



<b>Awarded To:</b> <u>MAG CONSTRUCTION INC</u>	<b>SBE-Con. Exp Date:</b>	<b>Paid Amt:</b> <u>\$0.00</u>
<b>Collusion Affidavit Received:</b> <u>Y</u>	<b>Date Collusion Affidavit Received:</b> <u>10/8/2020</u>	
<b>Date Dept Awarded:</b> 10/30/2020	<b>Date Award Letter:</b> 11/2/2020	<b>PO Approval Date:</b> 12/15/2020
<b>Base Amt:</b> <u>\$200,000.00</u>	<b>Cont Amt:</b> <u>\$0.00</u>	<b>Ded Amt:</b> <u>\$0.00</u>
		<b>Award Amt:</b> <u>\$200,000.00</u>
<b>Insurance:</b>	<b>ISD Reviewed:</b>	<b>Date Approved:</b>
<b>P &amp; P Bond:</b>	<b>Risk Approved:</b>	<b>Date Approved:</b>
		<b>GL Ins Exp Dt:</b> <u>1/8/2021</u>
		<b>WC Ins Exp Dt:</b> <u>1/1/2020</u>
		<b>AL Ins Exp Dt:</b> <u>6/16/2021</u>

**Scope of Work:** (Contractor must obtain and submit all permits prior to performing any work.)

The Internal Services Department (ISD), in an effort to create expedited contracting opportunities for our participating Certified Small Business Enterprises-Construction (SBE-Construction) within the Miscellaneous Construction Contract's (MCC) 7040 Plan and to provide the Miami-Dade Aviation Department (MDAD) with qualified contractors willing to perform critical on-call services and emergency/priority maintenance work at MDAD's facilities, is working with MDAD to create a work order-based program of contractors to perform these services. The parameters of this work order-based are as follows:

1. All participants must be certified SBE-Construction and registered active participants in the MCC 7040 plan;
2. This work order based program for MDAD emergency/priority work shall be established for a period of 18 months. At the end of the 18 months, MDAD shall evaluate the results of the program and, if the results merit, shall re-advertise this solicitation to increase competition and to allow for the participation of other SBE-Construction firms.
3. Two (2) contractors for Plumbing trade with a corresponding maximum contract value not to exceed \$200,000 shall be selected to participate in this work order based program. Selection of contractors shall be made by MDAD and shall be based on competitive unit prices (including contractor mark-up), qualifications, experience, past performance, availability and capacity. Two (2) Requests-for-Price Quotation (RPQs) shall be advertised for Plumbing trade. A proposal submitted for one RPQ shall be deemed to be a proposal submitted on all RPQs for Plumbing trade, unless the proposer affirmatively indicates with its response that it is only submitting a response on the single RPQ. In order to increase opportunities for SBE-Construction firms and to provide flexibility for MDAD, prospective contractors shall only be granted one award in the specific trade. However, prospective contractors may be awarded contracts in different trades, whether or not such contractor has been awarded a contract under any other trade classification, if they possess the required valid license to perform work in those different trades.
4. The maximum contract value for this RPQ shall not exceed \$200,000 therefore contractors shall not be required to provide a Payment and Performance Bond. However, since the maximum contract value exceeds \$100,000, County Responsible Wages shall be applicable (Building Construction).
5. Since a conference call does not require a physical presence, social distancing practices for COVID-19 are being adhered to. Bidders are still required/responsible for participating in the MANDATORY conference call. Failure to participate in the MANDATORY conference call shall result in the corresponding contractor/company being considered non-responsive. Contractors are extremely encouraged to call 5 minutes before the scheduled meeting time for a roll call. Late arrivals to the conference call shall result in the contractor/company being considered non-responsive.

The conference call will be recorded.

The dial-in instructions for the conference call are described below:

- Dial in: 305-876-8333
- Meeting ID: 5762555
- Passcode/Pin: 5869

The agenda for the pre-bid conference call meeting will be sent to you via email to be used during the meeting. Make sure you receive it, if not, please check your junk email or contact our office.

