



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

Legislative Analysis

Government Operations
Committee

February 13, 2009
9:30 AM
Commission Chamber

Charles Anderson, CPA
Commission Auditor

111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

**Government Operations Committee
Agenda Notes
February 13, 2009**

Item No.	Subject Matter	Background	Analysis / Comments / Questions
2(A)	<p>Resolution Requiring the County Manager to Provide the Commission With Periodic Reports of Certain Personnel Actions</p> <p>Prime Sponsor: Commissioner Bruno A. Barreiro</p>	<p>This resolution directs the County Manager to provide periodic, personnel reports to the Board of County Commissioners (BCC).</p> <p>Following the first regularly scheduled BCC meeting of 2009, the County Manager shall be required to electronically submit to the BCC a monthly report on hiring, promotion, transfer and termination decisions, or other personnel actions affecting County employees.</p>	
2(D)	<p>Resolution Directing the Mayor to Display the Prisoner of War Missing in Action Flag on County Buildings</p> <p>Prime Sponsor: Vice-Chairman Jose "Pepe" Diaz</p>	<p>This resolution directs the County Mayor to display the Prisoners-of-War/ Missing-in-Action (POW-MIA) flag year-round in second order of precedence to the American flag or adjacent to all County-owned or operated buildings on which the American flag is flown.</p> <p>Background In 1972, the wife of a military officer launched a public awareness campaign for military personnel who were Vietnam war prisoners or missing in action. She commissioned an advertising firm to design a POW-MIA flag to commemorate Americans still prisoners, missing and unaccounted for in Southeast Asia.</p> <p>In 1990, Congress officially recognized the POW-MIA flag and designated the 3rd Friday of September as national POW-MIA Recognition Day, and mandated the display of the POW-MIA flag on flag holidays such as Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans Day. Congress also mandated that on these holidays, the POW-MIA flag be flown over federal buildings, war memorials, national cemeteries and every major military installation office. (See 1998 Defense Authorization Act, §1082). The state of Florida has similarly mandated that the POW-MIA flag be displayed year-round at each state park and state-owned building where the US flag is flown. (Sect.</p>	<p>POW-MIA Flag The black and white flag depicts a silhouette of a man's head with a strand of barbed wire and a watchtower in the background. Below the design, the flag bears the motto "You Are Not Forgotten."</p>  <p>Protocol For Flag Placement Vietnam Veterans of America advocates:</p> <ul style="list-style-type: none"> the POW-MIA flag should be flown below the US flag and above the state flag – if flown on one flag pole the POW-MIA flag should be flown on the same pole as the American



Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>256, Fla. Stat). However, the state legislature has not address the order of priority or protocol for placement of the state flag over or below the POW-MIA flag.</p> <p>In keeping with federal and state recognition of the sacrifices of Americans listed as missing and unaccounted for, this resolution directs the County Mayor to display the POW-MIA flag year-round below the American flag or adjacent to all County-owned or operated buildings on which the American flag is flown.</p>	<p>flag but below the American flag , and flown to the right of the 2nd pole where the state flag should be flown– if two flag poles exists (Source: Vietnam Veteran of America, www.vva.com/powmia.html)</p>
2(G)	<p>Resolution Waiving Miami-Dade Water & Sewer Department’s Requirement for Installation of a 12 Inch Water Main Extension for a Dentist Office</p> <p>Prime Sponsor: Commissioner Carlos A. Gimenez</p>	<p>This resolution waives the Miami-Dade Water & Sewer Department (WASD) regulations which require the installation of a 12- inch water main extension for an existing facilities in which the change in the facility’s use or occupancy increased the total daily gallons of water demanded by more than 50% .</p> <p>Background Under Administrative Order 10-8, § 2.08 (Rates and Charges), governing WASD water connection charges, charges are computed based on the daily average water usage and sewer flow. WASD schedule of Rates, Fees and Charges are set forth in a table which lists the type of use, the corresponding gallons per day usage, and the rates to be charged.</p> <p>If a use is classified as a shopping center, WASD applies a rate-of-waterflow of 5 gallons per day for every 100 square feet. However, if the use is classified as a dental office, WASD applies a rate-of-waterflow of 275 gallons per every 100 sq. ft. A change in the use of the property would require an adjustment of WASD’s charges and water main extensions in accordance with the table. If the calculated flows for the existing facility increases by more than 50% due to a change in the use, then the facility will require the installation of a new 12-inch water main extension to accommodate the increased usage.</p> <p>Dr. Jose Abadin, is a dentist who has applied for a new Certificate of Use to convert the existing retail space to a dental office. The dental office will be constructed to meet the new flow reduction specified in Chapter 3, Article II, § 8-31 of the County Code through the installation of water efficient fixtures, water conserving toilets, and waterless dental equipment. In the interim, WASD is in the process of submitting to the Board of County Commissioners a revised</p>	<p>Pertinent Water & Sewer Regs AO 10-8 , §§2.08 and 2.10 provide respectively:</p> <ul style="list-style-type: none"> • The gallonages for calculating connection charges will be applied regardless of requirements of individual developments or building units. However, if the property owner or developer can demonstrate that the building, as previously used, is greater than the average daily gallonage of the proposed, the department will make adjustments. • Billing adjustments will be made for over or under estimates, which may occur when the Department is unable to gauge.

