



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

Board of County Commissioners

January 22, 2009
9:30 AM
Commission Chamber

Charles Anderson, CPA
Commission Auditor

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Miami, Florida 33128
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BOARD OF COUNTY COMMISSIONERS
Agenda Notes
January 22, 2009

Item No.	Subject Matter	Background	Analysis / Comments / Questions
4(A)	Ordinance Relating to the Rules of Procedure Amending Rule 5.05 Commissioner Barbara J. Jordan	This ordinance amends Section 2-1 of the Code of Miami-Dade County to provide that items forwarded by a Commission Committee to the County Commission are exempt from the “4-day rule” under certain circumstances. Currently, items that are heard during committee meetings held on Monday and Tuesday are not subject to the “4-day rule” while items heard during committee meetings on Wednesday through Friday are subject to the rule. The proposed ordinance will amend Rule 5.05 to exempt items from the “4-day rule” if the items that have been forwarded to the Commission by the committee of jurisdiction and the chairperson of the committee and the chairperson of the Commission concur in writing that the item should be placed on the agenda.	
5(D)	Resolution Approving Significant Modification to Building Better Communities General Obligation Bond Program Project No. 123 Commissioner Natacha Seijas	District 13 This resolution approves a significant modification to the Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 123-“Park improvements to existing local parks to include renovation and upgrades.” The project description references “local parks” with the street address N.W. 194 Street and N.W. 82 Avenue. This resolution changes the project description from “local parks” to”Various” allowing the disbursement of BBC-GOB funds throughout District 13. There are several other projects (Nos. 314, 97, 100, 111, and 119) listed in Appendix A of the Parks Facility Resolution with the same project name located in Commission Districts 2, 3, 4, 10 and 11 that list “Various” for the street address. This resolution modifies Project No. 123 consistent with the other projects listed in Appendix A to the Parks Facility Resolution and allows the expenditure of BBC-GOB Program funds allocated to Project No. 123 throughout Commission District 13.	
5(E)	Resolution Authorizing the Issuance of 2009 Aviation Revenue Bonds, in one or More Tranches, in the Amount of \$600 Million	This resolution authorizes the issuance of \$600 million in Aviation Revenue Bonds to finance prospective capital improvement projects which include the Miami International Airport, Opa-Locka airport, Opa-Locka West airport, Kendall-Tamiami Executive airport, Homestead Aviation airport, and Dade-Collier Training & Transition airport. The proceeds will: (1) refinance outstanding Aviation commercial paper notes (Series A and B) previously issued for Aviation capital projects, (2) finance and/or reimburse the County for the costs of certain capital improvement projects (in the amount of \$494 million), (3) fund the reserve account (in the amount of \$26.7 million),	

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		<p>(4) pay all costs associated with issuing the bonds (in the amount of \$7.5 million), and (5) pay capitalized interest on the Series 2009 Bonds for a short period of time (in the amount of \$68.5 million).</p> <p>Background In several legislative acts dating from February 1995 through October 2008, the BCC authorized the issuance of aviation revenue bonds to finance certain aviation capital improvement projects, and to refinance outstanding commercial paper debt, among other things. To date, \$4,141,515,000 in revenue bonds has been issued, exclusive of refunding bonds. The County’s Financial Advisors to the Aviation Department have recommended that a <u>negotiated sale</u> of the Series 2009 Bonds be conducted, in one or more tranches, given the volatility of the municipal bond market and the significant contraction of available credit from institutional lenders and investors.</p> <p>Debt Service and Principal Amortization Debt service is estimated to be \$54 million per year for approximately 32 years at a true interest cost of 8%. <u>Principal amortization</u> is projected to <u>begin in 2018</u> in order to maintain a level debt service on outstanding Aviation debt payments.</p> <p>Cash-flow Method of Financing As of 1994, the Aviation Department has financed its capital improvement projects by accessing cash balances generated by issuing commercial paper and held in the trust or its reserves. This method of financing allows the Department to schedule bond issuances on an as-needed basis, reducing the likelihood of paying long term interest rates on bond proceeds not immediately used due to delays. However, as a result of a lack of liquidity in the financial market, the County has not been able to access the commercial paper market. In addition, Dexia Credit Local, one of the County’s Letter of Credit provider (and guarantor), has been placed on credit-watch by certain rating agencies with the probability that its lowered ratings will be further downgraded. As a result, the Aviation Department has been funding its capital projects with Passenger Facility Charges and Environmental Cost Recovery Fund revenues (and not commercial paper revenues), which will be reimbursed with the Series 2009 Bond proceeds.</p> <p>Significant Airport Projects to be Funded Under the \$600 Million Revenue Bonds North Terminal – reconfiguring Concourses A through D South Terminal – renovating space near Concourse H Central Terminal – building code upgrades MIA Mover Runway and parking improvements Expansion of cargo facilities Upgrade of security systems</p> <p>Delegated Authority This proposed Series 2009 Bond Resolution delegates to the Finance Director the authority to:</p>	

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		<p>(1) sell the Series 2009 bonds through a negotiated private placement provided the true-interest-cost to the County does not exceed 8%;</p> <p>(2) issue the Series 2009 bonds, in one or more tranches (i.e. smaller sub-series) as fixed rate serials bonds or term bonds with maturity dates not to exceed 40 years;</p> <p>(3) cash fund the debt service reserve account;</p> <p>(4) determine redemption provisions and series amounts;</p> <p>(5) negotiate and obtain bond insurance; and</p> <p>(6) appoint Barclays Capital, Inc. as senior manager of the underwriters.</p> <p>BCC's Concerns During the Budget & Finance Committee meeting, held on December 9, 2008, certain committee members expressed concern regarding:</p> <ul style="list-style-type: none"> • deferral of the principal payments until the year 2018 merely for purposes of maintaining a level debt service on outstanding Aviation debt payments, even though this may jeopardize the County's ability to do projects in the future; and • the projected total cost of \$1.2 billion for debt service and operation expenses for outstanding aviation projects by the year 2015, which is double the current amount. <p>Administration's Response In response to the above-noted concerns, the Finance Director noted that the County has elected to postpone paying the principal until the project being financed is completed. It was acknowledged that the cost of debt service, alone, constitutes \$370 million for the year 2012.</p>	
5(F) & 5(G)	Significant Modification of Building Better Communities Bond Program Project No. 30 & 44	<p>5(F)</p> <p>District 8</p> <p>This resolution approves a significant modification to the Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 30-“Redland Fruit and Spice Park Area-Wide Park Improvements.”</p> <p>The Board of County Commissioners (BCC) approved an expenditure of BBC-GOB funds in the amount of \$1,150,000 for land acquisition of 5.5 acres through R-1137 and R-966-07. The original BBC-GOB Project description included: Area-wide park improvements including lake, pergola, pedestrian and vehicular circulation; teahouse and landscaping.</p> <p>However, the original BBC-GOB project description left out “land acquisition” even though funds were set aside for the land acquisition (\$1.5M for 5.5 acres).</p>	

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		<p>According to the County Attorney, a technical correction must be made in the form of a significant modification to include “land acquisition” to the project description.</p> <p>This modification does not alter the scope of the Fruit and Spice Park project nor does it impact the existing funding source amount.</p> <p>If the BCC does not approve this resolution then other funding sources will need to be identified for the land acquisition. According to the Park and Recreation Department (PRD), the only other prospects for funding include Capital Outlay Reserve (COR) and Safe Neighborhood Parks (SNP). Since these funds are already expended, PRD does not expect a grantee to award funds.</p> <p>This resolution was reviewed by the Building Better Communities Citizens’ Advisory Committee at their meeting on June 26, 2008 and forwarded to the BCC with a favorable recommendation.</p> <p>The land acquisition component of this BBC-GOB project will serve to increase park services, expand programming, administrative offices, equipment storage and enhance park visitors’ experience.</p> <p>5(G)</p> <p>District 12</p> <p>This resolution approves a significant modification to the Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 44-“Trail Glades Range-Area Wide Park Improvements.”</p> <p>The Board of County Commissioners (BCC) approved an expenditure of BBC-GOB funds in the amount of \$1,390,000 for land acquisition of 20 acres through R-253-06. The original BBC-GOB Project description included: Area-wide park improvements including building and range construction and renovation, and mitigations.</p> <p>However, the original BBC-GOB project description left out “land acquisition” even though funds were set aside for the land acquisition (\$1.39M for 20 acres).</p> <p>According to the County Attorney, a technical correction must be made in the form of a significant modification to include “land acquisition” to the project description.</p> <p>This modification does not alter the scope of the Trail Glades Range project nor does it impact the existing funding source amount.</p>	

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		<p>If the BCC does not approve this resolution then other funding sources will need to be identified for the land acquisition. According to the Park and Recreation Department (PRD), the only other prospects for funding include Capital Outlay Reserve (COR) and Safe Neighborhood Parks (SNP). Since these funds are already expended, PRD does not expect a grantee to award funds.</p> <p>This resolution was reviewed by the Building Better Communities Citizens’ Advisory Committee at their meeting on June 26, 2008 and forwarded to the BCC with a favorable recommendation.</p> <p>The land acquisition component of this BBC-GOB project will provide for a “Sporting Clay Field” and an additional buffer range activity from adjacent land uses consistent with the Trail Glades Range Master Plan (R-1400-07).</p>	
7(A)	<p>Ordinance Relating to Rules of Procedure Regarding Mayoral Appointment of Interim Acting Department Directors</p> <p>Commissioner Bruno A. Barriero</p>	<p>This ordinance amends Section 2-1 of the Code of Miami-Dade County to specify procedures regarding the Mayor’s appointment of Interim or Acting Department Directors.</p> <p>An interim or acting department director is defined as a person who has been appointed by the Mayor as a department director of an administrative department of the County for a term of six months or less; currently, interim or acting directors do not have to be approved by the Board of County Commissioners (BCC).</p> <p>Currently the standard procedure for appointing a permanent department director is outlined in Section 2-1; which states that the Mayoral appointee must be approved by a majority vote of the BCC at the first BCC meeting following the appointment.</p> <p>The ordinance requires that the Mayor to submit a form to the Clerk’s office on or before 4:30 pm on the date of the appointment.</p> <p>According to the ordinance, the Chairperson of the BCC, at his or her discretion, may place the appointment of an interim or acting department director together with the completed form on the next scheduled Commission agenda under the mayoral reports section; any Commissioner may make a motion to disapprove a mayoral appointment if the appointment is placed on the agenda.</p> <p>If the Chairperson chooses not to place the appointment on the agenda, any Commissioner may appeal without discussion. If at that time the question to appeal the decision of the Chairperson is approved by a majority vote, a motion to disapprove the interim or acting department director will be in order. A 2/3 majority vote for the appointment to be disapproved is required.</p> <p>At the conclusion the term of an interim director or acting director, any reappointment will be subject to the requirements</p>	

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7(B)	Ordinance Relating to Miami-Dade County Manatee Protection Plan Review Committee Commissioner Bruno A. Barriero	of Rule 8.1.01. This ordinance amends Ordinance 07-144 by extending the sunset date of the Miami-Dade County Manatee Protection Plan Review Committee by an additional three months. The additional time is needed to allow the Review Committee to accomplish its purpose and make its final recommendations to the Board of County Commissioners (BCC). Background On October 2, 2007, the BCC adopted Ordinance 07-144 that created the Miami-Dade County Manatee Protection Plan Review Committee for the purpose of providing recommendations to the BCC on amendments, revisions and additions to the Miami-Dade County Manatee Protection Plan.							
7(C)	Ordinance Amending Section 2-1603- Miami-Dade County Sports Commission Prime Sponsor Vice-Chairman Jose “Pepe” Diaz	This ordinance amends Section 2-1603 of the Miami-Dade County Code relating to the Miami-Dade County Sports Commission (Sports Commission). This amendment eliminates the Co-Chairperson elected by the Board of Directors of the Sports Commission. Currently, there are two Chairpersons of the Sports Commission. One Chairperson must be a member of the Board of County Commissioners (BCC) appointed by the BCC Chairperson and the other Chairperson would be elected by the Sports Commission board of directors.	<table border="1" data-bbox="583 917 1797 1458"> <thead> <tr> <th data-bbox="583 917 961 954">Current</th> <th data-bbox="961 917 1392 954">Original</th> <th data-bbox="1392 917 1797 954">Comments</th> </tr> </thead> <tbody> <tr> <td data-bbox="583 954 961 1458"> The governing body is the Executive Committee consisting of twelve (12) voting members. The Executive Committee may select up to 34 additional members for a total of 45 members. </td> <td data-bbox="961 954 1392 1458"> The governing body was a board of directors composed of nine (9) voting members from various organizations and (2) two members of the Board of County Commissioners to serve as non-voting, ex-officio members. </td> <td data-bbox="1392 954 1797 1458"> <i>Ordinance 06-109 adopted on July 6, 2006, allowed the two (2) non-voting BCC members to become voting members; Added one (1) additional voting member to be appointed by the County Mayor; Created the Executive Committee made up of the voting members; Provided for the Executive Committee to select up to 34 additional members for a total of 45 members; Required term limits for the two County Commissioners and the</i> </td> </tr> </tbody> </table>	Current	Original	Comments	The governing body is the Executive Committee consisting of twelve (12) voting members. The Executive Committee may select up to 34 additional members for a total of 45 members.	The governing body was a board of directors composed of nine (9) voting members from various organizations and (2) two members of the Board of County Commissioners to serve as non-voting, ex-officio members.	<i>Ordinance 06-109 adopted on July 6, 2006, allowed the two (2) non-voting BCC members to become voting members; Added one (1) additional voting member to be appointed by the County Mayor; Created the Executive Committee made up of the voting members; Provided for the Executive Committee to select up to 34 additional members for a total of 45 members; Required term limits for the two County Commissioners and the</i>
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<p>FY 2008-09 \$500,000 from the countywide General Fund.</p> <p>Additionally, \$50,000 allocated to support the Miami Football Classic scheduled for September 2009.</p>	<p>The Sports Commission received \$250,000 from the Miami-Dade County Budget annually.</p>	<p><i>Mayoral Appointee.</i></p> <p><i>The FY 2008-09 Proposed Budget recommended \$250,000, however, the County Manager recommended an additional \$250,000 from the countywide General Fund for a total allocation of \$500,000 in FY 2008-09 for operational support. He also recommended an additional \$50,000 be allocated through the Sports Commission to support the Miami Football Classic scheduled for September 2009.</i></p>
<p>N/A</p>	<p>The board of directors shall be committed to using their best efforts to raise additional funds from the private sector in an amount not less than \$250,000 collectively to match the County's fiscal contribution.</p>	<p><i>Removal of the commitment to use best efforts to raise \$250,000 to match the County's contribution.</i></p>

Miami Dade Sports Commission Revenue Sources					
Revenue Sources	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09
Miami-Dade County	\$250,000	\$250,000	\$250,000	\$250,000	\$500,000
Corporate Sponsors	\$5,000	\$95,250	\$167,750	\$173,750	\$200,000
Individual Members	\$950	\$3,200	\$120	\$0	\$20,000
Grants	\$8,000	\$41,500	\$113,000	\$25,000	\$150,000
Events	\$0	\$245,894	\$349,501	\$91,694	\$700,000
Miscellaneous	\$1,882	\$3,264	\$1,774	\$4,015	\$5,000
Total	\$265,832	\$639,108	\$882,145	\$544,459	\$1,575,000

The funding information in the table above provided by the Miami-Dade Sports Commission.

7(D)	Ordinance	This ordinance would amend Chapter 31, Article II of the Code of Miami-Dade	Ordinance 03-45 established a goal of at
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	<p>Relating to Vehicles For-Hire; Amending Chapter 31 of the Code of Miami-Dade County</p> <p><i>Deferral Requested</i></p>	<p>County to provide the following:</p> <ul style="list-style-type: none"> • Wheelchair accessible taxicabs (WAC) serving in designated areas may operate countywide with certain exceptions; and • Requiring WAC to utilize a specified dispatch system. <p>Under the proposed ordinance, a WAC operating in an underserved area may operate countywide upon a payment of \$10,000 to the County by July 1, 2009.</p> <p>Once a WAC is converted to operate countywide it is required to do the following:</p> <ul style="list-style-type: none"> • Be prohibited from providing transportation of persons and their baggage from Miami International Airport (MIA); • Have a two-way radio or electronic dispatch system (installed and operating properly) by June 1, 2010; • The dispatch system must be subscribed to service with a passenger service company that has a fixed base call center operating 24 hours a day, 365 days a year, where a dispatcher may communicate with WAC during all hours of vehicle operation. 	<p>least 3% of all taxicabs to be wheelchair accessible no later than 2006.</p> <p>Currently, there are 65 WAC and 2,080 taxicabs. This represents 3.1% of all taxicabs in Miami-Dade county.</p> <p>There are only 9 WAC licenses that would be impacted if this ordinance were to pass (3 in the south and 6 in the north underserved areas).</p> <p>Fiscal Impact: \$90,000.</p> <p>The 9 WAC licenses issued were sold for \$5,000 each.</p> <p>According to the Consumer Services Department (CSD), it is expected that the passage of this ordinance will not affect the underserved areas since future lotteries are expected to replace taxicabs that are displaced.</p> <p>However, because the lottery medallion process is long, the new lottery medallions expected to replace these taxicabs may not be in service until the end of next year. The amendment to extend the time line for these WAC taxis from April 1, 2009 to July 1, 2009 does not address the gap in service that will affect the underserved areas once the WAC taxis convert to countywide service.</p> <p>According to CSD, the MIA restriction is</p>

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			<p>required because there is no need for additional taxi's at the airport.</p> <p>To ensure the taxis are not going to MIA they will be marked to facilitate enforcement.</p> <p>As of November 5, 2008, the Miami-Dade Consumer Services Department has notified the taxicab industry that they must discontinue collecting a per-trip fuel surcharge since the average price of has remained under \$3.50 per gallon for three consecutive weeks.</p> <p>On June 3, 2008, the Board of County Commissioners approved Ordinance 08-71 that put into effect a fuel surcharge rate in response to fuel price increases affecting the taxicab industry.</p>
7(E)	Ordinance Pertaining to Road Impact Fees	<p>This ordinance updates the cost information used in the Road Impact Fee (RIF) formula found in Section 33E-7 of the Code of Miami-Dade County and the road impact fee schedule found in Section 33E-8 of the Code.</p> <p>The RIF formula and RIF schedule were last updated in 1994; the proposed amendment provides for an automatic annual adjustment to the RIF Schedule.</p> <p>The ordinance includes transitional provisions that provides a five (5) year phase in period of the fee increase and provides a two year window for developments that have filed for plat prior to January 1, 2009 to apply for permits and pay the impact fee at the old rate.</p> <p>During the first year of the increase the fee payer will only be required to pay thirty percent (30%) of the calculated fee, the second year fifty percent (50%), sixty-five percent (65%) in the third year, eighty percent (80%) in the fourth year, ninety percent (90%) in the fifth year and one hundred percent (100%) from then on.</p> <p>The proposed ordinance also repeals the current RIF manual as an ordinance and provides for adoption of a RIF manual as</p>	

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		<p>a resolution.</p> <p>The basic methodology for developing the road impact fee has not changed, except for the addition of the present day cost factor (which provides for an automatic annual adjustment).</p> <p>Background During the September 9, 2008 Governmental Operations and Environment Committee (GOEC) participants of the public hearing requested that an amendment be made to the ordinance that would address how the Development Regional Impact process would be handled in relation to road impact fees.</p> <p>Questions raised at the GOEC are stated below:</p> <ul style="list-style-type: none"> • Whether municipalities could charge mitigation fees that would coincide with the County’s road impact fee for other uses? <p><i>According to the Public Works Department (PWD) staff stated that some municipalities assessed additional impact fees on local roads for different reasons.</i></p> <ul style="list-style-type: none"> • Whether the County could charge a road impact fee for a local road and if a double charge could occur for any road? <p><i>The County Attorney’s Office responded that both the County and the City could not charge an impact fee to improve the same roads; the CAO further clarified that a developer could not receive credit against the County’s impact fee for monies paid to a city, because the city’s fee was directed towards improving its local roads, and the County’s impact fee was directed towards County roads.</i></p> <p>Following the discussion that took place during the September 9, 2008 GOEC meeting, it was concluded that it is possible that a developer could possibly be charged an impact fee by the County and the municipality if the development impacted two separate roads.</p> <p>The item was deferred in order to give committee members an opportunity to review the proposed ordinance; the PWD also stated that the Department would provide information to committee members pertaining to municipalities that charged an additional impact fee.</p> <p>Fiscal Impact: It is estimated that the proposed ordinance will increase RIF revenue by approximately 95 million to 120 million dollars</p>	

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		<p>over the next five (5) years.</p> <p>Comments On December 2, 2008, the Board of County Commissioners adopted an ordinance amending Sections 33E-3, 33E-5 and 33E-12 of the Code of Miami-Dade County that pertain to the Road Impact Fee formula. The ordinance amended the referenced sections by adding “select transit capital improvements” under allowable roadway capacity improvements.</p> <p>During the December 9, 2008, GOEC meeting, that a substitute item was presented to the Committee for consideration to incorporate the recent changes adopted by the Board on December 2, 2008.</p> <p>Question</p> <ul style="list-style-type: none"> • How many plats are currently filed without permit applications? <p><i>According to the Public Works Department, there are hundreds of plats that have been recorded over the past few years.</i></p> <p><i>Those plats that have been recorded have no time limit as to when the development commences or the start of the permitting process will take place.</i></p> <p>Additional Notes Two Senate Bills (SB) have been filed for the 2009 Florida Legislative Session that could possibly impact Miami-Dade County’s ability to collect impact fees.</p> <p>SB 630 filed by Senator Michael Bennett: The bill would put a 3-year moratorium on the collection of impact fees as an economic stimulus effort. The bill does not have a House companion filed at this time.</p> <p>SB 580 filed by Senator Mike Haridopolos: The bill relates to challenges of impact fees and requires that the challenger of an impact fee prove certain elements by a preponderance of the evidence. The bill prohibits a court from using a deferential standard that favors either party to such an action. A House companion bill has been filed (HB 0227) by Representative Gary Aubuchon.</p>	
7(F)	Ordinance Relating to the Safe Neighborhood Parks Ordinance, Citizens Oversight	<p>This ordinance amends section 25B-23 of the Code of Miami-Dade County (Ordinance 96-115) relating to the Safe Neighborhood Parks Citizen’s Oversight Committee (SNPCOC), providing that committee members may be reappointed for more than eight consecutive years without a two year hiatus.</p> <p>Currently, members can serve no longer than eight consecutive years and may be reappointed only after completing a two-year hiatus.</p>	

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	Committee Commissioner Katy Sorenson	<p>The SNPCOC is comprised of thirteen (13) volunteer members one residing in each of the County's Commission Districts, appointed by their respective Commissioner. Responsibilities of the SNPCOC include:</p> <ul style="list-style-type: none"> • oversight of deposits, disbursements of Bond proceeds; • issue solicitations for all grants; • evaluate, disqualify and rank grant proposals; and • recommend grant awards in accordance with the SNP Ordinance. <p>The following members are affected by the current eight year rule:</p> <ul style="list-style-type: none"> ▪ Mary Foehrenbach- District 3 ▪ Martin Mendiola- District 6 ▪ Howard Levrant- District 8 ▪ Daniel Hernandez- District 13 <p>On December 8, 2008, the Recreation and Cultural Affairs Committee directed staff to provide a status report on the remaining projects under the Safe Neighborhood Parks Bond Program to include timelines and project completion dates. As of January 14, 2009, the Office of Capital Improvements and the Parks and Recreation Department are working together to compile this report to be available to the Commissioners before the January 22, 2009 BCC meeting.</p>	
7(G)	Ordinance Providing Emergency Relief for Construction Commissioner Katy Sorenson	<p>This ordinance provides emergency relief for suspended, abandoned construction or work that has not commenced as a result of the current economic crisis in residential and commercial construction. The stop work order suspends the work for a six (6) month period (relief period) and temporarily prevents the expiration of permits. This ordinance also allows the Building Department (Building) to extend the period of abatement beyond the six month period; and in the absence of credit as cause of economic hardship, the issuance of a stop work order may be justified.</p> <ul style="list-style-type: none"> • The ordinance encompasses any new residential or commercial construction with a valid permit issued for the first time on January 1, 2007 or thereafter with an expiration dated on or before June 1, 2009. • Once the relief period expires, the permittee may be reinstated with Building by submitting a reinstatement application and paying \$78.71 for a permit extension fee. • During the relief period, any construction requiring a material change to the building plans or new evaluation, analysis or load calculations will require the issuance of a new permit. 	

