



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

December 17, 2013
9:30 A.M.
Commission Chamber

Research Division

Charles Anderson, CPA
Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
305-375-4354

**Board of County Commissioners
December 17, 2013 Meeting
Research Notes**

Item No.	Research Notes																										
4A 132454	ORDINANCE RELATING TO THE MIAMI-DADE WATER AND SEWER DEPARTMENT; AMENDING SECTION 32-154 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING THE DATE BY WHICH BACKFLOW PREVENTERS MUST BE INSTALLED FOR FACILITIES OF EXISTING WATER CUSTOMERS GOVERNED BY SECTION 32-154(D); PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE																										
Notes	<p>The proposed ordinance amends Section 32-154, Backflow Preventers Required, of Miami-Dade County Code, relating to the Miami-Dade Water and Sewer Department. This amends the date by which backflow preventers must be installed for facilities of existing water customers governed by Section 32-154(D) to January 1, 2016, instead of January 1, 2014.</p> <p>Additional Information A backflow prevention assembly is used to protect potable water supplies from contamination or pollution due to backflow. In water supply systems, water is normally maintained at a significant pressure to enable water to flow from the tap, shower etc. When pressure fails or is reduced, as may happen if a water main bursts, pipes freeze or there is unexpectedly high demand on the water system, then such reduced pressure in the pipe may allow contaminated water from the ground, from storage or from other sources to be drawn up into the system. Points at which a potable water system connects with a non-potable water system, are called cross connections. Backflow means the undesirable reversal of flow of a liquid, gas or solid into the potable water supply — A backflow preventer keeps this from happening.</p>																										
4B 132316	ORDINANCE RELATING TO ANNEXATION PROCEDURES; REQUIRING CONSENT FROM PROPERTY OWNERS IN AN AREA PROPOSED TO BE ANNEXED IN CERTAIN CIRCUMSTANCES, IF THERE IS NO REQUIRED VOTE OF RESIDENT ELECTORS BECAUSE THERE ARE 250 OR FEWER RESIDENT ELECTORS IN THE AREA AND THE AREA IS FIFTY PERCENT OR LESS DEVELOPED RESIDENTIAL; PROVIDING THAT SUCH REQUIREMENT IS APPLICABLE TO PENDING AND FUTURE ANNEXATION REQUESTS, UNLESS SUCH REQUESTS HAVE RECEIVED A RECOMMENDATION FROM THE PLANNING ADVISORY BOARD ON OR BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE; AMENDING SECTION 20-9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA ("CODE"); PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE																										
Notes	<p>The proposed ordinance relating to Annexation Procedures amends Section 20-9 of the Code of Miami-Dade County (Code), Election on Proposed Boundary Changes, to do the following:</p> <ul style="list-style-type: none"> Require consent from property owners in an area proposed to be annexed, if there is no required vote of resident electors because there are 250 or fewer resident electors in the area and the area is fifty percent or less developed residential; Provides that such requirement is applicable to pending and future annexation requests, unless such requests have received a recommendation from the Planning Advisory Board (PAB) on or before the effective date of this ordinance. <p>Currently, under Section 6.05 of the Home Rule Charter and Section 20-7 of the Code, the County Commission can accomplish an annexation by ordinance without a vote of resident electors when there are 250 or fewer resident electors in the area proposed to be annexed and the area is less than fifty percent developed residential.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="background-color: #c6e0b4; text-align: center;">Comparison of Current Code and the Proposed Amendments</th> </tr> <tr> <th colspan="4" style="background-color: #c6e0b4; text-align: center;"><i>Section 20-9: Election on Proposed Boundary Changes.</i></th> </tr> <tr> <th style="background-color: #c6e0b4;">Section of Code</th> <th style="background-color: #c6e0b4;">Current Code</th> <th style="background-color: #c6e0b4;">Proposed Amendments <i>Bold refers to proposed amendments.</i></th> <th style="background-color: #c6e0b4;">Notes</th> </tr> </thead> <tbody> <tr> <td style="background-color: #c6e0b4;">Sec. 20-9(a)</td> <td>The determination of <i>whether an area is more or less than fifty (50) percent</i> developed residential shall be made in the sole discretion of the Director of the Department of <i>Planning and Zoning</i>.</td> <td>The determination of the percentage of an area that is developed residential shall be made in the sole discretion of the Director of the Department Regulatory and Economic Resources.</td> <td><i>Amends percentage language and provides the current name of the department.</i></td> </tr> <tr> <td style="background-color: #c6e0b4;">Sec. 20-9(b)</td> <td>In the event that a boundary change involves the annexation or separation of an area of which more than two hundred fifty (250) residents are electors, the Board of County Commissioners, pursuant to Section 5.04(B) of the Home Rule Charter of Miami-Dade County, Florida, may call an election to be held for the purpose of submitting to these electors the question whether the proposed boundary change shall be approved or disapproved. All costs of such elections shall be paid in advance by the persons, group or municipality initiating the proposed boundary change.</td> <td>In the event that a boundary change involves the annexation or separation of an area of which more than two hundred fifty (250) residents are electors, the Board of County Commissioners, pursuant to Section 6.04(B) of the Home Rule Charter of Miami-Dade County, Florida, may call an election to be held for the purpose of submitting to these electors the question whether the proposed boundary change shall be approved or disapproved. All costs of such elections shall be paid in advance by the persons, group or municipality initiating the proposed boundary change.</td> <td><i>Amends to provide the current section of the Miami-Dade Home Rule Charter.</i></td> </tr> <tr> <td style="background-color: #c6e0b4;">Sec. 20-9(c) New Subsection of the Code.</td> <td style="text-align: center;">N/A</td> <td>Notwithstanding the provisions of subsection (a) above, if the area to be annexed has two hundred fifty (250) or fewer resident electors and is developed 50 percent or less residential, such area shall not be annexed unless more than 50 percent of the owners of</td> <td><i>Creates new subsection of the Code requiring consent from property owners in an area</i></td> </tr> </tbody> </table>			Comparison of Current Code and the Proposed Amendments				<i>Section 20-9: Election on Proposed Boundary Changes.</i>				Section of Code	Current Code	Proposed Amendments <i>Bold refers to proposed amendments.</i>	Notes	Sec. 20-9(a)	The determination of <i>whether an area is more or less than fifty (50) percent</i> developed residential shall be made in the sole discretion of the Director of the Department of <i>Planning and Zoning</i> .	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			<p>parcels in the area consent to the proposed annexation. Such consent(s) shall be obtained by the parties proposing the annexation prior to the submittal of any annexation petition or application or where such annexation petition or application has been submitted prior to the effective date of this ordinance, such consent(s) shall be obtained prior to consideration by the Board of County Commissioners or any of its committees and shall be on a form approved by the Office of Management and Budget. It is provided, however, the requirements of this subsection shall not apply to an annexation petition or application that has received a recommendation from the Planning Advisory Board on or before the effective date of this ordinance.</p> <p><i>proposed to be annexed, if there is no required vote of resident electors because there are 250 or fewer resident electors in the area and the area is fifty percent or less developed residential.</i></p>								
	<p>Additional Information On November 20, 2012, under Resolution No. 983-12, the BCC created the Annexation and Incorporation Task Force (Task Force) to review pending annexation and incorporation proposals and to make recommendations by May 19, 2013 (extended to September 30, 2013 under Resolution No. 379-13), on how the County should proceed to address the remainder of the unincorporated communities.</p> <p>The County Mayor’s memo dated April 1, 2013, titled, <i>Municipal Incorporation and Annexation</i>, included general recommendations for the Task Force, including the following under Annexation Recommendations:</p> <p><u>Elections</u> <i>The County Code requires that annexations be put to a vote of the electorate if there are more than 250 resident electors or the area is developed with more than 50 percent residential. The county Code makes no provision for the annexation of an area that is commercial. One of the issues that the PAB has struggled with is that commercial properties owners have no say if their property is being annexed. Florida statutes provides that the annexation of commercial areas without electors requires the annexing municipality to obtain consent from 50 percent of the property owners in the annexation area if more than 70 percent of the area is owned by individuals, corporations or legal entities that are not registered electors. There should be a requirement that municipalities annexing commercial areas obtain a petition from 50 percent of the property owners in these circumstances.</i></p> <p>Subsequently, the Task Force Final Report dated September 11, 2013 included the following recommendation:</p> <p>Recommendation 6 <i>Retain the current process for annexation of fewer than 250 electors.</i></p> <p><i>Background: The current process Charter and Code for annexations requires that a vote of the electorate be conducted if the area has more than 250 resident electors. Additionally, the area is developed with more than 50 percent residential the Code requires and election. Currently, in the County Code there is no provision that applies to commercial areas for an annexation that allows for owners of commercial properties to vote, unless they reside within the area. However, according to the Code, the Board can amend boundaries to include a commercial area of a proposed annexation. Motion Passed: 9 – 3</i></p>										
4C 132466	ORDINANCE RELATING TO FOR-HIRE LIMOUSINES; AMENDING CHAPTER 31, ARTICLE VI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE DEFINITION OF PRE-ARRANGED LIMOUSINE TRANSPORTATION; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE										
Notes	The proposed ordinance relating to For-Hire Limousines amends Chapter 31, Article vi of the Code of Miami-Dade County, regarding the definition of Pre-Arranged Limousine transportation.										
	<p>Comparison of Current Code and the Proposed Amendments <i>Chapter 31, Article VI. - Licensing and Regulation of For-Hire Limousines</i></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">Section of Code</th> <th style="background-color: #d9ead3;">Current Code</th> <th style="background-color: #d9ead3;">Proposed Amendments</th> <th style="background-color: #d9ead3;">Notes</th> </tr> </thead> <tbody> <tr> <td>Sec. 31-601(bb) Definitions – Pre-Arranged or Pre-Arrange</td> <td><i>Pre-arranged or pre-arrange means a written or telephone reservation made at least one hour in advance by the person requesting service at the place of business of the for-hire license holder for the provision of limousine service for a specified period of time.</i></td> <td><i>Bold refers to proposed amendments. Pre-arranged or pre-arrange means a written, electronic or telephone reservation made in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time.</i></td> <td><i>Amends the definition for pre-arranged or pre-arrange to include electronic reservations. Removes language</i></td> </tr> </tbody> </table>			Section of Code	Current Code	Proposed Amendments	Notes	Sec. 31-601(bb) Definitions – Pre-Arranged or Pre-Arrange	<i>Pre-arranged or pre-arrange means a written or telephone reservation made at least one hour in advance by the person requesting service at the place of business of the for-hire license holder for the provision of limousine service for a specified period of time.</i>	<i>Bold refers to proposed amendments. Pre-arranged or pre-arrange means a written, electronic or telephone reservation made in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time.</i>	<i>Amends the definition for pre-arranged or pre-arrange to include electronic reservations. Removes language</i>
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				<i>requiring that the reservation be made at least one hour in advance.</i>
	Sec. 31-602(b) For-Hire Limousine Licenses – Out-of-County Origin Exception.	(2) A limousine from another county may pick up a passenger at either the Miami International Airport (MIA) or the Miami-Dade Seaport (Seaport) and transport said passenger directly to the limousine's county of origin as long as the transportation is part of a pre-arranged one-way continuous fare pursuant to a written contract, the passenger arrived at either the MIA or the Seaport, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision. Pre-arranged means a written or telephone reservation made at least one hour in advance by the person requesting service at the place of business of the for-hire license holder for the provision of limousine service for a specified period of time. Any limousine that picks up or discharges passengers at either the MIA or the Seaport shall meet the MIA and the Seaport limousine requirements. A copy of the contract shall be in the possession of the chauffeur at all times and shall be made available to enforcement personnel upon request.	(2) A limousine from another county may pick up a passenger at either the Miami International Airport (MIA) or the Miami-Dade Seaport (Seaport) and transport said passenger directly to the limousine's county of origin as long as the transportation is part of a pre-arranged one-way continuous fare pursuant to a written contract, the passenger arrived at either the MIA or the Seaport, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision. Pre-arranged means a written, electronic or telephone reservation made in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time. Any limousine that picks up or discharges passengers at either the MIA or the Seaport shall meet the MIA and the Seaport limousine requirements. A copy of the contract shall be in the possession of the chauffeur at all times and shall be made available to enforcement personnel upon request.	<i>Amends this section of the Code to provide for pre-arranged electronic reservations.</i> <i>Removes language requiring that the reservation be made at least one hour in advance.</i>
	Sec. 31-602(k)(22) For-Hire Limousine Licenses – Rules of Operation.	Not allow a driver to solicit or pick up passengers other than by prearrangement through a person located at the limousine license holder's place of business;	Not allow a driver to solicit or pick up passengers other than by prearrangement;	<i>Removes language requiring that the prearrangement be through a person located at the limousine license holder's place of business.</i>
4D 132360	ORDINANCE RELATING TO ZONING AND OTHER LAND DEVELOPMENT REGULATIONS; UPDATING THE OJUS URBAN AREA DISTRICT REGULATIONS; AMENDING SECTIONS 33-284.99.17 THROUGH 33-284.99.19 AND SECTION 33-284.99.22 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE			
Notes	<p>The proposed ordinance relating to Zoning and other land development regulations, updates the Ojus Urban Area District regulations, amending Sections 33-284.99.17 through 33-284.99.19 and Section 33-284.99.22 of the Code of Miami-Dade County (Code).</p> <p>On October 2, 2012, through Ordinance No. 12-86, the Board of County Commissioners (BCC) provided a comprehensive overhaul to the County's Standard Urban Center District Regulations. This comprehensive update, among other things, consolidated a series of regulations that were included in the individual Urban Center Districts (UCDs), including the permitted uses, building placement and street type development parameters and the various nonconforming sections.</p> <p>Pursuant to Ordinance No. 12-86, all individual UCDs need to be amended to conform to Ordinance No. 12-86. The proposed ordinance updating the Ojus Urban Area District is the first in a series of individual Urban Center Districts that will be presented to the Board for this purpose.</p> <p>In addition, this proposed ordinance updates the regulating plans of the Ojus Urban Area District to reflect changing conditions resulting from additional community input and staff's review of development applications. It also conforms to regulations being codified through an ordinance recently forwarded to the Board with a favorable recommendation by the Land Use and Development Committee that establishes a procedure to amend the Urban Center Districts.</p>			
4E 132472	ORDINANCE AMENDING SECTION 2-116.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING PROCEDURE FOR AMENDING COMPREHENSIVE DEVELOPMENT MASTER PLAN; RELATING TO URBAN DEVELOPMENT BOUNDARY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE			
Notes	The proposed ordinance amends Section 2-116.1 of the Code of Miami-Dade County (Code), modifying the amendment procedure for the Comprehensive Development Master Plan (CDMP) as it relates to the Urban Development Boundary (UDB).			

