



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners

Legislative Analysis

September 1, 2011
9:30 A.M.
Commission Chamber

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Commission Auditor
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Miami-Dade County Board of County Commissioners
Meeting Agenda**

Legislative Analysis

September 1, 2011

Item Number(s)

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Acknowledgements:

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Michael Amador-Gil, Senior Legislative Analyst
Elizabeth Owens, Legislative Analyst
Mia Marin, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8A1B
File Number: 111396
**Committee(s)
of Reference:** Board of County Commissioners
Date of Analysis: July 2, 2011

Summary

This resolution authorizes the County Mayor or Mayor's designee to execute the Second Amendment to the Agreement with Sequeira & Gavarrete, P.A. (S&G), for Project Support Services for the North Terminal Development Program (NTD), Contract No. B701D.

This Amendment modifies the Contract to allow Miami-Dade Aviation Department (MDAD) to transfer allocated funds among three accounts: MDAD needs to transfer money from the Basic Services category to fund work authorized as Dedicated Services or Reimbursable Expenses.

Background and Relevant Information

On July 6, 2006, the Board of County Commissioners (BCC) approved the Consultant Agreement with S&G to provide project support services for the NTD Program (R-807-06). Since the BCC approved the Agreement, much progress has been made on the NTD Program, progress which required more S&G staff and the performance of a greater number of studies and analyses than originally anticipated.

These demands have nearly exhausted the Dedicated Allowance Account service category due to the difficulty of budgeting funds in 2006 anticipating circumstances in 2011, as exemplified by the extra studies and analyses that were not anticipated at that time. For those reasons, MDAD needs to move funds originally allocated to the Basic Services account to the Dedicated Allowance account.

Additional Information

In response to questions posed by the Office of the Commission Auditor pertaining to the Second Amendment with S & G, MDAD staff provided the information below:

- What progress has S&G made since 2006? *The NTD Program has progressed to 93% of completion.*
- What percentage was it at in 2006? *Arguably the percentage of completion of the NTD Program back in 2006 was 30%.*
- Pursuant to the item, why was it difficult to budget funds in 2006? *In 2006, MDAD staff had not negotiated the entire myriad of Contracts related to the NTD; therefore it was extremely difficult to ascertain an exact timing; however this amendment does not require additional funds.*
- By how much has S&G personnel increased since 2006? *S&G personnel have decreased as the numbers of projects that have been completed have increased over the years. S&G had close to 97 staff members now they have 72.*

- But the justification states they required more staff. So how much staff was hired at award, and what did it go up by? *S&G staff has NEVER gone up after the project assignment was made, on the contrary staff was reduced from the 2006 to today as stated above (by 25 persons).*
- *The issue now has to do with additional time to finish the NTD Program; which was originally scheduled to be completed by March, 2011.*
- Does S&G anticipate the need for additional staff? *No*
- How do S&G and URS differ in their scope of work? *The scope of services provided by URS are specialty engineering that relate to Baggage Handling System (BHS); S&G provides architectural and MEP coordination for Building and Construction.*
- What has MDAD done to encourage the participation of smaller companies in the NTD projects? *MDAD has established minimum percentage of DBE utilization participation in areas of Construction Inspection Services, and Document Control; and has monitored proper compliance.*

Additional Information Pertaining to the BHS

- On July 7, 2011, the BCC, through R-511-11, approved the Third Amendment to the Consultant Agreement for the North Terminal Development (NTD) Automated Baggage Handling System (BHS) between URS Corporation Southern (URS) and Miami-Dade County (County), increasing the contract amount by \$2,275,000 for an adjusted amount of \$15,006,800.
- Additionally, on this agenda, item 8A1C, Legislative File No. 111401/ is the Fifth Amendment between M.C. Harry and Associates, Inc. and Miami-Dade County, providing for an increase in an amount of \$400,000. *This amendment provides funding to extend construction administration, oversight and worksite services for the C-D Federal Inspection Services (FIS) Station project which is adversely impacted by the delay of the turnover of the Baggage Handling System (BHS).*
- MDAD provided the following list of components of BHS contracts/consultants:
 1. **Siemens Industries:** they are the manufacturer and installer of the complete Baggage Handling System (BHS) currently at \$212 M; includes over 11 miles of conveyors; five security matrices (Cruise, East, Central, West and FIS); a Control Room, one OSR room; the sortation Matrix, the RCF and EBS connector and all other components of the BHS.
 2. **URS Corporation:** BHS consultants and owner's representatives; currently the Service Agreement is at \$15 M.
 3. **Transportation Security Administration (TSA):** Provides all Security Equipment (including all 25 CTXs): TSA pays and handles this through Morpho; each machine is approximately \$1.25M; plus the other components. We do not have the exact cost but I would say it is around \$50M; also gave us a \$54.4M grant to bring the BHS into some of the new 2007 security protocols and requirements for bag screening.
 4. **System Security Certification: Battelle** through TSA; so far the cost of Integrated Site Acceptance Test (ISAT) is estimated at @2 M; but since we do not pay these expenditures the true cost is not known to MDAD.
 5. **American Airlines:** the end users who will operate, maintain and run the BHS. They have used two consultants (Brock and Cage) to assist them and to oversee Siemens. AA has also hired TransSolutions to perform simulations and assist them with the fault mode, cascading, routing logic, etc.
- Provide what is the absolute/complete total⁴ cost?

At this time this variable it is not known; final cost will completely depend on the final offer made by American Airlines to upgrade this 11 year old design to current technologies; more efficient processors, etc. as we all know the devil is the detail.

If the offer made by Siemens to reinstate the system is accepted; the BHS could be completed within the current budget; and the upgrades that AA wants to make would be done after final acceptance; however at this time this does not seem to be the most likely scenario as AA have expressed their resolution to upgrade the system now that the system is not operational.

Prepared by: Michael Amador-Gil

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Legislative Notes

Agenda Item: 8A1C

File Number: 111401

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: July 2, 2011

Summary

This resolution authorizes the County Mayor or Mayor's designee to execute a Fifth Amendment between M.C. Harry and Associates, Inc., and Miami-Dade County, providing for an increase in an amount of \$400,000.00. *This amendment provides funding to extend construction administration, oversight and worksite services for the C-D Federal Inspection Services (FIS) Station project which is adversely impacted by the delay of the turnover of the Baggage Handling System (BHS).*

MIA-NTD Baggage Handling System Status

A memo, dated June 7, 2011, from the Director of the Miami-Dade Aviation Department to the County Manager, provides a status of the NTD Program. Approximately 92 percent of the entire NTD Program has already been completed and is open to the public. The remaining eight percent of the NTD Program is contingent upon the completion of the BHS. The BHS is a complex baggage sortation system that delivers passenger luggage from ticket counters to baggage carousels directly adjacent to individual airplane departure gates.

Pursuant to the memo, the BHS has passed the required TSA tests; however, there have been significant challenges. Programming issues have surfaced with the operation of the graphics system and sortation controllers, and the MDAD is working with its *contracting partners* to correct these failures which were experienced when the system went fully operations on April 1, 2011.

According to MDAD staff:

The contracting partners mentioned above are: Siemens is the system Contractor, manufacturer, fabricator, and installer of the new inline Baggage Handling System (BHS) for the North Terminal Development (NTD) Program. URS Corporation is the consulting firm acting on behalf of the owner and performing Construction Administration and Site Related Services, including inspections, payment requisitions reviews, validation of components and systems, commissioning, substantial completion and final acceptance of the NTD Baggage handling System (BHS).

American Airlines (AA) also has their own consultants; Brock and Siemens; the County however, does not have any contractual relationship with them.

Additionally, a plan to address these *highly technical issues* was developed, with some work to be carried out by MDAD and its contractors and other work to be carried out by American Airlines (AA) and its contractor. AA, using their contractor, Brock Solutions, worked on the system optimization for 10 days. Upon completion, it was noted that the sort controller was not functioning correctly, experiencing so called "memory leaks" which resulted in baggage not being able to be properly sorted which would result on errors and possible bags delivered to the wrong gates. ***According to the memo written in June, the BHS was two (2) months behind the adjusted schedule.***

- Who came up with the plan to address these highly technical issues mentioned above? *AA wanted to optimize the system by rearranging the data base (Array vs. Boolean) performed by Brock; also they introduced a system to track bags (called btracks) on the web which was executed by Cage; and there were also other optimization changes which were done by Brock assisted by Cage on behalf of AA.*

Pursuant to the memo, the MDAD has requested that American Airlines allow the original contractor, Simens to assess the BHS, including the work that Brock has performed, recommend modifications, and when completed, operate the system for a period of four (4) weeks to demonstrate the performance of the system and enable the NTD to continue towards a successful completion.

According to MDAD staff, a contingency plan addresses partial opening of the NTD FIS Facility if the Baggage Handling System cannot be re-instated successfully and the team determines that it would be better that AA implement the BHS upgrades (to the already 11 year old design) before the system goes live.