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		<p>According to the Building Department Annual Permits Issued Report, during FY 2006-07 there were a total of 70,681 permits issued. Of the 70,681, 8, 410 permits expired. When compared to FY 2007-08, the number of permits issued decreased to 53,754. Of the 53,754, 6,128 permits expired.</p> <p>This proposed ordinance also allows the Board of County Commissioners (BCC) to extend the relief period after June 1, 2009 by resolution.</p> <p>Future and Current costs to the Construction Industry Building implemented a revised fee schedule on October 1, 2008, which increased fees by 25 percent. The Florida Building Commission will be releasing the updated 2007 Florida Building Code on March 1, 2009. According to Building staff, the wind load provisions in the 2007 Florida Building Code may provide stringent components that must be implemented for new construction, and may increase construction costs and delays for the industry.</p> <p>The expiration of a building permit is costly and this provides temporary relief to the permittee; however, once the relief period expires, the revised Building fees and Florida Building Code provisions will apply.</p> <p>Comments On May 5, 2008, the County Manager provided the BCC with a report highlighting the current national economic conditions and the potential local economic impacts. The report revealed that activity in the residential construction and real estate sectors has been contracting for some time now with no signs of a turnaround. Specifically, residential construction authorized by permits was down by 86 percent in the fourth quarter of 2007 when compared to 2006.</p> <p>According to new September 2008 unemployment figures by the Beacon Council, the construction sector continued to decrease by 16.9 percent between September 2007 and September 2008.</p> <p>National Figures: A recent report by the U.S. Census Bureau and the Department of Housing and Urban Development states that, privately-owned housing units authorized by building permits in September 2008 were at a seasonally adjusted annual rate of 786,000. This is an 8.3 percent ($\pm 1.6\%$) below the revised August rate of 857,000 and is a 38.4 percent ($\pm 1.6\%$) below the revised September 2007 estimate of 1,277,000. Single-family authorizations in September were at a rate of 532,000; this is a 3.8 percent ($\pm 1.6\%$) below the August figure of 553,000. Authorizations of units in buildings with five units or more were at a rate of 225,000 in September.</p>	
7(H)	Ordinance Pertaining to Airport Zoning Regulations	<p>This proposed ordinance amends the Zoning Code to regulate non-aviation related development on Opa-Locka Airport lands consistent with the Comprehensive Development Master Plan.</p> <p>It provides that warehouses, storage showrooms, printing shops and any other industrial use permitted in portions of the</p>	

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	<i>Deferral Requested</i>	<p>airport that are designated for non-aviation related uses will be subject to the site development standards of the IU-1 zoning district. Office buildings, retail sales, restaurants, personal service establishments and any other business use that is located on the non-aviation portions of the airport will be subject to the site developments of the BU-1A district.</p> <p>Each non-aviation related use should comply with applicable law, including Federal Aviation Administration (FAA) regulations and the current airport layout plan on file with the Miami-Dade County Aviation Department. The proposed ordinance designates portions of the airport for non-aviation uses to be areas that are not restricted to the public and that are compatible with airport operation and consistent with applicable law. It also deletes language requiring that a percent of the land area for non-aviation uses be developed with aviation related uses or uses that directly support airport operations.</p> <p>Comments The Comprehensive Development Master Plan (CDMP) states that lands owned by the County at the Opa-Locka Executive Airport (OPF) may be developed for both airside and landside uses provided such uses comply with the CDMP requirements, are compatible with airport operations and comply with Federal Aviation Administration (FAA) regulations. The CDMP also includes limitations on the types and percentages of uses at the airport.</p> <p>Ordinance 06-20 was adopted at the February 7, 2006, Board of County Commissioners (BCC) meeting, amending the Zoning Code to and creating Section 33-363.1 pertaining to OPF airport zoning. Ordinance 06-20 removes the government-only restricted use providing for certain additional public airport uses in the GP Zoning District at OPF. According to the February 7, 2008, General Aviation Airports Development Status Memorandum (Memo) provided by the County Manager, MDAD has entered into three major long-term third-party development leases for mixed-use developments of both aviation and non-aviation uses at OPF.</p>	
8(A)1(A)	Retroactive First Amendment, Prepaid Phone Cards Vending machines at MIA-Latin American Enterprises, Inc.	<p>This resolution approves a Retroactive First Amendment to the Agreement for Prepaid Phone Card Vending Machines at Miami International Airport (MIA) with Latin American Enterprises, Inc. (LAE) to allow for the continuation of the phone card services at MIA.</p> <p>Under the Retroactive First Amendment, the Minimum Annual Guarantee (MAG) has been revised for the third year as follows: Effective May, June & July 2008- \$32,527.08 per month (\$390,325 annual) for 13 machines; and Effective August 1, 2008 through the conclusion March 2009- \$45,833.33 per month (\$550,000 annual) for a total of 26 machines.</p> <p>Additionally, this amendment deletes Section 11.01, the “Termination for Abandonment” contract provision.</p>	

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		<p>Background The Board of County Commissioners adopted Resolution No. 208-06 on February 21, 2006 awarding the prepaid phone card vending machine agreements to LAE and Communitel/WTN, a joint venture. The agreements were for three (3) year terms with 20 machines for each vendor for a total of 40 machines.</p> <p>Each agreement required a MAG of: Year 1 MAG: \$250,500 Year 2 MAG: \$250,500 Year 3 MAG: \$600,500</p> <p>According to MDAD, LAE and Communitel approached MDAD about not being able to pay the Year 3 MAG, while Communitel voluntarily ceased operations effective May 5, 2008. LAE was interested in negotiating a settlement with MDAD. LAE agreed to pay the full amount if the Board of County Commissioners (BCC) did not approve the First Amendment. However, LAE also stated they would not be able to remain in business paying \$600,500. MDAD agreed to seek BCC approval for LAE to pay a MAG of \$550,000 for 26 machines for the remainder of the contract which expires on March 2009. Effective August 1, 2008, LAE began paying a MAG of \$550,000.</p> <ul style="list-style-type: none"> • <i>Why wasn't this brought before the BCC in June after MDAD was made aware of LAE's inability to meet their financial obligation?</i> <p>What is customer satisfaction with this service? What is this vendor's performance level? Currently, all customer complaints are resolved through the vendor's customer service phone provider or resolved by MDAD Terminal Operations Staff. The vendor has submitted a customer service program to improve customer service and according to MDAD, the vendor's performance level has proven satisfactory.</p> <p>Does MDAD lower MAG's for other tenants when they have financial problems? If yes, who has MDAD lowered the MAG for previously? MDAD has not lowered the MAG for other tenants. A settlement was done for this vendor pending board approval.</p> <p>Why does the vendor feel they will be able to meet the \$550,000 by March 2009? The vendor feels that if their machines are placed in strategic locations, they can meet the MAG. LAE has been given an opportunity to place the machines in locations that would allow to them generate sales.</p>	
8(A)1(B)	Award Agreement for Zone 2 Janitorial Services to N&K	This resolution approves the award of a Janitorial Services Agreement for Zone 2 (non-terminal property at Miami International Airport) to N & K Enterprises, Inc. in the amount of \$2,495,469 for three (3) years with five (5) one (1) year renewal options.	

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	Enterprises- \$2,495,469	<p>On April 8, 2008, the Board of County Commissioners (BCC) adopted Resolution No. 391-08 approving the advertisement of the Request for proposals for Janitorial Services for Miami Dade Aviation Department (MDAD).</p> <p>The current provider, N & K, was the first ranked proposer, received the highest technical score and provided the lowest price at \$2,130,596.</p> <ul style="list-style-type: none"> • <i>Why is the contract award for \$364,873 over the lowest proposed price? See 8(A)1(B) Supplemental Information.</i> <p>The Living Wage does apply to this contract and the current Living Wage amount is \$12.95 per hour inclusive of an insurance benefit portion valued at \$1.64.</p>	
8(A)1(B) & Supp.	Supplemental Information & Signed Collusion Affidavits for the three (3) Janitorial Services contracts: UNICCO (Zone 1) N & K (Zone 2) VISTA (Zone 3)	<p>The contract award for the three (3) janitorial services contracts varies from the proposer's price because the contract amount is based on the budget estimate for the first year of the contract, which includes fixed costs as well as certain direct, reimbursable expenses such as health insurance, employee parking (not included for VISTA- Zone 3), employee identification badges, high window washing and security sensitive document destruction (for UNICCO- Zone 1 only). <i>The proposer's price proposals establish the rate for the fixed costs only.</i></p> <p>Additionally, an allowance is included for the cost of cleaning future additional square footage in the North Terminal as it becomes available.</p>	
8(A)1(C)	Award Agreement for Zone 3 Janitorial Services to Vista Building Maintenance Services- \$2,404,125	<p>This resolution approves the award of a Janitorial Services Agreement for Zone 3 (non-terminal property at Miami International Airport and General Aviation Airports) to Vista Building Management Services, Inc. in the amount of \$2,404,125 for three (3) years with five (5) one (1) year renewal options.</p> <p>On April 8, 2008, the Board of County Commissioners (BCC) adopted Resolution No. 391-08 approving the advertisement of the Request for proposals for Janitorial Services for the Miami Dade Aviation Department (MDAD).</p> <p>The current provider, Vista, was the first ranked proposer, received the highest technical score and provided the lowest price at \$2,038,116.60.</p> <ul style="list-style-type: none"> • <i>Why is the contract award for \$366,008 more than the lowest proposed price? See 8(A)1(B) Supplemental Information.</i> <p>The Living Wage does apply to this contract and the current Living Wage amount is \$12.95 per hour inclusive of an insurance benefit portion valued at \$1.64.</p>	

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8(A)1(D)	Award Agreement for Zone 1 Janitorial Services to UNICCO Service Company- \$21,581,640	<p>This resolution approves the award of a Janitorial Services Agreement for Zone 1 (terminal building) at Miami International Airport (MIA) to UNICCO Service Company d/b/a UGL Unicco in the amount of \$21,581,640 for three (3) years with five (5) one (1) year renewal options.</p> <p>On April 8, 2008, the Board of County Commissioners (BCC) adopted Resolution No. 391-08 approving the advertisement of the Request for proposals for Janitorial Services for the Miami Dade Aviation Department (MDAD).</p> <p>The FY 2008-09 budgeted amount for this contract is \$22,975,882.</p> <p>The current provider, UNICCO, was the first ranked proposer, received the highest technical score but did not provide the lowest price at \$18,047,906.76, the third ranked proposer, ISS Facility Services, Inc. d/b/a BG Service Solutions, proposed the lowest price at \$17,768,195.21 but received 100 points less than UNICCO in the overall score.</p> <ul style="list-style-type: none"> • <i>Why is the contract award for \$3,533,733 more than the lowest proposed price? See 8(A)1(B) Supplemental Information.</i> <p>Although there were issues regarding the indemnification requirements, during the negotiations of this contract, the issues were resolved through the development of a more inclusionary operational process at MIA to notify UNICCO when accidents occur and no changes were made to the original contract indemnification clause.</p> <p>The Living Wage does apply to this contract and the current Living Wage amount is \$12.95 per hour inclusive of an insurance benefit portion valued at \$1.64.</p> <p>The contract established a 10% SBE goal. However, 11.672% SBE goal has been achieved through the following subcontractors: 9.581% Total Connection, Inc.*- \$1,729,237; and 2.091% Quality Steamer**- \$377,410</p> <p>*According to the Miami-Dade County Department of Small Business Development Certified Firms List as of January 15, 2009, the SBE certification for Total Connection expires on February 28, 2009. According to SBD, they have not received a re-certification application.</p>	

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		<p><u>**Staff reports that , the corporation’s name should be listed as “Quality Steemer” not “Quality Steamer” as it appears on the memorandum, resolution and other contract documentation. Quality Steemer is certified and an active corporation. This will be noted and changed at the BCC meeting.</u></p>	
8(A)1(E)	Award to TGSV for the Construction of the Opa-locka Executive Airport Air Traffic Control Tower- \$10,598,332	<p>This resolution approves the contract award recommendation to TGSV Enterprises Inc. for the construction of the Opa Locka Air Traffic Control Tower in the amount not to exceed \$10,598,332.</p> <p>This project consists of the construction of a new air traffic control tower at the Opa Locka Executive Airport including a ground support building and parking, all enclosed by a chain-linked fence, and all attendant, electrical, mechanical, and plumbing.</p> <p>The funding source for this project is made up of FAA Grants, FDOT Grants and MDAD Airport Improvement Funds.</p> <p>The contract term is 18 months with 16% (\$1,328,452) DBE contract measure and 10% (\$961,300) CWP contract measure.</p> <p>The subcontractors and suppliers selected are: Solares Electrical, Inc. 8.7% (\$920,000) Peoples Plumbing, Inc. 1.8% (\$188,655) Comfort Tech Air Conditioning* 5.6% (\$589,000)</p> <ul style="list-style-type: none"> • *The Department of Small Business Development Violations Report dated 12/1/08 lists five (5) closed violations for Comfort Tech Air Conditioning. <p>Previous Legislation:</p> <ul style="list-style-type: none"> • R-834-08-The Miami-Dade Aviation Department (MDAD) seeks approval of a resolution ratifying the County Manager’s acceptance and execution of a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$3,871,000. • R-1205-07- This resolution authorizes the Mayor or his designee to execute the Supplemental Agreement No. 1 to the Other Transaction Agreement (OTA) between Miami-Dade County and the Federal Aviation Administration (FAA), for the construction and equipping of a new Airport Traffic Control Tower (ATCT) facility that will be owned and operated by the County for the Opa-locka Executive Airport. • R-496-06, the Board of County Commissioners entered into an OTA with the FAA for this project expecting the County’s contribution to be approximately \$4.9 million, the FAA’s portion was \$2.5 million and FDOT funding anticipated at the maximum level of \$3,463,181. However, Supplemental Agreement No. 1 (R-1205-07) provides \$4.2 million (congressionally designated funding) in additional funds bringing the total federal funding for the ATCT project to \$6.7 million. 	

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		<p>Questions The item lists the following four funding sources for this project:</p> <table border="1" data-bbox="961 298 1486 574"> <thead> <tr> <th>Funding Source</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>FAA Grant</td> <td>\$6,700,000</td> </tr> <tr> <td>Balance Unfunded by FAA</td> <td>\$6,027,000</td> </tr> <tr> <td>FDOT Grant 50% of unfunded balance</td> <td>\$2,938,500</td> </tr> <tr> <td>MDAD Airport Improvement Funds</td> <td>\$2,938,500</td> </tr> </tbody> </table>	Funding Source	Amount	FAA Grant	\$6,700,000	Balance Unfunded by FAA	\$6,027,000	FDOT Grant 50% of unfunded balance	\$2,938,500	MDAD Airport Improvement Funds	\$2,938,500	<ul style="list-style-type: none"> • Why is there a discrepancy between the cost of the project and the total funding amount? • Does the department expect to receive all of the funds listed?
Funding Source	Amount												
FAA Grant	\$6,700,000												
Balance Unfunded by FAA	\$6,027,000												
FDOT Grant 50% of unfunded balance	\$2,938,500												
MDAD Airport Improvement Funds	\$2,938,500												
8(A)1(F)	Award to ABC Construction for the Fire Alarm and Sprinkler System- \$3,302,703	<p>This resolution approves a contract award to ABC Construction, Inc. for the construction of the Fire Alarm & Sprinkler System Miami International Airport (MIA) Front Terminal and Concourse D-H, in the amount of \$3,302,703.</p> <p>The contract measures established for this project are: CSBE- 25.20% (\$754,903) CWP- 10% (\$299,565)</p> <p>The subcontractors and suppliers selected are: Statewide Electrical 15.7% (\$470,316) ABC Construction 9.5% (\$284,587)</p> <p>The Department of Small Business Development Violations Report dated 12/1/08 lists one closed violation for Statewide Electrical for submittal of inaccurate payrolls.</p>											
8(A)1(G)	Award to Newlink/Adler Airport Dev. Group for Retail Concession Package 1- MAG \$1,800,000	<p>This resolution approves a Lease and Concession Agreement to NewsLink/Adler Airport Development Group LLC for Retail Concessions Program 2008 Package 1.</p> <p>The joint venture consists of NewsLink of South Florida, LLC and Adler Realty Services, LLC and was filed with the Florida Department of State Division of Corporations on July 8, 2008.</p> <p>The RFP for Retail Concessions Program was advertised on May 5, 2008.</p> <p>The Minimum Annual Guarantee (MAG) is \$1,800,000 and the term of the contract is eight (8) years with one (1) two-year term.</p>											

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		<p>Package 1 consists of six (6) retail locations which include, one specialty gift shop, one jewelry, watches & accessories, two fashion apparel & accessories and two news/books in the North Terminal.</p> <p>The goal is 30% Airport Concession Disadvantaged Business Enterprise (ACDBE) Program. The measure achieved is 39.3%.</p>	
8(A)1(H)	Award to AMS-TEL Miami JV for Retail Concession Package 2- MAG \$2,821,220	<p>This resolution approves a Lease and Concession Agreement to AMS-TEI Miami JV for Retail Concessions Program 2008 Package 2.</p> <p>The RFP for Retail Concessions Program was advertised on May 5, 2008.</p> <p>The Minimum Annual Guarantee (MAG) is \$2,821,110 and the term of the contract is eight (8) years with one (1) two (2) year term.</p> <p>Package 2 consists of six (6) retail locations which include, one entertainment & electronics, two news/books, two specialty gift shops and one fashion apparel & accessories in the North Terminal.</p> <p>The goal is 30% Airport Concession Disadvantaged Business Enterprise (ACDBE) Program. The measure achieved is 30%.</p>	938 248 938 521
8(A)1(I)	First Amendment, Wireless High Fidelity (WI-FI) System Provider at Miami International Airport Between Miami-Dade County and Electronic Media Systems, Inc. (EMS)	<p>This item approves an amendment to non-exclusive exclusive License Agreement for the WI-FI system provider at Miami International Airport (MIA).</p> <p>This item makes the following amendments to the current license agreement between Miami-Dade County and Electronic Media Systems, Inc. (EMS):</p> <ul style="list-style-type: none"> • Adjusts the Performance Bond from \$472,644.31 to \$300,000. • Adjusts the security deposit from \$157,548.14 to \$100,000. • The amendment provides that the amounts for the Performance Bond and the Security Deposit “shall be adjusted as necessary to reflect any increase or decrease in the revenue.” <p>Background</p> <p>On May 6, 2008, the Board of County Commissioners awarded the contract to provide WI-FI services at MIA to EMS (R-461-08). According to the agreement, the County receives a monthly fee of 65% of the gross monthly revenues generated by the WI-FI service, and 50% of all advertising revenue derived from the contract. The term of the contract is 5 years with one option to renew for an additional 2 years. The amendment proposed in this item will not impact the contract term.</p> <p>According to staff, the proposed modifications to the contract reflect the economic downturn in the national and local</p>	938 521 938 901

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		<p>economy which has negatively impacted the revenue on this contract.</p> <p>MIA passengers can access the Internet in the North, Central and South Terminals of MIA by utilizing the WI-FI system for a fee. This amendment will not affect the pricing schedule to access WI-FI. The pricing schedule is:</p> <ul style="list-style-type: none"> • \$4.95 for 30 minutes • \$0.25 each minute over 30 minutes • \$7.95 for 24 hours <p>Project: Non-Exclusive Wireless High Fidelity (WI-FI) System Provider at Miami International Airport</p> <p>Project Location: Miami International Airport</p> <p>Term: Five years, with one, 2-year option to renew</p> <p>Contract Measure: Airport Concession Disadvantaged Business Enterprise (ACDBE) participation was voluntary for this project.</p> <p>EMS committed to utilizing the following ACDBE firms:</p> <ul style="list-style-type: none"> • The Himmer Group, LLC – 15% • LMG Worldwide PR, LLC – 5% <p>Company Principals: H. Scott Phillips, President and CEO Sarah J. Phillips, Secretary</p>	
8(A)1(J)	Award Recommendation to Honeywell International, Inc.	<p>This item approves a contract award to Honeywell International, Inc., in the amount of \$65,041,042.22 for the Building Management System (BMS) at Miami International Airport and General Aviation Airports. This item also approves a waiver of competitive bidding procedures specified in § 2-8.1 of the Code of Miami-Dade County and § 5.03(D) of the Home Rule Charter.</p> <p>This item also authorizes the Mayor or his designee to negotiate an alternate indemnification clause what is currently included in the contract, which would be subject to ratification by the Board of County Commissioners.</p> <p>Project Location: Miami International Airport and General Aviation Airports</p> <p>Term of Agreement: 10 years</p> <p>Options to Renew: N/A</p>	

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		<p>Contract Amount: \$65,041,042.22</p> <p>Contract Measures: DBE Subcontractor Goal: 12.6% with an estimated value of \$8,195,171</p> <p>Community Workforce Program: 10%</p> <p>Company Principals: David Cote, Larry Kittleberger, Thomas Larkins, James Gelly.</p> <p>Company Address: 3261 Executive Way, Miramar, Fl.</p>	
8(A)1(K) & Supp.	Change Order No. 1 to MIA South Terminal Dual Taxiway in the Amount of \$627,655 with Marks Brothers, Inc.	<p>This resolution approves Change Order No. 1 to the contract with Marks Brothers, Inc. increasing the total contract amount by \$627,655 for an adjusted contract amount of \$11,688,081.63 which remains within the project budget.</p> <p>The purpose of this change order is to replenish the Allowance Account for Environmental Remediation work performed for the dewatering and treatment of contaminated groundwater and the transportation and disposal of non-hazardous soil encountered during the installation of the jet fuel system pipes that was unforeseen when the project began.</p> <p>The Notice to Proceed was issued on February 11, 2008, and according to Miami Dade Aviation Department (MDAD) staff, the project is 48% complete.</p> <p>The contract measure applicable to this project is a 16% DBE subcontractor goal, of which 8% (\$895,793) actual DBE participation has been achieved.</p> <p>The funding source for this project is airport revenue bonds and FAA grant funds.</p>	
8(C)1(A)	Transfer of Passenger Motor Carrier Certificate (PMC)	<p>This resolution transfers the PMC No. 320 from Tours in the Sun, Inc. to Miami Tours LLC.</p> <p>Per Section 31-103(m) of the County Code, Board of County Commissioners' approval for processing is required of transfer applications if the Board believes it serves the public interest.</p> <p>This serves the public interest by ensuring the continued availability of safe, high quality transportation service options to the public.</p> <p>Tours in the Sun, Inc. is a new service provider and there is no enforcement history within the last five years. Consumer Services Department will be responsible for monitoring this company.</p>	<p><i>Total price of the PMC certificate transfer is \$15,000</i></p> <p>Miami Tours LLC is located at 14050 Biscayne Boulevard, #518, Miami, Florida.</p> <p>Miami Tours LLC principals include: Angel Barroeta, Alexander Saavedra, Prado Franklin, Andres Viteri, Mario Campagna and Enrique Zorilla.</p>

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8(E)1(A)	Authorization of the Release of Surplus Tax Deed Sale Proceeds to Eleodoro Gonzalez	<p>This resolution authorizes the release of net proceeds, in the amount of \$335,764.17, to Eleodoro Gonzalez, who holds the title to land identified as Folio No 30-4914-002-0361, which was sold at public auction for unpaid taxes owed.</p> <p>Background Under § 197.582, Fla. Stat. (2008), proceeds in excess of the amount required to satisfy unpaid delinquent property taxes (and fees and other costs incurred) are to be paid to the person who holds or acquired title to the land sold. On August 10, 2006, the County auctioned off real property, land identified as Folio No 30-4914-002-0361, for unpaid delinquent taxes. This resolution would release the excess proceeds to Eleodoro Gonzalez, the title holder of record.</p>	
8(E)1(B)	Resolution Rescinding the County's Former Investment Policy and Approving a New Investment Policy for Public Funds	<p>This resolution rescinds the County's former investment policy and approves a new investment policy for all County funds including the General Fund, Debt Service funds, Capital Project funds, Water & Sewer funds, Aviation funds, Housing funds, Trust & Agency funds, Special Revenue funds, and other funds held by or for the benefit of the County.</p> <p>Background The County's existing investment policy, as adopted in September 2004, establishes investment goals, responsibilities, strategies, internal controls, operational procedures, and performance measures for all funds held by or for the County. However, in response to the current and future uncertainties in the financial markets, the Finance Department is seeking the Board of County Commissioners' approval to revise the existing investment policy to include certain precautionary measures which will minimize the risk or loss of the County's investment.</p> <p>Modifications The proposed new investment policy, which follows the current primary investment procedures and principles as authorized by § 218.415, Fla. Stat., clarifies investment strategies, performance measurement, authorized investments and portfolio composition. Specifically, the proposed revisions:</p> <ul style="list-style-type: none"> • remove the cap on the maximum percentage of the total portfolio that may be invested in federal agencies or instrumentalities; • add, as permissible investments, municipal securities issued by the federal, state or local governments; • change the benchmarks used to evaluate the riskiness of County transactions by eliminating the State Board of Administration Local Government Trust Fund as the benchmark for measuring the County's return on investments, and substituting the six-month average of the 180-day Treasury Bill (considered the least risky investment available) as the new benchmark; • require commercial paper investments to have the highest letter or numerical rating from at least 2 rating agencies; and, • require municipal securities, issued by federal, state or local governments, to have a credit rating of AA or better assigned by 2 or more credit rating agencies at the time of purchase. 	