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	<p>The proposed Ordinance adds the following new language to Section 2-116.1 of the Code: <i>It is provided, however, that no application to expand the area within the UDB will be filed where such application would result in an area of land outside of the UDB being more than seventy-five percent (75%) surrounded by land that is within the UDB.</i></p>
5B SUB. 132478	<p>ORDINANCE ESTABLISHING "TRADE AND CULTURAL AMBASSADOR" PROGRAM; PROVIDING FOR APPOINTMENT, TERM, QUALIFICATIONS, ORGANIZATION, PROCEDURE, POWER AND DUTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL UNDER FILE NO. 132337]</p>
Notes	<p>The proposed ordinance establishes the Trade and Cultural Ambassador Program and names Gloria and Emilio Estefan as the inaugural Trade and Cultural Ambassadors of Miami-Dade County during the initial term, which expires December 31, 2017.</p> <p>The Board of County Commissioners (BCC) will appoint a Trade and Cultural Ambassador to provide symbolic representation on behalf of the County at various events, functions, meetings, gatherings and social occasions.</p> <p>The Miami-Dade County Economic Development Committee, or its successor, will nominate to the BCC those individuals worthy of serving as the Trade and Cultural Ambassador of Miami-Dade County. The selection criteria includes, but is not limited to consideration of the national or international stature of the nominee, the nominee's ability to serve as an ambassador-at-large on behalf of Miami-Dade County, the nominee's commitment to the interchange of ideas and cultural exchange, and the nominee's ability to promote trade, goodwill, cooperation, and understanding on behalf of the citizens of Miami-Dade County. A Trade and Cultural Ambassador will serve a four-year term commencing on January 1 of the year of appointment.</p> <p>The Trade and Cultural Ambassador:</p> <ul style="list-style-type: none"> • Will not have any advisory or final decision-making authority on behalf of the County; • Will not serve as an alternate member of any commission, board, committee, subcommittee, or the Board of County Commissioners; and • Will not constitute a public board or committee, will not have authority to meet as a public board or committee and will not have voting privileges afforded to members of a public board or committee.
8C1 132485	<p>RESOLUTION (1) APPROVING A MANAGEMENT AND OPERATING AGREEMENT BETWEEN MIAMI-DADE COUNTY (COUNTY) AND THE CITY OF MIAMI DEPARTMENT OF OFF-STREET PARKING A/K/A MIAMI PARKING AUTHORITY; (2) APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND THE CITY OF MIAMI; (3) AUTHORIZING THE MAYOR OR DESIGNEE, SUBJECT TO CERTAIN CONDITIONS, TO CONCLUDE AND EXECUTE SETTLEMENT AGREEMENTS AND/OR TO TAKE OTHER LEGAL ACTION, FOR THE PURPOSE OF REMOVING SPECIFIED ENCUMBRANCES ON THE COCONUT GROVE PLAYHOUSE PROPERTY AND TO MAKE EXPENDITURES RELATED TO SUCH PURPOSES IN A TOTAL AMOUNT NOT TO EXCEED \$120,000.00; AND (4) AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE FOREGOING AGREEMENTS AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED BY ANY OF THE FOREGOING AGREEMENTS, AND PROVIDING FOR AN EFFECTIVE DATE(Department of Cultural Affairs)</p>
Notes	<p>The proposed resolution does the following:</p> <ul style="list-style-type: none"> • Approves a Management and Operating Agreement between Miami-Dade County (County) and the City of Miami Department of Off-Street Parking a/k/a Miami Parking Authority; • Approves a Memorandum of Understanding between the County and the City of Miami; and • Authorizes the Mayor or designee, subject to certain conditions, to conclude and execute settlement agreements and/or to take other legal action, for the purpose of removing specified encumbrances on the Coconut Grove Playhouse property and to make expenditures related to such purposes in a total amount not to exceed \$120,000.00. <p>The pending settlements of remaining encumbrances include the following:</p> <ul style="list-style-type: none"> • Coconut Grove Playhouse Settlement Agreement between Aries Development Group, LLC, 3247 Charles, LLC, GH Mortgage, LLC, The Coconut Grove Playhouse, Inc., Coconut Grove Playhouse LLC, and Miami-Dade County; <ul style="list-style-type: none"> ○ In an amount not to exceed \$15,000.00, payable to Aries Development Group, LLC. • Settlement Agreement between Best Wholesale Office Products Corp. and Miami-Dade County; <ul style="list-style-type: none"> ○ In an amount not to exceed \$500.00, payable to Best Wholesale Office Products Corp. • Premier Printing Solution, Inc.; and • The Coconut Grove Business Improvement District. <p>Fiscal Impact</p> <p>Total funding not to exceed \$120,000.00 is necessary to cover the costs associated with each of these negotiated agreements, pending settlements and the miscellaneous related costs (for example, filing fees, title company escrow expenses, etc.) and will be advanced from the Capital Outlay Reserve Fund and reimbursed by payments to the County from the Miami Parking Authority pursuant to the Management and Operating Agreement for the Coconut Grove Playhouse surface parking lot. While that agreement further provides that the County will be responsible for payment of expenditures related to the operation and maintenance of the parking lot, it is anticipated that the revenues generated from the parking lot will exceed such expenditures, and that all such expenditures must be approved by the County.</p> <p>Furthermore, if any additional encumbrances occur prior to or during the term of the Playhouse Lease Agreement, the County will be responsible for removing these additional encumbrances.</p>

