19, coordinate discrepancies, and weather events that prevented DOC from mobilizing earlier to commence the Auger Cast Piles (ACIP) testing program and impacting the progress of the work.

The following sequence of events transpired at the time and have evolved to date with regards to the unforeseen underground conditions and palm trees:

05-11-20 DOC received Notice to Proceed with the Project CD2.01 (7) Electrical Improvements  
05-21-20 Auger Cast Piles (ACIP) Testing submittal No 31 63 16-001 received as "No Exception Taken"  
05-21-20 Auger Cast Piles Production Piles submittal No 31 63 16-002 received as "No Exception Taken"  
05-27-20 DOC notified PMCM of criteria DOC was following to layout testing piles inside the project site  
05-28-20 DOC notified PMCM of existing unforeseen underground utilities in conflict with test location  
05-28-20 PMCM cancelled scheduled Pre-Con meeting with Engineer where test piles would be approved  
05-29-20 DOC met PMCM to discuss possible removal of two palm trees for testing piles location  
05-29-20 PMCM contacted WASD landscape architect to review possibility and schedule onsite meeting  
06-01-20 Scheduled Mobilization Delayed by Unforeseen Conditions  
06-08-20 DOC met with WASD landscape architect who approved the removal of existing palm trees  
06-10-20 DOC removed the palm trees and confirmed possible location for ACIP testing program

In accordance with Article 8.C.1.b with regards to non-compensable excusable delays beyond the Contractor's control not caused by Consultant and/or the Owner:

"Excusable delays are those delays to the critical path beyond the Contractor's control and without the active interference of the Owner, such as extreme weather (force majeure), strikes and delays caused by third parties (i.e. not the Contractor or the Owner). Contractors are granted a time extension but no additional compensation for the extended time of performance for the excusable delays."

As described above, materials and procedure submittals had been approved to commence with the ACIP testing program. A testing program location had been selected to proceed in accordance with the Contractor's understanding of the required criteria for the location of the testing program. This criteria was communicated to PMCM and the project team prior to proceeding any further. PMCM suggested contacting WASD's landscape architect as described above and proceeded with removal of the palm trees as instructed.

The unforeseen underground utilities and removal of the existing palm trees delayed the possible mobilization to commence the ACIP testing program from June 1, 2020 to June 10, 2020. Daniel O'Connell's Sons (DOC) requests a Contract Time Extension of nine (9) days due to the unforeseen underground utilities, as well as the existing palm trees and additional exploratory excavations performed by the Contractor in lieu of commencing the ACIP testing program.

On July 2, 2020 DOC notified PMCM that the crew that had been scheduled to mobilize to the project site with the intention to commence the ACIP testing program on July 6, 2020 had one member that had tested positive to COVID-19. As a result, the entire crew was sent for testing. Mobilization did not occur until July 8, 2020. DOC requests **three (3) days of Contract Time Extension due to the Force Majeure event** of a pandemic impacting the progress of the work.

The following sequence of events previously communicated in writing transpired at the time and evolved to date with regards to the discrepancy identified between the NAD83 Florida State Planes benchmark coordinates provided in Contract Drawing GC-1 and the plant coordinates provided on C-2.

05-28-20 RFI #07 was submitted by DOC stating the discrepancy between the coordinate systems provided  
06-02-20 RFI #07 response was issued to Contractor; information provided did not solve the discrepancy  
06-20-20 Location of ACIP Testing Piles program was approved  
06-23-20 WASD surveying crew provided three benchmarks based on plant coordinates  
07-02-20 RFI #15 submitted stating benchmarks provided by WASD did not match coordinates from GC-1  
07-09-20 RFI #15 response directed to disregard coordinates on GC-1 and utilize those WASD had provided

The discrepancy described above in the coordinate systems provided on the Contract Drawings prevented an earlier mobilization to commence the ACIP testing program whose location was approved on June 20, 2020 until July 7, 2020 when the lay-out of the ACIP testing piles was completed. Daniel O'Connell's Sons (DOC) requests a Contract Time Extension of seventeen (17) days due to the unforeseen discrepancy found in the Contract Documents.