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		<p>Floor Amendments During the December 9, 2008 Budget & Finance Committee meeting, the County's Investment Policy was amended to include qualifying provisions which would require, as a prerequisite to investing decisions, a briefing of the Board of County Commissioners (BCC) as to whether re-investing in the State Board of Administration's Local Government Funds Trust Fund has been determined to be a sound measure, and the BCC's approval to re-invest prior to investing.</p> <p>BCC Concerns Also during the December 9th committee meeting, Budget & Finance Committee members expressed concern as to: the method of receiving economic information from the Administration; the lack of expert panel presentations before the BCC regarding projections on the state of the local economy; the infrequency of revenue estimating conferences (other than during the budget session); and the failure to implement additional economic outlook briefings at each BCC meetings other than periodically.</p> <p>In response to above concerns, the Administration noted: (1) the County's Economic Policy Coordinator provides written and oral economic outlook updates every 2 weeks; (2) each quarter, an economic summary is published which includes the status of revenue collections; and (3) the Administration is willing to increase the number of briefings provided to the BCC.</p>	
8(E)1(C)	Authorization of the Release of Surplus Tax Deed Sale Proceeds to Carrie Berger Rosenthal	<p>This resolution authorizes the release of net proceeds, in the amount of \$234,364.80, to Carrie Berger Rosenthal, who holds the title to land identified as Folio No. 28-2202-028-0630 (Mystic Point Tower 400, Condominium Unit 2802), which was sold at public auction for unpaid taxes owed.</p> <p>Background Under § 197.582, Fla. Stat. (2008), proceeds in excess of the amount required to satisfy unpaid delinquent property taxes (and fees and other costs incurred) are to be paid to the person who holds or acquired title to the land sold. On November 2, 2006, the County auctioned off real property, land identified as Folio No. 28-2202-028-0630, for unpaid delinquent taxes. This resolution would release the excess proceeds to Carrie Berger Rosenthal, the title holder of record.</p>	
8(E)1(D)	Resolution Authorizing the Extension of the Bond Counsel Pool, Authority Bond Counsel Pool and Disclosure Counsel Pool	<p>This resolution authorizes the extension of existing County contracts with 3 pools of law firms which serve as bond counsel, authority counsel and disclosure counsel. The extension of time would consist of either a 6- month period or until a new pool is established, which ever occurs first. It is anticipated that the recommendation for new pools will be presented to the Board of County Commissioners by April 2009.</p> <p>Background On February 3, 2004, the County selected 3 pools of law firms through a competitive process to serve as the County's bond counsel, authority counsel</p>	<p>County Policy on Diversity and Local Experience In prior legislation (R-489-03), the County has urged senior law firms, responding to RFQ, to consider utilizing a minority associate counsel with offices in Miami-Dade County for purposes of promoting the development of small and local firms. (See also: Former County Manager Steve</p>

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		<p>and disclosure counsel. The firms were selected to serve a 1 year period with 4 one-year options for renewal. The initial contract period combined with the renewal periods will expire in February 2009. Due to a delay in finalizing and publishing the Request for Qualifications for each pool, a 6 –month extension of time is sought or sufficient time is requested to establish a new pool for each pool.</p> <p>Specifics Each single pool, listed below, is comprised of three nationally recognized law firms which have formed joint ventures with local bond counsel firms with gross annual revenues of \$5 million or less.</p> <p><u>Bond Counsel Pool</u></p> <ul style="list-style-type: none"> • Squire, Saunders & Dempsey, LLP with Know Seaton (p/k/a The Knox Firm) • Greenberg Traurig PA with Edwards & Associates, P.A. • Vacant (formerly filled by Holland & Knight LLP and Law Office of Steve E. Bullock, P.A.) <p><u>Authority Counsel Pool</u></p> <ul style="list-style-type: none"> • Adorno & Yoss, PA with Clyne & Self, P.A. • Foley & Lardnre, LLP with Richard Kuper, P.A. • Bryant Miller & Olive, PA with Manuel Alonso-Poch, P.A. <p><u>Disclosure Counsel Pool</u></p> <ul style="list-style-type: none"> • Hogan & Hartson, LLP with McGhee & Associates and Jose A Villalobos, P.A. • Edwards Angell Palmer Dodge, LLP (p/k/a/ Edwards & Angel) with Rasco, Reininger, Perez, Esquenazi & Vigil, PL (p/k/a Rasco Reninger Perez & Esquenazi, PL) 	<p>Shiver’s Memo entitled “Status Of Minority Make-Up External Audit Contract,” at pages 2-4, issued 5/15/2003)</p> <p>The Role of Bond Counsel, Authority Counsel and Disclosure Counsel County Bond Counsel is responsible for structuring the County’s bond transactions; rendering a tax exempt opinion that will be accepted by the market place as Bond Counsel for negotiated and competitively bid bond transactions; and, serving as special counsel to the County on public finance matters involving the County or any of its departments.</p> <p>Authority Bond Counsel is responsible for bond transactions for the County’s peripheral authorities, and serves as the authorities’ staff counsel, which includes responding to questions posed by the authorities involving public finance issues.</p> <p>Disclosure counsel provides legal counsel on all negotiated and competitively bid bond transactions on a rotating basis with Bond Counsel, which includes the preparation of the Preliminary and Final Official Statements and any negotiations with the underwriters with respect to any disclosure issues. In addition, disclosure counsel serves as a SEC compliance counsel. (Source: R-489-03)</p>

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			<p>OCA Notations The Administration has not identified the estimated cost of extending the contractual period. Legal counsel fees will be paid from the bond proceeds.</p> <p>It is presumed that all current Bond Counsel are listed in the Bond Buyer's Municipal Bond Attorney book, also known as the Red Book.</p>
8(F)1(A)	Lease Agreement for the Miami-Dade Fire Rescue Department	<p>District 9</p> <p>This resolution authorizes the execution of a Lease Agreement with Pinelands Airport Center, Ltd. The premises will be utilized by the Miami-Dade Fire Rescue Department for office and warehouse space to store operational equipment.</p> <p>In addition, this resolution authorizes the County Mayor or his designee, upon the execution of this Lease Agreement, to exercise the cancellation provision and the one additional one-year renewal option period.</p> <p>Property: 13428 S.W. 131 Street, Miami Owner: Pinelands Airport Center, Ltd.</p> <p>Company Principal: General Partner: P.A.C., LLC – Seth H. Feldman – 100%</p> <p>Use: 3,000 rentable sq. ft. consisting of 400 sq. ft. of air-conditioned office space and 2,600 sq. ft. of warehouse space.</p> <p>Lease Term: Two years with one additional one-year renewal option period.</p> <p>Rental Rate: The annual rent for the first year is \$27,480.00, which is equal to \$9.16 per square foot. Annual rent for the second year is \$28,860.00, which is equal to \$9.62 per square foot. The annual rent for the renewal option, will increase by five percent (5%) over the prior year's base rent. The total cost to the County for the first year is \$33,829.20. The total cost includes electric, janitorial and a lease management fee.</p> <p>Lease Conditions: The Landlord shall be responsible for repairs or replacements to the HVAC serving the office area, all water and waste disposal services, lawn maintenance, trash disposal services, roof, plumbing and structural elements. The Tenant is responsible for electricity, janitorial and custodial services. The Tenant, at its expense, may install and maintain</p>	

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		<p>an air-conditioning unit to service the warehouse area.</p> <p>No record of negative performance was found for Pinelands Airport Center, Ltd.</p>	
8(J)1(A)	<p>Contract Award Recommendation for Orange Line Phase I – MIC-Earlington Heights Connector Metrorail</p>	<p>This resolution approves a contract award to Odebrecht-Tower Community Joint Venture in the amount of \$360,405,395 for the construction of the Orange Line Phase I – Miami Intermodal Center (MIC)-Earlington Heights Connector Metrorail Extension project.</p> <p>Project Description: The Miami Intermodal Center (MIC)/Earlington Heights Corridor is a 2.4-mile extension of the Metrorail system from the existing Earlington Heights Station at N.W. 22nd Avenue and N.W. 41st Street, along State Road 112, to the MIC near Miami International Airport (MIA).</p> <p>Tracking/Monitoring: Odebrecht-Tower Community Joint Venture is a joint venture comprising Odebrecht Construction, Inc., The Tower Group, Inc., and Community Asphalt, Inc. This joint venture has no contractual history with the County; however, the various companies which comprise this joint venture have individually been awarded County contracts. The firm history of these various companies is as follows:</p> <p><u>Odebrecht Contractors of Florida, Inc.</u> – This company has had experience with Miami-Dade County as Parsons/Odebrecht Joint Venture (POJV) with contract awards to construct the MIA’s South Terminal, \$202,054,215.43; MIA North Terminal, \$1,045,501,216; MIA Mover, \$342,278,032.15; and MIA A-B Infill, \$9,838,764.</p> <p>Aviation Department is working with POJV to resolve certified project claims to avoid a potential lawsuit between POJV and the County.</p> <p>The Department of Small Business Development reports that this company had two closed violations.</p> <p>The County rated this firm as satisfactory and “on schedule” for its work on the South and North Terminal projects.</p> <p><u>The Tower Group, Inc.</u> – This company’s experience with Miami-Dade County</p>	<p>Subcontractors and suppliers which will be utilized for this project include:</p> <ul style="list-style-type: none"> • Maytin Engineering Corp. • Lanier Steel Products, Inc. • D.K.G. & Associates, Ltd. • I & C Earthmovers, Corp. • Roberts Traffic Marking Corp. • J. Mori Painting Inc. • Barreiro Concrete Corporation • Peoples Plumbing Inc. • Construct Group Corp. • Eastern Rail Corp. • B&C Transit Consultants, Inc. • Infinity Construction Services, Inc. • Railworks Track Systems, Inc. • Mass. Electric Construction Co. • Aldridge Electric, Inc. • Union Switch and Signal • Strantec Consulting Services, Inc. • GE Transportation Systems Global Signalizing, LLC • Siemens Transportation Systems, Inc. • Powell Electrical Systems, Inc.

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		<p>includes contract awards for the South Miami-Dade Cultural Center, \$40,734,490.</p> <p>The firm has an overall performance score of 2.1 out of 4.0 for its work on the South Dade Performing Arts Center.</p> <p>During the Dec. 10, 2008, Transit Committee meeting, concern was raised regarding this company's ability to complete the work related to this contract given its ongoing work on the South Dade Performing Arts Center.</p> <p>According to a report from the Office of the Inspector General (OIG) dated Jan. 5, 2009, the OIG found that the South Dade Performing Arts Center is delayed 431 calendar days beyond its contractual completion date. The OIG also found that "Tower's project management may be lacking as reflected in the continuous project schedule slippage and the inaccuracy of its progress reporting versus actual work."</p> <p><u>Community Asphalt, Inc.</u> – This company's experience with Miami-Dade County includes contract awards for roadway improvements along N.E. 2 Avenue from N.E. 91 Street to N.E. 105 Street, \$8,314,420.12.</p> <p>According to the Department of Small Business Development, Community Asphalt has three closed violations.</p> <p>This firm scored an average performance rating of 3.3 out of a possible 4.0 for its previous work with the County.</p> <p>Delegation of Work Odebrecht-Tower Community Joint Venture will be the prime contractor on this project with the Tower Group constructing the Metromover station area, and Community Asphalt assuming a majority of the roadway work.</p> <p>Potential Project Issues According to staff, the proposed contract contains a provision regarding liquidated damages for any delays on this project caused by Odebrecht.</p> <p>Also included in the contract is the requirement of performance and payments</p>	

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		<p>bonds which would be used to address any situation wherein subcontractors and suppliers were not paid or the contractor did not complete its work.</p> <p>Project No.: NCP004 PTP</p> <p>Location: Various Districts</p> <p>Managing Dept.: Miami-Dade Transit Agency</p> <p>Funding Source: Charter County Transit System Sales Surtax (the People’s Transportation Plan or PTP). Subsequent approval by the Citizen’s Independent Transportation Trust is required.</p> <p>Contract Period: 1095 days (3 years) Contingency Period: 110 days</p> <p>Base Amount: \$325,516,471 Contract Options: \$15,822,000 Contingency Allowances: \$19,066,924</p> <p>Total Contract Amount (including fees and allowances): \$360,405,395</p> <p>Contract Measure: DBE goal of 12% (\$43,008,647.38. Estimate based on contract amount, bid options, and the contingency allowances.)</p> <p>Company Principals: The principal Odebrecht-Tower Community Joint Venture is Gilberto Nieves, and the company address is listed as 201 Alhambra Circle, Coral Gables, Florida.</p>	
8(K)1(A)	Amendment to the Local Housing Assistance Plan as Required by the State Housing Initiative Partnership Program	<p>This resolution approves the amendment to the State Housing Initiative Partnership (SHIP) Local Housing Assistance Plan (LHAP) for FY 2008-09 and 2009-10, allowing SHIP funds to be used as “rescue funds” for homeowners facing foreclosure.</p> <p>This item is requesting that the Florida Housing Finance Corporation (FHFC) approve the amendment to the SHIP LHAP submitted last year and applicable through 2010. Upon FHFC approval, staff will adjust SHIP funds accordingly to reflect this new activity.</p>	

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		<p>Foreclosure Prevention and Mitigation SHIP funds will be utilized to assist homeowners with retaining their home and preventing foreclosure action of the first mortgage.</p> <p>Applicant Eligibility:</p> <ul style="list-style-type: none"> • Delinquent mortgage payment of at least two (2) months; and • In receipt of letter notifying the applicant of delinquency and/or intent to foreclose. <p>Program</p> <ul style="list-style-type: none"> • Households with annual income up to 120% of median income; • Up to \$5,000 may be paid toward eligible expenses which include delinquent mortgage payments and special assessment fees; and • Recipients must show that the nonpayment of their mortgage is due to eligible reasons like loss of employment, sudden medical expenses or divorce/separation. <p>Comments According to staff, the only funding sources that can be utilized for foreclosure prevention are community development block grant (CDBG) funds and SHIP funds.</p>	
8(K)1(B)	Change in Site Location for the Construction of an Affordable Housing Development	<p>District 9</p> <p>This resolution authorizes the change in site location and lot size for the construction of an affordable housing development.</p> <p>Resolution No. 412-08 authorized this development to be constructed at 11010 Pinkston Drive, on a 3.09 acre lot. The proposed resolution changes the location to 11001 Pinkston Drive, placing the development on a 3.01 acre lot.</p> <p>In addition, this resolution allows the \$2 million in Surtax funds previously awarded for the development of the affordable housing units to accompany the change in site location.</p> <p>Presently, Second Baptist Church of Richmond Heights owns the parcel of land located at 11001 Pinkston Drive. The family/community center for the Second Baptist Church of Richmond Heights will be constructed on the County owned property located at 11010 Pinkston Drive.</p>	<p>On December 3, 2008, the Board of County Commissioners (BCC) adopted Resolution No. 1310-03, approving the allocation of \$2 million in Surtax funds and the conveyance of the 3.09 acre parcel of land located at 11010 Pinkston Drive to MDHA Development Corporation (MDHADC).</p> <p>MDHADC entered into a joint redevelopment agreement with SBC to redevelop the property as affordable rental housing. SBC, a 501(c)(3) corporation, was formed to jointly develop this project.</p> <p>On April 8, 2008, the BCC adopted Resolution No. 412-08, approving a</p>

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		<p>This item is contingent upon the following:</p> <ul style="list-style-type: none"> • The land being replatted by the SBC Community Development Corporation of Richmond Heights, Inc. (SBC) or SBC being granted a Waiver of Plat; • Payment of all outstanding encumbrances including the mortgage by Second Baptist Church of Richmond Heights with Wachovia Bank on the 11001 Pinkston Drive parcel in an amount of approximately \$400,000 and property taxes due; and • The project being initiated within two year of the approval of this resolution in accordance with current contract policies of the Office of Community and Economic Development (OCED). <p>The \$400,000 outstanding mortgage by Second Baptist Church of Richmond Heights is to be paid prior to the execution of the loan documents for the Surtax funds.</p>	<p>Transitional Agreement between the County and the MDHADC in order to reclaim properties and Surtax funds allocated to MDHADC due to MDHADC consistently failing to complete projects and in response to the Audit and Management Services 2007 audit of MDHADC.</p> <p>None of the Surtax funds for development at 11010 Pinkston Drive were actually transferred to MDHADC. The property conveyed remained with SBC for development. Execution of the contract and loan agreements between the County and SBC was conditioned upon SBC entering into a contract with a qualified developer.</p> <p>Question Why is a location change necessary?</p> <p>According to staff, the property at 11010 is owned by MDHADC but has been deeded to SBC however, it has not been recorded. The primary reason for the swap is that the surplus property is contiguous to a County trash dump.</p>
8(L)1(A)	FY 2008-09 Budget Amendment for the North Miami Community Redevelopment Agency (CRA)	<p>District 1, 2, 3, 4.</p> <p>The North Miami CRA is required to submit an annual budget for County approval.</p> <p>The FY 2008-09 budget includes revenues and expenditures of \$14,290,323.</p> <p>The \$14,290,323 includes revenue sources from the following:</p> <ul style="list-style-type: none"> • County Tax Increment Revenues \$3,420,768; 	

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	<i>Deferral Requested</i>	<ul style="list-style-type: none"> • City Tax Increment Revenues \$5,149,865; • Line of credit proceeds 2,250,000; • Rent revenue \$413,250; • Operating advance from the City of Miami \$250,000 • Carry-over from prior year's \$2,606,440; and • Interest earnings \$200,000. <p>The Administrative Expenditures total \$690,710 which represents 4.8% of the total tax increment revenue (satisfying the 20% cap in administrative expenditures).</p> <table border="1" data-bbox="527 610 1671 782"> <thead> <tr> <th></th> <th>FY07-08 Budget Adopted</th> <th>FY08-09 Proposed</th> <th>FY08-09 Amended</th> <th>Amendment Percentage Increase</th> </tr> </thead> <tbody> <tr> <td>Operating Expenditures</td> <td>\$14,253,424</td> <td>\$14,290,323</td> <td>14,715,671</td> <td>3.24%</td> </tr> </tbody> </table> <p>The amendment increases the total by \$462,247 which is derived from the City of North Miami as an advance to fund environmental remediation costs for a housing development site.</p> <table border="1" data-bbox="527 951 1470 1159"> <thead> <tr> <th></th> <th>FY07-08 Budget Adopted</th> <th>FY08-09 Proposed</th> <th>Percentage increase</th> </tr> </thead> <tbody> <tr> <td>Administrative Expenditures Total (including Administrative Charge)</td> <td>\$730,496</td> <td>\$742,022</td> <td>1.58%</td> </tr> </tbody> </table> <p>The Tax Increment Financing Committee (comprised of County administrative staff to provide increment financing recommendations) reviewed this budget and recommended it for Board approval on November 19, 2008.</p>		FY07-08 Budget Adopted	FY08-09 Proposed	FY08-09 Amended	Amendment Percentage Increase	Operating Expenditures	\$14,253,424	\$14,290,323	14,715,671	3.24%		FY07-08 Budget Adopted	FY08-09 Proposed	Percentage increase	Administrative Expenditures Total (including Administrative Charge)	\$730,496	\$742,022	1.58%	
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8(L)1(B)	FY 2008-09 Budget for the South Miami Community Redevelopment Agency (CRA)	<p>District 7.</p> <p>The South Miami CRA is required to submit an annual budget for County approval.</p> <p>The FY 2008-09 budget includes revenues and expenditures of \$3,147,600.</p>																			