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	<p>Funding for the eventual capital project to re-establish regional theater on the Coconut Grove Playhouse site comes from two sources: 1) \$15 million from project number 299 of the Building Better Communities-General Obligation Bond (BBC-GOB) program; and 2) \$5 million from Series 2005 of Convention Development Tax (CDT) bond proceeds. These capital bond funds are not eligible to be used to satisfy the Playhouse's title encumbrances and related expenses necessary to activate the lease with the State.</p> <p>The following summarizes the encumbrances, pending settlements, and the associated settlement costs:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr style="background-color: #d9ead3;"> <th style="width: 40%;">Encumbrances</th> <th style="width: 30%;">Estimated Potential Value of Encumbrances*</th> <th style="width: 30%;">Negotiated Settlement</th> </tr> </thead> <tbody> <tr> <td>City of Miami</td> <td style="text-align: right;">\$1,952,093.00</td> <td style="text-align: right;">\$15,000.00</td> </tr> <tr> <td>Aries Development Group, et.al.</td> <td style="text-align: right;">\$1,500,000.00</td> <td style="text-align: right;">\$500.00</td> </tr> <tr> <td>Florida Department of Revenue</td> <td style="text-align: right;">\$3,387.28</td> <td style="text-align: right;">Waived</td> </tr> <tr> <td>Premier Printing Solutions, Inc.</td> <td style="text-align: right;">\$12,296.68</td> <td style="text-align: right;">Pending</td> </tr> <tr> <td>Coconut Grove Business Improvement District</td> <td style="text-align: right;">\$58,412.59</td> <td style="text-align: right;">Pending</td> </tr> <tr> <td>Subtotal – Final Settlements for Encumbrances</td> <td style="text-align: right;">\$3,561,643.09</td> <td style="text-align: right;">\$15,500.00</td> </tr> <tr> <td>Subtotal – Up to Amount of Pending Settlements and Estimated Related Costs</td> <td></td> <td style="text-align: right;">\$104,500.00</td> </tr> <tr> <td>TOTAL – Up to Amount of Settlements and Related Costs</td> <td></td> <td style="text-align: right;">\$120,000.00</td> </tr> </tbody> </table> <p><i>*Estimated costs are computed as of 11/2013; negotiated settlements fully address the value of the encumbrances and result in their removal from the title of the property. Note that Aries Development (and its related entities), in addition to possessing encumbrances on the property, have also filed a civil suit against the County alleging various claims. The contemplated settlement will result in the dismissal of this suit as well.</i></p> <p>Agreements to Eliminate Encumbrances Affecting the Property Title</p> <p>Pursuant to the Agreement between the County and FIU, approved by the Board on October 1, 2013, the County has the sole responsibility to enter into these agreements to eliminate the encumbrances affecting the title of the Coconut Grove Playhouse.</p> <p><u>City of Miami</u></p> <p>Pursuant to the Memorandum of Understanding (MOU) between the City of Miami and the County, the City's conditions for eliminating their lien encumbrances on the Playhouse property included as a prerequisite that the County enter into an agreement with the Miami Parking Authority to manage the surface parking lot of the Coconut Grove Playhouse. On November 19, 2013, the City's Code Enforcement Board entered a conditional order eliminating the City's lien encumbrances on the Playhouse subject to the County's executing an acceptable agreement with the Miami Parking Authority. The MOU with the City and the Management and Operating Agreement with the Miami Parking Authority accomplish this requirement. It should be noted that these agreements have been reviewed by the State and considered to be within the County's authority to execute under the terms of the Playhouse Lease Agreement with the State.</p> <p>The following highlights the terms of the Management and Operating Agreement between Miami-Dade County and the Miami Parking Authority:</p> <ul style="list-style-type: none"> • The term is for five years and seven months, with two renewable five year periods; • The County and the Miami Parking Authority must approve a detailed operating budget annually, setting forth revenues, expenses and parking rates; • The Playhouse parking lot operating expenses of the Miami Parking Authority are covered by parking revenue and the Miami Parking Authority receives an additional 5% management fee with an incentive fee effective in FY 2015-2016; • The County receives, during the first seven months of the agreement, a minimum monthly payment of \$4,000.00, and during the entire term of the agreement, any revenues in excess of expenses, and of those paid to the Miami Parking Authority; and • The County will provide the Miami Parking Authority with the first option to present a development plan to the County for any future development of the Playhouse parking lot, subject to any review and approval required by the Board and by the State pursuant to the terms of the Playhouse Lease Agreement. <p><u>Aries Development Group, LLC, 3247 Charles, LLC, GH Mortgage, LLC</u></p> <ul style="list-style-type: none"> • Highlights of the terms of the anticipated settlement agreement between Aries Development Group, LLC, 3247 Charles, LLC, GH Mortgage, LLC, The Coconut Grove Playhouse, Inc., Coconut Grove Playhouse LLC, and Miami-Dade County include: • Aries and Charles will execute all necessary documents to reflect that their encumbrances that appear as exceptions in the title work on the Playhouse property have been released and discharged; • Aries and Charles will voluntarily dismiss the lawsuit pending against the County and the Playhouse; • The County will pay Aries \$15,000; and • The Coconut Grove Playhouse LLC will voluntarily relinquish any claim of ownership of the Bike Shop property in favor of GH Mortgage. <p><u>Bicycle Shop Property</u></p> <p>The Bicycle Shop property did not revert to the State and certain assignments of leases, rents and profits from the Playhouse property are referenced in the title report as purporting to secure the mortgage on the Bicycle Shop property between GH Mortgage, LLC and the</p>	Encumbrances	Estimated Potential Value of Encumbrances*	Negotiated Settlement	City of Miami	\$1,952,093.00	\$15,000.00	Aries Development Group, et.al.	\$1,500,000.00	\$500.00	Florida Department of Revenue	\$3,387.28	Waived	Premier Printing Solutions, Inc.	\$12,296.68	Pending	Coconut Grove Business Improvement District	\$58,412.59	Pending	Subtotal – Final Settlements for Encumbrances	\$3,561,643.09	\$15,500.00	Subtotal – Up to Amount of Pending Settlements and Estimated Related Costs		\$104,500.00	TOTAL – Up to Amount of Settlements and Related Costs		\$120,000.00
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	<p>Coconut Grove Playhouse, LLC. This settlement will eliminate these references. Such settlement will be memorialized to incorporate the above key terms, accordingly.</p> <p><u>Final Settlements for Other Encumbrances and Judgments</u></p> <p>The following highlight the work accomplished to resolve the other encumbrances that appear in the title work that the State requires to be addressed:</p> <ul style="list-style-type: none"> • The liens, amounting to \$12,296.68 owed to Florida Department of Revenue have been waived. • Best Wholesale Office Products Corp. has agreed to accept \$500.00 to settle its judgment amounting to approximately \$3,387.28; such settlement will be finalized and memorialized accordingly. <p>It is important to acknowledge the cooperation of these private and public sector entities and the commitment to the success of the Playhouse project that these settlements represent.</p> <p><u>Pending Encumbrances and Settlements</u></p> <ul style="list-style-type: none"> • Premier Printing Solution, Inc. has a judgment amounting to approximately \$58,412.59 and has not yet agreed to a settlement offer. • There are unpaid certificates amounting to approximately \$34,323.68 for special assessments by Coconut Grove Business Improvement District for the years 2010, 2011, 2012 and 2013. The City of Miami and representatives of the Business Improvement District are considering reductions in the amounts owed. <p>Additional Background Information</p> <p>In October 2012, the State exercised the reverter provision contained in the deed to the Coconut Grove Playhouse, LLC, and took back ownership and possession of the Playhouse.</p> <p>The State instituted its surplus property process on March 1, 2013, and offered the property for lease to State colleges, universities or agencies, subject to ultimate approval by the State’s Board of Trustees – i.e., the Governor and Cabinet.</p> <p>In response to the State’s solicitation, and after discussions with the County regarding potential partnership opportunities for the re-establishment of a professional regional theater on the site, FIU submitted a proposal to the State for development of the Playhouse property on April 15, 2013.</p> <p>On July 16, 2013, under Resolution No. 621-13, the Board approved a Lease between the State of Florida and co-lessees, Miami-Dade County and Florida International University, for the Coconut Grove Playhouse property.</p> <p>On August 20, 2013, the Florida Cabinet met in Miami and approved the Business Plan submitted by the County and FIU and delegated authority to the State’s Department of Environmental Protection (DEP) to finalize the Coconut Grove Playhouse Lease.</p> <p>On October 1, 2013, under Resolution No. 797-13, the Board of County Commissioners (BCC) approved a Lease Agreement between the State of Florida and co-lessees, Miami-Dade County and Florida International University (FIU), for the Coconut Grove Playhouse property which was executed by all parties by October 15, 2013. Pursuant to requirements of the State’s surplus property process, the County and FIU had to approve and execute the Lease by October 15, 2013.</p> <p>Furthermore, the State requires that any encumbrances affecting the property’s title must be resolved within three months of the execution of the Lease, which is by January 15, 2014.</p> <p>The Coconut Grove Playhouse property includes a surface parking lot and other parking facilities which require management for ongoing operations, and which are expected to generate revenues from such operations.</p> <p>The City of Miami, which holds many of the specified encumbrances, has agreed via a “Memorandum of Understanding” to release such encumbrances provided that the County and the City’s Department of Off-Street Parking a/k/a Miami Parking Authority, execute an acceptable Management and Operating Agreement pertaining to the Playhouse parking facilities, and staff have negotiated such an acceptable Management and Operating Agreement.</p> <p>Staff believes that the County will be able to acceptably resolve all of the remaining specified encumbrances within the State’s deadline, by way of settlement agreements or by taking other legal action, the total cost of which, including related expenses, would not exceed \$120,000.00, and that such expenditures could be recouped by the net revenue generated from operation of the Playhouse parking facilities.</p>
8F2 132405	RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXERCISE OPTION-TO-RENEW PERIODS FOR CERTAIN NON-COMPETITIVE CONTRACTS DESCRIBED IN THE ITEM, IN A TOTAL AMOUNT NOT TO EXCEED \$9,250,000.00, FOR THE PURCHASE OF GOODS AND SERVICES
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Approval of this item will extend the contract through December 31, 2014.</p> <p>The County has relied on IBM software licenses and computer hardware infrastructure for over 35 years to deliver many mission critical enterprise and departmental functions, including but not limited to the Criminal Justice Information System, Financial Accounting Management Information System, and the Advanced Purchasing and Inventory Control System.</p> <p>The total cumulative value of this contract including the request to authorize the fourth one-year OTR period is \$42,480,000.</p> <p>Additional Information On December 1, 2009, under Resolution No. 1366-09, the BCC approved the waiver of formal bid procedures and the award of this contract for an initial one year term in the amount of \$8,395,000, with five one-year OTR periods.</p> <p><u>Market Research</u> According to the market research dated July 9, 2012, this contract provides IBM's most favored customer pricing equal to that offered to the federal General Services Administration, including any incentive or promotional discounts that may be available, and fixed pricing for maintenance renewals through January 2015. IBM verified that they are currently providing us with their most competitive pricing and, as such, that the OTR can be exercised with the same pricing structure, specifications, terms and conditions as the present term.</p> </td> </tr> <tr> <td style="text-align: center;">2</td> <td> <p>Serena Software Maintenance and Support Seeks authority to exercise the remaining two, one-year OTR terms for the Startool File and Data Management System software, maintenance, and support services for ITD. Each of the remaining OTR terms is estimated at \$158,000 each, for a total of \$316,000. Approval of this contract will extend the contract through January 31, 2016.</p> <p>Serena StarTools has been in use since 1992. These tools perform powerful utility functions required to edit and manage nearly all types of mainframe files and data, for quick and cost-effective resolution of problems in both production and test data. Serena Software, Inc. is the sole developer and proprietor of the StarTool File and Data Management (FDM) software.</p> <p>The total cumulative value of this contract including the request to authorize the two OTR periods is \$466,000.</p> <p>Additional Information In 2009, this contract was awarded for an initial one year term in the amount of \$57,741, with five, one-year OTR periods. The proposed item would authorize the fourth and fifth OTR periods.</p> <p><u>Market Research</u> According to the market research dated January 9, 2013, the market revealed other software application providers for similar file and data management software; however, none could meet the needs of ETSD. Startool FDM is customized and configured for use on the County's mainframe as well as continually upgraded to comply with the IBM operating system. The FDM software is heavily integrated into the County's system and cannot be supported by any other vendor. 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Approval of this item will extend the prequalification pool contract until February 28, 2017.</p> <p>The total cumulative value of this contract including the request to authorize the three remaining OTR periods is \$3,200,000.</p> <p>Additional Information In 2007, this contract was awarded for an initial one year term in the amount of \$350,000, with nine, one-year OTR periods. The proposed item would authorize the seventh, eight, and ninth OTR periods.</p> <p><u>Market Research</u> According to the market research dated January 11, 2013, spot market purchasing from the established pool of vendors is the best method to purchase helicopter parts and components. The existing contract has two vendors in the pool. An additional vendor, Professional Aviation, is being added to the pool. During the term of this contract, the County reserves the right to add or delete vendors as it deems necessary in its best interest.</p> <p>Workload management initiatives encourage consolidation of contracts for similar commodities or services. As a result of this initiative, only two of four contracts for Bell helicopter parts and repairs have been renewed during the past year. The remaining two contracts were not needed as the needs were covered in this contract. This contract will be consolidated with 8518-4/12-3 to reduce all helicopter contracts for part and repairs to one contract, to include Eurocopter and Bell helicopters.</p> </td> </tr> <tr> <td style="text-align: center;">2</td> <td> <p>Road and Traffic Related Signs – Prequalification Pool Seeks authority to exercise the third, fourth and fifth one-year OTR terms for the purchase of road and traffic related signs for various County departments. Each of the OTR terms is estimated at \$109,000, for a total of \$327,000. 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This type of solicitation allows the County the most current market price.</p> <p>Market research was conducted in order to evaluate accessible contracts or a source for comparison of how other entities are satisfying their needs for Signs, Road Traffic associated items. In search for accessible contracts, the following websites were visited: City of Fort Pierce Purchasing Department, and City of Fort Lauderdale; no contracts for this commodity (Signs, Road Traffic Related items) were identified.</p> <p>Additionally, staff reached out to the nationwide NIGP members, we received two responses the City of Tampa website was provided and Lake County provide a contract that has not been awarded.</p> <p>The City of Tampa website was reviewed for accessible contracts; they did not have a contract for Signs, Road Traffic related items listed. The City of Tampa forward their Contract NO.12-0430, which is currently, being awarded no prices, is available at this time. After, reviewing The City of Tampa contract it revealed this contract is restricted to award items only. In addition, there is no clause to allow procured items to ship free on board (FOB) to destination point. Because this clause is omitted, Tampa's awarded vendors can invoice for shipping; the County would have to pay shipping fees.</p> </td> </tr> </tbody> </table>	Item No.	OTR Periods under Prequalification Pool Contracts	1	<p>Bell Helicopter Replacement Parts - Prequalification Seeks authority to exercise the seventh, eighth and ninth one-year OTR terms for the purchase of original equipment manufacturer (OEM) and non-OEM Bell Helicopter parts and supplies for the Fire Rescue and Police departments. Each of the OTR terms is estimated at \$300,000, for a total of \$900,000. 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After, reviewing The City of Tampa contract it revealed this contract is restricted to award items only. In addition, there is no clause to allow procured items to ship free on board (FOB) to destination point. Because this clause is omitted, Tampa's awarded vendors can invoice for shipping; the County would have to pay shipping fees.</p>
Item No.	OTR Periods under Prequalification Pool Contracts						
1	<p>Bell Helicopter Replacement Parts - Prequalification Seeks authority to exercise the seventh, eighth and ninth one-year OTR terms for the purchase of original equipment manufacturer (OEM) and non-OEM Bell Helicopter parts and supplies for the Fire Rescue and Police departments. Each of the OTR terms is estimated at \$300,000, for a total of \$900,000. Approval of this item will extend the prequalification pool contract until February 28, 2017.</p> <p>The total cumulative value of this contract including the request to authorize the three remaining OTR periods is \$3,200,000.</p> <p>Additional Information In 2007, this contract was awarded for an initial one year term in the amount of \$350,000, with nine, one-year OTR periods. The proposed item would authorize the seventh, eight, and ninth OTR periods.</p> <p><u>Market Research</u> According to the market research dated January 11, 2013, spot market purchasing from the established pool of vendors is the best method to purchase helicopter parts and components. The existing contract has two vendors in the pool. An additional vendor, Professional Aviation, is being added to the pool. During the term of this contract, the County reserves the right to add or delete vendors as it deems necessary in its best interest.</p> <p>Workload management initiatives encourage consolidation of contracts for similar commodities or services. As a result of this initiative, only two of four contracts for Bell helicopter parts and repairs have been renewed during the past year. The remaining two contracts were not needed as the needs were covered in this contract. This contract will be consolidated with 8518-4/12-3 to reduce all helicopter contracts for part and repairs to one contract, to include Eurocopter and Bell helicopters.</p>						
2	<p>Road and Traffic Related Signs – Prequalification Pool Seeks authority to exercise the third, fourth and fifth one-year OTR terms for the purchase of road and traffic related signs for various County departments. Each of the OTR terms is estimated at \$109,000, for a total of \$327,000. Approval of this item will extend the prequalification pool contract until January 31, 2017.</p> <p>The total cumulative value of this contract including the request to authorize the three remaining OTR periods is \$1,524,000.</p> <p>Additional Information In 2007, this contract was awarded for an initial five year term in the amount of \$905,000, with five, one-year OTR periods. The proposed item would authorize the third, fourth and fifth OTR periods.</p> <p><u>Market Research</u> According to the market research dated July 24, 2012, this is a pre-qualifications contract utilized to procure Signs, Road Traffic Related items for various Miami Dade County Departments. When a user department identifies a need for Signs, Road Traffic related items; the awarded vendors are invited to participate in a spot market quotation for the required product(s). This type of solicitation allows the County the most current market price.</p> <p>Market research was conducted in order to evaluate accessible contracts or a source for comparison of how other entities are satisfying their needs for Signs, Road Traffic associated items. In search for accessible contracts, the following websites were visited: City of Fort Pierce Purchasing Department, and City of Fort Lauderdale; no contracts for this commodity (Signs, Road Traffic Related items) were identified.</p> <p>Additionally, staff reached out to the nationwide NIGP members, we received two responses the City of Tampa website was provided and Lake County provide a contract that has not been awarded.</p> <p>The City of Tampa website was reviewed for accessible contracts; they did not have a contract for Signs, Road Traffic related items listed. The City of Tampa forward their Contract NO.12-0430, which is currently, being awarded no prices, is available at this time. After, reviewing The City of Tampa contract it revealed this contract is restricted to award items only. In addition, there is no clause to allow procured items to ship free on board (FOB) to destination point. Because this clause is omitted, Tampa's awarded vendors can invoice for shipping; the County would have to pay shipping fees.</p>						