As communicated via email to PMCM on July 17, 2020 Daniel O'Connell's Sons requests three (3) days of Contract Time Extension due to inclement weather encountered on that day which prevented critical construction of ACIP test piles that would have been gaining strength during the weekend towards achievement of 5,000psi to commence the testing phase of the piles.

We look forward to your response. Please contact me at (305) 433-1549 should you wish to further discuss.

Sincerely,

**DANIEL O'CONNELL'S SONS**



Jaime Vélez  
Project Manager

CC: Robert Murphy, P.E. DOC  
Kurt Waters, DOC  
Haneef Gardner, DOC  
Christian Espinoza, PMCM  
Joel Cruz, PMCM  
DOC File No. 2020-103

**CD 1.11**  
**Emergency Generators 1 through 4 Rehabilitation**

MIAMI-DADE COUNTY, FLORIDA



Miami-Dade Water & Sewer  
Douglas Building  
3071 SW 38 Ave.  
Miami, FL 33146

Date: 03/03/2020

Re: **Notice of Project Cancellation**

**RPQ# P0226- CD 1.11-Emergency Generators 1 Thru 4 Rehab SDWWTP**

This letter serves as your notification that as per Section 1.4 of the General Terms and Conditions of Contract No. MCC 7360 Plan. Miami-Dade County reserves the right to cancel any solicitation when it is in the best interest of the County.

The County hereby exercises its right to cancel this solicitation and will re-advertise this project in the near future.

Should you have any questions, please contact me at (786) 552-8055

Sincerely,



Jesus Salinas, Construction Contracts Specialist  
**Construction Contracts Division**  
**Miami-Dade Water and Sewer Department**  
3071 SW 38th Avenue, Suite 107-13, Miami, Florida 33146  
786-552-8055 **Phone** 786-552-8613 **Fax**  
e-mail: SALINAS@miamidade.gov  
[www.miamidade.gov/water](http://www.miamidade.gov/water)  
**Connect With Us** on [Twitter](#) | [Facebook](#)



**Water and Sewer**  
PO Box 330316 • 3071 SW 38 Avenue  
Miami, Florida 33233-0316  
T 305-665-7471  
Construction Contracts Section  
Tel: (786) 552-8989 – Fax: (305) 669-4053

December 24, 2020

VIA EMAIL: [jdao@fecbuild.com](mailto:jdao@fecbuild.com)

Florida Construction & Engineering, Inc.  
155 Bentley Drive  
Miami Springs, FL 33266-1426  
Attn: Mr. Johnny Dao, President

**RE: Rescinding Recommendation for Award and Cancellation of  
CD 1.11 Emergency Generators 1 through 4 Rehabilitation  
South District Wastewater Treatment Plant, RPQ No. P0226R**

Dear Mr. Dao,

On July 6<sup>th</sup>, 2020, the Miami-Dade Water and Sewer Department issued a Recommendation for Award of the subject project to Florida Construction & Engineering, Inc. (FCE), but has yet to issue Notice to Proceed. This solicitation required that you provide the services of a dedicated vendor to provide certain equipment and portions of the work, which is only possible by subcontracting with the general contracting firm of Condo Electric, Inc.

During a bid review meeting, which occurred after the award recommendation, you were requested to provide a written statement on your firm's letterhead that you stand by your total bid and will honor your prices bid. In response, you provided the attached correspondence, wherein you stated that:

“As per bid documents, (Sheet S-6), Hood “I” shall be removed and replaced. FCE bid includes completion of this work item. However, by the time FCE received a quote from Condo Electric for Hood I, our bid package was already prepared. Therefore, our proposal does not included item I to be manufactured by ESI.

FCE is prepared to accept the award under the premises that Hood “I” won't be manufacture by ESI.”