The following chart provides a plan to reinstate usage of the new BHS:

Milestone	Completion Date	Action By
Test and Assess Current System Status	June 18	Siemens
Recommend Modifications	June 21	Siemens
Implement Recommended Changes	June 30	Siemens
5,000 bag Test	September 7	Siemens
Reinstate the BHS	September 9	Siemens/MDAD
Four-week Full Operation Test	September 9- October 10	Siemens/MDAD
Continued Testing of the NTD BHS	October 11- January 15	Siemens/MDAD
Begin demolition of Legacy System	January 16	MDAD/NTD

Source: MDAD

Additional Information

In response to questions by the Office of the Commission Auditors, MDAD staff provided the following information:

- Please provide the technical issues that caused the delays? *The majority of the delays are associated with the complex inline BHS; FIS project completion is linked to live operations of phases 1 & 2; which would allow demolition of the old legacy baggage handling system.*
- Please provide a breakdown of the \$400,000, and include the need for this increase. *This amount is to cover six (6) months extended duration for Construction Administration (CA) and Work Site Services (WSS); of which approximately \$300,000 will be used for CA, and \$100,000 will be used for WSS.*
- When does the commencement of the construction for the new FIS area begin? *The work at the FIS area is currently ongoing; however there is an area that cannot be properly completed unless the old legacy BHS is demolished.*
- When does staff anticipate the demolition of the old baggage shed? *The demolition of the old Baggage Shed; the remainder of concourse C; and the old legacy system is contingent upon successful live operations of phases 1 & 2 of the new inline BHS which would allow the demolition of the old system and the FIS project to progress towards final completion. The BHS is currently under review by American Airlines as they have expressed their desire to upgrade this almost 11 years old design and with the system not being operational it would be easier and quicker. To date; this issue is still under review and analysis from all stakeholders, MDAD, AA, TSA, and CBP. The NTD Program management has prepared a plan to totally “delink” the BHS from partial completion and limited*

opening of the FIS; the date still has not been determined as the specifics of the plan are being developed at this time.

- Does the firm anticipate additional amendments? *No.*
- To date, what has been accomplished by this vendor, and what remains? *To date, the vendor has achieved 70% completion of the construction in the FIS project # 740A of the NTD Program.*

Additional Information Pertaining to the BHS

MDAD provided the following list of components of BHS contracts/consultants:

1. **Siemens Industries:** they are the manufacturer and installer of the complete Baggage Handling System (BHS) currently at \$212 M; includes over 11 miles of conveyors; five security matrices (Cruise, East, Central, West and FIS); a Control Room, one OSR room; the sortation Matrix, the RCF and EBS connector and all other components of the BHS.
 2. **URS Corporation:** BHS consultants and owner's representatives; currently the Service Agreement is at \$15 M.
 3. **Transportation Security Administration (TSA):** Provides all Security Equipment (including all 25 CTXs): TSA pays and handles this through Morpho; each machine is approximately \$1.25M; plus the other components. We do not have the exact cost but I would say it is around \$50M; also gave us a \$54.4M grant to bring the BHS into some of the new 2007 security protocols and requirements for bag screening.
 4. **System Security Certification: Battelle** through TSA; so far the cost of Integrated Site Acceptance Test (ISAT) is estimated at @2 M; but since we do not pay these expenditures the true cost is not known to MDAD.
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- Provide what is the absolute/complete total cost?
At this time this variable it is not known; final cost will completely depend on the final offer made by American Airlines to upgrade this 11 year old design to current technologies; more efficient processors, etc. as we all know the devil is the detail.
 - **Question:** When does American Airlines anticipate taking control of the operations of the new BHS?

If the offer made by Siemens to reinstate the system is accepted; the BHS could be completed within the current budget; and the upgrades that AA wants to make would be done after final acceptance; however at this time this does not seem to be the most likely scenario as AA has expressed their resolution to upgrade the system now that the system is not operational.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8F1C
File Number: 111377
**Committee(s)
of Reference:** Board of County Commissioners
Date of Analysis: July 7, 2011

Summary

This resolution authorizes the exchanges of County-owned property located at 305 S.E. 5 Avenue, Homestead, Florida for City of Homestead-owned property located at 326 N.W. 4 Street, Homestead, Florida for the purpose of constructing *a new facility for the Homestead Fire Station No. 16*, allowing for County possession and control of the entire parcel for future County needs.

Background and Relevant Information

The existing Fire Station No. 16 located at 323 N.W. 2nd Street, Homestead, Florida, was constructed in 1959 and consists of approximately 9,954 square feet. The new location for the entire fire station is approximately 44,964 square feet of unimproved vacant land located at 255 N.W. 4th Avenue, Homestead, Florida north of the existing Fire Station No. 16.

According to the Manager's Memo, the existing station has deteriorated resulting in an unsuitable environment for emergency personnel.

As part of the exchange of properties with the City, Miami-Dade County will retain approximately 86,967 square feet of improved City-owned land located at 326 N.W. 3 Avenue, Homestead, Florida, which contains a structure leased to Miami Bridge, Inc. Miami Bridge, Inc's purpose is to provide emergency shelter, food and counseling for at-risk youths and their families. The lease term is thirty years, beginning July 15, 1990, and terminating June 30, 2020, with an option-to-renew the lease for an additional thirty years.

The current annual rent is \$2,500.00 and the option-to-renew provides for an increase in rent to \$3,000.00 per year.

An Assignment of Lease Agreement transfers the business lease, dated July 15, 1990, between the City of Homestead and Miami Bridge, Inc. to Miami-Dade County.

Additional Information

In response to questions posed by the Office of the Commission Auditor, Miami-Dade Fire Department staff provided the following information:

- Did the BCC approve construction of the fire station? *The replacement of Homestead Fire Rescue Station 16 was on the list of Economic Stimulus Program projects approved by the Board of County Commissioners on February 2, 2010 via resolution R-133-10. The fire station was not required to go through the county governmental facilities hearing process because it is located within the*

municipal boundaries of the City of Homestead. Approval by the City of Homestead was granted by the Homestead City Council in January 2009 via resolution R2009-01-06.

- *Was there a solicitation? Yes, there was a competitive solicitation for construction bids through 374240-CON ESP dated June 8, 2010.*
- *Who designed the Fire Station? The station was designed by Landera & Associate Architects located at 7500 SW 57 Ave, Suite D. South Miami, Florida.*
- *Is the \$6.8 million typical operating cost for a fire station? Why is the operating cost so high? The \$6.8 million reflects the operating costs for a triple company station that houses three units: one ladder suppression unit, one engine suppression unit and one rescue unit. These units are staffed by 11 firefighting personnel 24 hours per day, 365 days per year. This station responded to 6,394 calls in calendar year 2010*
- *How has the fire dept. budgeted the \$6.8 million operating cost long term? These funds are budgeted in the current 2010-11 fiscal year operating budget approved by the BCC in September 2010. As you are aware, the County operating budget does not contain authorization for multi-year spending, it is approved annually by the BCC, so there is no "long term" funding mechanism for operating MDRF stations.*
 - *The units at Station 16 are all currently in service and funded this year and next. The construction was funded from the 2006 Sunshine Loan.*

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8F1D, 8F1E, and 8F1F

File Number: 111353, 111357, and 111358

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: July 7, 2011

Summary

Legislative Item No. 111353/Agenda Item 8F1D : Authorizes an execution of a retroactive *Lease Agreement* with Miami-Dade County and the City of Miami (City) for *City-owned* property located at 1009 N.W. 5 Avenue, Miami, Florida for the continued operation of a State-funded Jefferson Reeves primary care facility.

Legislative Item No. 111357/Agenda Item 8F1E: Authorizes an execution of a retroactive *amendment* to a Lease Agreement with the City for County-owned property located at 111 N.W. 1 Street, Miami, Florida, specifically in the 30th floor Transmitter Room and space on the roof for a radio antenna.

Legislative Item No. 111358/Agenda Item 8F1F: Authorizes an execution of a retroactive Lease Agreement for the *City-owned* property located at 971 N.W. 2 Street, Miami, Florida with the City. The property will continue to be used for the operation of the State-funded Dr. Rafael A. Peñalver Clinic primary care facility.

Background and Relevant Information

Items 8F1D and 8F1F will allow continued operation of the State-funded Primary Care Facilities (Dr. Rafael A. Peñalver Clinic and Jefferson Reeves) on City-owned property. On October 16, 1990, the Board of County Commissioners, authorized the leases with the City of Miami whereby the County leased from the City of Miami two (2) parcels of land located at (1) 971 N.W. 2 Street, Miami, Florida and (2) 1009 N.W. 5 Street, Miami, Florida for the development of two (2) State-funded primary care facilities.

The leases were for a period of twenty (20) years from October 1, 1990 through September 30, 2010, and the rental rate was \$1.00 per year. According to the Manager's Memo, in order to continue the operations of the two facilities, the terms for each property must be extended five years and six months and subsequent five-year renewal option period, since there are no more renewal options available.

The City of Miami advised that in order to maintain the rental rate at \$1.00 per year that it charged the County for the two parcels mentioned above, the City seeks an amendment with the County to reduce the rental rate it paid to the County for the space it leased at the 111 N.W. 1 Street, Miami (SPCC) 30th floor transmitter room and roof, from \$14,000.00 per year to \$1.00 per year.