6. All requests for information (RFI) shall comply with the Cone of Silence, Administrative Order 3-27 and shall be directed in writing to the MDAD PM with a copy to the Clerk of the Board (clerkbcc@miamidade.gov). The deadline to submit RFIs is no later than three (3) working days before the bid opening date and time specified on the RPQ and Invitation to Bid. The MDAD will issue all changes and/or clarifications to the RPQ in writing via an Addendum. Verbal statements made by the County or the Owner's Representative that are not contained in the RPQ or Addendum are not binding on the County and do not form any basis for a bidder's response to a RPQ.

7. The bid box is located in the hallway between Conference Rooms B-205 and B-209 in MIA Bldg. 3030, B-Wing, 2nd Floor. If the time clock adjacent to the bid box is unable to stamp the bid envelope due to its thickness, please see Ms. Silvia Perez, Mr. James P. Ferreira or any MDAD representative at MIA Building 3030 to have bid envelopes signed, dated and timed prior to dropping them in the box.



Carlos A. Gimenez, Mayor

Aviation  
Maintenance Department  
4200 NW 22 Street, Bldg 3030  
Miami, FL 33159  
305-876-4214

[miamidade.gov](http://miamidade.gov)

November 2, 2020  
Argelio Malagon  
MAG CONSTRUCTION INC  
7812 SW 34 Terr  
Miami, FL 33155

CERTIFIED MAIL No:  
TELEPHONE: 305-667-6925

Re: Recommendation for Award for CICC 7040-0/07 Contract - RPQ NO: MDADPL-015  
MDAD/MCC Work Order-Based Program-Emergency/Priority Maintenance Construction  
Serv. - Plumbing  
Various Miami-Dade Aviation Facilities

Dear Argelio Malagon:

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 Thursday, October 8, 2020. Pursuant to the referenced legislation, the three (3) day protest period shall commence upon the posting of this recommendation to award. 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 \$200,000.00. The contract term is 540 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 Statute Chapter 440. Additional documents may be required as listed below:

MDAD/MCC Work Order-Based Program-Emergency/Priority Maintenance Construction Serv. - Plumbing

1. Copy of required licenses.
2. ISO 14001: 2015 Awareness Self-Training Module certificates.
3. Certificates of insurance in accordance with the RPQ documents.
4. Copy of your firm's Safety Plan.
5. The OSHA Form 300 containing a list of the company's work-related injury and illness data for the previous three years.
6. OSHA inspection data for the previous three years.

The preceding Documents are required as outlined within the RPQ project specification and the MCC 7040 Plan. They must be submitted to the Aviation 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 this contract is a Small Business Enterprise – Construction (SBE-Con) 100% set-aside. All construction work must be performed by contractors certified in accordance with Section 10-33.02 of the Code of Miami Dade County.** The scope of work must be performed in accordance with the 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 Patrick Boudeau, Project Manager, at 305-876-4214.

Sincerely,

  
\_\_\_\_\_  
Ana Finol, P.E.  
Division Director

CC: Ralph Cutie MDAD, Ana Finol MDAD, Juan Paan MDAD, Silvia Perez MDAD,  
Gary Hartfield ISD, Laurie Johnson ISD, Marcia Martin ISD,  
Olga Valverde COB, Patrick Boudeau MDAD,  
James Ferreira MDAD, Yuleisy Hernandez MDAD,  
Ameradrain Plumbing, Corp., Mag Construction, Inc.

8. This is a Work Order based contract to perform critical on-call services and emergency/priority maintenance work at MDAD's facilities. The Work could be landside or airside and the employees from the awarded contractor as well as its subcontractors (if applicable) shall obtain MDAD identification badges including the CBP seal and comply with all MDAD security requirements, background checks, security badges, etc.

All selected contractors and their employees must comply with all MDAD security requirements including background checks, security badges, specialized aviation-related insurance requirements, etc. For contractors that do not already comply with MDAD's security requirements, MDAD may, at its sole discretion, consider making these security-related expenses reimbursable.

Upon the award, the awarded contractor will have up to sixty (60) calendar days to provide a copy of the security badges with the Customs Seal to MDAD/MPEC Division. If, after issuance of the NTP the contractor still is non-compliant with this requirement, MDAD will not issue any Work Order until the security badges with the Customs Seal is secured by the contractor for up to the next thirty (30) calendar days. If the Contractor fails to secure and provide a copy of the required Badges with the Customs Seal at the end of the additional thirty (30) calendar days, Contractor may be terminated for default as established in Section 1 of the General Terms and Conditions, Article 1.20 (Termination for Default) of the MCC 7040 contract. MDAD reserves the right to suspend non-compliant contractors from participation in the MDAD/MCC 7040 Work-Order Based program.