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>and updated language to the rules and regs which will <u>not</u> require the installation of a 12-inch water main extension.</p> <p>In light of the forthcoming new WASD regs, this resolution would authorize waiving WASD regulations requiring a 12-inch water main extension in situations such as Dr. Abadin's dental office.</p>	
2(H)	<p>Resolution Directing the Mayor to Review Assumptions Used to Develop Future Water Supply Needs, and to Prepare Revised Forecasts and Recommendations Modifying the Schedule of Water Supply Projects</p> <p>Prime Sponsor: Commissioner Carlos A. Gimenez</p>	<p>This resolution directs the County Mayor to review assumptions used to develop future water supply needs and to prepare revised forecasts and recommendations modifying the schedule of water supply projects.</p> <p>Background On November 15, 2007, the South Florida Water Management District (SFWMD) approved of and issued to the County a 20-year Water Use Permit. The permit allows Miami-Dade Water & Sewer Department (WASD) to continue drawing 347 million gallons of water per day from the Biscayne Aquifer. However, an essential provision of the permit requires WASD to find alternative water supply to meet future demands beyond the amount WASD is allowed to draw from the Biscayne Aquifer by the end of the 20 year period.</p> <p>The Water Use Permit projections regarding water demand were based on anticipated population growth and per capital water consumption derived form 2005 and 2006 data. However, the actual current water consumption is approximately 40 million gallons per day less than anticipated. This resolution directs the County Mayor to review assumptions used to develop future water supply needs and to prepare revised forecasts and recommendations modifying the schedule of water supply projects in light of the County's actual current water consumption.</p>	
2(L)	<p>Resolution Regarding the Role of the Board of County Commissioners in Developing the County's Strategic Plan</p> <p>Prime Sponsor: Commissioner</p>	<p>This resolution directs the Mayor to include the Board of County Commissioners (BCC) in the development of the updated and revised County Strategic Plan.</p> <p>Background Ordinance No. 05-136, referred to as the Governing for Results Ordinance, was passed by the Board of County Commissioners (BCC) in July 2005. The ordinance embodies the County's 5-year strategic plan for improving revenues, constituent services and reducing operating costs. Since its inception, the County has implemented performance goals and has solicited recommendations and made available drafts of the strategic plan to the public and other stakeholders for comment and consultation. However, following its launch, and the County's current process of revising and updating the strategic plan, the BCC has been omitted as an integral stakeholder in the development and revision of the strategic plan, contrary to legislative intent of the Governing for Results Ordinance. Pursuant to the Governing for Results Ordinance, the</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	<p>Natacha Seijas</p>	<p>planning process is to include the views and suggestions of the County’s elected officials. The Administration has relegated the BCC to the role of only ratifying the plan after its formulation even though the strategic plan will serve as the basis for formulating the County budget.</p> <p>This resolution addresses the role of the BCC in developing the strategic plan. In particular, this resolution directs the Administration to consider, as equally important, the BCC’s role of identifying approaches that can be developed and implemented countywide, setting public policy and establishing budget priorities. By including the BCC in the development and revision of the strategic plan, this may ensure that a strategy agreed to by those who must approve the resources to implement them will be approved.</p>	
3(A)	<p>Ordinance Relating to the Rules of Procedure Amending Rule 5.05</p> <p>Prime Sponsor Commissioner Barbara J. Jordan</p>	<p>This ordinance amends Section 2-1 of the Code of Miami-Dade County to provide that items forwarded by a Commission Committee to the County Commission are exempt from the “4-day rule” under certain circumstances.</p> <p>Currently, items that are heard during committee meetings held on Monday and Tuesday are not subject to the “4-day rule” while items heard during committee meetings on Wednesday through Friday are subject to the rule.</p> <p>The proposed ordinance will amend Rule 5.05 to exempt items from the “4-day rule” if the items that have been forwarded to: (1) the Commission by the committee of jurisdiction; (2) the chairperson of the committee; and, (3)the chairperson of the Commission concur in writing that the item should be placed on the agenda.</p>	
3(B)	<p>Ordinance Relating to Rules of Procedures</p> <p>Prime Sponsor Commissioner Joe A. Martinez Co-Sponsor Commissioner Audrey M. Edmonson</p>	<p>This ordinance amends Section 2-1 of the Code of Miami-Dade County relating to the Rules of Procedure of the Board of County Commissioners (BCC) by requiring that any substitute and alternate items included on a Committee or Commission agenda should include a brief description of how the item differs from the original on the item’s accompanying cover memorandum.</p> <p>Background On April 8, 2008, the BCC adopted Ordinance 08-41 providing that any item on the Commission agenda amended in Committee indicate a brief description of the amendments and identifies the changes. The proposed ordinance extends this rule to include substitute and alternate items.</p>	