Additional Information

In response to questions posed by the Office of the Commission Auditor, General Services Administration staff provides the following information below:

- Has the County made this type of arrangement before with other jurisdictions? *Most leases that the County has, as Landlord or Tenant, with other governmental agencies are for a nominal value (\$1.00 per year). Very rarely do governmental agencies charge each other rent.*

- If the leases ended on September 2010, why didn't the County turn over the operations to the State? *Pursuant to Chapter 154 F.S. Miami-Dade County and the State of Florida Department of Health annually enter into a contract that states the County's obligation as it relates to the operation of the Miami-Dade County Health Department. The County is required to provide facilities for the operation of the Miami-Dade County Health Department. These two clinics are included in that contract.*
- Why is the County still involved in this process? *Since the County is required to provide the facilities pursuant to the Contract mentioned above, and the land is owned by the City, the County is required to lease the land from the City.*
- Can the State and the City negotiate the new leasing terms without the County? *Pursuant to the contract the County is responsible for providing the facilities not the State.*
- Regarding the SPCC lease agreement, to date, how much revenue has the County received from the lease with the city for the usage of the 30th floor space? *The City has been leasing that space since 1985. The total revenue to date is approximately \$250,000.*
- If approved this would constitute a decrease in revenue, how would this be beneficial to the County? *The City has indicated that if the lease amendment is not approved, the County would have to start paying rent for the land, which would be more than what the County is currently receiving from the City.*
- Were other County departments, and/or municipalities notified of the opportunity to lease this space? If no, please explain why? *No, however, there are already several other agencies using the roof and 30th floor for communications equipment and only governmental agencies have been allowed to lease the space.*

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8J1C

File Number: 111399

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: July 5, 2011

Summary

If approved, this resolution would authorize the County Mayor, his designee, or the Miami-Dade Transit Department Director to implement a Supplemental Joint Participation Agreement (SJPA) which changes the scope of facility related improvement projects. This SJPA will be between the County and the Florida Department of Transportation (FDOT) for various security-related improvements.

The original four-year Joint Participation Agreement with FDOT was approved by the Board of County Commissioners in 2005 and included \$1.7 million in funding for security-related improvements to transit facilities with a \$1.7 million local match funded by the Local Option Gas Tax. However, only three of the six original security improvement projects were completed. According to staff, an internal review determined that the remaining original projects were no longer required or practical. The proposed SJPA replaces the cancelled original projects with five new projects.

Background and Relevant Legislation

In June 2005, the Board of County Commissioners approved a Joint Participation Agreement with FDOT (R-661-05), in which the County would receive \$1.7 million in state dollars to fund six security enhancement projects within the transit system. As part of that agreement, the County obligated \$1.7 million in Local Option Gas Tax proceeds as a local match, bringing the total program cost to \$3.4 million. Of the original programmed allocation, MDT has a remaining balance of \$1.25 million.

Below are the new projects which have been identified for funding under the SJPA:

Project/Location	Description
Palmetto Yard Video/Access Control System	The access control and video surveillance system is intended to improve security measures at entrance gates, internal and external work areas, warehouses, parking lots and to allow the Control Tower better visibility of the transit yard.
Up-grade of lighting at 10 Metromover Stations (First Street, College North, Arena/ State Plaza, Freedom Tower, Tenth Street, College/Bayside,	Lighting will be up-graded to LED lighting fixtures and elements.

Project/Location	Description
Park West, Eighth Street, Fifth Street and Financial District)	
Purchase and Installation of Bus Bay Security/Video System at Earlington Heights Metrorail Station	This project will expand the existing video system to ensure improved surveillance of the bus bays and walking paths to and from the station.
Purchase and Installation of Bus Bay Security/Video System at Brownsville Metrorail Station	This project will install additional video cameras to improve surveillance of the bus bays and walking paths to and from the station.
Purchase and installation of security cameras at Tail Track (North and South)	Cameras will add to the safety and security to these areas and minimize potential injuries to employees and others, vandalism and theft of County property.

Questions (Answers provided by MDT staff)

- What process did MDT use to prioritize the new security projects which are outlined in the Manager's Memo? *Based on an analysis of soft target locations and recommendations by the Transportation Security Administration (TSA), the areas identified in the JPA were determined to have a high vulnerability ranking and, therefore, were prioritized for funding.*
- Has MDT already started working on the new security improvements? *No, however most of the initial "leg-work" has been completed, i.e. site visits, camera locations, fields of view, cable placements, scope of work, etc.*
- What assurances are there that the new security improvements will be completed by Dec. 2011? *MDT is targeting to have all contracts completed by the end of the year.*

Pending response: *The original JPA approved by the Board (R-661-05) anticipated a four-year time period for this JPA. All projects were estimated to be completed by 2008.*

- *Why did it take three years for MDT to bring this supplemental JPA back to the Board of County Commissioners?*

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8J1F

File Number: 111449

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: July 5, 2011

Summary

With the approval of this item, the County Mayor or his designee, or the Miami-Dade Transit Department Director will have the authority to apply for and expend \$4,828,188 in grant funds from the U.S. Department of Transportation, Federal Transit Administration for FY 2010 and FY 2011 Section 5316 Job Access and Reverse Commute (JARC) program. According to federal guidelines, JARC grant funds can be used to support bus routes that service new and existing employment areas in a metropolitan area.

This grant requires an equal local match. Department officials expect that up to \$736,000 of the required match will be available from the Florida Department of Transportation (FDOT), leaving approximately \$4,092,188 to be funded from Miami-Dade Transit Department's operating budget.

Background and Relevant Legislation

The Job Access and Reverse Commute (JARC) program funds transportation projects designed to help low-income individuals access to employment and related activities where existing transit is either unavailable, inappropriate, or insufficient. The JARC program also funds reverse commute transit services available to the general public. A reverse commute is a round trip, regularly taken, from a metropolitan area to a suburban one in the morning, and returning in the evening.

Miami-Dade County Transit annually applies for and receives JARC grant funding to underwrite transit bus routes that service existing or new employment centers. The routes identified to be impacted by this current grant application include:

Route	Major Job Sites Serviced by this Route
Rt. 136	The Falls Shopping Center, Gloria M. Floyd Elementary School, the Kendall-Tamiami Executive Airport, the Immigration & Naturalization Office, and Coconut Grove.
Rt. 150 Airport Flyer	Miami International Airport (MIA), Tri-Rail, Metrorail, and South Beach, with a stop at The Earlington Heights Metrorail Station.

Route	Major Job Sites Served by this Route
Rt. 7	Bayfront Park, Miami-Dade College (Wolfson Campus), American Airlines Arena, Downtown Miami, the Metropolitan Hospital and the Magic City Casino along NW 7th Street, the Mall of Americas, and Miami International Mall. This route will also serve the new Marlins Ballpark along NW 7th Street.
NW 27 Ave. Enhanced Service (North Corridor)	Martin Luther King, Jr. and Brownsville Metrorail Stations, Miami Dade College North Campus, Sun Life Stadium, and Calder Race Track.
SR 836 Express Enhanced Service (East/West Corridor)	The new SR 836 Express Enhanced Bus Service (East/West Corridor) Street will provide service from west Miami-Dade (the proposed new park-ride lot at SW 8th Street/SW 147th Avenue) to the MIC. Bus stops or stations will be spaced approximately every mile, including Florida International University (University Park) and another park-and-ride lot located at NW 107th Avenue and 12th Street. Commuters will have direct access to Metrorail, Tri-Rail and the MIA from the MIC. This new enhanced route will be implemented in FY 2012.
Marlins Ballpark Shuttle	The Shuttle will be a connector route between the Culmer Metrorail Station at NW 11th Street and 7th Avenue and the new Marlins Ballpark at NW 3rd Street and 16th Avenue. This shuttle route will operate only during events at the Marlins Ballpark.
Coral Way Limited	The Coral Limited will be a new limited-stop route in the Coral Way corridor from SW 152 Avenue to downtown Miami. This route will be the main trunk line on Coral Way as part of a restructuring of service by MDT due to the introduction of the new City of Miami Trolley route.
Ludlam Limited	The Ludlam Limited will be a new route that will provide limited stop transit service between the new park-and-ride lot located at Miami Gardens Drive and NW 73rd Avenue and the Okeechobee Metrorail Station via Ludlam Road (NW 67th Avenue/West 12th Avenue) during peak hours.
NW 135 th Street/Opa-locka Blvd. Crosstown	The NW 135th Street/Opa-locka Blvd (SR/916) Crosstown route travels from Florida International University (FIU) to NW 67th Avenue in Miami Lakes.
Rt. 6	Route 6 currently provides service in the Central Miami area. This route will be extended from NW 14th Street and 34th Avenue on its current alignment to the MIC.
Rt. 42	Route 42 currently provides service as the LeJeune Road Cross-town route that will be extended from its current alignment on 42nd Avenue to the MIC.
Rt. 57	Route 57 currently serves SW/NW 57th Avenue and will be extended from its current terminus at the Airport.
Rt. J	Route J currently serves as the 36th Street Crosstown from Miami Beach to the MIA and will be extended into the MIC from its current Airport terminus.

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8(K)1(A)
File Number: 111421
**Committee(s)
of Reference:** Board of County Commissioners
Date of Analysis: August 26, 2011

Summary

This resolution amends the FY2008 Action Plan and the FY 2008-2012 Consolidated Plan to change the scope of the Gaita Gardens project from homeownership to rental.

The change in scope will allow the Gaita Gardens project to be converted from eight homeownership units to rental units. Gaita Gardens, is an eight unit housing rehabilitation project located at 1254 and 1260 N.W 59th Street, Miami, FL 33142 (Commission District 3). According to County Executive Office (CEO) staff, the Gaita Gardens is a stalled homeownership project and in the current housing market, the units would be better suited for rental.

Background and Relevant Legislation

The United States Department of Housing and Urban Development (HUD) requires Miami Dade County (MDC) to submit a Consolidated Plan every five years and an annual Action Plan to guide that respective year's implementation of the Consolidated Plan. The Consolidated Planning Process Policies (CPPP) contains policies for implementing the FY2008-12 Consolidated Plan. An annual Action Plan is also required by HUD that follows the Consolidated Plan year by year.