The following items are reimbursable:

- Actual cost of MDAD identification (ID) badges with a customs Seal
- The Custom Border Protection (CBP) Seal /bond.
- Actual cost of fingerprints.
- The AOA driving training.
- The vehicle Decal necessary to drive in AOA.

All other costs are not reimbursable and if not specifically mentioned in the pay items listed in the Bid Form shall be considered as incidental to one or more of the pay items, and no claim for additional compensation will be allowed, and it shall be assumed that the cost therefore is included in the prices for the various items in the Contract.

9. Upon selection of participating contractors, individual work orders for each contractor shall be self-rotated by MDAD based on contractor availability, prior responsiveness, previous performance, urgency of the work and any other factor as may be determined by MDAD. It should be noted that this work based program is for on-call emergency/priority services and MDAD does not guarantee that selected contractors will be issued any work.

10. Selected contractors must agree to respond to an emergency/priority call within two (2) hours of first contact from MDAD staff and be available to respond 24 hours per day and 7 days a week with the necessary equipment, materials and labor force to complete the required work in accordance with MDAD's schedule for completion. The definition of an adequate response shall be determined at MDAD's sole discretion on a case-by-case basis. Once a contractor has responded within two (2) hours, MDAD staff will work with the contractor to determine the best course of action, establish the scope of the work and schedule the work. Failure to respond two consecutive times within two (2) hours of being contacted for work may result in the firm being removed from participation in the work order based program.

11. MDAD shall provide selected contractors with sample work order forms and technical specifications for each respective trade as applicable.

12. Prospective bidders are notified that Responsible Wages and Benefits requirements apply to this Request for Price Quotation (RPQ), therefore all labor rates listed on the bid Form under PART II: Unanticipated Scope of Work – shall not be less than those contained in the Wage and Benefits Schedule in effect as of January 1st of the year the work is performed.

All labor classification listed in the Bid Form must have a value greater than zero (\$0.00) and must be in compliance with the Responsible Wages and Benefits requirements. Failure to submit a price for all labor classification shall be considered a non-curable deficiency and shall render the bid "Non-Responsive"

Furthermore, all other Pay Items listed in the Bid Form (Mobilization & Markup) must also have a value greater than zero; failure to comply with this requirement will not constitute a curable deficiency and shall render the bid "Non-Responsive".

13. Prices under Part I of the Technical Specification (Pay Items 1.2 to 1.20) shall include the cost of labor, all material, hand tools, and the minimum equipment required to accomplish the specified scopes of work. The work includes the removal and proper disposal of selective demolition and waste materials.

14. Once a site visit is scheduled and attended by the Contractor, MDAD staff will work with the contractor to determine the best course of action, establish the scope of the work and schedule the work. Thereafter, the Contractor shall submit a formal proposal within 10 business days after the site meeting with a detailed scope of work to be performed and its cost breakdown. MDAD, based on the complexity of the scope of work, may grant additional time for the submission of the required proposal. The request for additional time shall be submitted in writing to the PM/CM in order to be valid and considered for approval by MDAD staff. Contractors that do not submit the required proposal as previously mentioned, will be issued a letter for deficiency. If the Contractor fails to provide a proposal after the deficiency letter has been sent, a Notice to Cure will be issued. Upon the contractor not submitting the required proposal after a Notice to Cure letter has been issued, the Contractor may be Terminated for Default as established in Section 1 of the General Terms and Conditions, Article 1.20 (Termination for Default) of the MCC 7040 contract. MDAD reserves the right to suspend non-

compliant contractors from participation in the MDAD/MCC 7040 Work-Order Based program.

15. The costs for a potential storage container, potential temporary toilets, and potential dumpsters are not reimbursable and if not specifically mentioned in the pay items listed in the Bid Form shall be considered as incidental to one or more of the pay items, and no claim for additional compensation will be allowed, and it shall be assumed that the cost therefore is included in the prices for the various items in the Contract.