Item No.	Subject Matter	Background	Analysis / Comments / Questions																
		<p>The \$14,290,323 includes revenue sources from the following:</p> <ul style="list-style-type: none"> • County Tax Increment Revenues \$719,472; • City Tax Increment Revenues \$797,299; • Rent revenue \$100,000; • Carry-over from prior year's \$1,519,329; and • Interest earnings \$11,500. <p>The Administrative Expenditures total \$275,354 which represents 18.3% of the total tax increment revenue (satisfying the 20% cap in administrative expenditures).</p> <table border="1" data-bbox="527 610 1503 781"> <thead> <tr> <th></th> <th>FY07-08 Budget Adopted</th> <th>FY08-09 Proposed</th> <th>Percentage Increase</th> </tr> </thead> <tbody> <tr> <td>Operating Expenditures</td> <td>\$3,258,466</td> <td>\$3,147,600</td> <td>0%</td> </tr> </tbody> </table> <table border="1" data-bbox="527 850 1503 1057"> <thead> <tr> <th></th> <th>FY07-08 Budget Adopted</th> <th>FY08-09 Proposed</th> <th>Percentage Increase</th> </tr> </thead> <tbody> <tr> <td>Administrative Expenditures Total (including Administrative Charge)</td> <td>\$290,045</td> <td>\$286,226</td> <td>0%</td> </tr> </tbody> </table> <p>The Tax Increment Financing Committee (comprised of County administrative staff to provide increment financing recommendations) reviewed this budget and recommended it for Board approval on November 19, 2008.</p>		FY07-08 Budget Adopted	FY08-09 Proposed	Percentage Increase	Operating Expenditures	\$3,258,466	\$3,147,600	0%		FY07-08 Budget Adopted	FY08-09 Proposed	Percentage Increase	Administrative Expenditures Total (including Administrative Charge)	\$290,045	\$286,226	0%	
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8(M)1(A)	Florida Power and Light (FPL) Easement At Bill Bird Marina	<p>District 4</p> <p>This resolution authorizes the conveyance of an easement to FPL for the installation and maintenance of the electrical power facilities at the Bill Bird Marina in Haulover Park.</p> <p>Location: 10801 Collins Avenue, Miami Beach, Florida.</p> <p>The Park and Recreation Department is developing new facilities at this marina which require electric transformers to reduce voltage from the nearest power line. FPL has agreed to provide these facilities in exchange for an easement to</p>																	

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		<p>allow access to install and maintain them.</p> <p>There is no fiscal impact associated with granting this easement.</p> <p>Previous legislation for Bill Bird Marina (formerly Haulover Park Marina) for 2008 include the following:</p> <ul style="list-style-type: none"> • R-718-08- Grant application for up to \$400,000 in grant funds from the Florida Fish and Wildlife Conservation Commission Boating Infrastructure Grant Program to construct restrooms and boater amenities at Haulover Marina; • R-283-08- Grant application for up to \$200,000 in grant funds from the Florida Fish and Wildlife Conservation Commission to construct a Boater’s Complex at Haulover Marina; and • Retroactive Change Order for Haulover Marina Expansion Phase II - Project No: 20-70738 (BBC-GOB)- To extend the contract time by two-hundred sixty-eight (268) calendar days from September 12, 2008 to June 7, 2009 and increase the contract amount by \$579,925.79 from \$9,710,836.47 to \$10,290,762.26 (approved on July 17, 2008). 	
8(M)1(B)	<p>Joint Use Agreement Between Miami-Dade County and the School Board of Miami-Dade County for Kendall Hammocks Park and State School</p>	<p>District 10</p> <p>This resolution approves a joint use agreement between Miami-Dade County and the School Board of Miami-Dade County for Kendall Indian Hammocks Park and State School.</p> <p>The School Board would like to enter into this agreement to construct improvements on a portion of the park and provide joint use of such facilities and various other recreational amenities on the school and park sites.</p> <p>The agreement provides joint use of the following:</p> <ul style="list-style-type: none"> • Three (3) existing football fields; • One (1) proposed baseball field (includes restroom and public accessible facilities); • Two (2) existing soccer fields; • Two (2) proposed hard courts; • Proposed parking lot (East side of School); • Proposed Park Road; and • Existing school gymnasium. <p>There is no fiscal impact to the County.</p>	

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		<p>The Park and Recreation Department (PRD) will continue to incur operational costs of \$918,000 per year for this park. All operational costs are budgeted from the General Fund and proprietary fees.</p> <p>According to PRD, this project is fully funded and should not be affected by the recent Miami-Dade County School Board budget cuts and layoffs. Furthermore, even with the additional construction the cost of maintaining the road and parking will be borne largely by the school and the additional maintenance cost should not be significant since there will be offset by a reduction in the area to be mowed.</p>	
8(M)1(C)	Approval of Sublease between Westrec Equities, Inc. and Nieca 1 LLC for Restaurant Service at Haulover Marine Center at Haulover Park	<p>District 4</p> <p>This resolution retroactively approves the sublease agreement between Westrec Equities, Inc. and Nieca 1 LLC for restaurant services operation at the Haulover Park Marine Center in Haulover Park.</p> <p>Westrec Equities, Inc. (Westrec) has operated, managed and maintained Haulover Marine Center through a lease agreement with Miami-Dade County since May 1995 through R-409-95. Westec's lease with the County was for ten years (expiration date April 3, 2005) with two additional five year options to renew (OTR).</p> <p>According to the Park and Recreation Department (PRD), the first five year term renewal was exercised in April 2005.</p> <p>Since that time, Westrec has kept current on all lease payments, cured any arrearages left by prior sublease holders and has operated the Haulover Marine Center in a manner that has improved the quality of service to the public.</p> <p>The terms of the sublease is as follows:</p> <p>Contract Start Date: First of the month after County approval</p> <p>Contract Length: January 1, 2008 through March 30, 2010 unless extended or terminated earlier in accordance with the sublease.</p> <p>Payment Terms: Basic Rent \$1,250 per month due on the first day of each calendar month</p> <p>3% of monthly gross receipts from food service from \$0.00 - \$3,000</p> <p>5% of monthly gross receipts from food service from \$3,000.01 - \$5,000</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																					
		<p>7% of monthly gross receipts from food service over \$5,000.00</p> <p>The County has reserved the right to directly terminate any sub-lessee, for any cause, for which the lessee may be terminated.</p> <p>The approval of this sublease with Nieca 1 LLC (Nieca 1), does not amend, modify, or release any of the terms and conditions of the original Master Lease with Westrec.</p> <p>The Park and Recreation Department (PRD) has reviewed the Sub-lessee restaurant experience has determined that Nieca 1 management team has sufficient restaurant experience to satisfy the lease. The department has also conducted a criminal background check and it revealed no adverse information.</p> <p>The proposed sublease requires that the Sub-lessee be subject to the same terms and conditions as the Master Lease with Westrec.</p> <p>Principals for Westrec include: Micael Sachs, William W. Anderson, Mary Pastore, Jefferey K. Ellis.</p> <p>Principals for Nieca 1 include: Alicia Velasquez and Jorge Sanchez.</p> <p>One June 24, 2008 Nieca filed a fictitious name with the Florida Department of State Division of Corporations. The fictitious name is Café Azul.</p> <p>List of all Westrec Sublease include:</p> <table border="1" data-bbox="527 1101 1350 1344"> <thead> <tr> <th><i>Resolution</i></th> <th><i>Sub-Lessee</i></th> <th><i>Service</i></th> </tr> </thead> <tbody> <tr> <td>R-1254-97</td> <td>Chris Rice</td> <td>Restaurant Operations</td> </tr> <tr> <td>R-1061-00</td> <td>Thomas Parise</td> <td>Marine Repair Service</td> </tr> <tr> <td>R-1034-01</td> <td>Cap't Mike's</td> <td>Restaurant Operations</td> </tr> <tr> <td>R-1033-01</td> <td>Anthony Pupillo</td> <td>Boat Rental</td> </tr> <tr> <td>R-1028-02</td> <td>Jaime A Graells</td> <td>Restaurant Services</td> </tr> <tr> <td>R-591-04</td> <td>E.L Station</td> <td>Marine Operations</td> </tr> </tbody> </table>	<i>Resolution</i>	<i>Sub-Lessee</i>	<i>Service</i>	R-1254-97	Chris Rice	Restaurant Operations	R-1061-00	Thomas Parise	Marine Repair Service	R-1034-01	Cap't Mike's	Restaurant Operations	R-1033-01	Anthony Pupillo	Boat Rental	R-1028-02	Jaime A Graells	Restaurant Services	R-591-04	E.L Station	Marine Operations	
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		<p>According to PRD, this resolution is retroactive because the arrangement between the sub-lessor and the sub-lessee</p>																						

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		<p>is that they will retroactively cede the sub-lease effective January 1st, 2009 subject to County approval. There has been no gap in service and the prior sub-lessee is still associated with the operation (employee of the prior sub-lessee).</p> <p>All parties are still involved in the operation of the snack bar pending County authorization of the transfer.</p>	
8(N)1(A)	<p>Resolution Accepting the Schenley Park Charrette Area Plan Report Including its Plan and Recommendations</p>	<p>Commission District 6</p> <p>The Schenley Park Charrette Report addresses the unincorporated area bounded by SW 22nd Street/Coral Way to the north, the Coral Gables Canal to the south, SW 63rd Avenue to the west, and SW 57th Avenue/Red Road to the east.</p> <p>Background</p> <p>On July 7, 2005, the Board of County Commissioners adopted Resolution No.884-05 that resulted in the organization of a Charrette Steering Committee which was made up of 15 citizens and three representatives from the Miami Children’s Hospital.</p> <p>The Steering Committee met on a regular basis from May to August 2006 in order to define the boundaries of the study area and to provide outreach to the community. Notifications were mailed to property owners within the study area and posters were displayed to notify citizens of the dates of the charrette workshop.</p> <p>The week long charrette process began on Saturday September 16, 2006 and a public workshop was held at the Miami Children’s Hospital. Participants were able to review the study area, discuss design ideas and reach a consensus in issues and suggestions for improvement in the Schenley Park area.</p> <p>On September 25, 2006, participants were able to view a presentation of the work that was developed. Recommendations were made to improve and repair existing sidewalks, add landscaping along major roads, add new gateway/entrance features, the use of brick pavers along major roadways, new Colonial-type street lighting and they are also requesting no bus benches with advertisements and no billboards within the study area.</p>	
8(O)1(A)	<p>Resolution Authorizing the Execution of an Agreement With Swap Financial Group, LLC to Provide Derivative</p>	<p>This resolution authorizes the execution of an agreement with Swap Financial Group, LLC to provide advisor services on derivative products.</p> <p>Background</p> <p>Beginning in 2003, the County has traditionally used the services of a derivative products advisory firm to assist the County in evaluating various options available under complex derivative products and transactions. The County’s selection committee ranked Swap Financial Group, LLC (SFG) as the most</p>	<p>Swap Financial Group, LLC (SFG)</p> <p>This limited liability company was founded in 1998 by Peter Shapiro, the company’s Managing Director and former Citibank investment banker in public finance. (Source: SFG’s website)</p> <p>In 2006, the company has previously</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	<p>Products Advisor Services</p>	<p>responsive and responsible advisory firm from among 7 firms which responded to the Request for Qualifications No. 639.</p> <p>Derivative Products Under the pending contract before the Board of County Commissioners, derivative products consist of interest rate swaps.</p> <p>Contract Specifics If the award, procuring financial services is approved, the following terms and requirements will apply:</p> <ul style="list-style-type: none"> • <u>Contract term</u>: 3 years with 2 two-year options-to-renew periods • <u>Conditions</u>: the contractor shall not be a member of the County’s underwriter pool; the contractor shall not participate as a counterparty in any swap/derivative transaction; the contractor shall not use subcontractors • <u>Services to be Provided</u>: advise the County on whether a swap/derivative product is advantageous; advise the County on the pricing process (competitive vs. negotiated); recommend the best competitive bid; advise the County on the proper ratio of swaps and derivatives; advise the County as to the liquidity of various swap/derivative products; prepare a timetable for each transaction; determine optimal timing for transactions; prepare and negotiate documents; review the financial qualifications of swap counterparties; provide a monthly and annual market-to-market evaluations and make presentations to the Board of County Commissioners – among other things. • <u>Contract Amount</u>: \$750,00 for the initial 3-year term • <u>Funding Source</u>: proceeds from the issuance of derivative products 	<p>assisted the County in partially terminating certain components of an interest rate swap transaction with Merrill Lynch Capital Services regarding Water Sewer Revenue Bonds (Series 1997). The company, serving as the County’s swap advisor, provided the County with a fair market opinion setting forth the economic benefits of partial termination. (Source: County Manager Memo – Resolution Authorizing Partial Termination of Merrill Lynch Capital Services Swap for the Water & Sewer System – issued 2/7/2006)</p> <p>Advisory Service Fees Due to the nature of the RFQ process, selection is based on professional qualifications and not on competitive fees based on fair market value. Under the qualifications-based process, the most qualified vendors are ranked, and negotiations are conducted with the highest ranked vendor as to the project’s scope, schedule, budget, and then consultant fees. The cost of the professional service is considered after the initial selection and during negotiations.</p> <p>Other Financial Consulting Service Contracts: Res. No. R-1065-06 - Financial Consulting Services For CITT RFQ88)– Infrastructure Management Group, Inc. – - \$1,350,000 for 3 years.</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
			<p>Res. No. 73-02 – Authorizing Advertising a RFQ to Obtain A Qualified Derivative Products Advisor – Cost Estimate \$250,000 annually</p> <p>Financial Advisory Services, General – RFQ90 – Public Financial Management - \$850,000 - 11/2/06-11/1/09</p> <p>Financial Advisory Services, Aviation – RFQ89 – First Southwest Co. - \$850,000 - 11/2/06-11/1/09</p> <p>Financial Advisory Services, Enterprise – RFQ91 – Public Resources Advisory Group, Inc. - \$850,000 - 11/2/06-11/1/09</p>
8(O)1(B)	Resolution Rejecting All Proposals Received To Provide Security Guard and Screening Services For the Port of Miami	<p>This resolution authorizes the rejection of all proposals received under RFP 487A (Sector 3B) for Security Guard & Screening Services provided for the Port of Miami.</p> <p>Background Currently, security guard and screening services are provided under a master contract managed by the County’s General Service Administration. The security guard services contract is organized into 3 tiers, based on the type of service rendered, and divided into several geographic sectors. Sector 3B (Seaport) was set aside for Small Business Enterprises (SBEs). In May 2008, the Administration recommended that Security Alliance of Florida, LLC be awarded the Sector 3B contract (Contract No. 487A- Sector 3B). Security Alliance was recommended as the successful contractor even though Security Alliance’s certification as a SBE expired on September 30, 2007. The Administration noted that due to unforeseen delays, the contractor would have been awarded this sector. The Board of County Commissioners (BCC) directed the Administration to negotiate a contract with the next highest ranked proposer, i.e. 50 State Security Service, Inc. In compliance with this directive, the Administration further reviewed the contract and determined that the scope of the contract did not fully meet the security requirements or needs of the Port. The Administration is now requesting the BCC to reject all proposals received for RFP 487A-Sector 3B and to allow the Administration to re-issue a separate solicitation with a scope that will enable the County to hire additional Seaport Security Officers to man the restricted and un-restricted access areas at the Port of Miami.</p> <p>The Administration has not indicated when a new RFP will be issued. In addition, the Administration notes that it is</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																									
		<p>“more cost effective to hire additional security officers” as an additional basis for rejecting all bid proposals. However, the Administration has not delineated as to how additional officers are more cost effective.</p>																										
8(O)1(C)	<p>Approval of the Use of Charter County Transit System Surtax Funds for the Purchase of Goods and Services</p>	<p>Miami-Dade Transit (MDT) seeks the approval of the use of Charter County Transit System Surtax (Surtax) funds for contracts for various goods and services.</p> <p>The Board of County Commissioners and the Citizen’s Independent Transportation Trust (CITT) must approve the use of any Surtax funds pursuant to Ordinance No. 02-116.</p> <p>Fiscal Impact MDT seeks the allocation of \$784,832.08 in Surtax funds to support the following contracts:</p> <table border="1" data-bbox="690 646 1801 1256"> <thead> <tr> <th data-bbox="690 646 877 743">Contract Title</th> <th data-bbox="877 646 1060 743">Contract Term</th> <th data-bbox="1060 646 1348 743">Total Contract Amount (Countywide)</th> <th data-bbox="1348 646 1537 743">MDT Allocation</th> <th data-bbox="1537 646 1801 743">Max PTP Estimate</th> </tr> </thead> <tbody> <tr> <td data-bbox="690 743 877 950">Hydraulic Parts and Services, Pre-qualification of vendors</td> <td data-bbox="877 743 1060 950">10 years</td> <td data-bbox="1060 743 1348 950">\$12,348,200</td> <td data-bbox="1348 743 1537 950">\$2,700,000</td> <td data-bbox="1537 743 1801 950">\$518,400</td> </tr> <tr> <td data-bbox="690 950 877 1084">Integrated Pest Management</td> <td data-bbox="877 950 1060 1084">1 year with four, 1-year options to renew</td> <td data-bbox="1060 950 1348 1084">An additional allocation of \$334,952 for the one-year term</td> <td data-bbox="1348 950 1537 1084">\$48,066</td> <td data-bbox="1537 950 1801 1084">\$9,228.68</td> </tr> <tr> <td data-bbox="690 1084 877 1219">Maintenance and Support Services</td> <td data-bbox="877 1084 1060 1219">5 years, with one, 5-year option to renew</td> <td data-bbox="1060 1084 1348 1219">\$5,157,693</td> <td data-bbox="1348 1084 1537 1219">\$1,339,601</td> <td data-bbox="1537 1084 1801 1219">\$257,203.40</td> </tr> <tr> <td colspan="4" data-bbox="690 1219 1537 1256" style="text-align: right;">Total Surtax funds requested</td> <td data-bbox="1537 1219 1801 1256">\$784,832.08</td> </tr> </tbody> </table> <p>The amount charged to the Surtax is 19.2% of MDT’s contract allocation, as this percentage represents the level of new transit service attributable to the People’s Transportation Plan.</p>	Contract Title	Contract Term	Total Contract Amount (Countywide)	MDT Allocation	Max PTP Estimate	Hydraulic Parts and Services, Pre-qualification of vendors	10 years	\$12,348,200	\$2,700,000	\$518,400	Integrated Pest Management	1 year with four, 1-year options to renew	An additional allocation of \$334,952 for the one-year term	\$48,066	\$9,228.68	Maintenance and Support Services	5 years, with one, 5-year option to renew	\$5,157,693	\$1,339,601	\$257,203.40	Total Surtax funds requested				\$784,832.08	
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8(O)1(D)	<p>Resolution Ratifying the Quarterly Report</p>	<p>As required under Administrative Order 3-38, this item constitutes the quarterly report of goods and services valued in excess of \$100,000 but not exceeding \$1 million awarded administratively from April 1, 2008 through June 30, 2008.</p>	<p>OCA Notation There are a number of contracts listed on the quarterly report of goods & services,</p>																									