3(C)	<p>Resolutions Urging an Entity or Person to Take Stated Action are Exempt from Committee Review</p>	<p>This ordinance relates to the Board of County Commissioners (BCC) Rules of Procedure. It amends Section 2-1 of the Code of Miami-Dade County (Code), exempting from committee review resolutions that urge an entity or person to take a stated action.</p> <p>Currently, the following items are exempt from committee review:</p> <ul style="list-style-type: none"> • Items waived onto the BCC agenda. 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	<p>Prime Sponsor Commissioner Joe A. Martinez</p>	<ul style="list-style-type: none"> ○ The chairperson of the committee the item is assigned to must request in writing the waiver and the BCC chairperson must approve the waiver. ● Quasi-judicial items, special taxing districts, ordinances for first reading, consent agenda items, district office fund allocations, special presentations, road co-designations, citizens’ presentations, bid protests, settlements, options to renew contracts, and resolutions expressing intent. ● Road closing in a commission district where the district commissioner is not a member of the committee. 	
3(D)	<p>Ordinance Amending the Living Wage Ordinance to Clarify Covered Services, Definitions, Penalties & Sanctions</p> <p>Prime Sponsor Commissioner Natacha Seijas</p>	<p>This proposed ordinance amends the County’s Living Wage Ordinance to clarify covered services, redefine the Living Wage rate, clarify payroll record and reporting requirements, and to expand penalties and sanctions.</p> <p>Specific Amendments In particular the proposed amendment makes substantive and stylistic changes to the existing Living Wage Ordinance by:</p> <ol style="list-style-type: none"> (1) deleting specific wage rates and substituting text which establishes annual adjustments to the Living Wage rate based on the fiscal year; (2) requiring contractors to provide a copy of the Living Wage Ordinance to subcontractors issued a permit or lease agreement on service contracts; (3) expanding the scope of the Living Wage Ordinance to expressly include procurement contracts as subject to the Ordinance requirements; (4) defining the 3-year period for retaining payroll records as the date computed from the expiration, suspension or termination date of the contract; (5) requiring payroll records to be certified and submitted at the County’s request; (6) amending general text regarding employment activities reports to expressly read that the covered employer “must submit an Employment Activity Report Form;” (7) clarifying the references to “principal officers of an employer” shall include “all officers, principals, directors, shareholders owning or controlling 10% or more of the stock, partners, qualifiers, divisions or other organizational elements;” (8) establishing a \$500 per week penalty for each week in which the violations remains outstanding; and (9) levying interest on unpaid sanctions at the state statutory rate. <p>Comments The living wage rate is indexed annually according to the Consumer Price (CPI). According to the Department of Small Business Development, there were 5 living wage violations that occurred in 2008.</p>	
3(E)	<p>Ordinance Requiring Two-thirds Vote of the Board of County Commissioner to</p>	<p>This proposed ordinance amends the Board of County Commissioners’ (BCC) Rules of Procedure, set forth in Chapter 2, Article 1, Section 2-1 of the County Code, to include the minimum number of Commissioners’ votes required to convey county-owned real property to a non-profit entity.</p> <p>The proposed new text specifically amends the Commission’s Rules of Procedure 5.06, governing the manner and method</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	<p>Convey County-Owned Real Property to a Non-Profit Entity</p> <p>Prime Sponsor Commissioner Katy Sorenson</p>	<p>for adopting ordinances, resolutions, motions and contracts, to provide that “any action of the commission to convey or lease County-owned real property . . . to a not-for-profit entity . . . shall be by an affirmative vote of two-thirds of the entire Board of County Commissioners.”</p> <p>Current Rules of Procedure Re: Voting Under the existing Commission rules of procedure, a <u>majority</u> vote of the BCC <u>present</u> is required for an action, resolution or ordinance to be adopted. Rule 1.08 and Rule 5.03.</p> <p>Commission Rules of Procedure Requiring 2/3s Vote In certain special instances a 2/3s vote of the BCC is required to pass certain legislation or to take certain BCC action. These instances and the rule are delineated below:</p> <ul style="list-style-type: none"> • To enact public emergencies ordinances a 2/3s vote of the members of the BCC is required. Rule 1.02(f). • To reject the Mayor’s appointment of department directors requires 2/3 votes of BCC members in office. Rule 8.1.01 (g) and Rule 2.02 (d) • To override the Mayor’s veto requires 2/3s vote of the commissioners present. Rule 8.01(g) and Rule 2.02(e). • An ordinance or resolution which is laid on the table in committee may be brought back before the committee (i.e., renewed) during a 3 month period by a 2/3s vote of the committee members. Rule 4.01(r) • A motion to reconsider may only be considered upon 2/3s vote of those present. Rule 7.01(k) • To suspend the BCC’s rules of procedure, a 2/3s vote of the members of the BCC is required. Sect 7.01(n). • Fee reductions or fee waivers for the use of Vizcaya requires 2/3 votes of commissioners present. Rule 9.03 • To take action other than what was reconsidered and recommended by the Citizens’ Independent Transportation Trust regarding the People’s Transportation Plan requires 2/3 votes of the Commission members. Rule 9.03.03 	