Section 1.2 of the General Terms and Conditions of Contract MCC Plan 7360, under Contents of Solicitation and Respondent's Responsibilities, states that:

“It is the responsibility of the Respondent to become thoroughly familiar with the requirements, terms and conditions of this solicitation. Pleas of ignorance by the Respondent of conditions that exist or that may exist will not be accepted as a basis for varying the requirements of the County, or the compensation to be paid to the contractor.”

It was a requirement of the bid documents that bidders provide a price proposal based on the terms and conditions of this solicitation. The above statements in FCE's correspondence to the County has essentially varied the requirements of the bid. The timing by which you received the quote from Condo Electric, Inc. does not release FCE from the requirements of the solicitation.

In addition, the above statements in FCE's correspondence also conditions their bid, which is unacceptable. As Section 2.22 paragraph C of the Special Conditions of Contract MCC Plan 7360 states, "Furthermore, RPQ's may not be conditioned on an unapproved revision to any term of the Contract or any requirement not set forth in the applicable RPQ."

According to Section 1.4, Cancellation of Solicitation, the County reserves the right to cancel, in whole or in part, any solicitation when it is in the best interest of the County. Also, according to Section 2.22, it is noted that the County reserves the right to reject any and all prices submitted or cancel an RPQ at any time.

**Therefore, the Miami-Dade Water and Sewer Department hereby rescinds the Recommendation for Award of RPQ No. P0226R to Florida Construction & Engineering, Inc. In addition, the County exercises it's reserved right and cancels the RPQ for this solicitation. The subject project will be re-advertised in the near future under a separate solicitation.**

Finally, please make arrangements to retrieve your bonds, as this decision is final. Should you have any questions, please feel free to email me at [Isaac.smith@miamidade.gov](mailto:Isaac.smith@miamidade.gov) or contact me at (786)552-8989.

Sincerely,



Isaac Smith, Chief  
Construction Contracts Division

cc: Stephen Pollock (OIG)  
Jose Enrique Cueto (WASD)  
Daniel Edwards (WASD)  
Li Gural (WASD)  
Victor Delgado (WASD)  
Jesus Salinas (WASD)  
Margaret Moss (WASD)  
Laurie Johnson (SBD)  
Edith Brown (WASD)  
Tory Champlain (PM/CM)  
Clerk of the Board  
All RPQ# P0226R Bidders



Daniella Levine Cava, Mayor

FILED FOR RECORD

2021 JUL -7 PM 1:38

CLERK, CIRCUIT & COUNTY CLKS  
MIAMI-DADE COUNTY, FL  
#1

Water and Sewer  
3071 SW 38 Avenue  
Douglas  
Miami, FL 33146  
786-552-8055

miamidade.gov

July 7, 2021  
Luis E. Enriquez  
LEE Construction Group, Inc.  
9485 NW 12 Street  
Doral, FL 33172

CERTIFIED MAIL No:  
FACSIMILE: 305-599-7154  
TELEPHONE: 786-487-0876

Re: Recommendation for Award for CICC 7360-0/08 Contract - RPQ NO: P0226RR  
CD 1.11 - EMERGENCY GENERATORS 1 THRU 4 REHAB - SOUTH DISTRICT WASTE  
WATER TREATMENT PLANT  
23300 SW 88th AVENUE, MIAMI, FL 33190

Dear Luis E. Enriquez:

In accordance with Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County and Implementing Order 3-21, this letter serves to notify you and all bidders on this solicitation that your firm has been recommended for award of the referenced Request for Price Quotation (RPQ) based on the bid submitted on Tuesday, May 11, 2021. Pursuant to the referenced legislation, the three (3) day protest period shall commence upon the filing of this recommendation to award with the Clerk of the Board. This contract award will be effective only in accordance with the conditions of the solicitation, which requires execution by both parties of the Notice to Proceed (NTP).

The value at award is \$3,930,686.68. This includes your base bid amount of \$3,478,483.79, a contingency amount of \$347,848.38 and a Dedicated amount of \$104,354.51. The contract term is 365 calendar days. The award is contingent upon the submission and approval of Insurance Certificates listing the required coverage for General Liability, Auto Liability (Owned, Non-owned and Hired Vehicles) and Workers Compensation as required by Florida Statue Chapter 440. Additional documents may be required as listed below:

PERFORMANCE AND PAYMENT BOND REQUIRED WITHIN THE 10 DAY ALLOWABLE PERIOD.