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8F4 132340	<p>RESOLUTION AUTHORIZING AMENDMENTS TO THE AGREEMENTS BETWEEN MIAMI-DADE COUNTY AND SUFFOLK CONSTRUCTION COMPANY, INC. (CONTRACT NO. W40114C) AND HELLMUTH, OBATA & KASSABAUM, INC. (HOK) (CONTRACT NO. W40114) IN THE AMOUNTS OF \$3,213,817 AND \$1,000,000, RESPECTIVELY, TO PARTIALLY REPLENISH THE CONTINGENCY ALLOWANCES FOR BOTH THE CONSTRUCTION AND DESIGN CONTRACTS FOR THE NEW CHILDREN'S COURTHOUSE PROJECT; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO MODIFY THESE AMENDMENTS AS NEEDED AND TO EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN</p>
Notes	<p>The proposed resolution authorizes Amendments to the construction contract for the new Children's Courthouse Project with Suffolk Construction Company, Inc. (Contract No. W40114C), in the amount of \$3,213,817, and to the design contract with Hellmuth, Obata & Kassabaum (HOK), Inc. (Contract No. W40114), in the amount of \$1,000,000, both for the purposes of replenishing the contingency accounts for each contract.</p> <p>These agreements are being amended solely for the purposes of replenishing the contingency accounts for this project. The budget for the Children's Courthouse project has sufficient funding to modify these contracts for the replenishment of the construction and design contingency allowances. The project is approximately 90 percent complete and is anticipated to be opened and operational by December 2014.</p> <p>This project is part of the Economic Stimulus Plan (ESP) approved list of projects, as approved by the Board through Resolution No. 616-09, and does not require committee review.</p> <p>Fiscal Impact</p> <p>The total amount of the amendments to these contracts is \$3,213,817 with Suffolk for the construction contingency, and \$1,000,000 with HOK for the design contingency. The funding source for this project is Criminal Justice Bond proceeds, 2003 Juvenile Courthouse Bond proceeds and interest, as well as Special Revenue-backed financing.</p> <p><u>Background on Agreement with Suffolk</u></p> <p><i>On November 3, 2010, the County approved ISD Project No. W40114 ESP; ISD Contract No: W40114 C, for the construction of the new Miami-Dade County Children's Courthouse. There have been two prior amendments to this Agreement, as follows:</i></p> <p style="padding-left: 40px;"><i>Amendment No. 1 with Suffolk was approved by the Board on September 18, 2012 through Resolution No. 752-12. This Amendment established a savings program between the County and Suffolk for the direct, sales tax exempt purchase of building materials, supplies, and equipment for the project.</i></p> <p style="padding-left: 40px;"><i>Amendment No. 2 with Suffolk was approved by the Board on January 23, 2013 through Resolution No. 69-13. This Amendment assigned certain advertising, scheduling, bidding and award responsibilities to Suffolk for a portion of Division 17 (technology bid package) that included the low voltage wiring for data and telephone, installation labor, programming and testing for the security and video monitoring system and equipment.</i></p> <p>This item, Amendment No. 3 with Suffolk, seeks to replenish the dedicated contingency due to various changes that have occurred, as well as for unforeseen conditions that may arise through the completion of the project. Some of the major changes required to date are as follows:</p> <ul style="list-style-type: none"> • Suffolk was assigned the installation of the low voltage wiring, programming, and security throughout the facility as a result of the actions taken under Amendment No. 2 related to the Division 17 bid package. • Redesign of the HVAC equipment to accommodate variable temperature chilled water provided by the County. • Various change orders required to address soil and groundwater contamination discovered during construction. • Additional building equipment changes were necessary to accommodate chilled water temp change. • Installation of Ductile Iron Chilled Water lines and additional gate valves totaling. • Construction-related architectural revisions to bid drawings. • Other, smaller change orders related to items such as underground concrete slab conflict, duct bank conflict, utility conflicts, additional grading needed for utilities, additional pile length, drawing revisions, additional vault dampers, and additional rebar. <p><u>Background on Agreement with HOK</u></p> <p><i>On August 8, 2005, Miami-Dade County entered into a Professional Services Agreement with HOK for architectural and engineering services for the new Miami-Dade County Children's Courthouse. The Children's Courthouse will accommodate up to 18 courtrooms and related agencies and/or branches directly involved in the administration and support of justice and legal remedies for the Juvenile Division of the Eleventh Judicial Circuit Court as well as the Unified Family Court. There have been two prior amendments to this Agreement, as follows:</i></p> <p style="padding-left: 40px;"><i>Amendment No. 1 with HOK was approved by the Board on December 4, 2007 through Resolution No. 1311-07. This Amendment addressed re-design required due to the request of the Administrative Office of the Courts (AOC) to incorporate three additional floors to the building design (originally 11 floors) to house the State Attorney, Public Defender and Guardian Ad-Litem.</i></p> <p style="padding-left: 40px;"><i>Amendment No. 2 with HOK was approved by the Board on December 4, 2012 through Resolution No. 1012-12. This Amendment replenished the contingency allowance account in the amount of \$742,102 and established a dedicated allowance account in the amount of \$76,590 for use of a specialized roof inspector to oversee the installation of the "green roof" system.</i></p> <p>This item, Amendment No. 3 with HOK, seeks to replenish the dedicated contingency allowance account by \$1,000,000. This amount is expected to be sufficient to replenish the costs associated with various changes required to date and allow for possible additional work</p>

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	<p>necessary for the completion of the project. Some of the major changes required to date are as follows:</p> <ul style="list-style-type: none"> • Additional services from HOK as a result of three floors being added to the original scope of work in order to house the Public Defender's Office, the State Attorney's Office, and 90 percent of the Guardian Ad-Litem staff. This additional work was approved by the Board of County Commissioners on July 6, 2006. • Additional services by HOK to produce construction documents and specifications for low voltage systems. These systems, commonly known as Division 17 elements, include but are not limited to, public address systems, data, telephone, building management systems, audio/video, and security. The design of the Division 17 work was not part of HOK's original scope of work. • Re-platting of project site services. • Services of a zoning attorney to address a Major Use Special Permit. • Geotechnical evaluation and report of the foundation. • Payment of basic A/E services to add revisions for the jury courtrooms.
8F5 132356	RESOLUTION RATIFYING VARIOUS ACTIONS OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE RELATED TO CAPITAL IMPROVEMENTS CONTRACTS AND AMERICAN RECOVERY AND REINVESTMENT ACT-FUNDED CONTRACTS, PURSUANT TO THE ECONOMIC STIMULUS ORDINANCE, SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY(Internal Services)
Notes	<p>The proposed resolution ratifies the actions of the County Mayor or County Mayor's designee related to capital improvements projects and the American Recovery and Reinvestment Act of 2009 (ARRA)-funded project listed below; as authorized under Section 2-8.2.7 of the Miami-Dade County Code, also known as the Economic Stimulus Plan (ESP) Ordinance:</p> <p>Item 1- Recommendation to Award – Miami-Dade County Courthouse Façade Restoration: Requests ratification of a contract award in the amount of \$20,134,000, to Mark 1 Restoration Company, for restoration services for the Miami-Dade County Courthouse.</p> <p>Item 2 – Recommendation to Reject all Bids – Renovation of the Joseph Caleb Center (JCC), New Courthouse Annex/Additions, and New Parking Garage: Requests ratification of the bid rejection for this project. Proposals received, and subsequent negotiations, did not result in price within the project budget. A new solicitation with an updated scope was issued on October 11, 2013.</p> <p>Item 3 – Amendment Number One – Design-Build Contract for the Improvements to the existing Cogeneration Facility at the South District Wastewater Treatment Plant: Requests ratification of this amendment, which was necessary to correct scrivener's errors and to ensure consistency between various Articles of the Design-Build Contract and the General Covenants and Conditions section for this project.</p> <p>Item 4 – Change Order Number One – Construction Contract Preservation of Affordable Housing and Expansion of Home Ownership (Gran Via Apartments): Requests ratification of a 37-day, time-only (non-compensable) Change Order.</p> <p>Item 5 – Change Order Number One – Construction Contract for the Construction of the Northeast Branch Library. Request ratification of 90-day, time only (non-compensable) Change Order.</p>
8H1 132310	RESOLUTION APPROVING PROJECT COOPERATION AND DEVELOPMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND O.B. IVES ESTATES, LLC (OBLLC) FOR THE DEVELOPMENT AND CONSTRUCTION OF AN ARTIFICIAL TURF FIELD AND THE INSTALLATION OF A NEW SCOREBOARD AT IVES ESTATES DISTRICT PARK; WAIVING COMPETITIVE BIDDING BY A TWO-THIRDS VOTE PURSUANT TO SECTION 5.03(D) OF THE HOME RULE CHARTER AND SECTION 2-8.1 OF THE COUNTY CODE FOR THE SELECTION OF OBLLC AS THE DEVELOPER OF THE IMPROVEMENTS; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH AGREEMENT AND EXERCISE ALL AUTHORITY DELEGATED THEREIN (SEE AGENDA ITEM NO. 5A)(Parks, Recreation and Open Spaces)
Notes	<p>The proposed resolution waives formal competitive bid procedures and approves Project Cooperation and Development Agreement between Miami-Dade County and O.B. Ives Estates, LLC (OBLLC) for the development and construction of an artificial turf field and the installation of a new scoreboard at Ives Estates District Park.</p> <p>Pursuant to Section 5.03(D) of the Home Rule Charter and Section 2-8.1 of the County Code, formal competitive bid procedures can be waived by a two-thirds (2/3) vote of Board members present.</p> <p>Ives Estates District Park is located at 20901 Northeast 16th Avenue, District 1.</p> <p>The Orange Bowl has established a Legacy Project gift initiative and through OBLLC, desires to make a gift of improvements valued between \$1.2 million and \$1.32 million to Ives Estates District Park. In connection with that gift, OBLLC will design, permit, and construct park improvements to Ives Estates District Park, which park improvements will consist of converting an existing natural turf soccer field to an artificial field and the installing a new scoreboard. The County desires to acknowledge OBLLC's generous contribution by naming the improvements "The Orange Bowl Field at Ives Estates Park" through separate Board action.</p> <p>Fiscal Impact The Miami-Dade County Parks, Recreation and Open Spaces Department (PROS) maintains and operates the Ives Estates Park facilities at a cost of \$221,000 per year. The ongoing yearly operating and maintenance cost as a result of this development agreement is expected to be budget-neutral.</p>
8H2 132484	RESOLUTION APPROVING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND DEERING BAY YACHT AND COUNTRY CLUB IN THE AMOUNT OF \$532,000.00(Parks, Recreation and Open Spaces)
Notes	The proposed resolution approves the Settlement Agreement between Miami-Dade County and Deering Bay Yacht and Country Club (Deering Bay) in the amount of \$532,000.00.

