



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Trade and Tourism Committee Meeting**

**February 11, 2016**

**9:30 A.M**

Commission Chamber

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

**Trade and Tourism Committee Meeting  
February 11, 2016 Meeting  
Research Notes**

| Item No.             | Research Notes   |
|----------------------|--|
| <b>2A<br/>160221</b> | RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR’S DESIGNEE TO NEGOTIATE CHANGE ORDER NO. 2 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-8-10 WITH MUNILLA CONSTRUCTION MANAGEMENT, LLC, EXTENDING THE CONTRACT TIME FOR ONE YEAR AND INCREASING THE CONTRACT AMOUNT BY NO MORE THAN \$10,000,000; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN  |
| <b>Notes</b>         | <p>The proposed resolution directs the Mayor or Designee to negotiate Change Order No. 2 to Miscellaneous Construction Contract No. MCC-8-10 with Munilla Construction Management, LLC. This Change Order increases the contract duration for a year from the effective date of this resolution and the contract amount by no more than \$10 million.</p> <p><b><u>Background</u></b></p> <p>The Miscellaneous Construction Contract No. MCC-8 the (MCC) has proven to be an efficient and effective way of accomplishing needed repairs and construction at Miami International Airport (MIA) while also maximizing small business participation in such repairs or construction.</p> <p>The ability to issue new work orders under the MCC expires on February 29, 2016, although the contractor continues to perform work on previously issued work orders. Although \$2.5 million in unallocated funds remain in the MCC account, this amount is insufficient to cover the planned needs of MIA.</p> <p>Miami-Dade County (County) has begun the process of procuring a replacement contract (MCC-9). This replacement contract will not be awarded until later this year, at the earliest. The MCC provides greater ability for the small business community to perform work at MIA than available procurement vehicles. The expiration of the MCC and the absence of such a contract would negatively impact both MIA and the small business community.</p> <p>The continued growth of passenger traffic at MIA, as well as the entry of new airlines, has required the Miami-Dade Aviation Department (MDAD) to engage in numerous unexpected alterations, repairs, and modifications to the MIA facility, many of which cannot be timely accomplished except through the MCC.</p> <p>The MCC provides significant opportunities for small business participation in the MIA construction program. Small businesses have received nearly \$17 million in work under the MCC. The MDAD believes that approximately \$10 million of construction work will need to be performed through the MCC over the next year to accommodate existing needs.</p> <p>Work is issued under the MCC on an as-needed basis. In the event construction work under the MCC is not needed prior to the end of the contract, that money will be returned to the County and used to fund MCC-9.</p> |

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February 11, 2016 Meeting  
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|----------------------|---|
| <b>2B<br/>160194</b> | RESOLUTION APPROVING A GRANT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FRIENDS OF THE MIAMI MILITARY MUSEUM OF SOUTH FLORIDA AT NAS RICHMOND, INC. IN THE AMOUNT OF UP TO \$133,336.10; AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXECUTE THE GRANT AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR DESIGNEE TO EXERCISE ALL RIGHTS CONFERRED IN THE GRANT AGREEMENT  |
| <b>Notes</b>         | <p>The proposed resolution approves the Grant Agreement Between the County and The Friends of the Miami Military Museum (Museum) of South Florida at NAS Richmond, Inc. in an amount of up to \$133,336, to be paid from budget funds.</p> <p><b><u>Background</u></b></p> <p>The Museum is a non-profit Florida corporation dedicated to the preservation, exhibition, and operation of a military museum serving South Florida.</p> <p>In furtherance of its mission, the Museum operates and maintains a historic building on a County property that is adjacent to Zoo Miami and the Gold Coast Railroad Museum. This historic building will one day house the Museum’s exhibits. As part of the development of the future museum, the Museum building was moved from another location and placed at its present location at the direction of the Parks, Recreation and Open Spaces Department (Parks Department).</p> <p>When it was relocated, the Museum building was placed on an existing force main sewer line, requiring the Museum to reroute the sewer line. The Museum has already completed the majority of the work necessary to relocate the force main sewer line, and the total cost of the work including the work that has already been performed, is expected to be \$133,336. Since the Museum relocated to its current address at the County’s request, it becomes necessary that the County assumes the cost associated with rerouting the sewer line.</p> <p>The Parks Department has identified funding for the force main sewer line relocation project from its departmental funds budget in Fiscal Year (FY) 2015-16.</p> |
| <b>3A<br/>152774</b> | RESOLUTION APPROVING THE THIRD AMENDMENT TO THE NON-EXCLUSIVE FOOD AND BEVERAGE LEASE AGREEMENT WITH CONCESSIONS MIAMI LLC, FOR PREMISES AT MIAMI INTERNATIONAL AIRPORT, STANDARDIZING THE CONTRACT TERM METHODOLOGY FOR RECALCULATION OF THE MINIMUM ANNUAL GUARANTEE TO THAT UTILIZED IN SIMILAR LEASE AGREEMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXERCISE ALL PROVISIONS THEREIN   |