Item No.	Subject Matter	Background	Analysis / Comments / Questions																							
	of Goods and Services Contracts Executed During April 1, 2008 Through June 30, 2008	<p>The report lists 38 competitively bid contracts awarded by the County, and 2 contracts awarded under the competitive bid process of other government entities during the 2nd quarter of 2008.</p> <p>This resolution serves to ratify the contracts awarded administratively under the County Manager's delegated authority during the 2nd quarter of this calendar year.</p>	valued less than \$1 million, in which the option-to-renew, when exercised, will bring the cumulative value of the contract in excess of \$1 million. Per the request of the Office of the Commission Auditor (OCA), the Department of Procurement Management has provided a separate list of such contracts listed in the quarterly report. This information is attached at the end of this document.																							
8(O)1(E)	Resolution Waiving Formal Bid Procedures For Certain Purchases and Authorizing Options-to-Renew	<p>This resolution authorizes the waiver of formal bid procedures to award 1 contract without invoking the formal competitive bidding process, the award of 2 emergency contracts, and the modification of 2 non-competitive contracts.</p> <p>Bid Waiver <u>OCE High Speed Printer Maintenance & Technical Support Services (Item 2.1)</u> The Administration is seeking to waive formal bidding procedures in order to award OCE North America the contract to maintain 3 high speed printers owned by the County's IT department. These specialized printers were purchased from OCE North America and have been continuously maintained by that company. Given that OCE North America is the original equipment manufacturer and the exclusive provider of its services and equipment for the South Florida market, the Administration recommends waiving the bid process to award the contract to OCE North America.</p> <table border="1" data-bbox="527 948 1839 1052"> <thead> <tr> <th>Item No.</th> <th>Contract Term & Amount</th> <th>Amount per year</th> <th>Previous Contract Term & Amount</th> <th>Previous Contract Amount per year</th> </tr> </thead> <tbody> <tr> <td>2.1</td> <td>\$975,000 / 3 years</td> <td>\$325,000</td> <td>\$483,087/ 1 year</td> <td>\$483,087</td> </tr> </tbody> </table> <p>Emergency Purchases <u>Lease of 200 DS200 Optical Scanners (Item 3.1)</u> In 2007, the County purchased 1,650 DS200 Optical Scanners. However, the contract did not include a provision for leasing equipment. In September 2008, in anticipation of a high voter turnout, the County leased 200 more scanners in lieu of purchasing the units at a cost of \$6000 each. The cost for leasing was \$750 per unit. The Administration is seeking ratification of the emergency contract which was issued on behalf of the Elections Department.</p> <table border="1" data-bbox="527 1321 1839 1425"> <thead> <tr> <th>Item No.</th> <th>Contract Term & Amount</th> <th>Amount per year</th> <th>Previous Contract Term & Amount</th> <th>Previous Contract Amount per year</th> </tr> </thead> <tbody> <tr> <td>3.1</td> <td>\$178,000 / 2 months</td> <td>\$1,068,000</td> <td>none</td> <td>Not applicable</td> </tr> </tbody> </table>	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year	2.1	\$975,000 / 3 years	\$325,000	\$483,087/ 1 year	\$483,087	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year	3.1	\$178,000 / 2 months	\$1,068,000	none	Not applicable				
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			<p><u>Door Repair & Maintenance Service (Item 3.2)</u> On October 31, 2008, Miami-Dade Transit awarded an emergency contract to Dash Door & Closer Service, Inc. for repairing and maintaining, from April through June 2008, malfunctioning doors. The doors are not standard size and required custom alterations. These services were not anticipated under the existing contract. The Administration is seeking ratification of the emergency contract.</p> <table border="1" data-bbox="527 431 1839 537"> <thead> <tr> <th>Item No.</th> <th>Contract Term & Amount</th> <th>Amount per year</th> <th>Previous Contract Term & Amount</th> <th>Previous Contract Amount per year</th> </tr> </thead> <tbody> <tr> <td>3.2</td> <td>\$146,893 / 2 months</td> <td>\$881,358</td> <td>1 year / \$1,687,000</td> <td>\$1,687,000</td> </tr> </tbody> </table> <p>Non-Competitive Contract Modifications The below list of <u>non-competitive</u> bid contracts are submitted for consideration by the Board of County Commissioners for purposes of authorizing an increase in the amount of the initial contract allocation and an extension of time. The Administration notes: (1) the allocation represents the maximum spending authority based on past usage; and (2) prior to exercising the option periods, market research will be conducted to ensure that pricing and quality are competitive.</p> <table border="1" data-bbox="527 769 1955 1430"> <thead> <tr> <th>Item No.</th> <th>Contract Title</th> <th>Initial Contract Term & Amount</th> <th>Modified /Extended Term</th> <th>Increased Allocation / Funding Source</th> <th>Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td>4.1</td> <td>Purchase & Lease of Copy Machine Equipment (for 47 departments)</td> <td>21 months/ \$8,709,803</td> <td>Extension = 4 years and 5 months (to continue monthly lease payments for copiers currently leased under contract)</td> <td>\$7,518,482 / <ul style="list-style-type: none"> • General Fund • PTP Surtax • Operating Revenue • Proprietary Revenue </td> <td> <ul style="list-style-type: none"> • IKON Office Solutions • Copyco, Inc. dba Toshiba • Xerox Corp. • Konica Minolta Business Solutions • Ricoh America Corp. • Konica Minolta Danka Imaging • Sharp Electronics Corp. <p>No performance or compliance issues reported.</p> </td> </tr> <tr> <td>4.2</td> <td>Accessories & Maintenance of Lifepak Defibrillators</td> <td>62 months/ \$7,539,507</td> <td>Extension = 6 months (to maintain and update existing defibrillators)</td> <td>\$1,000,000 <ul style="list-style-type: none"> • General Fund • Fire District Funds </td> <td>Physio-Control No performance or compliance issues reported.</td> </tr> </tbody> </table>	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year	3.2	\$146,893 / 2 months	\$881,358	1 year / \$1,687,000	\$1,687,000	Item No.	Contract Title	Initial Contract Term & Amount	Modified /Extended Term	Increased Allocation / Funding Source	Vendor / Performance Record	4.1	Purchase & Lease of Copy Machine Equipment (for 47 departments)	21 months/ \$8,709,803	Extension = 4 years and 5 months (to continue monthly lease payments for copiers currently leased under contract)	\$7,518,482 / <ul style="list-style-type: none"> • General Fund • PTP Surtax • Operating Revenue • Proprietary Revenue 	<ul style="list-style-type: none"> • IKON Office Solutions • Copyco, Inc. dba Toshiba • Xerox Corp. • Konica Minolta Business Solutions • Ricoh America Corp. • Konica Minolta Danka Imaging • Sharp Electronics Corp. <p>No performance or compliance issues reported.</p>	4.2	Accessories & Maintenance of Lifepak Defibrillators	62 months/ \$7,539,507	Extension = 6 months (to maintain and update existing defibrillators)	\$1,000,000 <ul style="list-style-type: none"> • General Fund • Fire District Funds 	Physio-Control No performance or compliance issues reported.	
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8(O)1(F)	Resolution Authorizing Execution of an Agreement With Government Services Group, Inc.	<p>This resolution approves Contract Award No. RFP628 in the amount of \$799,591 for two years with two, two-year options-to-renew to Government Services Group, Inc. (GSG) to obtain consulting services for the development of the fire suppression assessment program for FY 2009-10 for the Miami-Dade Fire Rescue Department (MDFR). During the December 8, 2008 Health and Public Safety Committee, the administration was directed by committee members to renegotiate pricing with GSG and identify areas in the contract that may be completed in-house. Staff and GSG identified \$266,969 in cost reductions.</p> <p>Background The Office of Strategic Business Management and MDFR has been updating the Five Year Financial Model for the Fire Rescue District to assess ad-valorem revenue requirements needed to keep up with normal expected departmental expenditure growth and the deployment of four planned additional stations. The Miami-Dade Appraiser's Office estimated that the 2007 MDFR Service District tax roll contained 597,373 residential units and more than 300 million square feet of industrial, office and retail property.</p> <p>The purpose of this contract is to:</p> <ul style="list-style-type: none"> • Define an outline the standards and levels of service provided by the MDFR; • Determine and calculate the assessable costs office suppression services, addressing operational, overhead and capital costs; • Develop a framework for accurate and equitable allocation of emergency and non-emergency program services; • Classify similar types of improvements and land use into property use categories; and • Compile the results of the previous objectives into a legally defensible, fair and reasonable apportionment methodology of MDFR. <p>GSG develops, implements, and administers special assessment programs. According to their website, they have helped more than 100 local governments fund a wide array of service and capital programs, such as:</p> <ul style="list-style-type: none"> • Fire/Rescue • Stormwater • Neighborhood improvements • Solid waste services • Transportation infrastructure • Economic redevelopment 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions															
		<p>Using and Managing Department: MDFR</p> <p>Years in Business: 34 years</p> <p>Funding Source: Fire Rescue Operating Budget</p> <p>Small Business Enterprise Goal: 10%</p> <p>MDFR District Budget MDFR relies on ad-valorem revenues to provide services to Miami-Dade County. Specifically, approximately 90% of ad-valorem revenues make up MDFR's budget. According to report presented at the July 10, 2008, Health and Public Safety Committee meeting, of the \$432 million in the adopted FY 2008-09 Fire District budget, 80% or \$346 million comes from fire rescue district property taxes and carryover. Other revenues include transport fees, fire plans processing and inspection fees, interdepartmental transfers, interest and carryover. Furthermore, the Report highlights that projections for FY 2008-09 reflect a decrease of \$25.563 million in district property tax revenue. In contrast, other municipalities in the County rely on ad-valorem revenues, utility fees, franchise fees, state revenue sharing and other revenues. Projections provided by the Office Strategic Business Management and MDFR indicate that by 2010, MDFR will experience shortfalls due to the current funding mechanism.</p> <p>Alternative Revenue Sources Several alternative revenue sources were stated in the July 2008 Report. Specifically, the Report provided: (1) Fire Assessment fee; (2) Motor Vehicle Accident Response (MVAR) fee; (3) EMS Ground Transport fee; (4) Air Rescue fee; and (5) increase the millage rate by super majority. On December 2, 2008, the BCC approved Resolution 1304-08 increasing the MDFR Medical Services Rate Schedule.</p> <p>Question: Has the department looked the MVAR and Air Rescue fees as an alternative?</p>																
8(O)1(G)	Authorizing the Execution of Options to Renew Provisions Contained in Competitively Bid Contracts	<p>This resolution authorizes the execution of option-to-renew provisions contained in competitively bid contracts previously awarded by the County Mayor, and in which the initial contract value was less than \$1million. Under Administrative Order AO 3-38 and Chapter 2, Article 1, § 2-8.1 of the County Code, the Board of County Commissioners' approval is required to execute options-to-renew if, when executed, the cumulative value of the contract would exceed \$1 million. The Administration notes: (1) that funding will be appropriated only if the departmental budgets can support the expenditures as approved under the adopted budget; and (2) market studies were conducted as to competitive pricing and technology.</p> <table border="1" data-bbox="527 1354 1955 1446"> <thead> <tr> <th data-bbox="527 1354 606 1446">Item No.</th> <th data-bbox="606 1354 869 1446">Contract Title</th> <th data-bbox="869 1354 1079 1446">Initial Contract Term & Amount</th> <th data-bbox="1079 1354 1331 1446">Option-to-Renew Term</th> <th data-bbox="1331 1354 1535 1446">Increased Allocation / Funding Source</th> <th data-bbox="1535 1354 1955 1446">Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Item No.	Contract Title	Initial Contract Term & Amount	Option-to-Renew Term	Increased Allocation / Funding Source	Vendor / Performance Record										
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Item No.	Subject Matter		Background		Analysis / Comments / Questions	
	1	System Furniture Services (for the Aviation Department and General Services Administration)	4/9/2007 to 3/31/2008 \$995,000	The first of four Options-to Renew period was exercised and spanned from 4/1/2008 to 3/31/2009. The three remaining option-to-renew periods span from 4/1/2009 to 3/31/2011	\$3,468,252 / • Internal Services Fund • Operating Revenue	• Wegman Associates of Georgia, Inc. No performance or compliance issues reported.
	2	Oil Water Separation Equipment and Water Drainage Filtering Systems – Maintenance and Repair	4/1/2008 to 3/31/2009 \$529,000	There are 4 Options-to-Renew periods which will span from 4/1/2009 to 3/31/2013.	\$2,116,000 / • MDT Operating Revenue • Fire District Funds • WASD Operating Revenue • Internal Service Funds	Sorbant Environmental Corp. No performance or compliance issues reported.
	3	Key Punch Services (transcribing emergency personnel handwritten field reports)	3/1/2005 to 2/28/2006 \$144,000	Three of four Options-to Renew periods were exercised and spanned from 3/1/2006 to 2/28/2009. The remaining option-to-renew period spans from 3/31/2009 to 2/28/2010.	\$258,103 / • Fire District Funds	ARDEM, Inc. No performance or compliance issues reported.
	4	Golf Course Green	4/1/2006 to	The first 2 of 4	\$600,000 /	• Florida Silica Sand Company,

Item No.	Subject Matter		Background		Analysis / Comments / Questions											
		Mixes	3/31/2007 \$300,000	Options-to Renew periods were exercised and spanned from 4/1/2007 to 3/31/2009 The remaining 2 option-to-renew periods span from 4/1/2009 to 3/31/2011.	<ul style="list-style-type: none"> • General Fund • Proprietary Revenue 	Inc. <ul style="list-style-type: none"> • Florida Superior Sand, Inc. • Soil Tech Distributors, Inc. • Pro Grounds Products, Inc. No performance or compliance issues reported.										
8(O)1(H)	Resolution Authorizing the Award of a Contract for Vehicle Rental Services; and Supplement	<p>This resolution authorizes the award of a replacement service contract to provide various brands and models of vehicles for several County departments.</p> <p>Specifics This contract is a replacement contract which, if approved, will be awarded to Enterprise Leasing Co., E-Z Rent-A-Car, Inc. and Hertz Corp. The vendors will provide approximately 352 rental vehicles, such as cars, vans and SUVs of various makes and models primarily for use by the Police Department and for several other County departments. Funding will come from the General Fund and internal service charges.</p> <table border="1" data-bbox="527 1024 1749 1198"> <thead> <tr> <th data-bbox="527 1024 615 1128">Item No.</th> <th data-bbox="615 1024 968 1128">Contract Term & Amount</th> <th data-bbox="968 1024 1199 1128">Amount Per Year (exclusive of renewals)</th> <th data-bbox="1199 1024 1514 1128">Previous Contract Term & Amount</th> <th data-bbox="1514 1024 1749 1128">Previous Contract Amount Per Year</th> </tr> </thead> <tbody> <tr> <td data-bbox="527 1128 615 1198">1.5</td> <td data-bbox="615 1128 968 1198">\$4,090,334/ 1 year (with 4 one-year options-to-renew)</td> <td data-bbox="968 1128 1199 1198">\$4,090,334</td> <td data-bbox="1199 1128 1514 1198">20 months / \$5,801,219</td> <td data-bbox="1514 1128 1749 1198">\$3,480,731</td> </tr> </tbody> </table> <p>Legislative History On December 16, 2008, the BCC approved the award of a number of competitive contracts. This item was among the awards approved. However, on December 18, 2008, the BCC, via a motion for reconsideration, bifurcated the vehicle rental services contract from the original award package. The BCC expressed concerns as to the manner and scope of the solicitation. In particular, the solicitation for rental car services was divided into categories based on the type of vehicle, contrary to the BCC directions to the Department of Procurement Management directing the department to consolidate the categories. In addition, the BCC expressed concerns as to the cost of the contract. Following the vote to reconsider and</p>					Item No.	Contract Term & Amount	Amount Per Year (exclusive of renewals)	Previous Contract Term & Amount	Previous Contract Amount Per Year	1.5	\$4,090,334/ 1 year (with 4 one-year options-to-renew)	\$4,090,334	20 months / \$5,801,219	\$3,480,731
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Item No.	Subject Matter	Background	Analysis / Comments / Questions
		bifurcate the vehicle rental services portion of the award package, the BCC tabled the item and instructed the Department of Procurement to follow the previous directive by re-issuing the bid. In the interim, the existing emergency contract will continue until it expires on February 20, 2009.	
8(P)1(A)	Resolution Authorizing Execution of a Roadway Transfer Agreement from Miami-Dade County to the Florida Department of Transportation	<p>District 12</p> <p>This resolution authorizes the execution of a Roadway Transfer Agreement between Miami-Dade County and the Florida Department of Transportation (FDOT) to transfer W 137 Avenue from SW 8th Street to NW 12th Street from County jurisdiction to Sate jurisdiction.</p> <p>Background</p> <p>On June 8, 2004, the Board of County Commissioners approved Resolution No.753-04 which authorized a Joint Participation Agreement between Miami-Dade County and the Miami-Expressway Authority (MDX) to provide funding for the construction of roadway improvements along W 137 Avenue from SW 8th Street to NW 12th Street as per Resolution No. R-753-04. The construction of this segment of roadway was completed by MDX, and is now open to traffic.</p> <p>Pursuant to the agreement, FDOT will be responsible for the road-right-of-way and the operation and maintenance of the roadway, including bridges; including all curbs, culverts, and drainage structures within the right-of-way at the time of transfer. FDOT will be responsible for maintenance of landscaping, noise barrier walls, public sidewalks and other appurtenances in the right-of-way.</p> <p>FDOT will assume responsibility for any existing liability or disputes that arise prior to the effective date of this transfer.</p> <p>The County will be responsible for maintaining all traffic signals and lighting systems within the right-of-way.</p> <p>Comments</p> <p>The County is required to provide to FDOT, rights-of-way maps as the instrument of conveyance of the property, recorded in the public records of Miami-Dade County. The Rights-of-Way Maps for the roadway are being presented under Agenda item 8(P)1(F).</p>	
8(P)1(B)	Joint Participation Agreement Between Miami-Dade County and the City of South Miami	<p>District 7</p> <p>This resolution approves a Joint Participation Agreement (JPA) between Miami-Dade County (County) and the City of South Miami (City) for a roadway improvement project on the west side S.W. 57 Avenue from S.W. 74 Street to S.W. 72 Street.</p> <p>The work under this JPA, which has substantially been completed, includes milling, resurfacing, and the application of</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>pavement markings on the west side of S.W. 57 Ave. The work has been substantially completed under the People's Transportation Plan roadway resurfacing contract (CICC 7360-0/08 RPQ No. 20060440).</p> <p>This JPA was approved by the City of South Miami City Commission on July 22, 2008.</p> <p>Fiscal Impact The total cost for the roadway improvements included in this JPA total \$30,252.22. Under this JPA, the City will pay the County \$15,126.11 for the roadway improvement project. The remaining \$15,126.11 comes from proceeds from the Charter Transit System Surtax.</p> <p>Terms Under the JPA, the County will assign the roadway project to be constructed through an existing open contract for resurfacing.</p>	
8(P)1(C)	Resolution Approving a First Amendment to the Joint Participation Agreement with the City of Miami	<p>District 7</p> <p>This resolution approves an amendment to the Joint Participation Agreement (JPA) between Miami-Dade County and the City of Miami to expand the project scope and increase funding for a People's Transportation Plan (PTP) roadway improvements project along Miami Avenue from S.E. 25 Road to S.E. 15 Road.</p> <p>Background Under a JPA which was executed on Nov. 15, 2005, the City of Miami and the County agreed to jointly construct and fund the milling, resurfacing and installation of traffic control devices such as roundabouts, signage, stripping and lighting along Miami Avenue from S.E. 25 Road to S.E. 15 Road. Under the JPA, the City would manage the project and fund the design and construction of the project. The County agreed to contribute \$840,000 for the project, under the JPA.</p> <p>The project scope was increased to include the addition of bicycle lanes and drainage pipe, and the upgrading 37 existing drainage pipes. These additions were requested by the County's Public Works Department.</p> <p>Fiscal Impact According to the amended JPA, the County will provide an additional \$350,000 in PTP funds, bringing its total contribution to \$1,190,000. The City will increase its allocation to the project from \$2,740,500 to \$3,230,500. The total cost for the project has increased from \$3,580,500 to \$4,420,500.</p>	
8(P)1(D) & 8(P)1(E)	Resolution Authorizing the Reimbursement to Florida Power and	<p>8(P)1(D)</p> <p>District 12</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	Light Company	<p>This resolution approves a reimbursement to Florida Power and Light Company in the amount of \$499,078.28 for the relocation of power distribution facilities.</p> <p>The relocation of power distribution facilities was necessitated by the People’s Transportation Plan (PTP) roadway improvement project along N.W. 74 Street from N.W. 107 Avenue to N.W. 87 Avenue.</p> <p>Fiscal Impact There will be a fiscal impact of \$499,078.28 for this one-time reimbursement.</p> <p><u>8(P)1(E)</u></p> <p>District 8, 10 This resolution approves a reimbursement to Florida Power and Light Company in the amount of \$669,462.29 for the relocation of power distribution facilities.</p> <p>The relocation of power distribution facilities was necessitated by the People’s Transportation Plan (PTP) roadway construction project of S.W. 127 Avenue from S.W. 120 Street to S.W. 88 Street.</p> <p>Fiscal Impact There will be a fiscal impact of \$669,462.29 for this one-time reimbursement.</p>	
8(P)1(F)	Resolution Approving the Official Road Right-of-Way Map	This resolution approves the official Road Right-of-Way Map for a portion of W 137 Avenue between S.W. 8 Street (SR 90) and N.W. 12 Street authorizing the transfer thereof to the Florida Department of Transportation.	
8(P)1(G)	<p>Contract Award Recommendation for WRS Infrastructure & Environment</p> <p><i>Deferral Requested</i></p>	<p>District 12 This resolution approves a contract award recommendation to WRS Infrastructure & Environment, Inc. to perform contamination assessment and remediation work along N.W. 74 Street.</p> <p>Project No.: 20070610 PTP</p> <p>Location: N.W. 74 Street, from N.W. 107 Avenue to N.W. 87 Avenue</p> <p>Managing Dept.: Public Works Department</p> <p>Funding Source: Charter County Transit System Sales Surtax</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Contract Period: 276 days Contingency Period: 28 days</p> <p>Base Amount: \$3,257,776 Contingency Allowance: \$325,777.60 Other Fees and Dedicated Allowance: \$327,155.52 Total Contract Amount (including fees and allowances): \$3,910,709.12</p> <p>Contract Measure: CSBE goal of 3% with an estimated value of \$107,506.61</p> <p>Violations: According to the Department of Small Business Development, this company has no violations on file.</p> <p>Company Principals: Luke A. Frantz, Michael G. Copeland, Kathleen M. Shanahan, Diane Anderson, Brian A. Finn, Brent W. Anderson. According to the Florida Department of State, the company's principal address is 221 Hobbs St., Ste.108, Tampa, Florida 33619.</p> <p>Contract History: On December 10, 2008, the Transit Committee rejected the proposal to award this contract to the apparent lowest bidder, American Earth Movers, over concerns that this company had violated the Miami-Dade County Code (Chapter No. 10-33) for failing to meet the assigned CSBE goal and make-up requirements related to a previous County contract by misrepresenting their compliance with the CSBE program.</p> <p>It was alleged that this company engaged in the practice of "fronting" in terms of the CSBE program. "Fronting" occurs when a company or firm indicates that it is performing work which another entity is performing; or when a company's scope of work includes a specific function, but the company is moved from that function to perform another function; or when a prime contractor pays a CSBE to cease work.</p> <p>The Transit Committee directed the Public Works Department to negotiate with the second lowest responsive, responsible bidder, WRS Infrastructure & Environment.</p>	
8(P)1(H)	Contract Award Recommendation for A. Bernal Services Corp.	<p>This resolution approves a contract award recommendation to A. Bernal Services Corp. in the amount of \$1,000,000 for roadway lighting retrofitting at various locations throughout Miami-Dade County.</p> <p>Project No.: CICC 7040-0/07</p> <p>Location: Various locations throughout Miami-Dade County.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Managing Department: Public Works Department</p> <p>Funding Source: People’s Transportation Plan funds</p> <p>Contract Period: 365 days.</p> <p>Total Contract Amount: \$1,000,000</p> <p>Company History: This company has no reported violations, according to the Department of Small Business Development.</p> <p>Company Principals: Isabel Bernal, Armando Bernal, Wilfredo Gonzalez. The principal address is 725 S.E. 9 Court, Hialeah, Fl. 33010.</p>	
8(P)1(I)	Contract Award Recommendation for Berlo Industry, Inc.	<p>This resolution approves a contract award recommendation to Berlo Industry, Inc. in the amount of \$262,569.75 for the installation of pavement markings at various locations throughout the County.</p> <p>Project No.: CICC 7040-0/07</p> <p>Location: Various locations throughout Miami-Dade County to include:</p> <ul style="list-style-type: none"> • N.E. 24 Court and N.E. 209 Terrace • N.E. 25 Court and N.E. 209 Terrace • N.E. 23 Avenue and N.E. 211 Street • San Amaro Drive between Levante Avenue and Sertose Avenue • N.W. 171 Street between N.W. 7 Avenue and N.W. 4 Avenue • Ali Baba Avenue from N.W. 37 Avenue to N.W. 27 Avenue • S.W. 80 Avenue between S.W. 148 Drive and S.W. 152 Street • S.W. 84 Street between S.W. 113 Avenue and S.W. 114 Avenue • Skokie Drive and N. Augusta Drive <p>Managing Department: Public Works Department</p> <p>Funding Source: Commission District-specific People’s Transportation Plan funds.</p> <p>Contract Period: 270 days</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Total Contract Amount: \$262,569.75</p> <p>Company History: According to the Department of Small Business Development, this company has no violations on file.</p> <p>Company Principals: Leonard Wooten and Lorraine Wooten. The principal address is 10734 S.W. 188 St., Miami, Fl. 33157.</p>	
8(P)1(J)	Change Order No. 1 and Final for PTP Project No. 20040399	<p>Districts 7, 10</p> <p>This resolution approves Change Order No. 1 and final to contract between the County and The Redland Company, Inc., for work related to the People’s Transportation Plan project for improvements along S.W. 97 Avenue from S.W. 72 Street to S.W. 40 Street. This resolution is for an extension of the project duration only.</p> <p>Project No.: 20040399</p> <p>Location: S.W. 97 Avenue from S.W. 72 Street to S.W. 40 Street</p> <p>Managing Department: Public Works Department</p> <p>Funding Source: People’s Transportation Plan funds</p> <p>Original Contract Period: 540 days</p> <p>Requested Extension: 129 days (non-compensable)</p> <p>Total Project Duration after Change Order: 669 days</p> <p>Original Contract Amount: \$10,565,632.46 (amount remains unchanged if change order is approved)</p> <p>Change Order Justification: Delays related to adverse weather conditions at worksite; the relocation of royal palm trees; County-requested additional work required for the unusually low elevation of a home located near the project; and other delays related to County-requested additional miscellaneous work.</p>	
8(P)1(K)	Contract Award Recommendation for Acosta Tractors, Inc.	<p>District 11</p> <p>This resolution approves a contract award to Acosta Tractors, Inc. in the amount of \$10,007,270.12 for roadway improvements along S.W. 157 Avenue, from S.W. 136 Street to S.W. 120 Street and along S.W. 136 Street, from the new S.W. 157 Avenue to S.W. 152 Avenue.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Project No.: 20070626 PTP ESP</p> <p>Location: S.W. 157 Avenue from S.W. 136 Street to S.W. 120 Street and S.W. 136 Street, from the new S.W. 157 Avenue to S.W. 152 Avenue.</p> <p>Managing Department: Public Works Department</p> <p>Funding Source:</p> <ul style="list-style-type: none"> • Wastewater Connection Charges and WASD Revenue Bonds: \$2,614,956.20 • People’s Transportation Plan funds: \$7,392,313.92 <p>Contract Period: 400 days</p> <p>Total Contract Amount: \$10,007,270.12</p> <p>CSBE Goals: 15% with an estimated value of \$1,448,099.08</p> <p>Subcontractors: Construct Group Corp., Pavex Corporation DBA Ranger Construction South, All Quality Electrical Services, Inc., J&M Parking Lot Maintenance, Inc., Sunshine Guardrail Corp., the Bennett Power Group, Ferguson Enterprises, Inc., and White Rock Quarries.</p> <p>Company History: This firm has no open violations, however, this firm has two closed violation with an outstanding makeup amount of \$43,913.28.</p> <p>Company Principals: Felix and Mayra Acosta and Alejandro Ros. The company is located at 11986 NW 97 Avenue.</p>	
8(P)(1)(L) & 8(P)(1)(N)	Change Order No. One and Final	<p>District 9</p> <p><u>8(P)(1)(L)</u></p> <p>The resolution approves Change Order No. 1 and final between H & R Paving, Inc. (H & R) and Miami-Dade County to extend the contract time by 38 days to Project/Contract No. 20060208. The contract’s original expiration date was March 31, 2008. The new expiration date is June 13, 2008. The engineer at the work site requested the excavation of additional muck from the work area, removal and replacement of geotextiles, and additional back-fill. There were delays due to weather conditions at the worksite and utility conflicts with Florida Power and Light (FPL). This Change Order does not increase the contract amount.</p>	

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8(P)(1)(N)
 The resolution approves Change Order No. 1 and final between H & R and Miami-Dade County to extend the contract time by 32 days to Project/Contract No. 200640398. The contract's original expiration date was March 10, 2008. The new expiration date is July 8, 2008. The delays were attributed to additional excavation, stabilization, limerock base, structural asphalt and friction course, the relocation of FPL's street lights and flashing lights. **This Change Order does not increase the contract amount.**

Using and Managing Department: Public Works Department (PWD)

Change Order Funding Source: Both items are funded by Road Impact Fees.