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	<p>Miami-Dade County's Chapman Field Park, a park of County-wide significance, is located at 13601 Old Cutler Road, in District 7. This item focuses on the County-owned 72-acre portion of the 566-acre property used since 1958 exclusively as part of a private golf course.</p> <p>Fiscal Impact According to this Settlement Agreement, Deering Bay is required to pay:</p> <ul style="list-style-type: none"> • \$432,000 for past due rent from 2008-present; • Eliminate the next 2019 appraisal by establishing an annual rent of \$150,000 increased by 2% each year until lease termination; and • \$100,000 for pre-judgment interest on past due rent. <p>Furthermore, Deering Bay remains solely responsible for all improvement, management, operation and maintenance of the leased property. All lease payments are deposited into a County controlled Improvement Trust for the development of the Park. There are no County costs attached to this Settlement Agreement.</p> <p>Background <i>In 1958, Miami-Dade County leased Kings Bay Corporation 48-acres of park land for 20 years for the sole purpose of creating a golf course. As consideration of rent for the private use of public lands, Kings Bay provided capital improvements in lieu of lease fees by dredging and filling certain portions of Chapman Field Park to provide for a later metropolitan park marina facility.</i></p> <p><i>In 1980, after County approval of many requested amendments to the lease including expanded acres, allowing assignment of the lease and allowing course improvements, the now 72-acre lease was amended to provide for a minimal rent payment of \$35,000 annually until 2008, when the rent payment would be adjusted to a percentage (8%) of market rate as provided for through a specific appraisal process.</i></p> <p><i>In 2008, the County and the current lessee, Deering Bay, were to each select an appraiser to establish the new 2008-2019 lease payment. Appraisals were completed by both parties in 2009, but they yielded vastly different property values and lease payment amounts.</i></p> <p><i>In 2010, rather than move to a third and binding joint appraisal as directed by the lease, Deering Bay notified the County of their opposition to the County's appraisal, appraisal process and appraisal amount, and their intent to file suit.</i></p> <p><i>In 2011, at the Court's direction, the County and Deering Bay attempted to use mediation to resolve the impasse. Although the mediator found the County's case more compelling, Deering Bay would not agree to settle on an amount or final appraisal.</i></p> <p><i>In 2012, the Court found in favor of the County and accepted the third appraiser's \$2 million value of the leased lands and a \$160,000/year rental rate.</i></p> <p><i>In 2013, at the Court's direction, Deering Bay deposited rent owed into an escrow account, but Deering Bay indicated that it intended to appeal the court decision. In order to avoid further litigation, the County, represented by the Mayor's Office, County Attorney's Office and Parks, Recreation and Open Spaces Department, and Deering Bay mutually agreed to enter into a Settlement Agreement that would establish a new lease payment structure, eliminate the next 2019 appraisal adjustment in lieu of a straight yearly escalation, and provide a framework for a long-term solution for the leased land, since without a solution the lease would terminate in 2030 and effectively eliminate the Deering Bay Golf Course.</i></p>
811 132469	<p>RESOLUTION APPROVING AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE (1) AMENDMENT NO. 2 TO THE TERMINAL OPERATING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND PORT OF MIAMI TERMINAL OPERATING COMPANY, L.C. AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN; AND (2) THE RESTATED TERMINAL OPERATING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND PORT OF MIAMI TERMINAL OPERATING COMPANY, L.C. AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN(Port of Miami)</p>
Notes	<p>The proposed resolution authorizes the execution of Amendment No. 2 to the Terminal Operating Agreement between Miami-Dade County and Port of Miami Terminal Operating Company, L.C. and the Restated Terminal Operating Agreement between Miami-Dade County and Port of Miami Terminal Operating Company, L.C. (POMTOC).</p> <p>Fiscal Impact This resolution recommends the approval of two agreements: (1) the Second Amendment, which is considered a bridge agreement is for a period of nine months beginning on January 1, 2014, and ending on September 30, 2014, and (2) the Restated Agreement, which has a fifteen (15) year initial term with two (2) five-year renewal options upon meeting certain conditions.</p> <p>Additionally, there are provisions in both agreements that stipulate a transfer of land from POMTOC's existing terminal footprint back to the Port. This agreement to give up certain land prior to the expiration of the current agreement in September 2014 allows the Port to accommodate other tenants' operational needs due to the availability of additional acreage.</p> <p>Under POMTOC's existing agreement, they operate approximately 117 acres of land at a rate of \$0.37 per square foot. This amount of acres will be reduced with the execution of the Second Amendment to approximately 76 acres with rent increasing to a rate of \$0.60 per square foot.</p> <p>These acres include the reassignment by the County of approximately 16 acres to Seaboard Marine, approximately 10 acres to Terminal Link Miami, and 15 acres (valued at existing market rates) that will be used for future business interests of the Port.</p>

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	<p>With the approval and execution of the long-term Restated Agreement, POMTOC's lease will mirror that of Terminal Link Miami, approved by the Board in July 2008.</p> <p>There are no outstanding business issues or financial obligations between the parties except for a disputed receivable of approximately \$672,000 which has been settled as part of Restated Agreement, requiring POMTOC to make two installment payments totaling \$300,000. (Section 38, Disputed Land Rent Invoice Settlement and Mutual General Release).</p> <p>Background The terms of the Restated Agreement were largely negotiated in the summer of 2013. To ensure that the County was receiving the best offer, however, on October 9, 2013, the Port advertised and invited submittals of expressions of intent (EOI) for terminal operators, stevedores, and shipping lines to enter into a cargo terminal operating agreement with the County. On November 15, 2013, the invitation period closed, and a total of two submittals were received. The submittals were from South Florida Container Terminal (SFCT), which is the neighboring terminal operator at the Port (also known as Terminal Link Miami), and Ceres Terminals, a global logistics company that currently conducts stevedoring activities at the Port. After reviewing the two proposals, the Port recommends POMTOC.</p>
8J2 132420	<p>RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE CRUISE TERMINAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NCL (BAHAMAS) LTD. INCREASING NCL'S ANNUAL PASSENGER COMMITMENT TO COUNTY AND PROVIDING COUNTY MARKETING INCENTIVE PAYMENTS TO NCL OF THREE MILLION DOLLARS; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS THEREIN(Port of Miami)</p>
Notes	<p>The proposed resolution authorizes the execution of Amendment No. 2 to the Cruise Terminal Agreement between Miami-Dade County and NCL (Bahamas) Ltd (Norwegian).</p> <p>Fiscal Impact The Second Amendment provides Norwegian incentives to Home Port the new Norwegian Breakaway Plus class vessel in Miami beginning fall 2015 for a minimum of three (3) years with year-round service. Once this ship arrives to Miami in fall 2015, Norwegian's minimum Passenger Movements will increase from one million (1,000,000) Passenger Movements to one million three hundred thousand (1,300,000) Passenger Movements annually by FY 2016 through the term. This passenger pledge increases Norwegian's minimum net guarantee to the Port by \$23,000,000 over the initial term.</p> <p>The Port will provide two marketing incentive payments to Norwegian. The first payment of one million five hundred thousand dollars (\$1,500,000) will be paid to Norwegian on or before December 31, 2013, and the second payment of one million five hundred thousand dollars (\$1,500,000) to be paid on or before November 15, 2014. These incentives, totaling three million dollars (\$3,000,000), will be paid via the Port's revenue funds.</p> <p>Background Norwegian is a leader in the cruise industry, operating a fleet of 12 vessels with another 3 vessels on schedule for delivery by spring 2017. Norwegian has an exciting new-build program with two Breakaway Plus class vessels recently announced, each capable of carrying in excess of 4,200 cruise passengers. The first ship will be delivered in fall 2015 and the second in spring 2017.</p> <p>Additional Information Norwegian Cruise Line announced, in a Press Release dated July 16, 2013, that it has confirmed an order for a second "Breakaway Plus" cruise ship with MEYER WERFT GMBH of Papenburg, Germany for delivery in spring 2017. Along with the first Breakaway Plus ship, which is scheduled for delivery in October 2015, these two new vessels will be the largest in the line's fleet at approximately 163,000 gross tons and 4,200 passenger berths each and will be similar in design and innovation to the line's current Breakaway class, the first of which, Norwegian Breakaway, launched in New York in early May.</p>
8K1 132348	<p>RESOLUTION ADOPTING AND APPROVING THE COMPREHENSIVE HOUSING INTERVENTION AND MASTER PLAN FOR FISCAL YEARS 2014 THROUGH 2019; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO DO ALL THINGS NECESSARY AND PROPER TO IMPLEMENT THE PLAN(Public Housing and Community Development)</p>
Notes	<p>The proposed resolution adopts the Comprehensive Housing Intervention and Master Plan (Master Affordable Housing Plan) and authorizes the County Mayor or the County Mayor's designee to do all things necessary and proper to implement the Master Affordable Housing Plan.</p> <p>Fiscal Impact The Public Housing and Community Development Department will be responsible for the implementation of the Master Affordable Housing Plan. Implementation of the Master Affordable Housing Plan's strategies and recommendations will require inter-departmental participation. The Department's administrative costs will be funded by the Documentary Surtax Program or other program(s) that allow for such costs.</p> <p>The Master Affordable Housing Plan recommends that a permanent advisory board be established by the Board to monitor implementation of the Master Affordable Housing Plan and report annually on such implementation. Such advisory board would be supported by the County under the purview of the Director, of the Public Housing and Community Development Department.</p> <p>On June 26, 2013, CAHSA reconvened to prepare the Master Affordable Housing Plan with the support of County staff and its consultant. Upon completion of a final draft, the Master Affordable Housing Plan was advertised and opened for public comment from September 20,</p>

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	<p>2013 through October 11, 2013. CAHSA also held a public hearing on October 18, 2013 to receive additional public comments on the Master Affordable Housing Plan. For your guidance, all public comments received during the comment period are included as Attachment A. CAHSA approved the Master Affordable Housing Plan for submission to the Board on October 18, 2013.</p> <p>Additional Information</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="background-color: #d9ead3;">Date</th> <th style="background-color: #d9ead3;">Legislative History for the Community Affordable Housing Strategies Alliance</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <p>5/9/06 R-558-06</p> </td> <td> <p>The BCC established the Miami-Dade Community Affordable Housing Strategies Alliance <i>Task Force</i> (CAHSA) to:</p> <ul style="list-style-type: none"> • Evaluate the housing crisis in Miami-Dade County; • Establish methods for obtaining input on community needs and priorities; • Develop solutions; • Develop methods to inform the public about available funding and financing opportunities; • Plan and implement the convocation of a Miami-Dade County Housing Summit; • Offer guidance in establishing a One-Stop clearinghouse for information related to housing in Miami-Dade; • Make final recommendation to the BCC; and • Serve as an advisory capacity to the BCC and other public and governmental entities. <p><i>The Task Force submitted the preliminary report to the BCC on November 27, 2006 and the final report was presented on April 26, 2007.</i></p> <p><i>CAHSA submitted the following preliminary recommendations to the BCC: Adopt a master housing plan with specific production goals and accomplishments; Housing resource be directed towards housing development based on greatest need and where market response is less certain; The master plan must involve the whole community in the process and increase collaboration between the County and municipalities; The master plan must address greater coordination between housing and economic development activities as well as coordination of neighborhood-based social services; and The Miami-Dade Homeless Trust Plan to End Homelessness be promoted and integrated into the countywide Housing Plan.</i></p> <p>The Final Report recommendations directed the attention to the following four major aspects of housing policy: (1) the need to reorganize the existing housing delivery program in the County; (2) need to facilitate the development and construction of affordable housing; (3) need to provide professional and accessible services to County residents needing assistance in acquiring or maintaining affordable housing; and (4) the need to understand and fulfill the needs of those residents requiring public or special needs housing through the development of an affordable housing master plan.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>2/6/07 R-161-07</p> </td> <td> <p>The BCC directed the County Manager to develop a Comprehensive Housing Intervention and Master Plan as recommended by CAHSA's preliminary report.</p> <p>Pursuant to R-161-07, the County Manager was directed to complete the Comprehensive Housing and Intervention Plan within seven months after the effective date of this resolution, and present the plan to the BCC.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <p>9/4/07 Ord. 07-121</p> </td> <td> <p>Created the CAHSA and provided membership requirements, set appointments, established removal and tenure of members, and specified organization and powers. 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	5/20/08 R-588-08	Appointed members, and waived residency requirements to permit membership to the CAHSA.
	01/09 CASHA Meeting	Members voted to defer any recommendations on the Master Plan until later that year in order to take into consideration the impact of the Economic Stimulus Package, the NSP, the results from the Florida Legislation for the extension of the Documentary Surtax Program, and State Bill 2A, requiring the recapture of \$190 million of State Affordable Housing Trust funds.
	5/5/09 Ord. 09-30	The CAHSA ordinance was also amended by the BCC to increase membership from 32 to 33 through Ord. 09-30.
	5/5/09 R-563-09	Amended R-161-07 to extend the submittal date for the Comprehensive Housing Intervention and Master Plan to December 31, 2009. On July 10, 2008, the CAHSA convened its first meeting to set an agenda for submittal of the plan for December 2008. The December date was extended by the CAHSA due to time constraints set by the Federal government to submit the funding application for the Neighborhood Stabilization Program (NSP).
	2/1/11 Ord. 11-06	Extended the Community Affordable Housing Strategies Alliance sunset provision to December 31, 2012 to allow for the completion of research and the development of a plan to address housing issues in Miami-Dade County. CAHSA was to sunset in three (3) years in 2010. However, through Ord. 11-06, the sunset provision was extended to 2012.
	12/4/12 Ord. 12-103	Extended <i>the sunset provision</i> of Ordinance No. 11-06 to December 31, 2013.
	6/26/13	CAHSA reconvened to prepare the Master Affordable Housing Plan with the support of County staff and its consultant. Upon completion of a final draft, the Master Affordable Housing Plan was advertised and opened for public comment from September 20, 2013 through October 11, 2013. CAHSA also held a public hearing on October 18, 2013 to receive additional public comments on the Master Affordable Housing Plan.
8K2 132445	RESOLUTION APPROVING THE SUBMISSION OF AN AMENDED SUBSTANTIAL AMENDMENT TO MIAMI-DADE COUNTY'S FY 2008-2012 CONSOLIDATED PLAN AND 2010 ACTION PLAN (PLAN) FOR NEIGHBORHOOD STABILIZATION PROGRAM ROUND 3 (NSP3) FUNDING; AUTHORIZING THE SUBMISSION TO US HUD WITH MIAMI-DADE COUNTY'S PROPOSED AMENDED USES OF FUNDS FOR NSP3 AS AUTHORIZED BY THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT OF 2010 FOR ACTIVITIES DESCRIBED SPECIFICALLY AS REDEVELOPMENT OF VACANT LAND; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT THE AMENDED PLAN TO US HUD FOR NSP3, INCLUDING AREAS AND ALLOCATIONS(Public Housing and Community Development)	
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Approves the amendment to the Neighborhood Stabilization Program Round 3 (NSP3) Plan; • Authorizes the County Mayor or the County Mayor's designee to submit the amended NSP3 Plan to the US Department of Housing and Urban Development (US HUD) for approval; • Amends the target areas to include West Perrine; • Amends the NSP3 Plan to allow up to \$1.6 million for redevelopment multi-family rental projects to be selected by the County Mayor or the County Mayor's Designee in accordance with Implementing Order 2-11; and • Amends the NSP3 Plan to reduce the administration budget at least \$1.4 million and reduce the budget for demolition up to \$200,000. <p>The NSP3 Plan proposes that the County's NSP3 allocation be targeted to supporting the rehabilitation or redevelopment of affordable multi-family rental housing in targeted areas. Staff evaluated several areas in Miami-Dade County and recommended four (4) areas based on the following criteria: US HUD Foreclosure Risk Scores, income limits, a preference for multi-family rental projects, impacts on neighborhoods, synergies with previously funded projects under NSP1, and leveraging of other funding sources.</p> <p>The four (4) approved targeted areas recommended for NSP3 funding are:</p> <ul style="list-style-type: none"> • Brownsville- Commission District 3; • Liberty City- Commission District 2; • Opa-locka- Commission District 1; and • South Miami- Commission District 7. <p><i>Staff is recommending West Perrine (Commission District 9) as a fifth targeted area.</i></p> <p>Fiscal Impact The County was awarded \$20,036,303 in NSP3 funds March of 2011. The County was required to expend fifty percent (50%) of the grant funds within two years. This requirement was met this past March. The entire allocation must be spent by March 8, 2014.</p> <p>An amount of up to ten percent (10%) of the NSP3 grant was allocated to be used for general administration and planning activities as defined in the Community Development Block Grant (CDBG) program. Expenditures in this area have not reached the ten percent (10%)</p>	