3(F)	<p>Resolution Approving Application for One Certificate of Public Convenience and Necessity</p>	<p>This resolution recommends approval of an application by USA Medical Transportation, Inc. for one (1) Certificate of Public Convenience and Necessity to operate a single nonemergency vehicle to provide wheelchair nonemergency medical transportation throughout Miami-Dade County.</p> <p>USA Transportation, Inc. is located at 1898 NW 69th Street, Miami, Florida 33149</p> <p>Per County Code (Section 4-44) the certificate applications must meet the following criteria:</p> <ul style="list-style-type: none"> • Ability of applicant to provide the proposed service; • Adequacy of the management plan of the applicant; • Benefits to the public from proposed service. <p>Consumer Services Department conducted a criminal background investigation revealing no criminal record within the last five years for the officers of the corporation.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions						
		<p>Principle Name: Mr. Jose Rodriguez</p> <p>Service will be provided Monday through Friday from 7:30 a.m. to 4:00 p.m.</p> <p>The proposed rates (one-way) are as follows: Wheelchair Service per lift is \$25, \$35 per lift for scooter passengers and \$2.75 per mile.</p>							
3(G)	Resolution Approving Transfer of Certificate of Transportation	<p>This resolution recommends approval of a transfer of Passenger Motor Carrier (PMC) Certificate of Transportation from Ideal Transportation, Inc. to Miami Sunshine Transfer & Tours, Corp.</p> <p>Miami Sunshine Transfer & Tours, Corp. is located at 3267 NW 70th Terrace, Miami, Florida</p> <p>The applicant seeks to continue transporting residents and tourist groups to and from various throughout Miami-Dade County.</p> <p>Consumer Services Department conducted a criminal background investigation revealing no criminal conviction of the applicant or any corporate officers within five years of the date of the application.</p> <p>Principle Name: Mr. Hector Gonzalez</p> <p>Service will be provided 24-hours a day, seven days a week.</p>							
3(H) & Substitute	Amendment of 8CC	<p>This ordinance amends Chapter 8CC of the Code of Miami-Dade County by updating the County's Code Enforcement service procedures and it amends the schedule of fines to reflect the changes added by the 2007 edition of the Florida Building Code. The ordinance also eliminates the County Attorney's Office from attending Code Enforcement Appeal hearings.</p> <p>Chapter 162.12 of Florida Statutes requires County or Municipal Code Enforcement to shift the method of how notices are delivered. The table below shows the current notice of violations procedures and the proposed notice of violation procedures for all code enforcement departments.</p> <table border="1" data-bbox="642 1219 1824 1461"> <thead> <tr> <th data-bbox="642 1219 1249 1255">Current Notice of Violation Procedures</th> <th data-bbox="1249 1219 1824 1255">Proposed Notice of Violation Procedures</th> </tr> </thead> <tbody> <tr> <td data-bbox="642 1255 1249 1325">Service of Notice of Violation to Violators Place of Residence</td> <td data-bbox="1249 1255 1824 1325">Notice of Violation sent by first class mail, return receipt requested.</td> </tr> <tr> <td data-bbox="642 1325 1249 1461">Certified Mail, Return Receipt Requested or by posting the notice civil violation on the premises or real property upon which the violation has been observed.</td> <td data-bbox="1249 1325 1824 1461">Posting of notice at premises where the violation occurred and/or at the owner's address combined with sending the notice first class.</td> </tr> </tbody> </table>	Current Notice of Violation Procedures	Proposed Notice of Violation Procedures	Service of Notice of Violation to Violators Place of Residence	Notice of Violation sent by first class mail, return receipt requested.	Certified Mail, Return Receipt Requested or by posting the notice civil violation on the premises or real property upon which the violation has been observed.	Posting of notice at premises where the violation occurred and/or at the owner's address combined with sending the notice first class.	
Current Notice of Violation Procedures	Proposed Notice of Violation Procedures								
Service of Notice of Violation to Violators Place of Residence	Notice of Violation sent by first class mail, return receipt requested.								
Certified Mail, Return Receipt Requested or by posting the notice civil violation on the premises or real property upon which the violation has been observed.	Posting of notice at premises where the violation occurred and/or at the owner's address combined with sending the notice first class.								