The preceding Documents are required as outlined within the RPQ project specification and the MCC 7360 Plan. They must be submitted to the Water and Sewer within 10 business days of receipt of this letter. In the event additional insurance is required, it also must be submitted within 10 business days. Failure to submit the documents within the specified time frame, or an extension approved by the County, will result in the award being rescinded.

Subsequent to the review and approval of the referenced documents, you are required to obtain the necessary permits in the time frame stipulated in the RPQ. Upon obtaining the permit(s), copies must be submitted to the Project Manager prior to commencement of work. No work is to be performed without a permit (if applicable). Following receipt of the permit(s), the Project Manager may schedule a pre-construction conference and issue a Notice to Proceed authorizing the performance of the work.

This letter shall also serve as a reminder that all work must be performed in accordance with the scope of work and contract terms and conditions, all permits and inspections and in accordance with all applicable Federal, State and local laws, codes and regulations. Should you have any questions please contact VICTOR DELGADO, Project Manager, at 786-552-8055.

Sincerely,

Isaac Smith  
Chief, Construction Contracts Division

Jesus Salinas for ISAAC SMITH

Isaac Smith  
Chief, Construction Contracts Division

CC: file  
Victor Delgado  
Jaime Ceballo





Daniella Levine Cava, Mayor

**Water and Sewer**  
3071 SW 38 Avenue  
Douglas  
Miami, FL 33146

September 8, 2021

Luis E. Enriquez  
LEE Construction Group, Inc.  
9485 NW 12 Street  
Doral, FL 33172

CERTIFIED MAIL No:  
FACSIMILE: 305-599-7154  
TELEPHONE: 786-487-0876

Re: Notice To Proceed for MCC 7360 Plan - RPQ NO: P0226RR  
CD 1.11 - EMERGENCY GENERATORS 1 THRU 4 REHAB - SOUTH DISTRICT WASTE WATER TREATMENT PLANT  
23300 SW 88th AVENUE, MIAMI, FL 33190

Dear Luis E. Enriquez:

This letter will serve as your notification that you are to proceed with the work described in RPQ #P0226RR starting Wednesday, September 22, 2021, and that all work must be completed on schedule in accordance with the contract documents. The time allotted for the contract is 420 consecutive calendar days which results in a scheduled completion date of Wednesday, November 16, 2022. **In the event the project is not completed by the scheduled completion date and a time extension has not been granted, your firm shall be subject to any liquidated and or stipulated damages as defined in the contract documents for this project.**

CD 1.11 - EMERGENCY GENERATORS 1 THRU 4 REHAB - SOUTH DISTRICT WASTE WATER TREATMENT PLANT

The complete execution of this notice to proceed shall constitute a contract for the work described in the Request for Price Quotation (RPQ) under the MCC 7360 Plan. **Failure to properly execute and return this document within ten (10) calendar days of the date of this letter may result in the County rescinding the award to your firm and awarding the subject project to the next lowest responsive and responsible bidder.**

The terms and conditions applicable to this contract are in the 7360 Contract dated 6/1/2003, and the totality of the contract documents (including but not limited to the RPQ including any special provisions contained therein, drawings and specifications, addenda, and any contract modifications or change orders etc).

This letter will also serve as a reminder that all work must be performed in accordance with the contract documents and in accordance with all applicable Federal, State and local laws, codes and regulations. In accordance with the contract procedure, the Miami-Dade County Purchase Order Release Number s are P0226RR and P0226RR.

Should you have any questions regarding this notification, please contact VICTOR DELGADO at 786-552-4368.

Sincerely,

A handwritten signature in black ink that reads "Isaac Smith". The signature is written in a cursive, flowing style.

Isaac Smith  
Chief, Construction Contracts Division

CC: file

Jaime Ceballo  
Daniel Edwards