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	<p>threshold and at least \$1.4 million is available to be reallocated or subject to recapture by US HUD. An additional \$200,000.00 was allocated for demolition. This activity has not moved much and thus all or a part is available to be allocated or subject to recapture.</p> <p>Background On October 19, 2010, US HUD released the NSP3 Notice with the requirements for the new allocation of NSP funds that were authorized in the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Notice provided \$970 million in new NSP funds to states and local governments nationwide to assist in redevelopment of abandoned and foreclosed homes. Miami-Dade's CDBG entitlement area was allocated an amount not to exceed \$20,036,303.00. However, US HUD did not immediately release the program rules to facilitate development of detailed program plans. Subsequently, on November 18, 2010, US HUD released instructions for completing NSP3 Plans and issued an NSP3 Program Design Guidebook. Although the activities eligible for funding in NSP3 follow the NSP1 and NSP2 eligible activity guidelines, US HUD indicated that local NSP3 plans should consider various factors such as, the need/extent of the problem, demonstrated administrative capacity and relevant organizational staff to implement the plan, soundness of approach, leveraging other funds or removal of substantial negative effects of high foreclosures and vacancies, energy efficiency improvements and sustainable development, neighborhood transformation and economic opportunity. A focus on transit oriented developments (TODs) is encouraged as well.</p> <p>On February 15, 2011, the Board of County Commissioners through Resolution No. R-126-11 approved the \$20,036,303.00 NSP3 Plan as a Substantial Amendment to the County's FY 2008-2012 Consolidated Plan and the 2010 Action Plan. The resolution also authorized the County Mayor or County Mayor's designee to submit the NSP3 Plan to US HUD, amended the NSP Implementing Order (IO) 2-11 to include the NSP3 allocation, expenditures by activity, and allowed for the selection of redevelopment projects.</p> <p>The County Mayor, upon a determination that the Transit Oriented Development in West Perrine, District 9, is not viable or practicable considering the deadlines for using NSP3 funds, the Board delegates to the County Mayor or the County Mayor's designee the authority to select a different project which is already funded with County funds and which the County Mayor determines will efficiently use the funds. The County Mayor will report back to the Board within thirty (30) days of selecting a project. This will ensure the expenditure of the additional funds by the deadline.</p> <p>Additional Information The Neighborhood Stabilization Program progress report dated December 11, 2013, reflects data through the end of October 2013. Monthly reports on the program are required, as stipulated in IO 2-11. As of October 31, 2013, the County expended \$13,907,418 or approximately 70% of the total grant. The US HUD required that 50% of the NSP3 funds be spent by March 2013. The County expended 59% by March 2013.</p>
8K3 132417	RESOLUTION APPROVING AWARD AND EXPENDITURE OF UP TO \$811,461.30 OF FY 2013-14 STATE HOUSING INITIATIVE PARTNERSHIP (SHIP) FUNDS TO MIAMI-DADE COUNTY COMMUNITY ACTION AND HUMAN SERVICES DEPARTMENT (CAHSD); AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL CONTRACTS, ANY NECESSARY AGREEMENTS AND AMENDMENTS AND CANCELLATION PROVISIONS CONTAINED THEREIN(Public Housing and Community Development)
Notes	<p>The proposed resolution authorizes the County Mayor or County Mayor's designee to award and expend up to \$811,461.30 of FY 2013-14 State Housing Initiative Partnership (SHIP) funds to Miami-Dade Community Action and Human Services Department (CAHSD) for the purpose of managing and implementing contracts, resulting from state and federal allocations/grants to provide a variety of home rehabilitative services to low-moderate income residents throughout Miami-Dade County.</p> <p>This item will allow timely expenditure of FY 2013-14 SHIP funds in accordance with the Florida Housing Finance Corporation's approved strategy for Miami-Dade County which includes provision for owner occupied rehabilitation loans. First priority will be given to persons with developmental disabilities as defined by Section 393.063, Florida Statutes for home modifications that allow for independent living. Services will be provided to low-moderate income residents throughout Miami-Dade County and will have a countywide impact.</p> <p>Fiscal Impact/Funding Source FY 2013-14 SHIP funds must be encumbered by June 30, 2015 and expended by September 30, 2015. The funding source for this item is the SHIP program. Approval of this resolution will not create a fiscal impact to the Miami-Dade County General Fund.</p> <p>Background The Florida Housing Finance Corporation administers the SHIP program which provides funds to local governments as an incentive to create partnerships that produce and preserve affordable homeownership and multifamily housing. The County's FY 2013-14 Funding Certification was approved by the State on July 18, 2013 with a total allocation of \$2,279,857.00. The strategy for expenditure of funds includes owner-occupied rehabilitation, home ownership assistance and home ownership counseling. At least twenty percent (20%) of the allocation must be spent to serve persons with special needs as defined by s.420.0004, Florida Statutes; and of this population, the first priority for use of funds must be used to assist persons with developmental disabilities as defined by the s.393.063, Florida Statutes, with an emphasis on home modifications, including technological enhancements and devices, which will allow homeowners to remain independent in their own homes and maintain their homeownership. These funds may also be used to assist households that include a member(s) that is developmentally disabled.</p> <p>Expenditure Deadline: All funds must be encumbered by June 30, 2015 and expended by September 30, 2015. Therefore, a contract must be approved and effectuated with CAHSD as soon as possible to enable the Department to meet the expenditure deadline. In addition, by awarding up to \$811,461.30, the item gives the County Mayor or County Mayor's designee the flexibility to award and expend funds, allowing the projects</p>

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	<p>to move forward without any further delays.</p> <p>Additional Information On November 2012, the Auditor General and the Office of Program Policy Analysis and Government Accountability (OPPAGA) conducted a joint audit and review of the programs and operations of the Florida Housing Finance Corporation (Corporation), as required by Chapter 2012-127, Laws of Florida.</p> <p>The Auditor General's operational audit of the Florida Housing Finance Corporation focused on the Corporation's internal management, financial, and operational controls and processes, as well as, selected Corporation programmatic decision-making processes.</p> <p>The audit disclosed areas in which enhancements in Corporation controls and operational processes were needed to better promote and encourage compliance, economic and efficient operations, and the safeguarding of assets.</p> <p>Listed below are the findings of the audit:</p> <ul style="list-style-type: none"> • Finding No. 1: Although required by State law, the Corporation did not submit to the Governor and the presiding officers of each house of the Legislature annual compliance audits for all of its programs. • Finding No. 2: Improvements are needed in the Corporation's internal audit activity to better ensure compliance with applicable State laws and internal auditing standards and promote accountability, integrity, and efficiency in Corporation operations. • Finding No. 3: The Corporation's reporting of Unrestricted Net Assets should be enhanced to provide greater transparency related to the Corporation's planned use of unrestricted resources. • Finding No. 4: To better ensure that timely and appropriate decisions will be made in response to changing market and economic conditions, the Corporation should establish procedures for monitoring Corporation investments that are managed by external investment management companies. • Finding No. 5: The Corporation did not comply with the requirements of the State's Public Deposits Program. As a result, the Corporation's deposits may not have been protected by the Program in the event of a depository's default. • Finding No. 6: The U.S. Department of the Treasury disclosed numerous observations of Corporation noncompliance in its June 2012 Hardest Hit Fund Program Compliance Review report. • Finding No. 7: The Corporation's oversight of its advisor agencies was not sufficient to ensure that the agencies obtained the required documentation for the Hardest Hit Funds Program eligibility determinations or timely and properly notified applicants of their Program ineligibility. • Finding No. 8: The Corporation's cost allocation methodology was not adequate to ensure that costs were allocated to Federal awards programs in an appropriate and equitable manner. • Finding No. 9: The Corporation should improve its procedures to ensure that Board member conflict of interest statements are properly retained and incorporated in the applicable Board meeting minutes. • Finding No. 10: The Corporation's purchasing guidelines need enhancing to better protect the interests of the Corporation and the State and to ensure compliance with applicable State law. • Finding No. 11: The Corporation contracted with service organizations to perform credit underwriting, construction and permanent loan servicing, and compliance monitoring services. However, the Corporation did not have adequate procedures in place to ensure the effectiveness of service organization controls relevant to the work performed for the Corporation. • Finding No. 12: The Corporation had not designated positions of special trust or required background screenings prior to employment or as a condition of continued employment. As a result, many employees, including most of the Corporation's senior management, had not been subjected to background screenings. • Finding No. 13: The Corporation did not always maintain documentation in its personnel records to evidence timely verification of prospective employees' education and work experience. • Finding No. 14: The Corporation's travel policy did not conform to the requirements of State law. Therefore, many of the travel costs incurred by the Corporation's employees, contractors, and Board members exceeded the amounts allowed by State law. In addition, traveler reimbursement requests were not always supported by the documentation required by the Corporation's travel policy. • Finding No. 15: The Corporation did not always ensure that expenses served an authorized public purpose and were clearly necessary to the performance of the Corporation's statutory duties. In addition, bonuses were paid to Corporation employees absent adequate documentation of the justification. • Finding No. 16: The Corporation's procedures for tangible personal property did not provide for the assignment of property custodians, address separation of duties during the conduct of physical inventories, require that portable and attractive items costing less than \$5,000 be added to the property records and included in the annual physical inventory process, or ensure that a physical verification of all property items was conducted at least once every year.
8L1 132260	RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$5,575,736.47 TO KIEWIT INFRASTRUCTURE SOUTH CO. FOR THE PROJECT ENTITLED IMPROVEMENTS TO THE MIAMI AVENUE BRIDGE OVER THE MIAMI RIVER, LOCATED WITHIN COMMISSION DISTRICT 5 (PROJECT NO. 20130144)(Public Works & Waste Management)
Notes	<p>The proposed resolution approves a Contract Award Recommendation for the project entitled Improvements to the Miami Avenue Bridge over the Miami River (Project No. 20130144) in the amount of \$5,575,736.47 to Kiewit Infrastructure South Co.</p> <p>The work to be performed under this Contract consists of, but is not limited to furnishing of all supervision, labor, required materials, tools, equipment and performing all operations necessary to construct the work in accordance with the Contract Documents. If any changes are</p>