Item No.	Subject Matter		Background	Analysis / Comments / Questions						
			<table border="1"> <tr> <td data-bbox="640 228 737 332">N/A</td> <td data-bbox="737 228 1249 332">Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body</td> </tr> <tr> <td data-bbox="640 332 737 467">N/A</td> <td data-bbox="737 332 1249 467">Leaving the notice at the violator's usual place of residence with any person who is 15 years of age or older and informing the person of the contents of the notice</td> </tr> <tr> <td data-bbox="640 467 737 570">N/A</td> <td data-bbox="737 467 1249 570">In case of commercial premises, leaving the notice with the manager or other person in charge.</td> </tr> </table>	N/A	Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body	N/A	Leaving the notice at the violator's usual place of residence with any person who is 15 years of age or older and informing the person of the contents of the notice	N/A	In case of commercial premises, leaving the notice with the manager or other person in charge.	<p>3(H) Substitute The substitute includes language that allows first class service of violations without a return receipt; however, this method of service will not be deemed conclusive that the violation has been served. If a signed return receipt or other delivery confirmation is received the service of the violation will be deemed conclusive.</p> <p>Questions Why is the County Attorney's Office being eliminated from attending Code Enforcement Appeal hearings?</p> <p><i>According to the County Attorney's Office, the appeal hearings currently take place with the Code Enforcement Officers presenting the case to the Hearing Officer. This County Attorney's Office has not attended these hearings on a consistent basis. This change just coincides with what has historically been done.</i></p> <p><i>The CAO is in the opinion that this method is a much more efficient way to handle the hearings and will merely continue the current practice. The County Attorney remains the General Counsel to the Hearing Officer system.</i></p>
N/A	Hand delivery by the sheriff or other law enforcement officer, code inspector, or other person designated by the local governing body									
N/A	Leaving the notice at the violator's usual place of residence with any person who is 15 years of age or older and informing the person of the contents of the notice									
N/A	In case of commercial premises, leaving the notice with the manager or other person in charge.									
4(A)	Lease Agreement for the General Services Administration Department	<p>District 3</p> <p>This resolution authorizes the execution of a lease agreement between Shirley Hardin and Guy Hardin, for the General Services Administration (GSA).</p> <p>Specifics</p> <ul style="list-style-type: none"> • The property is located on 564 and 572 N.W. 23rd Street, Miami, Florida • The lease term is for two years with two additional one-year renewal option periods. GSA utilizes the facility for storage of construction materials, system furniture and supplies. • The annual rent for the first year of the initial lease term is \$48,789.30, which is equal to \$7.35 per square foot on an annual basis. 								