The CPPP also includes guidelines for how MDC will allocate federal CDBG, HOME and Emergency Shelter Grant (ESG) funds. On July 7, 2011, the BCC through R-532-11 approved the Proposed FY2012 CPPP. The projected funds anticipated from federal, state and local sources in FY2012 are as follows:

• Community Development Block Grant (CDBG)	\$13,613,880
• Emergency Solution Grant (ESG)	\$750,000
• Home Investment Partnerships (HOME)	\$6,345,050
• State Housing Initiatives Partnership Program Income (SHIP)	\$500,000
• Documentary Surtax	\$11,900,000

On November 6, 2007, the BCC through Resolution R-1222-07 approved the Five-Year Consolidated Plan for FY2008-2012 and the FY2008 Action Plan. Additionally, through R-1222-07, CDBG funds in the amount of \$1,148,435 were awarded to the Gaita Gardens project for rehabilitation and condo conversion.

Questions

The following questions were posed by the Office of Commission Auditor to the County Executive Office (CEO) staff followed by their responses:

- At what stage was the Gaita Gardens project before it became stalled? **It was eighty percent (80%) at one time. However, the developer stopped working on it because there was no prospect for sale of the units as homeownership. There was subsequent vandalism to the project, diminishing the actual progress to seventy percent (70%).**
- How much of the \$1,148,435 CDBG funds have been spent or drawn-down? **Of the total allocation, all but \$61,560 has been spent.**
- What other County funds have been used for this project? **According to the Department of Housing Community Development (DHCD), no other County funds have been invested.**
- What is the total cost or project cost of this project? **The total projected cost for rehabilitation presented to the County is \$1,148,435.**

The following additional questions were posed by the Office of Commission Auditor to the County Executive Office (CEO) staff but responses were not available at the time of printing this analysis:

- Will more funds be needed to complete this project?
- The project is at 70% completion, what additional work is needed to complete the remaining 30% of the project?
- Who will complete the remaining 30% of the project?
- There is a news article published by the Sun Post Miami Newspaper dated August 23, 2007 which states that Gaita Enterprises Real Estate and Development Company had sold out Phase I of the Gaita Gardens Project and planned on completing Phase II of Gaita Gardens in November 2007, why did it take so long to inform the BCC that the developer stopped working on the project?

Prepared by: Mia B. Marin

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8(M)1(A)

File Number: 111448

**Committee(s)
of Reference: Board of County Commissioners**

Date of Analysis: July 5, 2011

Summary

This resolution approves an Interlocal Joint Use Agreement between Miami-Dade County (County) and the Village of Key Biscayne (VKB) for the use, improvement and maintenance of certain County lands within Crandon Park (Calusa Mangrove Trail area), including a payment of up to \$300,000 from VKB to fund the County's improvement of the Park.

The Joint Use Agreement between the County and VKB provide for the following:

- Legally establishes how VKB can jointly use, improve and maintain the County land;
- Establishes Joint Use Agreement term for ten (10) years with three (3) ten-year options to renew;
- Timeline and disbursement payment amounts by VKB to the County for the improvements as required by the Crandon Park Master Plan;
- VKB to assume security, operations, maintenance and service responsibilities for Calusa Mangrove Trail area;
- Includes insurance and indemnification requirements to County GSA Risk Management specifications.

Background and Relevant Legislation

On July 21, 1992, the Board of County Commissioners (BCC) through R-970-92, approved an Interlocal Agreement with the VKB to allow VKB to use and provide park and recreation services within the Calusa Mangrove Trail area of Crandon Park.

On July 18, 1996, the BCC through R-900-96 approved the Crandon Park master Plan (CPMP) which requires the County to complete several capital projects within a specified time period along with specifying the allowed and appropriate uses of Crandon Park to include Calusa Mangrove Trail.

In 2007, the Crandon Park Master Plan Amendment Committee agreed to a request by the VKB to delay the removal of lighted ballfields within Crandon Park, as required by the Crandon Park Master Plan, if VKB paid the estimated \$250,000 - \$300,000 cost to make required park improvements to the Calusa Mangrove Trail.

On May 18, 2010, the BCC through R-581-10 authorized the execution of a Settlement Agreement between Bruce C. Matheson (Matheson) and Miami-Dade County to remedy claims raised in the lawsuit filed in 2004 by Matheson against the County for violation of the Crandon Park Master Plan. Per the Settlement Agreement, the County agreed to make specific improvements to the Calusa Mangrove Trail recreation building within two years, of the effective date of the agreement, by May 2012.

Fiscal Impact

The proposed Interlocal Agreement between the County and VKB will require VKB to pay the County, in an amount not to exceed \$300,000 to the County to complete Calusa Mangrove Trail improvements. Payments from VKB will be provided in two installments: \$100,000 within ten (10) days of approval of the agreement by the BCC and the balance to be paid within thirty (30) days of final completion of Calusa Mangrove Trail improvements. In the proposed Interlocal Agreement, the County agrees to complete the improvements, at the sole cost of the VKB, inclusive of County design, bidding, project management, construction supervision and project close out by May 31, 2012.

Additional Information

The Crandon Park Master Plan provides for the following design objectives of the Calusa Mangrove Trail:

- Provide vehicular access from the Crandon Boulevard Rotary;
- Provide for pedestrian and bicycle access to the Calusa Mangrove Trail from the new pedestrian/bike trail westward of Crandon Boulevard;
- Retain and modify existing shelter and restrooms;
- Retain existing parking for access to the new Calusa Mangrove Trail;
- Restore the Calusa area with flowering trees and native vegetation and provide 300 square feet of picnic shelters;
- Provide a pedestrian mangrove experience for pedestrians through a 3,500 linear foot elevated boardwalk loop into the West Point Preserve with interpretive signage;
- Restore habitats for native and migratory fauna; and
- Provide limited visual and sensory interpretation of flora and fauna.

Questions

The following questions were posed by the Office of Commission Auditor to the Park and Recreation Department Staff followed by their responses:

- Has VKB made the necessary improvements to the Calusa Mangrove Trail? If so, what was the final cost of the improvements? If not, at what stage are the improvements? **No physical improvements by VKB can commence until an agreement is in place to allow it. In the meantime, VKB has provided design plans for required improvements. Parks has reviewed and approved the plans. VKB is now permitting them and will reimburse Parks for their construction. As soon as the agreement is approved by the BCC, construction can commence.**
- In addition to the ball fields, what improvements did the County agree to do, per the Settlement Agreement? **The County has agreed to a multitude of improvements to Crandon Park per the Settlement Agreement. The actions associated with VKB were agreed to by the Crandon Park Master Plan Amendment Committee, as a means of allowing VKB to complete work the County is otherwise required to complete as consideration for extending the term for the ballfield lighting.**
- What is the County's current operating and maintenance costs for the Trail? **Although VKB has no legal basis for occupying the Calusa portion of Crandon Park, they have assumed all operating and maintenance costs for the area since 1994 as consideration for the County allowing them to occupy the area.**

Prepared by: Mia B. Marin

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8(O)1(A)
File Number: 111341
Committee(s) of Reference: Board of County Commissioners
Date of Analysis: July 5, 2011

Summary

This resolution rejects the proposals for Request for Proposals (RFP) No. 630: Water Park Development and Operation with options for a Family Entertainment Center and Vacation Hotel Development to allow the County to re-solicit in order to find an interested developer.

RFP No. 630 was issued to obtain offers from qualified firms to provide the financing, development, promotion, operation, and maintenance of a quality water park on property adjacent to Zoo Miami in southwest Miami-Dade County. The solicitation addressed the development of a water park (WP), but included options for a proposer to provide a family entertainment center (FEC), vacation hotel development (VH).

RFP No. 630

The general terms and conditions of RFP No. 630 provided the following County preferences:

- To issue one award for all three projects (WP, FEC and VH);
- Reserve the right to consider the proposals for FEC and/or VH by the selected proposer for the WP;
- Reserve the right to determine the order of sequence of development of the three projects;
- Will not consider any information submitted to the County for FEC and VH, unless accompanied by a proposal for the WP;
- Contract term for a period of twenty (20) years with option to renew for two additional ten-year periods.

Background

On December 23, 2008, RFP No. 630 was issued. However, the Park and Recreation Department staff states that the process did not start until March 2009. The RFP yielded two (2) proposers. The two proposers were as follows:

- PARC Management, LLC (PARC), 7892 Baymeadows Way, Jacksonville, Fl. 32256
- Recreational Design and Construction, Inc. (RDC), 3990 N. Powerline Road, Oakland Park, Fl. 33309

The County began negotiating with PARC (highest ranked proposer) on October 14, 2009, but subsequently terminated negotiations with PARC since it did not have sufficient financing to develop the AP, FEC and VH. On December 13, 2010, the Evaluation/Selection Committee held a meeting recommending to negotiate with the second proposer, RDC. In April 2011, RDC notified staff they could not negotiate with the County. There are no remaining proposers for RFP No. 630.