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	<p>required due to conflicts with design and/or field conditions, the Engineer will make the final determination.</p> <p>The Contractor and all sub-contractors under this Contract are prohibited from performing any work, other than that specified in the Contract and/or directed by the Engineer, within the limits of the project site without prior notification to the Engineer. This includes any work for private or commercial entities.</p> <p>Background This project was advertised on August 9, 2013, and on September 13, 2013, three (3) engineering contractor firms proffered bids. The three (3) lowest responsive and responsible bids were as follows:</p> <ul style="list-style-type: none"> • Kiewit Infrastructure South Co., proffered a base bid of \$5,062,487.70, three (3) percent above the County's cost estimate; • M & J Construction Co. of Pinellas Co. Inc., proffered a base bid of \$5,088,061.33, four (4) percent above the County's cost estimate; and • PCL Civil Constructors, Inc., proffered a base bid of \$5,817,378.30, 19% above the County's cost estimate. <p>As such, PWWM recommends that Kiewit Infrastructure South Co., the lowest responsive and responsible bidder, be awarded the subject Contract for the sum of \$5,575,736.47.</p> <p>SUB CONTRACTORS AND SUPPLIERS (SECTION 10-34 MIAMI-DADE COUNTY CODE): P & J Striping, Inc.</p> <p>REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES: CSBE Trade Set-Aside: Pavement Markings and Signage CWP 15.20%</p>
8N1 132422	<p>RESOLUTION AUTHORIZING AWARD OF METROMOVER FIBER OPTIC AND CCTV REPLACEMENT MCC 7360 PLAN - CICC 7360-0/08 - RPQ NO: 230195-R3 CONTRACT TO TRI-CITY ELECTRIC CO., INC. IN THE BASE AMOUNT OF \$3,000,000 AND ALLOWANCE ACCOUNT FOR UNFORSEEN CHANGES IN THE AMOUNT OF \$300,000 AND AUTHORIZING COUNTY MAYOR OR DESIGNEE TO EXECUTE SAID CONTRACT</p>
Notes	<p>The proposed resolution authorizes the Award of Metromover Fiber Optic and CCTV Replacement – MCC 7360 Plan - CICC 7360-0/08 – RPQ No. 230195-R3 Contract to Tri-City Electric Co., Inc. in the base amount of \$3,000,000 and allowance account for unforeseen changes in the amount of \$300,000 and authorizes the County Mayor or designee to execute said contract.</p> <p>This project is funded with American Recovery and Reinvestment Act (ARRA) / Federal Transit Administration (FTA) funds. The location of the project site is 75907 111 N.W. 1st Court, Miami, FL 33136 in District 5.</p> <p>The scope of work consists of installation, labor, permitting of required hardware, testing configuration, installation of network fiber optics cable, replacing existing connectors, the enclosure of cameras with mounting brackets at various Metromover stations, and integrating the entire system. This project consists of installing fiber optic cable throughout Miami-Dade Transit's Metro Mover System which will provide infrastructure to support the following:</p> <ul style="list-style-type: none"> • A Data Transmission System (DTS) that will be used to provide control commands to and receive indications and alarms from each of the Metro Mover stations and locations that receive or send such Central Control. • Extension of the County Enterprise Network to each of the Metro Mover Station Train Control rooms, Mover Maintenance Building and Central Control. <p>Background</p> <ul style="list-style-type: none"> • On July 9, 2012, this project was advertised under the Miami-Dade County, Request for Price Quotation, MCC 7360, RPQ No. 230195-R3. Six bids were received on August 8, 2013. • On August 13, 2013, based on MDT's bid analysis and due diligence efforts, MDT issued an award recommendation to Waveguide Communications, Inc., the lowest bidder at a cost of \$ 1,788,718.12. • On August 15, 2013, a bid protest was filed by Tri-City Electric Co., Inc., the second lowest bidder. • On August 27, 2013, the bid protest hearing took place. Tri-City Electric Co., Inc. alleged that Waveguide Communications, Inc. was not eligible for this contract award for failure to possess the requisite professional license. Miami-Dade Transit asserted that Waveguide Communications, Inc., as a Certified Alarm System Contractor 1 could pull the master permit and perform low voltage electrical work, which constitutes the vast majority of the work to be performed for this scope of services. The hearing was concluded with a recommendation made by the hearing officer to Miami-Dade County to reject the lowest bidder due to non-responsiveness to contract requirements, and to recommend award to Tri-City Electric Co., Inc., the new lowest responsible and responsive bidder. • The Mayor's recommendation requested that all bids be rejected to expeditiously re-advertise the project in order to clarify that contractors must be capable of pulling the master permit to be eligible for award, thereby avoiding any potential ambiguities, and to maximize competition to achieve the best possible price based on scope of services. • Subsequently, on October 22, 2013, under Resolution No. 857-13, the BCC moved that Waveguide's bid be rejected as non-responsible and directed the Mayor or designee to negotiate with Tri-City Electric Co., Inc. <ul style="list-style-type: none"> ○ The proposed resolution is the renegotiated contract. <p>MDT's final negotiated base amount price is \$3,000,000, with an allowance account of \$300,000 for unforeseen changes. The engineer's estimate is \$2,926,021.00 while Tri-City's negotiated base price is \$3,000,000 which represents 2.53% higher than the engineer's estimate. The final negotiated amount reflects the Contractor's total discount to the base price of \$334,480.</p>

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802 132077	RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION FOR PROJECT NUMBER DB12-WASD-01, CONTRACT NUMBER 13NCC001 WITH A TOTAL COMPENSATION AMOUNT OF \$72,101,600.00 AND A TOTAL CONTRACT TERM OF 824 DAYS BETWEEN NICHOLSON CONSTRUCTION COMPANY AND MIAMI-DADE COUNTY FOR DESIGN-BUILD SERVICES TO REPLACE THE EXISTING 54-INCH SEWER FORCE MAIN FROM THE CENTRAL DISTRICT WASTEWATER TREATMENT PLANT TO FISHER ISLAND, UNDER THE NORRIS CUT CHANNEL; AND AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS CONTAINED THEREIN(Water & Sewer Department)																		
Notes	<p>The proposed resolution awards Project No. DB12-WASD-01, Contract No. 13NCC001 for design-build services to Nicholson Construction Company for a total contract term of 824 days with a total compensation amount of \$72,101,600.00. The design-build services specified in this contract will serve to replace the existing 54-inch sewer force main with a new 60-inch sewer force main from the Central District Wastewater Treatment Plant to Fisher Island, under the Norris Cut Channel.</p> <p>Fiscal Impact The item has a fiscal impact to the County of \$72,101,600.00 for a total contract term of 824 days from the Notice to Proceed. The funding source is Wastewater Connection Charges, Wastewater Renewal Fund, WASD 2013 Revenue Bonds and WASD Revenue Bonds Sold.</p> <p>Background The existing 54-inch sanitary sewer force main pipeline located between Fisher Island and the Central District Wastewater Treatment Plant on Virginia Key transmits all sewage collected from Miami Beach, Surfside, Bal Harbor, Bay Harbour Islands and Fisher Island to the Central District Wastewater Treatment Plant for treatment and disposal. WASD evaluated the 54-inch sewage force main between Fisher Island and Virginia Key and concluded it is in a severely distressed condition and in danger of failure. Consequently, the 54-inch sewage force main will be replaced with a new 60-inch sewer force main. The new pipeline will be constructed and installed between Fisher Island and the Central District Wastewater Treatment Plant, under the Norris Cut Channel.</p> <p>Nicholson Construction Company will provide the required engineering, design, permitting, construction, testing and commissioning services for the installation of a new 60-inch sanitary sewage force main. The life expectancy of this new pipeline is a minimum of eighty (80) years.</p> <p>The Competitive Selection Committee recommended to negotiate the design-build contract with Nicholson Construction Company as it is the top ranked firm with the lowest adjusted bid. As such, authorization to negotiate with Nicholson Construction Company was approved on July 23, 2013. On August 1, 2013, the Negotiation Committee met with Nicholson Construction Company and concluded its second negotiations meeting on August 15, 2013.</p> <p>A 22% Community Business Enterprise goal was established for this design-build contract as well as a 10.90% Community Small Business Enterprise 2nd, 3rd, and 4th tier goal.</p> <p>Additional Information Pursuant to Article 10- Basis of Compensation of the Design Build Contract, the Design Build Contract Price is stated below.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>Engineering, Design and Permitting, technical Support During Construction and other Professional Services</td> <td style="text-align: right;">\$ 1,200,000</td> </tr> <tr> <td>Construction, Testing and Commissioning</td> <td style="text-align: right;">\$57,020,000</td> </tr> <tr> <td>Contingency Allowance Account</td> <td style="text-align: right;">\$ 2,971,000</td> </tr> <tr> <td>Permit Fees</td> <td style="text-align: right;">\$ 1,710,600</td> </tr> <tr> <td>Unforeseen Geotechnical Conditions: (Soil Stabilization/Grouting/Dewatering Boring Equipment Retrieval, etc.)</td> <td style="text-align: right;">\$ 6,500,000</td> </tr> <tr> <td>Unknown Pipeline Conditions: (54-inch force main)</td> <td style="text-align: right;">\$ 1,500,000</td> </tr> <tr> <td>Environmental Controls & Monitoring (Frac-Out/Settlement/Contamination Testing/Remediation)</td> <td style="text-align: right;">\$ 1,000,000</td> </tr> <tr> <td>Unforeseen Requirements for Noise/Dust Abatement and/or Anticipated in the Original Project Scope</td> <td style="text-align: right;">\$ 200,000</td> </tr> <tr> <td>Total Contract Amount</td> <td style="text-align: right;">\$72,101,600</td> </tr> </tbody> </table> <p>In the case of any change orders to this Contract, the Design-Builder is authorized to receive markups for all overhead and profit. Overhead includes both corporate and Site overhead including, but not limited to, construction offices, office equipment and utilities, management and supervision, and local transportation and expenses.</p> <ul style="list-style-type: none"> • For work and services directly performed by the Design-Builder, the Design-Builder may add up a 10% mark-up. • For work and services directly performed by a subconsultant or subcontractors, the subconsultant or subcontractor may add up to a ten percent (10%) mark-up and the Design-Builder may provide a markup on all subcontractor and subconsultant costs of five percent (5%). • No markups by Design-Builder are allowed for services performed by sub-subconsultants or sub-subcontractors. 	Engineering, Design and Permitting, technical Support During Construction and other Professional Services	\$ 1,200,000	Construction, Testing and Commissioning	\$57,020,000	Contingency Allowance Account	\$ 2,971,000	Permit Fees	\$ 1,710,600	Unforeseen Geotechnical Conditions: (Soil Stabilization/Grouting/Dewatering Boring Equipment Retrieval, etc.)	\$ 6,500,000	Unknown Pipeline Conditions: (54-inch force main)	\$ 1,500,000	Environmental Controls & Monitoring (Frac-Out/Settlement/Contamination Testing/Remediation)	\$ 1,000,000	Unforeseen Requirements for Noise/Dust Abatement and/or Anticipated in the Original Project Scope	\$ 200,000	Total Contract Amount	\$72,101,600
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Unforeseen Requirements for Noise/Dust Abatement and/or Anticipated in the Original Project Scope	\$ 200,000																		
Total Contract Amount	\$72,101,600																		
803 132423	RESOLUTION APPROVING NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND NOVA CONSULTING, INC. FOR PROGRAM AND CONSTRUCTION MANAGEMENT SERVICES FOR THE IMPLEMENTATION OF A PUMP STATION IMPROVEMENT PROGRAM IN THE AMOUNT OF \$17,600,000.00, CONTRACT NO. 13NCI001, PROJECT NO. E13-WASD-02R; AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE AND EXERCISE ANY PROVISIONS CONTAINED THEREIN(Water & Sewer Department)																		