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Fiscal Impact The impact for the first lease year is estimated to be \$53,721.67.</p> <p>Comments According to the GSA Department, one staff person is assigned to manage the warehouse.</p>	
4(B)	Resolution Approving Reimbursement for the Loss of Personal Property	<p>This resolution approves the issuance of \$1,148.45 to Mr. Prudencio Ramiro, an employee of General Service Administration’s Fleet Management division, who has requested reimbursement for the theft of his personal tools which were stolen during working hours at a County facility.</p> <p>Background On February 11, 2008, Mr. Ramiro, a heavy equipment technician, was stationed at the Fleet Management’s Shop 3 Construction Welding Repair facility located at NW 58th Street. Mr. Ramiro’s service truck was locked and parked on the backside of the repair facility. However, before punching in, Mr. Ramiro discovered that his personal tools were stolen from his service truck. Mr. Ramiro reported the theft to his supervisor, who, in turn, contacted the police department. A police report was filed, a copy of which is attached to the County Manager’s memo.</p> <p>Authority to Reimburse Under Chapter 2, Article 1, § 2-11.13 of the County Code, an employee may be reimbursed for the loss of personal property if the loss occurred during the discharge of the employee’s duties. Reimbursement may only be made upon the affirmative findings of the Manager of Risk Management Division, the Budget Director, and the head of the department in which the employee was working at the time of the loss that:</p> <ul style="list-style-type: none"> • the loss occurred during the employee’s duties on official County business • the loss was not compensated or reimbursed • the loss was not the result of the employee’s negligence • the loss, if caused by a third party, would be unreasonable to attempt recovery, and • the amount for the loss is reasonable. <p>In addition, under Administrative Order 7-23, if the amount requested to be</p>	<p>Supporting Documents Verifying Loss & Value</p> <ul style="list-style-type: none"> • Police report • List of stolen tools • Sear’s website listing the retail value of stolen tools • Fleet Management Director’s memo • Risk Management’s memo • Subrogation agreement • Office of Strategic Business Management Memo