Questions

The following questions were posed by the Office of Commission Auditor to the Park and Recreation Department staff followed by their responses:

- Why did the County take so long to determine to reject and re-solicit this RFP? **The second proposer was given an extraordinary amount of time to determine if they wanted to enter negotiations.**
- What were the reasons for RDC in not negotiating with the County? **They had another site in Broward which they preferred.**
- How much did this solicitation process cost? Will the same amount be needed to re-solicit? **Beyond some advertising costs, there were no direct expenditures.**
- What is the timeline for this project(s)? Do any of the projects (WP, FEC and VH) need to be finished by a certain date? **Pursuant to a request from the Zoological Oversight Board, a new process to find a developer(s) will begin shortly. There is neither a specific timeline nor any certain completion date for the projects.**
- RFP No. 630 includes information that the County has assumed associated costs with deed modifications, land use and zoning in the amount of \$80,000 for each project, are there any additional costs the County has assumed or will assume that will not be reimbursed by the selected proposer? **Parks fully expects to recoup its \$240,000 (3 x \$80,000) in advance planning and zoning expense from the selected proposer. There has been about \$30,000 in additional costs to manage other actions related to this solicitation.**
- The solicitation only yielded two proposers; will the new solicitation be modified in any way to encourage a higher number of proposers? **Yes. The market is improving and we will do advance notification of Entertainment and Recreation developers.**
- When did the proposals for RFP No. 630 come in? **May 8, 2009.**
- When did negotiating begin with PARC? **October 14, 2009.**

Prepared by: Mia B. Marin

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Legislative Notes

Agenda Item: 8(O)1(B)

File Number: 111410

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: August 24, 2011

Summary

This Competitive Contract Modification Package includes a total of nine (9) modifications to previously approved competitive contracts, requesting additional spending authority and/or time.

Budgetary Impacts

In total, this Competitive Contract Modification Package requests **\$4.074 million** in additional allocations for Miami-Dade Transit (MDT), utilizing Charter County Transportation Surtax funds, which is a component of MDT Operating funds.

Authorization to allow the use of Charter County Surtax Funds as a component of MDT Operating funds is requested in all of these items. However, the PTP 2010-11 Five Year Implementation Plan and Recommendations Memorandum dated May 26, 2011 states that, ***MDT and the County will face a critical issue as PTP funds currently used to support transit operations will be required for bond debt service; the estimated MDT operating budget shortfall in 2014 will be \$48 million annually.*** For FY 2010-11 the total PTP funding established during the budget process was \$91.969 million which is approximately 24% of MDT's total operating budget (Resolution No. 1179-10).

- How will these modifications affect MDT's financial situation?

In addition, none of the items are requesting the use of federal funds. The Mayor, in a memo dated August 15, 2011, addressed the temporary suspension of federal funds. Representatives from the Federal Transit Administration (FTA) were on site at MDT on August 17, 2011, along with their contracted Financial Managerial Oversight (FMO) reviewers, the firms of Financial Business Solutions and Holmes + Company, LLC to begin the first of several reviews of MDT's progress in implementing the corrective action plan. The review is scheduled to last approximately 3 weeks. Furthermore, the memo confirms that FTA has approved the American Recovery and Reinvestment (ARRA) process and has reimbursed the County for the 2010 preventative maintenance expenditures.

Compliance and/or Performance Issues

There are no compliance or performance issues for any of the firms in this modification package.

- **Contract Modifications:** Responses provided by the Department of Procurement Management (DPM)

Item No.	Contract Title and Modification Reason	Existing Allocation, Additional Time and Spending Authority
1	<p>Brushes, Brooms and Mops</p> <p><u>Reason:</u> Additional spending authority to allow MDT to purchase brushes, brooms and mops.</p> <p>Questions/Comments On July 27, 2007, this contract was initially approved under the County Manager's delegated authority and ratified under Resolution No. 29-08. Under the initial contract, MDT did not have an allocation. <i>According to DPM, MDT was added as a user department on August 2, 2007 with an allocation of \$10,000.</i></p> <p>The term under the initial contract was for 12 months with three (3) options-to-renew (OTR); therefore, this contract should have one more OTR that could be exercised. Why not exercise the last OTR instead of requesting a modification? <i>This is the last OTR term. The allocation for MDT for this last renewal period had not been approved by CITT; therefore, the \$1,000 allocation for MDT could not be added to this contract. This modification requests approval to add a \$1,000 allocation for MDT using County Surtax funds as part of MDT Operating.</i></p> <p>According to the DPM's Bid Tracking System (BTS), this contract will be consolidated along with six (6) other existing janitorial contracts under the new consolidated countywide janitorial supplies contract.</p> <p>This request is the 2nd modification to this contract. The 1st modification occurred on April 3, 2011, when the contract was extended under the County Manager's delegated authority for an additional 4 months, from July 31, 2011 to its current expiration date of November 30, 2011. Will the new consolidated countywide janitorial services contract be in place prior to the November 30, 2011 expiration date of this contract? <i>There are two janitorial contracts: one is for services and the other</i></p>	<p>Existing Allocation: \$121,000</p> <p>Modified / Extended Term: No Change. Current contract expires on Nov. 30, 2011.</p> <p>Increased Allocation: \$1,000</p>

	<p><i>is for janitorial supplies (used by County departments). The new janitorial supplies contract is expected to be awarded by March 30, 2012.</i></p> <p><i>The seven (7) consolidated contracts for janitorial supplies are the following:</i></p> <ul style="list-style-type: none"> <i>• IB6704-2/11-2 PRE-MEASURED LAUNDRY DETERGENT</i> <i>• IB7023-4/12-3 DISHWASHING COMPOUND</i> <i>• EPP4228-3/10-3 LAUNDRY SUPPLIES</i> <i>• 5899-3/14 GERMICIDAL DETERGENT & HAND SOAP SUPPLY</i> <i>• 8288-3/12-3 BRUSHES, BROOMS AND MOPS</i> <i>• M0692-4/11-4 JANITORIAL SUPPLIES</i> <i>• 8550-3/11-2 JANITORIAL SUPPLIES FOR MDPHA</i> 	
2	<p>Janitorial Services for MDT Metrorail System</p> <p><u>Reason:</u> Additional time and spending authority to allow MDT to continue purchase of janitorial services for Metrorail and Metromover stations, and various MDT buildings.</p> <p>Questions/Comments</p> <p>This request is the 2nd modification to the contract. According to the County Manager's memo, the extension will allow time to complete the procurement process for the new consolidated countywide janitorial services contract. However, on December 7, 2010, under Resolution No. 1179-10, this contract was modified for the 1st time for an additional 7 months extending the expiration date from March 31, 2011 to October 30, 2011, and an additional spending authority increasing this contract by \$2.478 million. The reason provided was the same as this request - to establish the new consolidated countywide janitorial services contract.</p> <ul style="list-style-type: none"> Why was the successor contract not in place prior to the end of the 7 months extension? <p><i>Developing the new contracting approach has taken longer than initially estimated. The successor contract defines new performance specifications being introduced to all County departments and the vendor community. The County has developed 'cleanliness' requirements by area type (bathrooms, common areas, cubicles, conference rooms, etc). The new specifications and contract requirements meet LEED requirements (Leadership in Energy and Environmental Design). Multiple meetings have taken place with user departments, Small Business Development and building managers throughout the County to solicit input from all stakeholders. The contract is expected to be advertised by August 2011. Award of the contract is estimated for March 2012.</i></p>	<p>Existing Allocation: \$6.554 million</p> <p>Modified / Extended Term: 8 months from October 30, 2011 to June 30, 2012.</p> <p>Increased Allocation: \$2.869 million</p>

	<ul style="list-style-type: none"> Was the new consolidated countywide janitorial services contract advertised by August 2011? <i>Pursuant to a Board directive given at the July 12th IMFRC committee meeting, all proposed consolidation processes for the janitorial supplies and services contracts were to be delayed, pending a committee workshop to discuss the impact of the proposed consolidation and contract modifications on small businesses. In addition, the Board directive requested that no solicitation of the contracting advertising be done for any consolidation until the DPM Director prepares a report based on the findings of the industry workshop and it has been presented before the IMFRC committee for review.</i> Why does this contract need additional spending authority now if the last modification extended this contract to October 2011? 	
3	<p>Cleaning Services for South Dade Bus Way Stations</p> <p><u>Reason:</u> Additional time and spending authority to allow MDT to continue to purchase cleaning services for various bus stations and Park and Ride lots throughout the County.</p> <p>Questions/Comments This request is the 2nd modification to the contract. According to the County Manager's memo, the extension will allow time to complete the procurement process for the new consolidated Countywide janitorial services contract. However, on December 7, 2010, under Resolution No. 1179-10, this contract was modified for the 1st time for an additional 6 months extending the expiration date from April 30, 2011 to October 30, 2011, and an additional spending authority increasing this contract by \$173,000. The reason provided was the same as this 2nd modification request - to establish the new consolidated countywide janitorial services contract.</p> <ul style="list-style-type: none"> Why was the successor contract not in place prior to the end of the 7 months extension? <i>Developing the new contracting approach has taken longer than initially estimated. The successor contract defines new performance specifications being introduced to all County departments and the vendor community. The County has developed 'cleanliness' requirements by area type (bathrooms, common areas, cubicles, conference rooms, etc). The new specifications and contract requirements meet LEED requirements (Leadership in Energy and Environmental Design). Multiple meetings have taken place with user departments, Small Business Development and building</i> 	<p>Existing Allocation: \$509,000</p> <p>Modified / Extended Term: 8 months from October 30, 2011 to June 30, 2012.</p> <p>Increased Allocation: \$299,000.</p>