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February 11, 2016 Meeting  
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|----------------------------------|---|---------------------|---|------------|----------------------|-----|-------------|----------------|-----|-------------|-------------------------|-----|-------------|--------------------|------|--------------|----------------------------------|-------------|---------------------|
| <b>Notes</b>                     | <p>The proposed resolution approves the Third Amendment to the Food and Beverage Lease Agreement with Concessions Miami LLC, changing the methodology for recalculation of the Minimum Annual Guarantee (MAG) to an annual Consumer Price Index (CPI) calculation as used in other standard concession agreements.</p> <p><b><u>Background</u></b><br/>Pursuant to Resolution No. R-196-06, the BCC approved the award of Foodservice Concessions RFP No. MDAD-01-05 to Concessions Miami. The First Amendment under Resolution No. R-13-10 adjusted the MAG and rent to offset the decreased passenger volume beyond the control of the concessionaire. The Second Amendment under Resolution No. R-96-14 revised the term commencement dates for all impacted North Terminal concessionaires to September 14, 2014, to compensate for losses stemming from construction delays.</p> <p>This Third Amendment changes the basis of the recalculation of the MAG from enplaned passengers to an annual CPI calculation, as used in the other MIA concession agreements, to provide parity among all concessionaires. The presentation of this amendment was delayed due to a similar situation with a companion agenda item: a fourth amendment to the agreement with Areas USA MIA, LLC (Areas). The MDAD was negotiating with Areas on a date for the MAG recalculation. Using the amendment with Areas as a baseline, the MDAD then addressed Concessions Miami's issue.</p> <p><b><u>Contract Measure</u></b><br/>Airport Concession Disadvantaged Business Enterprise (ACDBE) goal: 32%.<br/>Contract measures achieved at award: 60.4%.</p> <p><b><u>Current ACDBE Firms: FY 2009 to FY 2015</u></b><br/>Contract measure achieved to date: 45.7% of a gross revenues of \$79,921,357 (FY 2009 to FY 2015). The table below details the ACDBE firms achievement status.</p> <p style="text-align: center;"><b>Contract Measure Achieved and Companies</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">Companies</th> <th style="background-color: #d9ead3;">%</th> <th style="background-color: #d9ead3;">Sales (\$)</th> </tr> </thead> <tbody> <tr> <td>Phillips Concessions</td> <td style="text-align: center;">7.9</td> <td style="text-align: center;">6.3 Million</td> </tr> <tr> <td>Arriaza Bakery</td> <td style="text-align: center;">5.3</td> <td style="text-align: center;">4.2 Million</td> </tr> <tr> <td>Las Vegas Restaurant II</td> <td style="text-align: center;">1.4</td> <td style="text-align: center;">1.1 Million</td> </tr> <tr> <td>Atlanta Restaurant</td> <td style="text-align: center;">31.1</td> <td style="text-align: center;">31.1 Million</td> </tr> <tr> <td><b>Total ACDBE Sales to date</b></td> <td style="text-align: center;"><b>45.7</b></td> <td style="text-align: center;"><b>36.4 Million</b></td> </tr> </tbody> </table> <p>Total Concession Sales to date: 100% or \$79.9Million.</p> <p><b><u>Fiscal Impact/Funding Source</u></b><br/>This is a revenue-generating contract for the County. Concessions Miami pays the MDAD a MAG of \$1,351,920. This Amendment will establish a new MAG amount of \$1,073,781, effective November 1, 2014, to be adjusted annually by the CPI.</p> | Companies           | % | Sales (\$) | Phillips Concessions | 7.9 | 6.3 Million | Arriaza Bakery | 5.3 | 4.2 Million | Las Vegas Restaurant II | 1.4 | 1.1 Million | Atlanta Restaurant | 31.1 | 31.1 Million | <b>Total ACDBE Sales to date</b> | <b>45.7</b> | <b>36.4 Million</b> |
| Companies                        | %   | Sales (\$)          |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |
| Phillips Concessions             | 7.9   | 6.3 Million         |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |
| Arriaza Bakery                   | 5.3   | 4.2 Million         |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |
| Las Vegas Restaurant II          | 1.4   | 1.1 Million         |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |
| Atlanta Restaurant               | 31.1  | 31.1 Million        |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |
| <b>Total ACDBE Sales to date</b> | <b>45.7</b>   | <b>36.4 Million</b> |   |            |                      |     |             |                |     |             |                         |     |             |                    |      |              |                                  |             |                     |