**A. Minimum Qualifications and Experience:**

Below are the minimum qualifications and experience that the selected SBE-Construction contractors must possess in order to participate in this work order based program for MDAD emergency/priority maintenance work:

1. Contractors must be certified SBE-Construction and registered to participate in the MCC 7040 Plan with ISD's Procurement Management Division;
2. Contractors must hold a valid license required to perform work in the following trade: TRADE MAXIMUM CONTRACT VALUE - Plumbing \$200,000.
3. Contractors must have a minimum of 5 years' experience performing work in their specific trade. In the event a new firm is established by executives, supervisors and other senior field staff (key employees) that would have met these minimum experience requirements with a prior firm, MDAD reserves the right to qualify the new firm, based on MDAD's sole determination and evaluation of the knowledge and prior experience of these key employees employed by the new firm.
4. Contractors must be able to demonstrate that their firm or its key employees, as described above, have experience performing their respective trade within the company's noted history. Specifically contractors must submit proof that their respective firms have been regularly and successfully engaged in work related to their specific trade for a minimum of one (1) year. These requirements shall be based on projects completed prior to the submission date. Contact information for projects and/or firms submitted as proof of experience shall be provided by prospective contractors as part of their bid package. MDAD will confirm the listed experience by calling the firms' owners or representatives. Should such evidence not be satisfactory to MDAD, whose decision shall be final, the submission will be considered non-responsive. The qualifying proof with names and phone numbers shall be submitted in a sealed envelope at the time of bid.
5. Contractors must have a minimum average total score of 3.0 in their Contractor Performance Evaluations in ISD's Capital Improvements Information System (CIIS). In the event a new firm has been created that does not have evaluations in the CIIS, the firm that previously employed the key employees of the new firm must have had a minimum average total score of 3.0 in the CIIS Contractor Performance Evaluation Module or the new firm must provide, to MDAD's satisfaction, documentation that the new firm has performed satisfactorily on similar projects within their respective trade. Further, any incidence of project delays in a contractor performance evaluation must be justified to the satisfaction of MDAD.
6. Contractors shall provide an established safety program and implementation policy. Contractors' safety programs shall be reviewed and approved by MDAD post-bid submittal and work orders shall not be issued to any contractor until their safety program is approved by MDAD.
7. Contractors must agree to perform all work in accordance with the scopes of work established by MDAD, the MCC 7040 contract's terms and conditions, all required permits and inspections and all applicable federal, state and local laws, codes and regulations.

Note: Pursuant to the requirements of Section 10-3 of the Code of Miami-Dade County, selected Contractors must possess a valid, current, and active State of Florida and/or Miami-Dade County contractor's license issued by the County's Construction Trades Qualifying Board and which is consistent with the requirements of their respective trade and the scope of work.

**B. Indemnification and Insurance (See attached)**

Insurance requirements are non-reimbursable and if not specifically mentioned in the pay items listed in the Bid Form shall be considered as incidental to one or more of the pay items, and no claim for additional compensation will be allowed, and it shall be assumed that the cost therefore is included in the prices for the various items in the Contract.

The Contractor shall furnish certificates of insurance and insurance policies to the Owner prior to commencing any operations under this Contract. Certificates and policies shall clearly indicate that the Contractor has obtained insurance, as required for strict compliance with this specification. Compliance with the foregoing requirements shall not relieve the Contractor from liability under any other portion of this Contract.

The Contractor shall be responsible for assuring that the insurance certificates required in conjunction with this section remain in force for the duration of the agreement.

If you are qualified and interested in participating in this work order based program for MDAD emergency/priority maintenance work under the MCC 7040 Plan, please submit your proposal (including unit prices, contractor mark-up, qualifications, proof of requisite experience, availability and capacity) to the Miami-Dade Aviation Department, as specified in the subject Request-for-Price Quotation (RPQ), no later than the Bid due date (see above) by 2:00 p.m. Your proposal will be reviewed by MDAD and ISD and you will be notified of your selection to participate in this MDAD work

order based program. If you have any questions regarding this solicitation, please contact Mr. James P. Ferreira (MDAD) at (305) 876-7322 or Mrs. Laurie Johnson (ISD) at (305) 375-3121.