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		reimbursed exceeds a \$1,000 threshold claim value, the claim may be approved by the BCC.	
4(C)	Resolution Authorizing a Non-Exclusive Professional Service Agreement to Black & Veatch Corporation to Provide Bond Consulting Engineering Services	<p>This resolution authorizes a contract award to Black & Veatch Corporation in the amount of \$3.3 million for a term of 3 years. The consultant will provide bond consulting engineering services for the Miami-Dade Water & Sewer Department (WASD).</p> <p>Scope of Duties Under the terms of the contract and the provisions of Senior Bond Ordinance (1993), Black & Veatch Corporation will:</p> <ul style="list-style-type: none"> • provide an annual report on the water and sewer system by September 1st of each year; the report shall include recommendations as to necessary revisions of rates and charges; • determine the amount to be deposited in the renewal and replacement fund during the next fiscal year; • conduct an annual inspection of approximately 1/3 of WASD facilities; • render a written report as to the state of condition and repair of the system; • provide recommendations, approvals or certifications; and • issue an Engineering Consultant's Report for inclusion in the official statements for Water and Sewer Revenue Bond offerings. <p>At the sole discretion of WASD, the corporation will also provide consulting services regarding planning, feasibility, vulnerability, risk assessment and process studies, provided these tasks do not present a conflict of interest relative to the firm's bond consultant duties.</p> <p>Funding Source WASD operating revenues; \$300,000 of the \$3,300,000 constitutes the 10% contingency amount</p>	<p>Black & Veatch Corporation Black & Veatch Corporation, located in Orlando, Florida, bills itself as a leading global engineering, consulting and construction company. Founded in 1915, Black & Veatch specializes in infrastructure development.</p> <p>Services offered are: conceptual and preliminary engineering services, engineering design, procurement, construction, asset management, environmental, security design and consulting, and management consulting.</p> <p>This employee-owned company has over 100 offices worldwide with projects in 70 countries on six continents. Black & Veatch is ranked on the Forbes "500 Largest Private Companies in the United States" listing.</p> <p>(Source: corporation's website – www.bv.com)</p>
4(D)	Resolution Approving Change Order No. 1 to the Metro-Equipment Service Contract	<p>District 4</p> <p>This resolution approves Change Order No. 1 to Contract No. S-783 awarded to Metro-Equipment Service, Inc. for the installation of a 16-inch ductile iron sanitary sewer. If approved, the change order will close out the project and</p>	<p>Change Order's Impact on Small Business Goal</p> <p>As a result of lowered cost to execute the project, the initial contract value was reduced to \$1,363,350.52. The project</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>reduce the original contract amount by 16%.</p> <p>Background Contract No. S-783 was awarded to Metro-Equipment Service, Inc. which was required to furnish and install a ductile iron pipe and fittings for a gravity sewer main and laterals under NE 172nd Street from Collins Avenue to North Bay Road, in the City of Sunny Isles Beach. The engineering design for the project was based on “as-built” information obtained from utility companies and the roadway agency. This information was field verified by surveyors. The final contract specifications were based on the verified information. During the construction, Metro-Equipment Service, Inc. encountered unforeseen differences between the actual field conditions and the information shown on the “as-built” specifications. As a result, the pipeline installation had to be adjusted in the field to address the unforeseen conditions. Metro-Equipment Service, Inc. replaced the pipe at a shallower “cut range,” reducing the contract value by \$258,932.85 - resulting in a lower cost to the County.</p> <p>Change Order Cost and Cost-overruns Although Metro-Equipment Service, Inc.’s adjustments resulted in a lower cost than projected, additional unforeseen costs not included in the bid proposal were still incurred totaling \$252,299. This total consists of:</p> <ul style="list-style-type: none"> • extra off-duty policemen for traffic maintenance - \$51,960 • installation of a pipeline at a depth of 4-6 feet - \$86,289 • removal of a pipeline at a cut of 4-6 feet - \$55,055 • removal of a pipeline at a cut of 6-8 feet - \$58,995 <p>Funding Source for Additional Costs Water & Sewer Department’s Unused and Underutilized Funds</p>	<p>was awarded with a 4% Community Small Business Enterprise (CSBE) goal. The reduction in the project-cost decreased the CSBE participation amount to \$54,534.02.</p> <p>Open Violations The Department of Small Business reports that Metro-Equipment Service, Inc. failed to meet CSBE subcontractor goals in 2007. The violation remains an open violation with a make-up goal of \$440,372.40.</p>
4(E)	Resolution Approving An Agreement With FIU In the Amount of \$2.75 Million for Environmental Research and	<p>This resolution awards FIU’s Southeast Environmental Research Center a 7 year contract, in the amount of \$2.75 million, for purposes of conducting environmental research and analysis services.</p> <p>Background Miami-Dade County has undertaken with the South Florida Water Management District a pilot program designed to restore Biscayne Bay Coastal Wetlands.</p>	<p>FIU’s History with the County Agreement Between Florida International University (FIU) and Miami-Dade County To Study Trade Development Agencies and Provide Trade Promotion & Workforce Education and Training – Approved May 2007</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	Analysis Services	<p>Under the pilot program, the County is developing reclaimed water programs as a means of rehydrating Biscayne Bay and coastal wetlands.</p> <p>Because of concern over water quality and the associated treatment required to attain sufficient water quality to discharge treated wastewater into Biscayne Bay, the pilot project proposed researching the treatment necessary to achieve the water quality criteria needed to discharge reclaimed wastewater into natural areas. If approved by the BCC, FIU's Southeast Environmental Research Center will conduct the aquatic toxicity and ecological testing on select animal and plant species under a conceptual plan previously prepared by the Center.</p> <p>Scope of Services Under the contract for services, FIU would be required to conduct laboratory toxicity testing and outdoor microcosm studies. The toxicity test will include the evaluation of acute and chronic effects such as development growth and reproduction. The microcosm studies will be conducted to evaluate the potential effects of long term exposure to reclaimed water and the ultimate distribution and fate of specified substances. (Source: Agreement Between Miami-Dade County and FIU, ¶ 2)</p>	<p>Interlocal Agreement With Florida International University (FIU) for the Provision of Research and Technical Assistance On Matters Dealing With Public Transportation In An Amount Not To Exceed \$300,000 Per Year For a Term of Five Years – Approved June 2005</p> <p>Execute A Three-Year Renewal Contract With Florida International University (FIU) To Provide Consulting Services To Miami-Dade Housing Agency – Approved July 2002</p>