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Notes	<p>The proposed resolution awards a non-exclusive professional services agreement under Project No. E13-WASD-02R; Contract No. 13NCI001 to Nova Consulting Inc. for Program and Construction Management Services for the Implementation of a Pump Station Improvement Program. The total compensation amount is \$17,600,000.00 for a total contract term of five (5) years and a one (1) 2-year option-to-renew.</p> <p>WASD has a Pump Station Improvement Program for upgrading the wastewater collection and treatment system that includes pump stations and force mains pursuant to which each pump station has to be certified as capable of meeting a nominal average pump operating time of less than or equal to ten (10) hours per day. Pump stations exceeding the nominal average pump operating time criteria must have a Remedial Action Plan and no building permits can be issued for connections to the wastewater collection and treatment system upstream of that station until the Remedial Action Plan is completed. WASD currently has over one hundred (100) sewage pump stations that do not comply with the nominal average pump operating time criteria. In order to accelerate the implementation of the Pump Station Improvement Program and timely repair, upgrade or replacement of the subject pump stations for compliance with nominal average pump operating time criteria, WASD recognizes the need for Program and Construction Management services to assist with the implementation of the Pump Station Improvement Program. In addition, Nova Consulting, Inc. will manage an Infiltration/Inflow (I/I) Reduction Program for those pump stations that require Infiltration/Inflow work as part of its Remedial Action Plan.</p> <p>The scope of services to be provided by Nova Consulting, Inc. include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Advise and provide, strategic, and day-to-day oversight and direction to the Pump Station Improvement Program. • Prepare and maintain, together with WASD staff, a Program Management Plan for use by the Program Team. This includes establishing communication protocols as well as design and construction standards. • Establish standards and guidelines for cost-estimating. Nova Consulting, Inc. will work with WASD staff to ensure that all project cost estimates meet the cost estimating standards. Nova Consulting, Inc. will review cost estimates generated for consistency with the standards and guidelines. • Develop Engineering Reports, scope of work and preliminary cost estimates for all out of compliance Pump Stations based on the Remedial Action Plan submitted to the Environmental Protection Agency. • Coordinate the development and implementation of these projects with regulatory requirements, such as Outfall Legislation, and other Master Plan projects. • Develop and manage a program master schedule and task schedules and provide budget/cost oversight of all program elements and resources. Manage and track project progress by means of an appropriate software package approved by WASD. • Develop monthly progress reports that include accomplishments during the most recent reporting period, upcoming activities for the next reporting period, tracking of issues and action items identified, other related information, and contract status. Monthly reports will be reviewed as part of monthly status meetings with the WASD Pump Station Improvement Program Team. • Assist WASD in the negotiation of fees to be paid to the Design Consultants for each project assigned to them. • Provide assistance to WASD and Design Consultants during the permitting phase of the projects to ensure compliance with County and State regulations. • Assist WASD in the review of design documents including constructability reviews. • Utilize WASD Project Control Tracking System, Proliance and Primavera computer software to track all document activities. <p>In addition, Nova Consulting, Inc. will oversee and support the design and construction management phases of the Pump Station Improvement Program. More specifically, Nova Consulting, Inc. will perform project and construction management functions for all required projects derived from the Remedial Action Plan and will have the responsibility of managing:</p> <ul style="list-style-type: none"> • A pool of five (5) different design consultants that will have the function of preparing the engineering reports, construction drawings and technical specifications required for pump station upgrades or replacements. These consultants will also be responsible for obtaining all the required permits and provide technical support during the construction phase including shop drawing and change orders review and approval and any site visits required. • The contractors selected by WASD to carry out the construction of the required projects (pump station upgrades and replacements and installation or replacement of force mains and gravity lines). • A pool of four (4) contractors that will conduct the required Infiltration/Inflow testing and repairs as follows: <ul style="list-style-type: none"> ○ One (1) contractor to perform Sanitary Sewer Evaluation Survey to include flow isolation, TV inspection, lateral investigation, point repair and grouting. ○ One (1) contractor to perform the required Dig and Replace work. ○ One (1) contractor to perform sectional lining and manhole rehabilitation work. ○ One (1) contractor to perform Cure-In-Place work. <p>Nova Consulting, Inc. and its subconsultants are precluded from participating on any of the five (5) contracts for design services for the implementation of a Pump Station Improvement Program under Project Number E13-WASD-03.</p> <p>At the First-Tier meeting held on August 27, 2013, the Competitive Selection Committee reviewed and ranked the seven (7) proposals received on July 3, 2013. The references in the proposals were verified by the Internal Services Department. The Competitive Selection Committee voted to short-list the four (4) highest ranking firms out of the seven (7) firms that submitted proposals. The Second-Tier (Oral Presentation) meeting was held on September 10, 2013. The Competitive Selection Committee ranked Nova Consulting, Inc., as the highest ranking firm and recommended to negotiate the contract with Nova Consulting, Inc.</p> <p>The Negotiation Committee was approved by the County Mayor on September 17, 2013. On October 22, 2013, the Negotiation Committee</p>

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	<p>met with Nova Consulting, Inc. and concluded its negotiations on November 7, 2013.</p> <p>SUBCONSULTANTS: 300 Engineering Group, P.A. (CBE) Avino & Associates, Inc. (CBE) BND Engineers, Inc. (CBE) Bermello, Ajamil & Partners, Inc. MWH Americas, Inc.</p> <p>REVIEW COMMITTEE ASSIGNED CONTRACT MEASURES: CBE 29.00% \$5,104,000.00</p>
11A1 132468	<p>RESOLUTION DIRECTING COUNTY MAYOR OR MAYOR'S DESIGNEE TO IDENTIFY VIABLE LOCATIONS IN OR NEAR DOWNTOWN MIAMI FOR DEVELOPMENT OF SOCCER STADIUM FACILITY FOR NEW MAJOR LEAGUE SOCCER FRANCHISE, TO ANALYZE FEASIBILITY OF DEVELOPMENT OF STADIUM AT SUCH LOCATIONS, AND TO NEGOTIATE AND FINALIZE AGREEMENTS WITH ALL NECESSARY PARTIES FOR DEVELOPMENT OF STADIUM AT PREFERRED LOCATION, SUBJECT TO SUBSEQUENT BOARD CONSIDERATION AND APPROVAL</p>
Notes	<p>The proposed resolution does the following:</p> <ul style="list-style-type: none"> • Directs the County Mayor or his designee to identify viable locations in or near downtown Miami for development of a soccer stadium facility for a new Major League Soccer franchise and to analyze the feasibility of the development of such stadium facility at the identified locations. • Directs the County Mayor or his designee to negotiate and finalize the terms of agreements with all necessary parties for the development of the stadium facility at the preferred location and to present such agreements to the Board of County Commissioners (BCC) for its subsequent consideration and approval. At a minimum, the agreements will provide as follows: <ul style="list-style-type: none"> ○ The County will have no responsibility or obligation to contribute County funds towards the development and construction costs of the soccer stadium facility; ○ The developer of the soccer stadium facility will be solely responsible for funding all development and construction costs of the stadium facility; and ○ Rent will be due and owing to the County for use and occupancy of the soccer stadium site if such site is owned by the County. • Directs the County Mayor or his designee to prepare and submit to the BCC a written report detailing the feasibility of development of the soccer stadium facility at the proposed site. <ul style="list-style-type: none"> ○ This report will be submitted to the BCC at the time the BCC considers approval of agreements for the development of the stadium facility and will include, at a minimum, an analysis of the impacts of the proposed development, including, but not limited to, the economic impact to the County as a whole, traffic impacts to the surrounding areas, and direct or indirect impacts to neighboring businesses. • The County will hold three (3) public meetings regarding any resolution approving agreements related to the development of a new soccer stadium facility for a new Major League Soccer franchise. The provisions provided below will be construed as directory only and failure to comply with them will not affect the validity of any resolution or action of the BCC. <ul style="list-style-type: none"> ○ The County Mayor or his designee will schedule public meetings on any such proposed resolution following the Chairperson's assignment of the items to committee or following any waiver of the committee requirement. ○ Such public meetings will be held prior to the BCC's consideration of the proposed resolution. ○ The public meetings required in this section will be conducted by county staff and will be for the purpose of soliciting community input about the proposed development. ○ Members of the public, County officials and County staff may be heard at such meetings. ○ All public meetings required hereby will be held at locations and times which are accessible and convenient to the majority of residents in Miami-Dade County and allow for maximum participation by geographic and ethnic communities within Miami-Dade County. ○ All public meetings will be appropriately advertised, including use of print advertisements in newspapers of general circulation and community based periodicals. <p>Additional Information The following information was provided by the <i>Miami Herald</i>, <i>Miami-Dade Commissioners Could Green-Light Soccer Stadium Talks</i>, in an article dated December 11, 2013:</p> <ul style="list-style-type: none"> • <i>A Miami-Dade County Commission vote scheduled for Tuesday would authorize Administration to identify possible stadium sites and negotiate construction contracts with any interested private developers. That would begin talks in earnest between the county and Beckham and his investors, who have approached the Mayor about building a 25,000-seat stadium on public land on PortMiami's Dodge Island.</i> • <i>Even if the seaport were to be deemed unsuitable, the legislation before commissioners would limit any other sites to downtown, an area of imprecise borders that both Beckham and MLS have identified as the preferred location to attract soccer fans.</i> • <i>Beckham said he would like to present a proposal to MLS directors by the end of the year. His investment group, Beckham Brand Limited, scouted numerous sites over the past few months before settling on the seaport as its top choice.</i> • <i>If the stadium were to be built on county-owned land such as the seaport, then the developer will have to pay rent, the resolution says. It does not specify whether the rent would have to be at market rate.</i> • <i>PortMiami's long-term master plan envisions commercial and business development on its southwestern corner, across from Bayside Marketplace. That sort of construction would require a new zoning designation that port administrators have been drafting for months. That designation, scheduled for a preliminary vote Thursday, would not allow for a sports facility, though a stadium use could be added</i>

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	<i>later.</i>
11A2 132404	<p>RESOLUTION APPROVING ISSUANCE OF MIAMI-DADE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY INDUSTRIAL DEVELOPMENT REFUNDING REVENUE BONDS (BAC FUNDING CORPORATION PROJECT) IN AMOUNT NOT TO EXCEED \$16,555,000.00 TO REFUND BONDS ISSUED TO FINANCE CAPITAL PROJECT FOR BENEFIT OF BAC FUNDING CORPORATION FOR PURPOSES OF SECTION 147(F) OF INTERNAL REVENUE CODE OF 1986, AS AMENDED; APPROVING USE OF INTEREST SAVINGS; APPROVING FORM OF RELATED REFUNDING AGREEMENT BETWEEN BAC AND COUNTY WITH RESPECT TO SUCH INTEREST SAVINGS; AND AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FINALIZE, EXECUTE AND DELIVER REFUNDING AGREEMENT AND CERTAIN SUPPLEMENTS OR AMENDMENTS TO CERTAIN RELATED FINANCING DOCUMENTS WITHIN CERTAIN PARAMETERS</p>
Notes	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Approves the issuance of Miami-Dade County Industrial Development Authority Industrial Development Refunding Revenue Bonds (BAC Funding Corporation Project) in amount not to exceed \$16,555,000.00 to refund bonds issued to finance capital project for benefit of BAC funding corporation for purposes of Section 147(f) of Internal Revenue Code of 1986, as amended; • Approves the use of interest savings; • Approves the form of related Refunding Agreement between BAC and County with respect to such interest savings; and • Authorizes County Mayor or his designee to finalize, execute and deliver refunding agreement and certain supplements or amendments to certain related financing documents within certain parameters. <p>Background</p> <p><i>The Miami-Dade County Industrial Development Authority (Authority) previously issued its Industrial Development Revenue Bonds (BAC Funding Corporation Project), Series 2000A in the amount of \$21,570,000.00 which mature on October 1, 2030 (Prior Bonds) and its Taxable Industrial Development Revenue Bonds (BAC Funding Corporation Project), Series 2000B in the amount of \$205,000.00, which have been paid in full, on behalf of BAC Funding Corporation, a Florida not-for-profit corporation (BAC) to finance the cost of constructing and equipping an approximate 200,000 square foot office building located adjacent to the Dr. Martin Luther King, Jr. Plaza Metrorail Station at the corner of NW 62nd Street and NW 25th Avenue in the City of Miami, on land leased from Miami-Dade County (Facility).</i></p> <p><i>Pursuant to Resolution No. 830-99 adopted on July 13, 1999 by the Board of County Commissioners (BCC), the County previously entered into an Installment Sale Agreement dated as of October 1, 2000 (Installment Sale Agreement) with BAC pursuant to which the County utilizes substantially all of the office space in the Facility and in exchange for such use, the County (i) makes a monthly payment which is equal to the principal and interest on the Prior Bonds which BAC has assigned to the bond trustee; (ii) pays monthly the actual cost of operating and maintaining the Facility; and (iii) makes a monthly payment pursuant to the Installment Sale Agreement to the bond trustee for disbursement to BAC for its small minority owned business loan program (Loan Program).</i></p> <p><i>Pursuant to Ordinance No. 00-116 enacted by the Board on September 19, 2000, the County entered into a Guaranty Agreement dated as of October 1, 2000 (Guaranty) as additional security for the Bonds pursuant to which the County agreed to appropriate annually from legally available non-ad valorem revenues of the County sufficient funds to pay any shortfall in debt service on the Prior Bonds.</i></p> <p><i>BAC has requested that the Authority issue its Industrial Development Refunding Revenue Bonds (BAC Funding Corporation Project) in an amount not to exceed \$16,555,000 (Bonds) with a maturity equal to the Prior Bonds and at a lower interest rate, the proceeds of which will be used (together with funds of the Company) to (i) refinance and refund the Prior Bonds; and (ii) pay costs of issuing the Bonds. The refunding of the Prior Bonds will achieve an interest cost savings (Savings Amount) which BAC proposes and requests be used to retrofit the Facility in order to achieve energy savings to the County (Retrofit) estimated to be between \$80,000 and \$100,000 annually (this will be finalized when a professional energy audit is complete which will recommend energy retrofit improvements, provide final energy cost savings and LEED Certification for the Retrofit) and when the Retrofit is completed, to supplement the funds available from the County for BAC's Loan Program.</i></p> <p><i>In order to take advantage of lower interest rates and to fund the Retrofit to achieve an annual energy savings to the County as soon as possible, the projected debt service schedule for the new Bonds is structured so that a substantial portion of the Savings Amount (projected to be \$1,426,649.00) is available in the first two years with a small reduction in debt service annually which adds up to approximately \$160,000 over the remaining fifteen years of the Bonds.</i></p>