	<p><i>managers throughout the County to solicit input from all stakeholders. The contract is expected to be advertised by August 2011. Award of the contract is estimated for March 2012.</i></p> <ul style="list-style-type: none"> Was the new consolidated countywide janitorial services contract advertised by August 2011? <i>Pursuant to a Board directive given at the July 12th IMFRC committee meeting, all proposed consolidation processes for the janitorial supplies and services contracts were to be delayed, pending a committee workshop to discuss the impact of the proposed consolidation and contract modifications on small businesses. In addition, the Board directive requested that no solicitation of the contracting advertising be done for any consolidation until the DPM Director prepares a report based on the findings of the industry workshop and it has been presented before the IMFRC committee for review.</i> Why does this contract need additional spending authority now if the last modification extended this contract to October 2011? 	
4	<p>Asphalt Concrete</p> <p><u>Reason:</u> Authorization to allow MDT to continue to purchase asphalt concrete and authorization to use Charter County Transportation Surtax Funds.</p>	<p>Existing Allocation: \$4.442 million for 60 months.</p> <p>Modified / Extended Term: No Change. Current contract expires on Oct. 31, 2011.</p> <p>Increased Allocation: \$50,000 to MDT from unallocated funds that have already been authorized.</p>
5	<p>Electronic Imaging Services</p> <p><u>Reason:</u> Additional spending authority to allow MDT to purchase electronic imaging services.</p> <p>Questions/Comments Did MDT have a previous allocation under this contract? What contract are they currently utilizing for these services? <i>Yes, they did. MDT previously utilized contract 6002-4/11-4 which expired on 5/31/11. MDT's allocation for the successor contract (6002-1/21) requires approval of funding source by the Board and CITT.</i></p>	<p>Existing Allocation: \$71,000 for 60 months.</p> <p>Modified / Extended Term: No Change. Current contract expires on May 31, 2016.</p> <p>Increased Allocation: \$250,000</p>
6	<p>Ice Cubes</p> <p><u>Reason:</u> Additional spending authority to allow MDT to purchase ice</p>	<p>Existing Allocation: \$74,000 for 24 months.</p>

	cubes.	<p>Modified /Extended Term: No Change. Current Contract expires on April 30, 2012.</p> <p>Increased Allocation: \$1,000</p>
7	<p>Reflective Lettering, Striping, and Application Services</p> <p><u>Reason:</u> Additional time and spending authority to allow MDT to purchase reflective lettering, striping, and application services.</p> <p>On September 24, 2010, under the County Manager’s delegated authority, this contract was awarded for one (1) year with two (2), one-year OTR for an initial value of \$248,500 and a total cumulative value of \$745,500 (see Quarterly Report, Item No. 8O1C on this agenda).</p> <p>On May 27, 2011, under DPM’s authority, this contract was modified to increase the contract amount by <u>\$38,755.84</u>.</p> <p>On June 27, 2011, under DPM’s authority, this contract was further modified to increase the contract amount by <u>\$80,000</u>.</p>	<p>Existing Allocation: \$367,275.84 (\$248,500 initial value + \$118,775.84 total DPM modifications) for one (1) year.</p> <p>Modified / Extended Term: No Change. Current Contract expires on Sept. 30, 2011.</p> <p>Increased Allocation: \$52,000</p>
8	<p>Agricultural Garden & Industrial Tools</p> <p><u>Reason:</u> Additional time and spending authority to allow MDT to purchase agricultural, garden and industrial tools.</p> <p>Comments / Questions According to the County Manager’s memo, this contract is used by MDT’s Facilities Maintenance Division to maintain facilities that are not covered by the County’s landscaping contracts. No funds were previously allocated to MDT.</p> <ul style="list-style-type: none"> What contract is currently utilized for these services? <i>MDT had an allocation under the previous renewal term (6732-4/12-3). The allocation was approved prior to the PTP unification. This modification is to add an allocation for MDT for the new renewal term, effective May 1, 2011, in order to continue purchasing these goods. Following the unification, approval must be secured from the CITT and the BCC.</i> 	<p>Existing Allocation: \$324,000 for one (1) year.</p> <p>Modified / Extended Term: No Change. Current Contract expires on May 31, 2016.</p> <p>Increased Allocation: \$6,000 to MDT from unallocated funds that have already been authorized.</p>

9	<p>Route Work and Group Travel Services</p> <p><u>Reason:</u> Additional time and spending authority to allow MDT to continue to purchase fixed-route services, semi fixed-route services, and group travel services within Miami-Dade, Broward, and Monroe Counties.</p> <p>Questions/Comments</p> <p><i>MDT has confirmed that no federal funds will be utilized.</i></p> <ul style="list-style-type: none"> • Why was the successor contract not in place prior to the expiration of the current contract? <i>The scope of services for the successor contract was being revised to incorporate the results of the analysis conducted by MDT to determine the cost effectiveness of the routes. Award of the successor contract is estimated for March 2012.</i> 	<p>Existing Allocation: \$12.501 million for 60 months.</p> <p>Modified / Extended Term: 8 months from Sept. 30, 2011 to May 31, 2012.</p> <p>Allocation: \$602,000</p>
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Prepared by: Elizabeth N. Owens

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8(O)1(G) and 8(O)1(G) Supplement

File Number: 111321 and 111756

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: August 24, 2011

Summary

This resolution approves the award of Contract No. 9432-4/16 for contract employee services.

In addition, **the Supplement is recommending the following four (4) amendments:**

- Change the name of the contract and replace all reference in the award recommendation from “Temporary Employment Agency Services” to “Contract Employee Services”;
- Remove 15 departments and their corresponding allocations totaling \$2.938 million due to the determination that the positions were not critical, funding was no longer available, or as in the case of the Office of the Clerk, contracts were awarded under the Clerk’s constitutional authority (see July 19, 2011 under the Background and Relevant Legislation section of this analysis);
- Reduce the total number of County departments using this contract to 22, and modify the allocation of each department to support critical needs only; and
- Reduce the total requested allocations from \$17.808 million to \$12.826 million.

Furthermore, the Supplement provides attachments that identify critical positions required by each department, by funding source (see Table below).

Critical Positions by Funding Source			
Funding Source	# of Positions	Amount	% of Positions
<u>Attachment A:</u> Grant Funded Positions	214	\$6,795,400.12	47.66%
<u>Attachment B:</u> Proprietary Revenue Funded	180	\$4,305,875.20	40.09%
<u>Attachment C:</u> General Fund Positions	31	\$884,792.00	6.90%

<u>Attachment D:</u> Blended Fund Sources	23	\$762,569.80	5.12%
<u>Attachment E:</u> CITT/PTP Surtax Funded Positions	1	\$67,600.00	0.23%
<u>TOTALS:</u>	449	\$12,816,237.12	100%

The term of the proposed contract is for one (1) year with four (4) one-year options-to-renew (OTR) periods.

Legislative Timeline of Proposed Contract

On June 14, 2011, the Internal Management and Fiscal Responsibility Committee (IMFR) amended this item to include the authorized use of Charter County Transportation Surtax Funds (Surtax Funds).

- *Pursuant to Ordinance No. 10-5, any contract involving Surtax Funds must be approved by both the Board of County Commissioners (BCC) and the Citizens' Independent Transportation Trust (CITT). Subsequently, on July 6, 2011, the CITT voted to forward a favorable recommendation to the BCC for the approval of the proposed contract (CITT Resolution Nos. 11-040 and 11-041).*

*On July 19, 2011, the proposed contract came before the BCC with a recommendation for approval; however, **the approval was denied.***

According to the Mayor's memorandum dated August 1, 2011, in response to the denial of this item, the Mayor, reallocated funds in a contract where several departments had not used their entire allocation, and in one contract that expires on November 30, 2011, to ensure that these services continued.

In addition, the Clerk of Courts exercised his constitutional authority to award contracts to the companies recommended at this BCC meeting in order to ensure operational necessities he is responsible for are maintained.

*Subsequently, at the August 2, 2011 BCC meeting, the BCC reconsidered this item, deferring it to the September 1, 2011 BCC meeting. **The deferral allows Administration to present a revised award recommendation for contract employee services. This revised item will be based on the original competition presented on July 19, and will only include critical and cost-effective positions to ensure continuity of necessary services to the community.***

Background and Relevant Legislation

The proposed contract consolidates three (3) existing contracts. The table below provides additional information regarding the three (3) existing contracts.

<u>Contract Employee Services</u>
<i>Existing Three (3) Contracts Consolidated under the Proposed Contract</i>
Contract No. M1099-1/07-4, Temporary Clerical Personnel Services

<ul style="list-style-type: none"> • <u>Sept. 8, 2005, Resolution No. 1025-05</u> <ul style="list-style-type: none"> ○ Contract No. M1099-1/07-4, was approved for the following terms and amounts: <ul style="list-style-type: none"> ▪ \$9,105,580 for the initial term ▪ One (1) year with four (4), one-year OTRs ▪ Vendors: Tri-State Employment, Deanne Enterprises, and Career Exchange. • <u>May 3, 2011, Resolution No. 324-11</u> <ul style="list-style-type: none"> ○ Contract No. M1099-1/07-4, was extended for additional time for the Department of Procurement Management (DPM) to establish the award of the current item, the successor contract. ○ <i>This contract was valued at \$17,364,000, and expired on July 31, 2011. According to the DPM, all funds were released from Contract No. M1099-1/07-4 prior to the expiration date.</i>
<p>Contract No. 5682-3/10-3, Personnel Agency Services (Water and Sewer Department)</p> <ul style="list-style-type: none"> • <u>April 25, 2006, Resolution No. 440-06</u> <ul style="list-style-type: none"> ○ Contract No. 5682-3/10-3, was approved for the following terms and amounts: <ul style="list-style-type: none"> ▪ \$3 million for the initial term ▪ Two (2) years with three (3) one-year OTR ▪ Vendors: AMS-A Personnel Management Corp., Delad Security, Inc., and Tri-State Employment Services, Inc. ○ <i>Currently this contract is in its 3rd OTR period valued at \$1,568,682.90 and expires on November 30, 2011.</i>
<p>Contract No. 6181-4/10-4, Temporary Technical Personnel Services</p> <ul style="list-style-type: none"> • <u>April 25, 2006, Resolution No. 440-06</u> <ul style="list-style-type: none"> ○ Contract No. 6181-4/10-4, was approved for the following terms and amounts: <ul style="list-style-type: none"> ▪ \$8,993,216.74 for the initial term ▪ One (1) year with four (4) one-year OTR ▪ Vendors: AMS-A Personnel Management Corp., Delad Security, Inc., Tri-State Employment Services, Inc., and Westaff (USA), Inc. ○ <i>Currently, this contract is valued at \$11,030,296.06, and expires on November 30, 2011.</i>

There are a total of 449 contract employees covered by the proposed contract. According to the Mayor's memo dated July 18, 2011, consolidating the three existing contracts into the proposed contract affords the following benefits:

- Reduces administrative costs associated in the development and solicitation of needs for contracted employees. One contract creates one venue through which similar positions are competed and contracted;
- Avoids duplication of similar positions across various contracts; and
- Encompasses the total projected person-hours for each position Countywide, allowing prospective vendors to provide their best price.