Contractor Years in Business: 30 years; H & R has conducted extensive work with County agencies, totaling \$130,682,200.85. Most contracts have been awarded by the PWD, Water and Sewer Department, Department of Environmental Resource Management, and Quality Neighborhoods Improvement Program (QNIP). According to the Firm History Report by the Department of Small Business Development, H&R received \$2,147,339 in Change Orders from June 1, 1994 through July 2, 2008.

Contractor's Performance Review: According to the Office of Capital Improvements CIIS database, H&R has an average performance evaluation rating of 2.9 out of 4.0 points. The information provided by the PWD reflects 52 contracts and 85 evaluations from August 24, 2005 through October 6, 2008.

History of Violations on Previous Contracts from 4/21/05 through 1/09/09 for H & R

Date of Violation	Project No.	Dept	Wages Recovered	Amount Makeup	Reason	Status
4/21/05	20030002	PW			Submittal of inaccurate payrolls	Closed
5/16/05	630023	PW			Submittal of inaccurate payrolls	Closed
1/31/06	20040506	PW			Failed to post wages at job site	Closed
2/2/06	20030256	PW			Failed to post wages at job site	Closed
3/6/07	20030256	PW		\$131,487	Failed to meet CSBE subcontractor goal	Open
3/6/07	RM-6-01/03	AV		\$24,562	Failed to meet CSBE subcontractor goal	Open
3/6/07	20030249	PW		\$64,933	Failed to meet CSBE subcontractor goal	Open
5/23/07	20040508	PW			Submittal of inaccurate payrolls	Closed
5/23/07	20040509	PW			Submittal of inaccurate payrolls	Closed
5/23/07	20040450	PW			Submittal of inaccurate payrolls	Closed
5/23/07	20040506	PW			Submittal of inaccurate payrolls	Closed

Item No.	Subject Matter	Background	Analysis / Comments / Questions						
		<table border="1"> <tr> <td data-bbox="575 228 726 264">5/23/07</td> <td data-bbox="726 228 888 264">20040507</td> <td data-bbox="888 228 982 264">PW</td> <td data-bbox="982 228 1146 264"></td> </tr> </table>	5/23/07	20040507	PW		<table border="1"> <tr> <td data-bbox="1289 228 1797 264">Submittal of inaccurate payrolls</td> <td data-bbox="1797 228 1915 264">Closed</td> </tr> </table> <p>According to the Department of Small Business Development (SBD), the make-up plans to satisfy the open violations have all been achieved, except one. Items 20030256, RM-6-014/3, and 20030249 in the chart above are considered one project by SBD. The violation will remain open until it has been satisfied.</p>	Submittal of inaccurate payrolls	Closed
5/23/07	20040507	PW							
Submittal of inaccurate payrolls	Closed								
8(P)(1)(M)	Contract Award Recommendation to Kiewit Southern Co	<p>Districts 3 & 4</p> <p>This item approves an award totaling \$4,748,788.70 to the Kiewit Southern Co (Kiewit) for the Venetian Bridges Rehabilitation Contract No. 20070776. Kiewit will be utilized for the rehabilitation of the 12 Venetian Bridges to: (1) repair support beams which include removing existing concrete and adding new reinforcing and concrete; (2) apply Carbon Fiber Reinforced Polymer; (3) repair diaphragms; and (4) perform major cleaning, painting and bolt replacement.</p> <p>Background The Board of County Commissioners (BCC) approved the execution of a County Incentive Grant Program between the Florida Department of Transportation for the design phase (Resolution 502-08) and the rehabilitation (Resolution 1320-07) on May 6, 2008. The design phase will consist of the establishment of one Non-exclusive Professional Services Agreement (PSA) to provide planning, public involvement, and design and construction services.</p> <p>Keiwit has been doing business since 1884. Kiewit’s Southeast District (Virginia to Florida) projects include highways, airports, mass transit systems, canals, dams, pump stations and tunnels. Local projects include: (1) the S.W. Second Avenue Bascule Bridge; (2) I-95 sound walls; (3) I-95 rehabilitation; (4) Miami Intermodal Connector; (5) Miami International Airport H-J Apron; and (6) Miami International Airport-Northside Runway. Other projects include the Fort McHenry Tunnel beneath Baltimore Harbor; rebuilding downtown Atlanta’s I-75/85/20 Interchange; rehabilitating the Francis Scott Key Bridge over the Potomac River in Washington, D.C.; fabricating Bullwinkle, the world’s largest freestanding oil production platform in the Gulf of Mexico; and constructing portions of the Hibernia oil platform in the waters off St. John’s, Newfoundland.</p> <p>Using and Managing Department: Public Works Department (PWD)</p> <p>Operations Cost Impact/Funding: \$32,712 per year. Maintenance of Roads & Bridges, Budget Project No. 6031221 through General Fund will be used to support the operation costs.</p> <p>Maintenance Cost Impact/Funding: \$3,468 per year. Maintenance of Roads & Bridges, Budget Project No. 6031221 through General Fund will be used to support the maintenance costs.</p> <p>Life Expectancy of Facility: 10 years</p>							

Item No.	Subject Matter	Background	Analysis / Comments / Questions										
		<p>Funding Source: Causeway Toll Revenue, Sunshine State Financing and Florida Department of Transportation (FDOT) County Incentive Grant Program. Any other applicable funding source except General Obligation Bond (GOB) or People's Transportation Plan (PTP) as noted below, may subsidize this contract subject to Board approval.</p> <p>Contract Period: 550 days.</p> <p>CSBE Goal: No Measure</p> <p>Bid Summary: There were 43 bid packages issued. Of the 43 bid packages, 6 engineering contractor firms proffered bids. The lowest bidder, Kiewit proffered a base bid of \$4,271,626.09, 53% below the County's cost estimate; the second lowest bidder, PCL Civil Constructor, Inc., proffered a base bid of \$4,557,920.29, 1% over the second lowest bidder; the fourth lowest bidder, Coastal Marine Construction, proffered a base bid of \$7,980,250.98, 43% over the third lowest bidder (and 12% below the County's cost estimate); and the fifth lowest bidder, Solo Construction Corp., proffered a base bid \$9,443,231.27, 15% over the fourth lowest bidder (and 4% over the County's cost estimate).</p> <p>Previous Contracts within the last five years: According to the Department of Small Business Development, Kiewit list 1 contract totaling \$904,910 for the Tamiami Swing Bridge Emergency Repairs through the Miscellaneous Construction Contracts 7360.</p> <p>Comments No violations were reported for Kiewit.</p>											
8(Q)1(A)	Resolution Authorizing Execution of Office Space Lease Agreement between Miami-Dade County and World Trade Center Miami	<p>This resolution approves a lease agreement between Miami-Dade County and the World Trade Center Miami for office space located in the 1007 Maritime Administration Building, 1007 North America Way, Suite 500.</p> <p>The World Trade Center Miami is a member of the World Trade Centers Association which is the preeminent global trade organization promoting two-way trade. The organization has been a tenant with at the Port of Miami since 2004.</p>	<table border="1" data-bbox="1018 1144 1474 1456"> <thead> <tr> <th colspan="2" data-bbox="1018 1144 1474 1182">Lease Terms</th> </tr> </thead> <tbody> <tr> <td data-bbox="1018 1182 1249 1214">Square Footage</td> <td data-bbox="1249 1182 1474 1214">3,411 sq. ft.</td> </tr> <tr> <td data-bbox="1018 1214 1249 1385">Rent</td> <td data-bbox="1249 1214 1474 1385">\$68,220/yr Rent will increase 3% compounded annually</td> </tr> <tr> <td data-bbox="1018 1385 1249 1417">Taxes</td> <td data-bbox="1249 1385 1474 1417">\$4,775/yr</td> </tr> <tr> <td data-bbox="1018 1417 1249 1456">Term</td> <td data-bbox="1249 1417 1474 1456">5 years</td> </tr> </tbody> </table>	Lease Terms		Square Footage	3,411 sq. ft.	Rent	\$68,220/yr Rent will increase 3% compounded annually	Taxes	\$4,775/yr	Term	5 years
Lease Terms													
Square Footage	3,411 sq. ft.												
Rent	\$68,220/yr Rent will increase 3% compounded annually												
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Term	5 years												

Item No.	Subject Matter	Background	Analysis / Comments / Questions
8(R)1(A)	Resolution Approving Execution of an Interlocal Agreement with the City of North Miami	<p>District 4</p> <p>This resolution approves the execution of an Interlocal Agreement (Agreement) with City of North Miami (City) and Miami-Dade County relating to the County’s Pump Station Number 347 (Pump Station) located at 1823 N.E. 150 Street. The Agreement provides for the following: (1) execute any and all required documents to permit the County to pursue a conditional closure; (2) record a covenant running with the land; (3) indemnify the City for any and all damages that are caused as a result of contamination; and (4) pursue Chapter 62-770, Florida Administrative Code.</p> <p>Pursuant to the Agreement, the County will pay \$5,000 for the compilation of documents required by the Florida Department of Environmental Protection (FDEP) and Department of Environmental Resources Management (DERM) to obtain a conditional closure for contamination at the pump station. Costs will be charged to Miami-Dade Water and Sewer’s (MDWASD) regional pump station operating and maintenance expenditures account.</p> <p>Background</p> <p>On October 31, 1977, the City granted the County, an easement to the City’s property for the construction, operation and maintenance of the Pump Station. On February 16, 1999, a diesel spill discharge occurred at the Pump Station. Since then, MDWASD has monitored the site for possible diesel soil contamination underneath. Currently, MDWASD is requesting that the City accept a conditional closure to resolve certain remediation requirements imposed by the FDEP. (See Chapter 62-770 Petroleum Contamination Site Cleanup FDEP Criteria).</p> <p>Monitoring and Cleanup</p> <p>MDWASD will discontinue monitoring the site for contamination which will result in approximately \$10,000 in savings to MDWASD per year (for site sampling and other tasks performed such as soil delineation). No further work will be required unless the pump station is renovated or upgraded. According to MDWASD staff, the contaminated soils were excavated to a depth of 6’ along 13’ of the generator building wall and approximately 5’ wide. The groundwater contamination is currently delineated by the monitoring well MW-5 to the west, MW -2 to the S.W. and MW-1 to the South and centered around MW-A. Contamination underneath the building has not been delineated and cannot be accessed unless the building is demolished. Furthermore, monitoring will not be necessary unless construction/demolition takes place and if it does take place, it will be the responsibility of MDWASD.</p> <p>Requirements to Obtain the Conditional Closure</p> <p>The City is required to execute and record a document entitled “Covenant Running with the Land.” A recorded covenant will serve to advise the future property owners of possible contamination underneath the pump station site, if the City decided to sell the property. Furthermore, the City will be responsible for making sure any contamination discovered in the future is re-mediated by MDWASD.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Comments According to the Miami-Dade County Property Appraiser property information, the lot size is 43,566 square feet and lists the legal description as Finkles Industrial Sub Section 1.</p>	
8(R)1(B)	Resolution Approving Amendment No. 1 to the Joint Project Agreement for the Reverse Osmosis Water Treatment Plant	<p>This resolution approves Amendment No. 1 to the Joint Participation Agreement (JPA) between the City of Hialeah (City) and Miami-Dade County (County) related to the reverse osmosis treatment plant in Hialeah.</p> <p>Amendment No. 1 revises the original JPA by adding a provision that gives the County credit for the fair market value of the land being conveyed to the City in the amount of \$535,000. The amendment also adds language that stipulates that any wetland mitigation payment related to this project will be equally shared between the City and the County.</p> <p>Background On July 24, 2007, the Board of County Commissioner s approved Resolution No. 918-07 which executed a Joint Participation Agreement for the Reverse Osmosis Water Treatment Plant with the City of Hialeah.</p> <p>The JPA provided that the County will contribute and pay for 50% of the planning, design and construction and construction management costs for the water treatment plant. The County’s share of these costs was estimated to be \$80 million (\$10 million from General Obligation Bonds and Revenue Bonds).</p> <p>The City wishes to acquire property owned by the County that has been identified for the use as the location of the physical plant. Parking areas, landscaped areas, green spaces, right-of-ways, stormwater retention areas, wellfields, storage tanks, security facilities, and other connected uses for the water treatment plant.</p> <p>The proposed amendment allows the County to convey the property to the City and receive credit towards the County’s share of the project in the amount of \$535,000.</p> <p>Additionally, it provides that in the event that the City is liable in making mitigation payments as a result in the transfer of the property, the County and the City will share the cost of the payments.</p>	
8(R)1(C)	Resolution Approving Execution of an Agreement with the Village of Virginia Gardens	<p>District 12</p> <p>This resolution approves the execution of an Agreement between the Village of Virginia Gardens (Village) and Miami-Dade County for the provision of retail sanitary sewage services for a period of 20 years. The Agreement provides for the following: (1) jointly identify the current sanitary sewage service customer accounts located within the Village; (2) allow the County to read 66 water service meters to determine the usage of sanitary service; (3) bill and collect directly from each sanitary sewage customer accounts by the County, as a designated separate bill; (4) terminate the water service for non-payment of sanitary sewage services charges by the Village; (5) provide all County records pertaining to delinquent</p>	

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		<p>sanitary sewage charges to the Village under this Agreement; (6) provide any legal claims against the County to the Village; and (7) notify customers of the Agreement between the Village and the County at the County's sole expense.</p> <p>Background The City of Miami Springs (Miami Springs) use to provide sanitary sewage service to 66 commercial and residential accounts in the Village. On July 17, 2008, the Board of County Commissioners (BCC) approved Resolution 825-08 which authorized the transfer of Miami Springs' water and sewer systems to the County. As such, MDWASD is currently the provider of retail sanitary sewage service to 66 accounts within the municipal boundaries of the Village in the vicinity of N.W. 36 Street and N.W. 57 Avenue.</p> <p>Legislative History The execution of the July 17, 2008 Agreement with Miami Springs (Resolution 825-08) will provide additional yearly water and sewer revenues to the County in the approximate amount of \$892,395. Improvements to the Miami Springs' system will cost \$13,249,000. What is the status of the improvements for the infrastructure in Miami Springs?</p> <p>Surcharge Fee to Miami Springs and Village Customers According to MDWASD staff, the Village would pay a surcharge because they were being served by the Miami Springs infrastructure and would need the same upgrades. The current Miami Springs Improvement Surcharge (Wastewater) amount is 45.27% for residential, multi-family and non-residential customers. Pursuant to Resolution 825-08, the surcharge will be in place for 20 years (See page 25 of 55 of I/O 4-110).</p> <p>Comments According to MDWASD staff, the operating & maintenance costs and rates including rates sanitary sewage services will change from year to year pursuant to the adopted budget by the BCC. The current rates are shown in I/O 4-110, and the overall FY 2008-09 adopted operating and maintenance budget is \$581 million for the County. Furthermore, MDWASD staff indicates that in their budget presentation for FY 2008-09 pertaining for cost of services in retail wastewater/sewer services, the department assumed that personnel cost would increase by 5% annually, other operating expenses would increase by 3% annually, and operating capital costs would grow by \$10 million a year for the next five years.</p>	
8(R)1(D)	Resolution Approving the Execution of a Stormwater Billing Agreement	<p>District 12</p> <p>This resolution authorizes the execution of an Agreement between Miami-Dade County and the City of Sweetwater (City) for the billing of the City's stormwater charges by the Miami-Dade Water and Sewer Department (MDWASD) for a period of 10 years. MDWASD will receive \$0.87 per bill from the City for the billing service. The estimated revenue from the City for this service is \$9,300 annually.</p>	

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		<p>Calculating Stormwater Billing Fee According to staff, the MDWASD stormwater fee covers the cost for billing, collection, and the customer service agency. The calculation would also include the computer space and billing information cost that MDWASD’s accounting and MIS staff maintain and monitor for accuracy. Additional costs include overhead for being the main administrative staff for the municipality.</p> <p>Previous Stormwater Agreement:</p> <ul style="list-style-type: none"> • Resolution 665-08 stormwater billing agreement with the Town of Cutler Bay; • Resolution 1374-07 stormwater billing agreement with the City of South Miami; • Resolution 251-07 stormwater billing agreement with the Village of Miami Gardens; • Resolution 1218-06 stormwater billing agreement with the Village of Palmetto Bay; and • Resolution 1045-05 stormwater billing agreement with the City of Doral. 	
8(R)1(E)	Resolution Authorizing the Mayor or his Designee to Negotiate an Agreement with Miami-Dade County and Florida Power and Light Company	<p>Districts 8 and 9</p> <p>This resolution authorizes the Mayor or his designee to negotiate an agreement with Florida Power and Light Company (FPL) for the provision of reclaimed water to FPL’s Turkey Point Facility. The proposed resolution complies with a provision in the County’s 20-year Water Use Permit (WUP) which requires the County to consider providing reclaimed water to FPL. The South District Wastewater Treatment Plant (SDWWTP) would provide the reclaimed water to FPL. This action does not obligate the County and FPL to enter into any financial commitment at this time.</p> <p>Background There are six existing facilities in Palm Beach, Broward, and Miami-Dade Counties discharging approximately 300 million gallons of treated domestic wastewater directly into the Atlantic Ocean every day through ocean outfalls. At the same time, the demand for public water supply in these three counties is projected to grow by that same amount over the next 20 years, to a total of almost 1.15 billion gallons per day by 2028. The traditional sources of water supply in Southeast Florida, including groundwater and the “regional system” of the Everglades and Lake Okeechobee, are being used beyond sustainable levels.</p> <p>Fiscal Impact The project is estimated to cost approximately \$122 million inclusive of the pipeline running about nine miles from the SDWWTP to FPL’s Turkey Point Facility. The County’s portion of the project funding will be from the Miami-Dade</p>	

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		<p>Water and Sewer Department's budget, bond funding to finance capital costs and operating revenues to provide for maintenance and operating costs.</p> <p>Private Sector Impact A 2006 University of Florida Ocean Outfall Study by the Department of Environmental Engineering Sciences indicated that the increased water costs of eliminating ocean outfalls, including treatment and reuse, would range from \$1.85 per 1000 gallons to \$3.33 per 1000 gallons for an average of \$2.64 per 1000 gallons. The report also indicates that a household using an average of 7500 gallons of water per month would have an additional average cost of \$19.80 per month. Precise costs are not likely to be known until the detailed plans are submitted in 2013.</p>	
8(R)1(F)	Resolution Approving Contract Award for Coastal Wetlands Rehydration Project	<p>District 8</p> <p>This resolution approves the award of Contract No. E08-WASD-02 (A) to MWH Americas, Inc. in the amount of \$8.8 million to provide engineering services for planning, design, construction management, operation and evaluation of an advanced wastewater treatment pilot plant project at the South District Wastewater Treatment Plant.</p> <p>Company Principal(s): Luis Casado, P.E.</p> <p>Contract Period: 2,555 Days (7 years)</p> <p>CBE Goal: 20% (\$1,760,000.00)</p> <p>Sub-consultants: A.D.A. Engineering, Inc. CH Perez & Associates, Consulting Engineers, Inc.; Florida Spectrum Environmental Services, Inc.; Milian, Swain & Associates, Inc., MAGBE Consulting Services; NOVA Consulting, Inc. and Tetra Tech, Inc.; Brown and Caldwell and Consul-Tech Development Services, Inc.</p> <p>Previous Contracts: According to the Firm History Report, the contractor has received three (3) contracts with a total value of \$13,350,000.00.</p> <p>Past Performance: MWH Americas, Inc. has an average rating of 3.8, with 4.0 being the highest rating possible (<i>Office of Capital Improvements CIIS database</i>).</p> <p>Funding Source: Wastewater Connection Charges, WASD Revenue Bonds Sold and Future WASD Revenue Bonds</p> <p>Background The project is needed to meet one of the following conditions stipulated in the 20-Year Water Use permit, which is to</p>	

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		<p>study if reclaimed water can be used for rehydration of the Biscayne Bay Coastal Wetlands. WASD needs to increase the amount of reclaimed water to meet future water demands, rehydrating the coastal wetlands with one potential reuse option.</p> <p>To ensure no adverse ecological/environmental impacts occur an extensive pilot and testing program is proposed.</p> <p>Comments On July 14, 2008, the Competitive Selection Committee voted to hold a Second-Tier meeting with the four highest ranking firms out of the five firms that submitted proposals. The fifth firm, Carollo Engineers, was deemed non-responsive.</p> <p>However, on August 4, 2008, the Selection Committee re-convened to re-evaluate the fifth proposal and voted to hold a Second Tier meeting with all five firms.</p> <p>On August 28, 2008, the Competitive Selection Committee ranked MWH Americas, Inc. as the highest ranking firm.</p> <table border="1" data-bbox="653 732 1812 943"> <thead> <tr> <th data-bbox="653 732 1255 768">Ranking Results for First Tier</th> <th data-bbox="1255 732 1812 768">Ranking Results for Second Tier</th> </tr> </thead> <tbody> <tr> <td data-bbox="653 768 1255 803">CH2M Hill – 438</td> <td data-bbox="1255 768 1812 803">MWH Americas, Inc. - 457</td> </tr> <tr> <td data-bbox="653 803 1255 839">Parsons Water & Infrastructure, Inc. – 435</td> <td data-bbox="1255 803 1812 839">Parsons Water & Infrastructure, Inc.- 453</td> </tr> <tr> <td data-bbox="653 839 1255 875">MWH Americas, Inc.- 410</td> <td data-bbox="1255 839 1812 875">Carollo Engineers - 444</td> </tr> <tr> <td data-bbox="653 875 1255 911">Hazen and Sawyer, P.C. - 401</td> <td data-bbox="1255 875 1812 911">Hazen and Sawyer, P.C. - 436</td> </tr> <tr> <td data-bbox="653 911 1255 946">Carollo- Disqualified</td> <td data-bbox="1255 911 1812 946">CH2M Hill, Inc. - 423</td> </tr> </tbody> </table>	Ranking Results for First Tier	Ranking Results for Second Tier	CH2M Hill – 438	MWH Americas, Inc. - 457	Parsons Water & Infrastructure, Inc. – 435	Parsons Water & Infrastructure, Inc.- 453	MWH Americas, Inc.- 410	Carollo Engineers - 444	Hazen and Sawyer, P.C. - 401	Hazen and Sawyer, P.C. - 436	Carollo- Disqualified	CH2M Hill, Inc. - 423	
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8(R)1(G)	Resolution Approving Settlement of Enforcement Actions by the Florida Department of Environmental Protection	<p>This resolution authorizes the execution of two settlements totaling \$41,000 with the Florida Department of Environmental Protection related to unauthorized discharges from the Miami-Dade Water and Sewer Department’s wastewater treatment facilities.</p> <p>Background Section 403.021(2) of Florida Statutes states that no waste will be discharged to waters of the state without first being given the degree of treatment necessary to protect those waters.</p> <p>The first settlement amount of \$20,500 for penalties plus FDEP costs was assessed due to 1.7 million gallons of treated effluent being discharged to the Oleta River from the WASD’s North District Wastewater Treatment Plant on September 30, 2007.</p> <p>The second settlement amount of \$20,500 for penalties and FDEP costs was assessed due to partially treated affluent being discharged to ponds at the South District Wastewater Treatment facility on multiple days between October 1 through October 3, 2007.</p>													