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| <b>3B<br/>152993</b> | <p>RESOLUTION REJECTING THE SOLE PROPOSAL RECEIVED IN RESPONSE TO THE ADVERTISEMENT FOR THE BID FOR LEASE OF LAND AT MIAMI LAKES INDUSTRIAL PARK LOCATED AT MIAMI-OPA LOCKA EXECUTIVE AIRPORT</p>  |
| <b>Notes</b>         | <p>The proposed resolution rejects the sole proposal received by the MDAD in response to the Advertisement for the Bid for Lease of Land at Miami Lakes Industrial Park located at Miami-Opa-locka Executive Airport (OPEA).</p> <p><b><u>Background</u></b></p> <p>The Town of Miami Lakes (Town) prohibits parking of recreational vehicles and boats at residential homes. In an effort to address the parking issue for boats, commercial and recreational vehicles, the Town considered two County-owned parcels at Miami Lakes Industrial Park located west of 57 Avenue and OPEA’s Runway 9 Left/27 Right. Subsequently, the Town approached the MDAD for assistance to move forward with an advertisement for a bid for the lease of the two parcels to supplement parking for the Town’s residents and neighboring commercial businesses.</p> <p>The advertisement requesting a bid to lease these parcels was posted on the MIA website and other advertisements were placed in the Daily Business News and the Miami Herald’s Neighbors Section on May 26, 2015. The advertisements sought proposals from companies and individuals to lease the combined 4.17-acre parcels and operate a storage parking lot for boats, recreational, and commercial vehicles. The minimum bid required the greater of \$0.60 per square foot of land or 40% of the gross revenues.</p> <p>The MDAD received one proposal in response to the advertised bid from Value Store IT Management Inc.. It reviewed the proposal, and determined that it did not comply with the minimum bid requirements. The terms of the vendor’s proposal listed the following:</p> <ul style="list-style-type: none"> <li>• Lease two acres of land;</li> <li>• \$0.30 per square foot per annum;</li> <li>• 12-month rent concession to complete improvements;</li> <li>• Seven five-year extensions;</li> <li>• Five percent rent increase at each extension; and</li> <li>• First right of refusal to rent the remaining acreage.</li> </ul> <p>Therefore, the MDAD recommends that the sole proposal be rejected. At this time, a new solicitation is not being considered due to lack of interest by proposers.</p> <p><b><u>Fiscal Impact</u></b></p> <p>Not applicable as this is a rejection of the sole proposal.</p> |

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| <b>3C<br/>160006</b> | RESOLUTION AUTHORIZING THE COUNTY MAYOR TO ISSUE STEVEDORE LICENSES TO ROBERT MORONEY AND RICHARD RODRIGUEZ IN ACCORDANCE WITH CHAPTER 28-A, SECTION 6 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA   |
| <b>Notes</b>         | <p>The proposed resolution authorizes the issuance of new County stevedore licenses to Robert Moroney and Richard Rodriguez pursuant to Chapter 28A, Section 28A-6, of the County Code (Code)</p> <p><b><u>Background</u></b><br/>Chapter 28-A, Section 28A-6 of the Code mandates that applications for new County stevedore licenses be presented to the BCC by the Mayor, after examination of the qualifications of the applicants by the PortMiami (Port) Director and a background investigation by the County Police Department.</p> <p>Staff has reviewed the qualifications of the applicants and determined they are both qualified in accordance with the Code. An investigation of these individuals by the County Police Department has revealed no record of criminal activity as outlined in Chapter 28-A of the Code; and both applicants have submitted the mandatory bond requirement.</p> <p><b><u>Fiscal Impact/ Funding Source</u></b><br/>This proposed resolution will not have a fiscal impact on the County nor the Port.</p> |