Additional Information

According to FY 2010-11 Adopted Budget, Volume 1, Page 57, the County has eliminated 3,058 positions since FY 2006-07, including the reductions of an additional 966 positions through this budget.

Is it possible to reduce the award of the proposed contract (and other similar contracts) and apply those funds to retain County positions that may be eliminated in the future budget?
According to the Supplement, the Mayor shares the Board's concerns about the layoffs proposed in the Fiscal Year 2011-12 budget. In order to address this concern, the Mayor has made a commitment to take every opportunity to match employees that are impacted through layoff actions to available positions on this contract when possible and practical.

Long Term Vacant Positions

On January 20, 2005, the BCC adopted Resolution No. 96-05, establishing County policy regarding Long Term Vacant Positions (LTVP), positions which have been vacant for 12 months or more beyond the scheduled hiring date. Not every LTVP is funded, and many vacant positions are the result of departments maintaining vacancies to achieve budgeted levels of attrition. Nevertheless, some funded LTVP are held vacant and the work is performed by employees who are temporary, part-time, or on overtime in order to minimize overall costs and optimize services.

The table below provides the total number of filled and remaining LTVP for the first three (3) quarters of the current fiscal year.

<u>Long Term Vacant Positions (LTVP) Report¹</u>			
	1st Quarter, FY 2010-11 (ending Dec. 31, 2010)	2nd Quarter, FY 2010-11 (ending Mar. 31, 2011)	3rd Quarter, 2010-11 (ending June 30, 2011)
Total LTVP Filled	83	64	78
Total LTVP Remaining	391	367	432

Prepared by: Elizabeth N. Owens

¹ http://www.miamidade.gov/budget/FY2010-11/FY10-11_LTVR.asp

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 8R1B

File Number: 111426

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: July 12, 2011

Summary

This resolution awards construction Contract No. S-835 to Metro Equipment Service, Inc. in the amount of \$1,712,527.18 to furnish and install 24-inch, 16-inch, and 12-inch sanitary sewer pipe in SW 3 Avenue from SW 7 Street to SW 4 Street and in SW 15 Avenue from SW 4 Street to W. Flagler Street, also known as the West Flagler Basin area.

West Flagler Basin Area

Existing sewer facilities serving the area generally bounded by West Flagler Street to S.W. 8 Street and S.W. 12 Avenue to S.W. 17 Avenue were deemed inadequate to serve new buildings anticipated to be constructed within the area and incapable of accepting increased capacity from existing buildings.

This project will construct the expansion of the local neighborhood sanitary sewers within the area, also known as the West Flagler Basin.

Furthermore, the Board of County Commissioners, through Ordinance 06-171, authorized and approved a special sewer construction connection charge for buildings and properties within the West Flagler Basin and provided for collection of charges by the Miami-Dade Water and Sewer Department.

Additional Information

In response to questions posed by the Office of the Commission Auditor, Miami-Dade Water and Sewer staff provided the following information:

- *Why can't staff with the WASD perform this work? Pursuant to Section 255.20, Florida Statutes, unless we determine an emergency, or the work is below the threshold established therein, governmental entities are prohibited from performing their own projects and competing with private firms. The construction cost for this project is several times the established limit.*
- *Why is the off-duty police officer amount so high for this contract? Having off duty police officers is a requirement of the permits issued by the City of Miami and FDOT as the project will include areas in both jurisdictions.*
 - *The City's permit requires two (2) off-duty City of Miami police officers.*
 - *The FDOT permit requires an off-duty FHP for all work in or affecting its roadways (i.e. SW 1 ST, SW 7 ST & Flagler ST). These roadways experience high traffic volumes which will be further impacted by lane closures during construction.*

- If applicable, please include commencement date of construction and whether developer had the funding capacity. *The date is 8/22/2011. Although new building construction in the West Flagler Basin has not been at the rate anticipated back in 2006, the City of Miami has informed us of their intent to resurface several roadways within the project area, we must move forward with this project otherwise we will not be able to return to the area and cut new pavement in order to install infrastructure for 2 years.*
- Who designed this work? *This project was designed by WASD utility design engineers.*

According to Small Business Development's Violation Report dated 8/19/11, there was one violation for Metro Equipment on 8/30/07 and closed on 2/19/09. The violation included a make-up amount of \$440,372.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 11(A)7

File Number: 111462

**Committee(s)
of Reference:** Board of County Commissioners

Date of Analysis: August 1, 2011

Summary

This resolution directs the Mayor or Mayor's designee to direct the Seaport to develop and implement a marketing plan to present to the Board of County Commissioners (BCC) within sixty (60) days that includes the following:

- Promotes the County as a destination to visit before and/or after boarding a cruise at the Port of Miami (POM);
- Promotes County recreational, cultural, commercial and historical venues as places to be visited by passengers on cruise vessels at the Port as a port of call;
- Promotes the County as an optimal venue for cruise vessel crewmembers to purchase retail goods; and
- Incorporates a plan to work with the cruise line industry, the Downtown Development Authority (DDA), Miami Chamber of Commerce (MCC), Greater Miami Convention and Visitors Bureau (GMVB), Greater Miami and the Beaches Hotel Association and other businesses in the County to achieve the proposed marketing goals.

Background and Relevant Legislation

According to POM staff, POM currently allocates \$200,000 from its budget for marketing activities in conjunction with the GMVB and the Beacon Council (BC). The \$200,000 allocation to GMVB is broken down as follows:

- \$30,000 – Cruise Miami Program: Marketing efforts used to expand cruise passenger pre- and post- visits in Miami-Dade County. The program includes collateral/educational pieces, trade show participation, FAM (Familiarization) Tours, presentation to travel agents;
- \$50,000 – "Where the Worlds Meet" Program: Advertising campaign in partnership with the BC, GMVB, POM, Aviation Department, American Airlines; and
- \$120,000 – Advertising: POM advertising campaign which includes creative, design, placement and other services.

Currently, the County has only one cruise line agreement that provides for marketing incentives. This cruise line agreement is with Carnival Cruise Lines (Carnival). The County provides an annual marketing incentive dedicated toward the promotion of cruises from Miami based on the parking revenues collected by the County for vehicles parked at the Port. The incentive amount is determined by Carnival's total embarkations to the Port's overall passenger embarkations. This marketing incentive for

Carnival was approved by the Board of County Commissioners (BCC) on June 15, 2010 through Resolution R-697-10 – Amendment No. 1 to Cruise Terminal Agreement between Miami-Dade County and Carnival.

Additionally, on May 3, 2011, the BCC approved Resolution R-343-11, which authorized Amendment No. 2 to Carnival’s Cruise Terminal Agreement. Amendment No. 2 allows for Carnival to receive an additional marketing incentive as part of Carnival’s commitment to homeport a new ship, Carnival Breeze, at the Port. The marketing incentive payment in Amendment No. 2 is based on the total number of passengers which Carnival homeports above the current annual average of 1.8 million passengers.

Both Norwegian Cruise Line (NCL) and Royal Caribbean (RC) also receive parking revenue incentives as approved by their respective agreements (Norwegian Terminal Agreement approved through R-1442-08 and Royal Caribbean approved through R-631-11). The agreements with NCL and RC for parking revenues are not considered marketing incentives.

Proposed Marketing Plan vs. Current Marketing Practice

According to POM staff, the marketing plan proposed through this Legislative Item, No. 111462, further enhances the current POM program and expands outreach work with other entities such as the Hotel Association, DDA and Chamber of Commerce. Furthermore, this proposed plan is to be in addition to current POM marketing efforts. Below is a chart comparing the elements of the proposed and the current marketing plan.

<i>Proposed Marketing Plan Elements as proposed through Legislative Item No. 111462</i>	<i>Current POM Marketing Plan Elements</i>
Promote the County as a destination to visit before and after boarding a cruise at POM.	Program goal is to market Miami as a pre- and post-cruise destination
Promote County recreational, cultural, commercial and historical venues as places to be visited by passengers on cruise vessels at the Port as a port of call.	Increase the number of overnight visitors to the community seeking a cruise vacation and enticing them to add a pre- or post- component to experience activities such as dining, shopping, nightlife, beaches, attractions and hotels (Cruise Miami Program).
Promotes County as an optimal venue for cruise vessel crew members to purchase retail goods.	POM marketing program does not include promoting optimal venue for cruise vessel crew members to purchase retail goods.
Incorporates a plan to work with cruise line industry, DDA, MCC, GMVB and Greater Miami and the Beaches Hotel Association and other business in the County.	<ul style="list-style-type: none"> • Cruise Miami Program activities in cooperation with GMVB and BC. • Educating travel industry professionals through trade initiatives. • Work directly with cruise lines and top travel agents to educate them on what Miami offers as a destination.