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9(A)1	Resolution Accepting Impact Fee Reports for FY 2005-06 and FY 2006-07	<p>This report provides a summary of the Annual Impact Fee for FY 2005-06 and 2006-07. The Office of Capital Improvements staff found that these reports had not been provided to the Board of County Commissioners for consideration.</p> <p>According to the report, the total impact fees collected is \$526 million, expenditures total \$381 million and commitments to ongoing and planned projects were \$37 million as of September 30, 2007, resulting in net available funds of \$107 million. For example, during FY 2007, impact fees funded 222 projects totaling \$60.8 million.</p>	
9(A)2	Award of Contract No 8578-0/23	<p>This resolution approves a contract award between Industrial Power Generating Company, LLC (INGENCO) and Miami-Dade County for the development and operation of Landfill Gas Utilization Systems (LFGUS) at the North and South Dade landfills for 17 years.</p> <ul style="list-style-type: none"> • The first two years will be for construction and start up operations of a plant that converts landfill gases to energy; • Revenue generated by this contract will be paid to the County for the remaining 15 years based on the amount of landfill gas generated; • The estimated annual revenue for the North and South Dade landfills will be \$500,000 per year after construction is completed for years 3 through 17; and • Ownership of the plants and associated equipment will be operated by the contractor and later transferred to the County at the end of the contract term. <p>INGENCO: Since 1989, the company and its affiliates have built 15 facilities totaling 139 Megawatts (MW) capacity. Of this capacity, 110 MW are at landfill sites. Corporate headquarters are in Richmond, Virginia, USA, along with the engineering, manufacturing, sales, construction management and the dispatch center. On April 3, 2006, First Reserve, a leading U.S. based private equity firm specializing in the energy industry with \$4.7 billion under management, agreed to acquire INGENCO.</p> <p>Three hundred and ninety seven vendors were notified of this solicitation; 74 downloaded the bid documents, and three vendors submitted offers. The responding vendors are: Greenfield Energy, LLC (Greenfield); Ameresco, Inc.; and INGENCO. Ameresco, Inc. offered a bid for the South Dade landfill only. Bidders were permitted to submit offers for either or both landfills. Greenfield was deemed non-responsive as the company provided written communication indicating they could not honor the prices.</p>	

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			Company Name	Base Revenue / MCF	Total (100%) Flow for 15 years MCF	Operational time in %	Total MCF	Gas Revenue	Plant Asset to the County	Well Field Expansion	Bond cost to the County	Total revenue	Actual Revenue \$/MCF
			Ingenco	0.35	13402800	90	1206 2520	\$4,221,882	\$2,625,000	\$0	\$0	\$6,846,882	0.57
			Ameresco	0.50	13402800	90	1206 2520	\$6,031,260	\$0	(\$750,000)	(\$150,000)	\$5,131,260	0.43
		<p>MCF: Thousand Cubic Feet</p> <p>Project No.: 8578-0/23</p> <p>Managing Department: Department of Solid Waste Management (DSWM)</p> <p>Funding Source: This is a revenue generating contract. DSWM is a proprietary department.</p> <p>Local Preference: The Local Preference was applied in accordance with the Ordinance</p> <p>Living Wage Ordinance: The Living Wage Ordinance does not apply.</p> <p>Overall Work with the County: INGENCO has no performance and/or compliance issues with Miami-Dade County.</p> <p>Comments The contract was approved to advertise on December 14, 2007, with the purpose of procuring the development of the LFGUS at the North Dade and South Dade Landfills. In order for the DSWM to qualify for renewable energy credits, the project must be a landfill “gas to electrical energy” project. The volume of gas produced by each landfill is an act of nature based on the rate of decomposition and the type of garbage in the landfill. The County currently has a landfill gas control system that extracts and burns the landfill gas through flares, as required by the Florida Environmental Protection Agency. This award is structured to allow the gas to be used to generate electricity instead of burning it off through the flares.</p> <p>Questions The DSWM staff provided the following answers: How much will INGENCO generate from this contract once the plants are constructed and operating? <i>This value is for both landfills combined. It is effected by the electric generating capacity installed; the actual electric energy sales price paid by the electric utility and the operation pattern of the Landfill Gas to Energy</i></p>											

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		<p><i>Plant. For the purpose of this estimate it is assumed that the developer (INGENCO) would install a combined total of 8 MW of generating capacity; receive \$0.06/kwh in electric revenue and operate at the rated capacity factor 24 hours/day, 7 days/week 95% of the time. Note that 5% downtime is allowed for maintenance. The resulting gross revenue is estimated at \$3.99 million/per year.</i></p> <p>How much will it cost to construct the plants?</p> <p><i>An average cost for such installations is \$1.5 million/MW. Assuming a combined total capacity of 8 MW, the estimated cost to construct both plants is \$12,000,000.</i></p> <p>Will there be an agreement between INGENCO and the County about training County personnel before the contract expires?</p> <p><i>Section 2 Paragraph 2.23 requires INGENCO to provide training for up to eight (8) County employees for each landfill.</i></p> <p>What is the estimated operating and maintenance costs of the facility to the County for year 18 and beyond?</p> <p><i>The estimated operation and maintenance cost is \$1.05 million/year in 2008. Costs are anticipated to increase each year by inflation.</i></p> <p>What is the life expectancy of the facility from year 18 and beyond?</p> <p><i>Assuming operation within rated capacity and maintenance in accordance with the manufacturer's requirements the equipment should have an operating life expectancy of a minimum of 20 years.</i></p>	
10(A)1	Dance Miami Choreographers Fellowship Program FY 2008-2009	<p>This resolution authorizes funding of three fellowship awards for a total of \$30,000 from the Department of Cultural Affairs (DCA) 2007-2008 Dance Miami Choreographers Fellowship Program (DMCFP).</p> <p>DMCFP provides matching fellowships of \$10,000 on a competitive basis to nurture artistic development of Miami-Dade County based professional choreographers for the creation of new work.</p> <p>The recommended choreographers are as follows:</p> <ul style="list-style-type: none"> • Josee Grant; • Lori Llise George (granted previous DMCFP fellowship in FY 2006- 	<p>DCA provides various grant programs to address the needs of Miami-Dade County-based artists to include:</p> <ul style="list-style-type: none"> • South Florida Cultural Consortium Fellowship for Visual and Media Artists- grants \$15,000 and \$7,500 awards to resident visual and media artists; • DMCFP awards- awards three

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		<p>2007); and</p> <ul style="list-style-type: none"> • Augusto Soledad (granted previous DMCFP fellowship in FY 2005-2006). <p>Local choreographers, who have an established body of work, are invited to submit work samples for review by a national panel for selection.</p> <p>Eligibility requirements include:</p> <ul style="list-style-type: none"> • All professional choreographers must reside in Miami-Dade County; • Must be a professional choreographer*; • Applicants must be over 18 years of age; • Must have resided and worked in Miami-Dade County for one year at the time of application; • Selections will be made contingent on proof of residency (Professional artists returning to school to pursue undergraduate or graduate degrees are eligible); • Non-professional students pursuing undergraduate or graduate degrees, non-professionals who engage in dance as a hobby are not eligible; • Miami-Dade County employees are not eligible; and • Artists selected to receive a dance DMCFP fellowship for three consecutive years must wait one year before re-applying to the program. <p>*According to the Miami-Dade Department of Cultural Affairs - Dance Miami Application form, a professional choreographer is defined as a person who has created a recognized body of original choreographic works over a sustained period of time, who is striving to achieve the highest level of professional recognition, which create on an ongoing basis, original dance works and pursue this work as a means of livelihood.</p> <p>The BCC has approved the following DMCFP fellowships previously:</p> <ul style="list-style-type: none"> • R-83-08 for DMCFP FY2007-2008 (\$30K); • R-57-07 for DMCFP FY2006-2007 (\$30K); • R-1349-05 for DMCFP FY2005-2006 (\$30K); • R-1487-04 for DMCFP FY2004-2005 (\$15K); and • R-1342-02 for DMCFP FY2003-2004 (\$15K). 	<p>\$5,000 grants to nurture the development of local choreographers;</p> <ul style="list-style-type: none"> • Downstage Miami- provides local playwrights with opportunities to develop new work in tandem with master playwrights; • Artist Access- provides mini-grants of up to \$750 for artists to take advantage of professional development opportunities; • Creative Capital Professional-Development Program- presented in conjunction with the Creative Capital Foundation of New York, is a new program structured to address the professional development needs of individual artists originating works in the dance, theater, music, literature and the visual arts; • Artist Enhancement Grants Program- provides \$500, \$750 and \$1,000 grants to assist practicing, professional and emerging visual and performing artists residing in Florida. Support is directed to specific, professional development, skill- 	

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			building opportunities to advance work and careers.
11(A)2	<p>Resolution Expressing Support for Major League Baseball National Youth Baseball Academy Development Project</p> <p>Prime Sponsor Vice-Chairman Jose “Pepe” Diaz</p>	<p>The proposed resolution expresses Miami-Dade County’s support for the Major League Baseball (MLB) National Youth Baseball Academy project in Hialeah, Florida.</p> <p>The 20-acre facility will feature seven baseball fields, batting cages, clubhouse, a training facility and office space. The academy will be open to youth between the ages of 5 through high school.</p> <p>Background In February 2007, MLB expressed an interest to create a youth baseball academy in the City of Hialeah.</p> <p>On September 25, 2008, the Miami Sports Commission through a resolution unanimously supported the partnership between the City of Hialeah and Major League Baseball to development of a National Youth Baseball Academy in 2009.</p> <p>Within a month following the MDSC Board of Directors meeting, general managers of the MLB were informed that the MLB was seeking to open new Youth Baseball Academies in Houston, Miami and New Orleans.</p> <p>The first Youth Baseball Academy opened in Compton, California in 2006 and was designed to increase recreational and developmental skills of children, ages 8 through 17. It features baseball and softball instruction for boys and girls as well as clinics and classroom instruction on such related activities as coaching, umpiring, scouting, sports photography and grounds keeping.</p> <p>Comments Currently, the City of Hialeah is proposing to develop the Academy within the area that the City annexed from the County in 2003. An exact location within the annexed area has not been determined.</p>	
11(A)3	<p>Amendment of the County’s Application for the Disposition and Rehabilitation of 26 Public Housing Units Located in Opa-Locka</p> <p>Commissioner</p>	<p>District 1</p> <p>This resolution authorizes the Mayor or his designee to submit an amendment of the County’s application for the disposition and rehabilitation of twenty-six (26) public housing units located in the Opa-Locka public housing development.</p> <p>In addition, this item permits the County to convey 26 public housing units to Habitat for Humanity of Greater Miami, Inc. and authorizes the Mayor, subject to the United States Department of Housing and Urban Development (HUD) approval of the amendment to the disposition application.</p>	<p>Habitat for Humanity Miami Habitat has built over 600 homes in the low-income neighborhoods of West Perrine, Liberty City, South Miami, Goulds, Homestead, South Miami Heights, Overtown, and Little Haiti.</p> <ul style="list-style-type: none"> • HOPE VI Phase I. • Additional developments <p>24 CFR 970</p>

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	<p>Barbara J. Jordan</p>	<p>The sale proceeds will be used to rehabilitate other Miami-Dade Public Housing Developments.</p> <p>This item includes a County Manager's report dated, October 2, 2007, stating the following:</p> <ul style="list-style-type: none"> • No agreement on the disposition of these public housing units was reached between the County and HUD; • Miami-Dade Housing Agency (MDHA) was to request to rescind its original Section 32 Homeownership Plan from HUD; and • MDHA was to submit a Section 18 disposition request to HUD. <p>Background On September 5, 2005, the Board of County Commissioners (BCC) approved Resolution No. 999-05, authorizing the County Manager to submit an application to HUD for the disposition of Opa-locka, a public housing development. The purpose of the disposition was to rehab 26 public housing units in order to provide homeownership opportunities to eligible low income families. This can only take place if the following occurs:</p> <ul style="list-style-type: none"> • HUD approves the disposition application; • HUD releases the property from the Declaration of Trust which is recorded against each public housing development; and • HUD releases the property from the Annual Contribution Contract. <p>Opa-locka public housing development is owned by Miami-Dade County through MDHA.</p> <p>The 26 units are composed of 18 single-family units and 4 duplex buildings. The estimated Fair Market Value (FMV) is as follows:</p> <ul style="list-style-type: none"> • Single Family (18 units) at \$2,445,640.00 = \$135,869 per unit. • Duplex (16 units) at \$567,623.00 = \$70,953 per unit. 	<p>The demolition and disposition of public housing is authorized under Section 18 of the Housing Act of 1937 (Act), as amended. 24 CFR 970 is the regulation detailing the administrative steps required to perform demolition/disposition activity in accordance with the Act.</p> <p>Although demolition/disposition activity has always been permitted, HUD and its business partners have begun to actively pursue it as a management strategy option in the last 10 years. This is due to the realization that some developments have difficulties associated not only with physical deterioration, but also with the overall deterioration of the surrounding community. It is also true that a large portion of the housing now being proposed for demolition/disposition was built in the late 1940s and early 1950s, and was built to a standard that is no longer acceptable for the general public. HUD developments meeting that description have very often become the housing of last resort within their communities. (source: HUD website)</p>
11(A)4	<p>Resolution Declaring May as a Month to Commemorate Cuba and the Cuban-American</p>	<p>This resolution declares the month of May as a month of commemoration of Cuba and Cuban-American experience in Miami-Dade County.</p> <p>Background On May 20, 1902, Cuba became an independent republic. Thus, the month of May is of particular historical relevance to Cuban-Americans. Beginning in 1959, more than 1 million Cubans fled the island of Cuba and came to the United States.</p>	

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	<p>Experience</p> <p>Commissioner Natacha Seijas</p>	<p>Many fleeing Cubans made Miami-Dade County their permanent home. To commemorate their accomplishments and to honor their sacrifice, this resolution declares the month of May as a month of commemoration of Cuba and Cuban-American experience in Miami-Dade County.</p>	
11(A)5	<p>Resolution Directing the County Mayor to Develop and Implementation Plan for Modifying County Vehicles that Currently use Diesel Fuel to Allow them to be Able to Use Other Available Fuel Sources Such as Bio-Diesel or Vegetable Oil</p> <p>Commissioner Barbara J. Jordan</p>	<p>This resolution directs the County Mayor to develop an implementation plan for modifying County Vehicles that currently use diesel fuel to allow them to be able to use other available fuel sources such as vegetable oil, bio-diesel, algae-based fuels or any other new technology type fuel.</p> <p>The resolution directs the County Mayor to prepare an implementation plan for converting County vehicles that utilize diesel fuel to be able to use other types of fuel; the implementation plan should be designed to minimize costs while taking advantage of reduced emissions and reduce reliance on foreign petroleum products.</p> <p>The plan should be presented to the Board of County Commissioners within 90 days of the date of the resolution.</p> <p>Background Biodiesel is the name of a clean burning alternative fuel, produced from domestic, renewable resources. Biodiesel contains no petroleum, but it can be blended at any level with petroleum diesel to create a biodiesel blend. It can be used in compression-ignition (diesel) engines with little or no modifications.</p> <p>According to the U.S. Department of Energy, biodiesel fuel produces approximately 43 percent less carbon monoxide, 56 percent less hydrocarbons, 55 percent less particulates, 60 to 90 percent less air toxins and 78 percent less carbon dioxide than diesel fuel.</p> <p>Proponents of biodiesel claim that the fuel is simple to use, biodegradable, nontoxic, and essentially free of sulfur and aromatics.</p> <p>Biodiesel can be operated in any diesel engine with little or no modification to the engine or the fuel system. Biodiesel has a solvent effect that may release deposits accumulated on tank walls and pipes from previous diesel fuel storage. The release of deposits may clog filters initially and precautions should be taken. Ensure that only fuel meeting the biodiesel specification is used.</p> <p>The South Florida Regional Transportation Authority recently announced that its Tri-Rail commuter trains will operate on biodiesel fuel. Tests were performed by the Southwest Research in San Antonio, Texas showed that Tri-Rail locomotives use approximately seven percent more fuel when operating on biodiesel; however, biodiesel currently costs approximately 30 cents per gallon less than diesel fuel.</p>	

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		<p>Comments During the December 9, 2008, Governmental Operations and Environment Committee meeting, the resolution was amended to include algae-based and any other new technology type fuel.</p>	
11(A)6	<p>Allocations for District 1 from Building Better Communities General Obligation Bond Program Project No. 249</p> <p>Commissioner Barbara J. Jordan</p>	<p>District 1</p> <p>This resolution allocates funding for District 1 from Building Better Communities General Obligation Bond Program Project No. 249 – Preservation of Affordable Housing Units and Expansion of Home Ownership, as a loan to fund construction of Georgia Ayers Rental Apartments and Lake Vue Oasis single family residences.</p> <p>At the December 12, 2008, Economic Development and Human Services Committee meeting, this item was amended to change the recipient of the \$7,500,000 to build the Georgia Ayers Rental Apartment from the Biscayne Housing Group, LLC to the Georgia Ayers Development, LLC. Both, Georgia Ayers Development, LLC and Biscayne Housing Group, LLC have the same principles.</p> <p>Georgia Ayers Rental Apartments</p> <ul style="list-style-type: none"> • This item loans \$7,500,000 to Georgia Ayers Development, LLC to construct seventy-two (72) units of rental housing for low and moderate income families. • The Georgia Ayers Development, LLC is active with the following principles listed: <ul style="list-style-type: none"> ○ Gonzalo Deramon (manager), and ○ Michael C. Cox (manager). • The project is located at 13280 Port Said Road in Opa-locka. <p>Lake Vue Oasis Single Family Residences</p> <ul style="list-style-type: none"> • This item loans \$3,092,377.63 to UDG III Oasis, LLC to construct forty (40) single family residences for low and moderate income families. • The UDG III Oasis, LLC is active as of October 14, 2008 with no principles listed. • The project is located at 13900 N.W. 17th Avenue in Opa-locka. <p>Comments On May 6, 2008, Resolution No. 537-08 was adopted approving the allocation of \$10,592,307 from Building Better Communities General Obligation Bond Program – Preservation of Affordable Housing Units and Expansion of Home Ownership Project No. 249 to each Commission district.</p> <p>In regards to the availability of these funds, staff will work with all stakeholders to determine when funding is required and develop a prioritization for cash flows. This will be part of the upcoming Capital Budget process. The readiness of the project will be considered in determining funding priority.</p>	

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11(A)7	<p>Resolution Approving the Allocation of \$10,592,307 from the Building Better Communities General Obligation Bond Program Project No. 249</p> <p>Commissioner Joe A. Martinez</p>	<p>District 11</p> <p>This resolution approves the allocation of \$10,592,307 from the Building Better Communities General Obligation Bond Program (BBC-GOB) Project No. 249 “Preservation of Affordable Housing Units and Expansion of Home Ownership” to Commission District 11 for the new development of the Gran Via Complex for affordable housing.</p> <p>During the April 15, 2008 Governmental Operations and Environment (GOE) Committee meeting, the committee members amended the original \$10,590,000 to \$10,592,307 to reflect an increase in the total allocation by \$2,307.</p> <p>On May 5, 2008, the BCC approved Resolution No. 537-08 establishing a procedure that captured and appropriated the original BCC-GOB housing amount of \$137.7 million evenly among the 13 districts (\$10,592,307, per district).</p> <p>Under Project No. 249, a remaining total of \$127.7 million of unallocated bond proceeds are available for affordable housing development through Resolution R-918-04. The unallocated amount of \$127.7 million will be funded from future bond sales.</p> <p>Previously approved allocations from BBC-GOB Project No. 249:</p> <ul style="list-style-type: none"> • Resolution 1177-06 allocated \$5 million from BBC-GOB Project No. 249 to the City of Hialeah to fund affordable housing rental units at 2659 W. Okeechobee Road; • Resolution 303-08 allocated \$5 million from BBC-GOB Program Project No. 249 to fund affordable housing rental units at the corner of Palm Avenue and Okeechobee Road. This is the future site of a multi-purpose facility which includes the Jackson Health Center-Hialeah, a parking facility, and affordable housing units; • Resolution 780-08 allocated \$10,592,307 from BBC-GOB Project No. 249 – "Preservation of affordable housing units and expansion of home ownership" to fund the development of a affordable housing component for the Transit Village Project from future bond sales; • Resolution 872-08 allocated \$10,592,307 from BBC-GOB Project No. 249 - "Preservation of affordable housing units and expansion of home ownership" to fund the development of affordable housing component of the Northside Metrorail Station Transit Oriented Development Project in District 2 from future bond sales; • Resolution 1374-08 allocated \$10,592,307 from BBC-GOB Project No. 249 - "Preservation of affordable housing units and expansion of home ownership" to (1) solicit proposals from the private sector pursuant to a Request for Proposals (RFP); (2) the Board of County Commissioners (BCC) will establish certain requirements to be included 	

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		<p>in the RFP; and (3) directs the Mayor or his designee to issue the RFP to fund the development of multifamily rental housing on privately owned land in Commission District 4 through a grant; and</p> <ul style="list-style-type: none"> Resolution 1371-08 allocated \$10,592,307 from BBC-GOB Project No. 249 - "Preservation of affordable housing units and expansion of home ownership" to the Frankie Rolle Center located at 3750 South Dixie Highway in Commission District 7. Frankie Rolle is envisioned to be an economic development project to include affordable housing, elderly housing, limited retail, parking, and possibly the relocation of Helen Bentley Medical Facility. <p>Comments During the December 2, 2208 BCC meeting, the Office of Capital Improvements (OCI) staff stated that a process is forthcoming to address the status of projects under the "Preservation of affordable housing units and expansion of home ownership" category. OCI staff recommended that a workshop of the BCC be scheduled to address how much BBC-GOB funding for each Commission District is available for capital projects and funding priorities. The process is necessary because several of the projects mentioned above have not received BBC-GOB funding.</p>	
11(A)9	<p>Resolution Relating to Developing And Implementing Bailout Loan Plan for Small And Medium Size Local Businesses</p> <p>Prime Sponsor: Commissioner Dorrin D. Rolle</p> <p>Co-Sponsors: Commissioner Audrey M. Edmonson</p> <p>Commissioner Barbara J. Jordan</p>	<p>This resolution directs that Mayor to develop and implement a bailout loan plan and a plan to provide gap funding through loans for small and medium size local businesses affected by the current recession. The Mayor is to provide an implementation strategy to the Board of County Commissioners within thirty (30) days of the date of this resolution.</p> <p>According to the Office of Intergovernmental Affairs, there are no bills currently filed at the state level that address bailout programs for small and medium size local business affected by the recession.</p> <p>In November 2008, Governor Charlie Christ announced the acceleration of more than 170 road projects, totaling \$1.4 billion in road construction funding. According to the Florida Department of Transportation, this acceleration program was created to help the economy which is expected to employ 39 thousand people (statewide) and generate \$7.8 billion in economic benefits.</p> <p>On December 10, 2008, the Economic Development and Human Services Committee amended the item directing the Mayor to develop (not implement) a bailout program proposal that should include the following:</p> <ul style="list-style-type: none"> Identify how small and medium size local businesses would be defined under the program; Define the nature of gap financing to be provided; Available loan amounts capped to particular businesses; and <p>Identify way to ensure loan pay-backs to the County.</p>	

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	<p>Chairman Dennis C. Moss</p> <p>Senator Javier D. Souto.</p>		
11(A)10	<p>Resolution Ratifying the Action of Jay Malina International Trade Consortium In Executing The Agreement Between Gateway, Inc. And Miam-Dade County</p> <p>Commissioner Natacha Seijas</p>	<p>This resolution ratifies the action of the executive director of the Jay Malina International Trade Consortium (ITC), in executing an agreement between Gateway, Florida, Inc. (Gateway) to provide international trade promotion and advocacy.</p> <p>The executive director of the ITC is authorized to enter in contracts on behalf of the County; such contracts shall be subject to the Board of County Commissioners (BCC) for ratification (Article CII Sec. 2-1505 of the Code of Miami-Dade County).</p> <p>The agreement with Gateway is for a project that addresses International Trade Promotion & Advocacy to include two primary objectives:</p> <ul style="list-style-type: none"> • Promote public awareness of the benefits of free trade and free trade accords; and • Form an interim partnership of thirteen (13) countries that have bilateral agreements with the US to promote trade & investment. <p>The agreement is budgeted for \$50,000 and is included in ITC's budget for FY08-09. Deliverables for this contract include distribution of news releases, production of various materials pertaining to respective events (flyers, event poster boards, certificates, quarterly newsletters and a final report</p> <p>Gateway principals include:</p> <ul style="list-style-type: none"> • Charles Cobb; • Antonio Villamil; and • Brian Dean 	<p>On November 19, 2002, the BCC approved Ordinance 02-225 establishing the ITC.</p> <p>The ITC of Miami-Dade County is the county government agency charged with the development of two-way international merchandise trade through the Port of Miami and Miami International Airport. The ITC was designed to function as an umbrella organization, acting as a one-stop clearinghouse for trade development efforts within the County. The vision of the ITC is to promote and strengthen Miami-Dade County as an international trade and cultural center.</p> <p>The agency is divided into the following sections:</p> <p>Finance and Administration Marketing & Outreach Sister Cities Program Trade Development</p> <p>ITC Trade Missions for 2008:</p> <ul style="list-style-type: none"> • Goodwill Mission to Tenerife, Canary Islands, Spain (January 2008); and • Business Development Mission to Prague (May 2008).