**Design Drawings Included:** N

**Shop Drawings Included:** N

**Specifications Included:** Y

**Project Qualifier:** Ana Finol, P.E.

**Phone No:** 305-876-8310

**Email:** AFinol@miami-airport.com

**Comments:**

*In accordance with Miami-Dade County Implementing Order 3-9, Accounts Receivable Adjustments, if money is owed by the Contractor to the County, whether under this Contract or for any other purpose, the County reserves the right to retain such amount from payment due by County to the Contractor under this Contract. Such retained amount shall be applied to the amount owed by the Contractor to the County. The Contractor shall have no further claim to such retained amounts which shall be deemed full accord and satisfaction of the amount due by the County to the Contractor for the applicable payment due herein.*

**SMALL BUSINESS ENTERPRISE-CONSTRUCTION PROGRAM REQUIREMENTS:**

In accordance with Sections 2.25 and 2.33 (E) of CICC 7040-0/07 this Project is considered a single trade or primarily single trade project. Primary Trade related work shall not be subcontracted. If ancillary (trade) work is required to complete this Project you may contract with a subcontractor with approval from the contracting Department and the Internal Services Department, Small Business Development Division (SBD). All subcontractors must be certified SBE-CONS firms and approval given by SBD prior to any work beginning.

Bidders must submit a completed Certificate of Assurance (COA) along with the Bid Submittal Package identifying the Small Business Enterprise (SBE) measure. By submitting a completed COA the bidder acknowledges the Small Business Enterprise (SBE) measures applied to the project and agrees to submit, upon notification by SBD or the Miami-Dade County Business Management Workforce System (BMWS), a Utilization Plan via BMWS listing all certified SBE contractor(s) to be utilized to satisfy the measures on the Project, indicating the percentage of work and the description of the work to be performed (pursuant to the firm's certification), within the specified time frame, before the Utilization Plan may be submitted to SBD for approval. Bidders can confirm a SBE-CON certification via BMWS at <http://mdcsbd.gob2g.com/>.

Place the completed COA(s) on top of the bid package so that it can be readily identified by the Department during the bid opening.

Bid Documents shall be distributed after the mandatory Pre-Bid Meeting (See date and time above). The Bid Documents shall include the following:

1. Instructions to Bidders;
2. Technical Specifications;
3. Bid Forms;
4. Pre-Bid Document Package (including sample forms, affidavits, invoice etc.)



Daniella Levine Cava, Mayor

**Aviation**

Maintenance Department  
4200 NW 22 Street, Bldg 3030  
Miami, FL 33159

December 17, 2020

Argelio Malagon  
MAG CONSTRUCTION INC  
7812 SW 34 Terr  
Miami, FL 33155

CERTIFIED MAIL No:  
TELEPHONE: 305-667-6925

Re: Notice To Proceed for MCC 7040 Plan - RPQ NO: MDADPL-015  
MDAD/MCC Work Order-Based Program-Emergency/Priority Maintenance Construction Serv. - Plumbing  
Various Miami-Dade Aviation Facilities

Dear Argelio Malagon:

This letter will serve as your notification that you are to proceed with the work described in RPQ #MDADPL-015 starting Monday, January 11, 2021, and that all work must be completed on schedule in accordance with the contract documents. The time allotted for the contract is 540 consecutive calendar days which results in a scheduled completion date of Tuesday, July 5, 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.**

The ERP Finance System Purchase Order number is 0000052378.

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 7040 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 7040 Contract and 7040 Amendment #1, dated 10/18/2002 and 3/1/2005 respectively, 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 is POAV2100477.

Should you have any questions regarding this notification, please contact Patrick Boudeau at 305.869-4214.

Sincerely,

Ana Finol, P.E.  
Division Director

JP  
12/16/20

CC: Ralph Cutie, MDAD; Sylvia Novela, MDAD; Juan Paan, MDAD;  
Yuleisy Hernandez, MDAD; Silvia Perez, MDAD; James P. Ferreira, MDAD;  
Patrick Boudeau, MDAD; Laurie Johnson, ISD; Marcia Martin, ISD;  
Dayron Perez, ISD; Olga Valverde, COB; Project File.