Prepared by: Mia B. Marin

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 11A9, 11A10, and 11A15

File Number: 111454, 111562 and 111573

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: August 29, 2011

Summary

BCC Agenda No.	11A9 111454 Military Museum	11A10 111562 Villa Capri	11A15 111573 Vanguardian
Sponsors and Co-Sponsors	Commissioner Dennis C. Moss, Sponsor; Commissioners Jose "Pepe" Diaz and Barbara J. Jordan, Co-Sponsors	Commissioner Dennis C. Moss, Sponsor	Commissioner Javier D. Souto, Sponsor
BBC-GOB Project	293	249	249
BCC District & Location	District 9 Richmond Naval Air Station	District 9 14500 SW 280 Street, Homestead	District 10 N.E. corner of S.W. 127 Ave. and 104 Street in unincorporated Miami-Dade County
Project Description	This item does not request additional funding. This item amends Resolution R-1147-10 to authorize the County Mayor to execute a Grant Agreement and to disburse BBC GOB funds to restore the Military Museum <i>after certain conditions are met</i> .	Grant Amount of \$2,000,000 This item approves the Development and Grant Agreement between the County and the Villa Capri Associates, Ltd.	Grant Amount of \$5,000,000 This item approves the Development and Grant Agreement between the County and Vanguardian Village, LLP.
Project Costs	BBC GOB Project No. 283 "Richmond Naval Air Station" has an allocation of \$2 million, and Project No. 293, "Restoration of Military Museum" has an allocation of \$1 million	Villa Capri is estimated to cost \$31,035,773. It is anticipated that all funding from the County will be available on or before Feb. 2015. It is anticipated that \$2 million will be available from Bonds issued in May 2011.	The total cost of the Vanguardian is estimated to be \$10,683,500.
Funding	This item does not request additional funding. It amends the condition under which the BBC-GOB funding will be provided.	This item was not originally contemplated when developing the list of projects to be funded within the next 45-months which went to the BCC on 3/1/2011. However, the item was added to that list on the floor on at that meeting, but the total amount of the bond sale was	The total \$5 million being requested by this item was not contemplated within the 45-month period. OCI has not received updated information regarding cash flow needs for this project. Below are the proposed expenditures as per the Mayor's FY 2011-12 proposed budget:

BCC Agenda No.	11A9 111454 Military Museum	11A10 111562 Villa Capri	11A15 111573 Vanguardian
		<p>not increased from \$200 million. OCI received information from GSA on August 15th indicating that the developer will require \$2 million in FY 2011-12.</p> <p>Below are the proposed expenditures as per the Mayor's FY 2011-12 proposed budget:</p> <p>Prior - \$0 FY 11-12 - \$0 FY 12-13 - \$0 FY 13-14 - \$470,000 FY 14-15 - \$1,530,000 Total - \$2,000,000.</p>	<p>Prior - \$357,000 FY 11-12 - \$1.14 million <u>Future (beyond FY 2016-17) - \$3.5 million</u> Total - \$5 million</p>
Is this project listed in Appendix A to R-134-11?	Yes, this additional funding for this project from Project No. 293, the Historic Preservation Fund was on the list of approved projects that went to the BCC on March 1, 2011.	<p>Yes, this item was not originally contemplated when developing the list of projects to be funded within the next 45-months which went to the BCC on 3/1/2011.</p> <p>However, the item was added to that list on the floor on at that meeting.</p>	Yes, this project is on the list of projects that went to the BCC on March 1, 2011 (R-134-11).
How may these projects impact other BBC-GOB projects?	This item does not request additional funding	Information not provided by OCI staff by time of printing deadline.	Information not provided by OCI staff by time of printing deadline.
Additional Information	<p><i>This item does not increase the original amount approved by the voters in 2004.</i></p> <p>The Military Museum project was a line item in the original 2004 list with an allocation of \$2 million. On 12/7/2010, the BCC approved an additional \$1million for this project out of Project No. 293, the Historic Preservation Fund.</p>	<p><i>This item does not increase the original amount approved by the voters in 2004.</i></p> <p>On February 1, 2011, the BCC, through 53-11, approved an allocation of \$2 million from Project No. 249 – “Preservation of Affordable Housing Units and Expansion of Home Ownership.”</p> <p>Project No. 249 has a total of \$137.7 million and has been divided to allocate approximately \$10,590,000 per Commission district.</p>	<p><i>This item does not increase the original amount approved by the voters in 2004.</i></p> <p>This project is an allocation from District 10 portion of Project No. 249, the Affordable Housing fund which has a total of \$137.7 million and has been divided to allocate approximately \$10,590,000 per Commission district.</p>

Source: Information provided by OCI staff

Background and Relevant Legislation

On July 11, 2010, the County Manager issued a memorandum on the BBC-GOB Bond Program Project List. The Memorandum provided three scenarios that illustrated the choices for the BBC Bond sales in the next two (2) fiscal years. In every scenario, the upcoming two sales are followed by a gap of nearly 24 months in which the County will not sell new bonds.

Furthermore, the Memorandum stated that uncertainty surrounding the County's millage rates and property-tax roll have made useful projections almost impossible. The list of projects for the next two (2) bond sales was developed by the OCI and the Office of Strategic Business Management (OSBM) in consultation with the County Executive Office, user departments and external stakeholders.

On December 23, 2010, the County Manager issued a Memorandum outlining the BBC Bond Program for the next 45 months and recommended the implementation of a commercial paper program in order to provide an additional financing vehicle to complete a list of projects.

Subsequently, on March 1, 2011, the Board of County Commissioners (BCC), through R-134-11, authorized the issuance of up to \$200 million in BBC Bonds for Series 2011A to be used to pay for various capital projects in the BBC Bond Program Projects List identified in the December 23, 2010 County Manager Memorandum.

On July 7, 2011, the BCC, through Ordinance 11-38, approved the issuance not to exceed, at any one time, \$400 million of Building Better Communities Commercial Paper Notes (CP Notes) in anticipation of the issuance of Miami-Dade County Building Better Communities Program General Obligation Bonds. The implementation of a Commercial Paper Program (CP Program) by issuing the CP Notes provides a means of needed financing to meet the Building Better Communities General Obligation Bond Program's (BBC Program's) undertaking of eligible community projects in anticipation of the issuance of additional BBC Bonds.

Budgetary Impact

According to OSBM, creating a Commercial Paper Program for the BBC Program will permit the County to more quickly respond to the pace of construction and changing financial market conditions, ultimately allowing more construction to take place while prices are favorable and minimizing the cost of financing.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 11(A)16
File Number: 111513
Committee(s) of Reference: Board of County Commissioners
Date of Analysis: July 27, 2011

Summary

This resolution authorizes the County Mayor or Mayor's designee, Miami Dade Public Housing Agency (MDPHA) and Housing and Community Development (HCD) to work with Roots in the City to cultivate a vegetable garden, at no cost to the County, for the sole use of the elderly and disabled residents located at County owned housing developments.

The County housing developments include:

- Stirrup Plaza located at 3150 Mundy Street, Miami, Florida, is a Miami-Dade Public Housing Agency managed public housing development with a total of 124 units (100 units in the building and 24 units separate from the building). All 100 units in the building are available for elderly and disabled persons and the remaining 24 units are stand alone regular units.
- Gibson Plaza located at 3160 Mundy Street, Miami, Florida, is a County-owned development, overseen by the Department of Housing and Community Development. There are 65 units, all designated for the elderly.

Both of these housing developments are located in Commission District 7.

Background

Roots in the City, Inc., is a nonprofit, community-based organization located in the Overtown neighborhood in downtown Miami. Roots in the City is focused on community development, creating jobs and beautifying Miami's inner city by establishing several community gardens and tree nurseries in Overtown.

According to the Roots in the City website, Community volunteers and Overtown residents in part maintain the gardens and nurseries year-round. Although the website states year-round maintenance of the gardens and nurseries, the Roots in the City Farmers Market is only open seasonally through the months of November through May. Roots in the City plans to reopen the Farmers Market in November 2011.

Furthermore, Roots in the City has cultivated vegetable gardens in several vacant lots in the Overtown community which are located in the vicinity of the NW Third Avenue and Ninth Street

intersection and belong to the Collins Center for Public Policy, an active partner with Roots In The City in its urban agriculture program.

The Southeast Overtown Park West (SEOPW) Community Redevelopment Agency (CRA) has awarded grants to Roots in the City since 2007 to train workers to grow fruits and vegetables.

According to SEOPW CRA staff, the CRA has discontinued its support to Roots in the City since it did not meet training objectives of the grant program.

Currently, the CRA has not undertaken any new support for the program.

Additionally, Roots in the City Farmers Market was cited in April 2011 by the City of Miami Code Enforcement for not having the proper permits to sell fruits and vegetables. The citation carries a \$250 a day fine. Currently, Roots in the City staff is working with the City of Miami to resolve the citation and to obtain a six (6) month renewable permit.

The SEOPW CRA annual grant amounts to Roots in the City since 2007 are as follows:

2007	\$125,000
2008	\$100,000
2009	\$100,000
2010	\$100,000
2011	\$124,000 <i>(In CRA Agenda not yet approved)</i>

On July 7, 2011, the BCC through Resolution R-535-11 approved the FY2009-10 and FY2010-11 Budgets for the SEOPW CRA which includes Operating Expenditures for Roots in the City for the following amounts:

FY 2009-10	\$76,000
FY 2010-11	\$76,000

Prepared by: Mia B. Marin