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11(A)11	<p>Resolution Directing Mayor or his Designee to Develop an Outreach Plan For Educating Schoolchildren</p> <p>Prime Sponsor Commissioner Natacha Seijas</p> <p>Co-Sponsors Vice-Chairman Jose “Pepe” Diaz</p> <p>Commissioner Audrey M. Edmonson</p> <p>Commissioner Joe A. Martinez</p> <p>Commissioner Dorrin D. Rolle</p> <p>Commissioner Carlos A. Gimenez</p>	<p>This resolution directs the Mayor of his designee to develop an outreach plan to educate school children on the importance and benefits of water conservation and present the plan for approval within 60 days of the adoption of this resolution.</p> <p>The South Florida Water Management District offers the following programs for elementary, secondary, high school and college level study on water resource issues:</p> <ul style="list-style-type: none"> • The Great Water Odyssey is a computer-based interactive curriculum for 3rd, 4th and 5th grade students. This multidisciplinary education experience correlates to Florida's Sunshine State Standards preparing students to be successful on the Florida Comprehensive Assessment Test (FCAT).The Great Water Odyssey is a creative, hands-on way to teach students about reading, science, language arts, geography, history, math and conservation of water; • A training workshop for middle school and high school teachers developed to focus on skills that children need to succeed with FCAT, including reading comprehension, graph making, diagram interpretation and data analysis. <p>The Loxahatchee Impoundment Landscape Assessment (LILA) is a working 80-acre model of the Everglades ecosystem on the grounds of the Arthur R. Marshall Loxahatchee National Wildlife Refuge. This “living laboratory” gives experts an opportunity to research and apply restoration techniques on a small, controlled scale before taking them into the 1.7 million-acre Everglades ecosystem. The unique facility was built in 2003 as a partnership between the South Florida Water Management District, U.S. Fish and Wildlife Service and the U.S.</p>	
11(A)12	<p>Resolution Designating Miami Intermodal Center (MIC) as an Area or Facility of Countywide</p>	<p>The proposed resolution designates the Miami Intermodal Center (MIC) as an “Area or Facility of Countywide Significance” pursuant to Section 20-28.1 of the Code of Miami-Dade County.</p> <p>The MIC is estimated to be \$1.5 billion regional facility that consists of the consolidated rental car facility, the Automated People Mover Systems and the right-of-way for Miami International Airport.</p> <p>Section 20-28.1(b) of the Code requires that any designation of lands as an “Area or Facility of Countywide Significance”</p>	

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	Significance Prime Sponsor Commissioner Rebeca Sosa	may be made by resolution of the Board based on findings that: <ul style="list-style-type: none"> • the area or facility is susceptible to substantial change and development that will detrimentally affect the facility or land; • there is a need for the continued, unimpaired functioning of the area or facility by the greater community; and • the service provided at or by the area or facility, or at a combination of areas or facilities, is a significant resource to the greater community. <p>Once the MIC is designated as an area or facility of Countywide significance, even if the area is annexed by a municipality the County will retain jurisdiction over the development of the area.</p>	
11(A)13	Feasibility of the County Pursuing Legal Action Against Third Parties Who Participated in Certain Adverse Derivative Transactions or Whether Negotiations With Such Parties is More Appropriate Commissioner Carlos A. Gimenez	<p>This resolution urges the County Attorney to determine whether legal action should be taken against third parties (such as bond insurers, rating agencies, investment bankers and financial advisors) , who participated in complex derivative bond transactions, which have adversely affected bonds issued by the County versus whether negotiations with such third parties is more appropriate.</p> <p>Background In recent months, the County has had to remarket bonds at a substantially higher rate and in some instances tender bonds to the bank at a significantly higher interest rate as a result of lowered demand by investors for County bonds insured by downgraded bond insurers, whose portfolios included troubled-asset backed securities.</p> <p>In addition, the County’s downgraded bond insurers have triggered contractual provisions in swap agreements that obligated the County to receive from its counterparty to the swap agreement a lower alternative variable rate rather than the favorable actual variable rate.</p> <p>To alleviate this negative impact, the County has had to purchase new bond insurance policies and execute new and amended Standby Bond Purchase agreements to secure the bonds issued.</p> <p>The County has also had to suspend some short term investments in commercial paper, increase balances maintained in bank accounts, and delay drawdowns.</p> <p>The rating downgrades and the collapse of the auction rate bond market has also</p>	<p>Other Jurisdictions Pursuing Legal Recourse:</p> <ul style="list-style-type: none"> • Los Angeles, California - for failure to disclose sub-prime exposure • Oakland, California - for failure to disclose sub-prime exposure • San Francisco, California

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		<p>resulted in investors steering clear of government bonds which are currently not traded as favorably as in the past. Investment firms and various financial advisors have played an instrumental role in the County's bond transactions. (Source: County Manager's memos dated 1/25/08, 2/19/08, 2/20/08, 4/8/08, 10/7/08).</p> <p>The County Attorney has been evaluating and continues to evaluate the legal remedies available against bond insurers, rating agencies, financial advisors, bond counsel and all other parties as a result of their role in negotiating and providing advice on certain bond transactions. This resolution urges the County Attorney to determine whether legal action should be taken against these third parties versus whether negotiations with such third parties are more appropriate.</p>	
11(A)14	<p>Resolution Declaring Certain Computer Equipment as Surplus and Authorizing Its Donation to the Miami Beach Senior Citizens Housing Development Corp., Inc.</p> <p>Commissioner Bruno A. Barreiro</p>	<p>This resolution declares 2 County-owned Dell PC computers as surplus property and authorizes their donation to the Miami Beach Senior Citizens Housing Development Corp., Inc. (MBSCHD).</p> <p>Background Under the County code, the County may donate its surplus property to eligible community based organizations provided: (1) the surplus property is first offered to and declined by other County agencies, (2) the surplus property is obsolete, no longer efficient, or no longer serves as a useful function, and (3) the Board of County Commissioners declares the County-owned property as surplus.</p> <p>MBSCHD is a private non-profit organization which has provided documentation documenting its tax-exempt status; thereby qualifying as an eligible community based organization under the County Code. The computers, which will be donated, are considered obsolete and no longer serve a useful purpose. MBSCHD will use the computers at its on-site computer lab for its elderly and disabled residents.</p> <p>Surplus Property</p> <ul style="list-style-type: none"> • Dell Optiplex PC with monitor and accessories – DC # 637271 - \$600 estimated value • Dell Optiplex PC with monitor and accessories – DC # 634567 - \$600 estimated value 	<p>Miami Beach Senior Citizens Housing Development Corp., Inc. MBSCHD is a Florida non-profit entity which has consistently filed annual reports with the Florida Department of State, and has documented its tax-exempt charitable status as required under the County Code.</p> <p><u>Directors:</u> Morton Bahr Steve Protulis Maria Cordone William Holaytor Susan Phillips Raul Dube</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
11(A)15	<p>Resolution Declaring Two 2001 Bluebird Buses as Surplus and Authorizing Their Donation to the City of Sweetwater</p> <p>Vice Chairman Jose “Pepe” Diaz</p>	<p>This resolution declares 2 County-owned 2001 Bluebird Buses as surplus property and authorizes their donation to the City of Sweetwater.</p> <p>Background Pursuant to the County code and Florida’s state statutes, the County may donate its surplus property to other governmental units located in the County provided: (1) the surplus property is first offered to and declined by other County agencies, (2) the surplus property is obsolete, no longer efficient, or no longer serves a useful purpose, and (3) the Board of County Commissioners declares the County-owned property as surplus. The City of Sweetwater is a governmental unit located within the County. The 2 Bluebird Buses are 2001 models, each with over 245,000 miles.</p> <p>Surplus Property 2001 Bluebird Bus – ID # 1BAGCPA71F200200 – 248,557 miles - \$2,500 (est. value) 2001 Bluebird Bus – ID # 1BAGCPA21F200203 – 256,653 miles - \$2,500 (est. value)</p>	
11(A)16	<p>Resolution Declaring One 2001 Bluebird Buses as Surplus and Authorizing Its Donation to the Lehrman Community Day School, Inc.</p> <p>Commissioner Sally A. Heyman</p>	<p>This resolution declares 1 County-owned 2001 Bluebird Bus as surplus property and authorizes its donation to the Lehrman Community Day School, Inc. (Lehrman).</p> <p>Background Pursuant to the County code and Florida’s state statutes, the County may donate its surplus property to eligible community based organizations provided: (1) the surplus property is first offered to and declined by other County agencies, (2) the surplus property is obsolete, no longer efficient, or no longer serves a useful purpose, and (3) the Board of County Commissioners declares the County-owned property as surplus.</p> <p>Lehrman is a private non-profit organization which has provided documentation documenting its tax-exempt status; thereby qualifying as an eligible community based organization under the County Code. The Bluebird Bus, offered for donation, is a 2001 model with over 220,000 miles. The school will use the bus to transport students to educational and sports related extra-curricular activities.</p> <p>Surplus Property 2001 Bluebird Bus – ID # 1BAGBCPA51F200194 – 220,770 miles - \$2,500 (est. value)</p>	<p>Lehrman Community Day School, Inc. Lehrman is non-profit Florida entity which has consistently filed its annual report with the FL Department of State, and has documented its tax-exempt charitable status as required under the County Code.</p> <p><u>Officers:</u> Roger Miller – President Robert Finvarb – Vice President Rosalind Lanes – Secretary Elizabeth Allocco - Treasurer</p>
11(A)27	Resolution	This resolution declares 1 County-owned 1994 Ford Pickup as surplus property	

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	<p>Declaring One 1994 Ford Pickup as Surplus and Authorizing Its Donation to the South Dade Soil & Water Conservation District</p> <p>Commissioner Katy Sorenson</p>	<p>and authorizes its donation to the South Dade Soil & Water Conservation District.</p> <p>Background Pursuant to the County code and Florida's state statutes, the County may donate its surplus property to other governmental units located in the County provided: (1) the surplus property is first offered to and declined by other County agencies, (2) the surplus property is obsolete, no longer efficient, or no longer serves a useful purpose, and (3) the Board of County Commissioners declares the County-owned property as surplus. The South Dade Soil & Water Conservation District is a private non-profit organization located within the County and qualifies as an eligible community-based organization under the County Code. The Ford Pickup is a 1994 model with over 42,000 miles. The Water Conservation District will use the pick-up for field activities and water conservation evaluations.</p> <p>Surplus Property 1994 Ford Pickup – ID # 1FTHF25H4RNB62824 – 42,840 miles - \$2,500 (est. value)</p>																
12(A)1	<p>Approval of Trust Fund Release and Disbursal Agreement</p>	<p>This resolution approves a trust fund release and disbursement agreement with the South Florida Employment and Training Consortium (Consortium) and the State of Florida's Agency for Workforce Innovation (AWI).</p> <p>Under R-407-08, the County had to pay \$144,793 to AWI for unjustified transportation costs related to programs under the Consortiums jurisdiction. In July 2004, Miami-Dade County, Monroe County, the City of Miami, the City of Miami Beach and the City of Hialeah (five former Consortium members). During a routine audit of federal funds awarded to the Consortium it was discovered that unjustified transportation costs in the Consortium's Prepaid Account totaling \$651,282. This cost would later be modified to \$305,077 to be collected from the Consortium members and the Miami-Dade County share is \$144,793 (or 42.2%).</p> <p>Disallowed Cost share by Consortium Member</p> <table border="1" data-bbox="527 1279 1577 1456"> <thead> <tr> <th>Consortium Member</th> <th>Percent</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>Miami-Dade</td> <td>42.2</td> <td>\$128,742</td> </tr> <tr> <td>City of Miami</td> <td>33.3</td> <td>\$101,590</td> </tr> <tr> <td>City of Hialeah</td> <td>11.1</td> <td>\$33,863</td> </tr> <tr> <td>Monroe</td> <td>6.7</td> <td>\$20,440</td> </tr> </tbody> </table>	Consortium Member	Percent	Amount	Miami-Dade	42.2	\$128,742	City of Miami	33.3	\$101,590	City of Hialeah	11.1	\$33,863	Monroe	6.7	\$20,440	
Consortium Member	Percent	Amount																
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Item No.	Subject Matter	Background	Analysis / Comments / Questions			
		<table border="1"> <tr> <td data-bbox="529 232 884 264">City of Miami Beach</td> <td data-bbox="884 232 1213 264">6.7</td> <td data-bbox="1213 232 1575 264">\$20,440</td> </tr> </table>	City of Miami Beach	6.7	\$20,440	
City of Miami Beach	6.7	\$20,440				
12(A)2	Settlement of Pending Litigation Between Alexandra Coronado, Nola Farquharson and Prudence Jones and Miami-Dade County	<p>The disallowed costs were collected and deposited in a Miami-Dade Trust Account to be released and reimburse AWI.</p> <p>This resolution authorizes a Settlement Agreement subject to the approval of the United States Department of Housing and Urban Development (HUD) to resolve the pending litigation between Alexandra Coronado, Nola Farquharson and Prudence Jones (Plaintiffs) and Miami-Dade County.</p> <p>The plaintiffs filed a lawsuit against the County on July 16, 2008, alleging that the County through the Miami-Dade Housing Agency, engaged in a practice of denying Section 8 Housing voucher payments to recipients without notice and an opportunity for a hearing.</p> <p><u>Settlement Agreement Terms</u></p> <p>The terms of the Settlement Agreement are twofold. They include an extensive training in client service policy and funds for individual damages and relief.</p> <p><u>Training in Client Service Policy</u></p> <p>The County Attorney's Office (CAO) conducted trainings to insure that the Miami-Dade Housing Agency's hearing officers and staff are following the proper statutory and regulatory requirements. The focus of the trainings included:</p> <ul style="list-style-type: none"> • The proper notices to be sent to Section 8 tenants who are recommended for termination from the program; • The types of evidence that the department must introduce at the hearing; • The process for conducting hearings; and • Requirements for final hearing decisions. <p>Specifically, the trainings were to reinforce the following operational procedures of the County's Section 8 Housing Choice Voucher Program:</p> <ul style="list-style-type: none"> • Direct client interaction with case workers familiar with, or responsible for the client's case, including direct client access to case workers regarding Request for Tenancy Approvals (RFTA) and Change of Dwelling (COD) request; • Approval or disapproval of all RFTAs consistent with the federal regulations, Section 8 Administrative Plan, and the Procedures for RFTA Process; • Unit inspections to determine whether the unit satisfies the Housing Quality Standards, and notification to the family and owner of the determination within a reasonable time after the family submits a RFTA; <ul style="list-style-type: none"> ○ Unit inspections and determinations must be completed within 15 days after the family and the owner submit the RFTA; ○ Any RFTAs not approved within 15 days, the reason for the delay will be indicated in the tenant file. • All COD requests are to be processed prior to the termination of tenancy and/or the Housing Assistance Payments (HAPs), whichever is earliest; 				

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		<ul style="list-style-type: none"> ○ Any COD not approved prior to the termination of tenancy and/or HAP, the reason for the delay will be indicated in the tenant file. • Inquiries by the Plaintiffs' counsel regarding the processing of individual recipients' RFTAs, CODs and related issues relating to the Section 8 Housing Choice Voucher program will be responded to within two working days after the initial request; • Prior to the termination of HAP to a landlord or assistance to a Section 8 program tenant/participant, a management level employee will review and approve the termination of payments to guarantee that it is in keeping with the requirements of the U.S. Housing Act and the Section 8 program regulations; <ul style="list-style-type: none"> ○ The Plaintiffs' Counsel has an opportunity to meet with the assigned management level employee. 	<p>Damages and Relief Payment</p> <p>The County agrees to pay the Plaintiffs \$60,000 (Settlement Funds) in total for all claims arising out of this matter. The Plaintiff, Prudence Jones, owes the County \$16,944 for an overpayment. This amount will be deducted from the Settlement Funds. A Payment to Legal Services of Greater Miami, Inc. in the amount of \$43,056 will be made on the Plaintiffs behalf.</p> <p>Additionally, \$5,655 of the Settlement Funds will reimburse Ms. Farquharson for housing assistance that would have been paid under the United States Housing Act of 1937 with respect to her dwelling unit. All parties will bear their own attorneys' fees and cost.</p>	

Agenda Item 8O1D

Option-to-Renew contracts that could bring the cumulative value of the initial contract to more than \$1 million

Item	Contract No	Contract Title	Initial Contract Value	1 st OTR	2 nd OTR	3 rd OTR	4 th OTR	5 th OTR	Modification	Possible Cumulative Value
3.	4909-4/13	Padlocks/Security Hardware	\$677,000/1 yr	\$747,000/yr	\$747,000/yr	\$747,000/yr	\$747,000/yr	N/A	\$ 70,000*	\$3,665,000
4.	5206-5/14	Police Solo Motorcycles	\$408,000/1 yr	\$447,966/yr	\$447,966/yr	\$447,966/yr	\$447,966/yr	\$447,966	\$ 39,966*	\$2,647,830
6.	6118-4/13	Rental of Portable Chemical Toilets	\$324,510/1 yr	\$404,510/yr	\$404,510/yr	\$404,510/yr	\$404,510/yr	N/A	\$ 80,000*	\$1,942,550
7.	7328-4/13	Onsite Truck/Bus/Trailer	\$484,368/1 yr	\$484,368/yr	\$484,368/yr	\$484,368/yr	\$484,368/yr	N/A	N/A	\$2,421,840
9.	8443-4/13	Laundry Services	\$819,000/1 yr	\$819,000/yr	\$819,000/yr	\$819,000/yr	\$819,000/yr	N/A	N/A	\$4,095,000
10.	8492-4/12	Uniforms	\$961,809/1 yr	\$961,809/yr	\$961,809/yr	\$961,809/yr	\$961,809/yr	N/A	N/A	\$4,809,045
11.	8550-3/11	Janitorial Supplies	\$437,550/1 yr	\$437,550/yr	\$437,550/yr	\$437,550/yr	N/A	N/A	N/A	\$1,750,200
12.	8593-4/13	Janitorial Services	\$302,598/1 yr	\$323,030/yr	\$323,030/yr	\$323,030/yr	\$323,030/yr	N/A	\$ 20,432*	\$1,594,718
13.	8600-4/13	Pants/Battle Dress Uniforms	\$800,000/1 yr	\$800,000/yr	\$800,000/yr	\$800,000/yr	\$800,000/yr	N/A	N/A	\$4,000,000
14.	8605-4/13	Landscaping/Lawn	\$219,483/1 yr	\$219,483/yr	\$219,483/yr	\$219,483/yr	\$219,483/yr	N/A	N/A	\$1,097,415
16.	8612-2/11	Police Rifles	\$581,728/1 yr	\$581,728/yr	\$581,728/yr	N/A	N/A	N/A	N/A	\$1,745,184
17.	8633-4/13	Tug & Baggage Tractor Parts/Service	\$237,795/1 yr	\$237,795/yr	\$237,795/yr	\$237,795/yr	\$237,795/yr	N/A	N/A	\$1,188,975
20.	8657-4/13	Work Uniforms	\$488,560/1 yr	\$488,560/yr	\$488,560/yr	\$488,560/yr	\$488,560/yr	N/A	N/A	\$2,442,800
21.	8672-3/10	Metrorail/Metromover Repair Service	\$500,000/6 mths	\$500,000/6 mths	\$500,000/6 mths	\$500,000/6 mths	N/A	N/A	N/A	\$2,000,000
24.	EPP-RFP610	Ballot/Collating/Verification	\$998,500/6 yrs	\$192,150/3 yrs	\$201,759/3 yrs	N/A	N/A	N/A	\$305,000**	\$1,697,409
27.	EPP-RFP8390	Visual Inventory of Roadway Assets	\$900,000/3 yrs	\$ 47,500/yr	\$ 47,500/yr	N/A	N/A	N/A	N/A	\$ 995,000
Table 2										
1.	IB5419-4/13	Fire, Crash/Rescue Equipment Maintenance	\$246,175/1 yr.	\$ 246,175/yr	\$246,175/yr	\$246,175/yr	\$246,175/yr	N/A	N/A	\$1,230,875

* Contract modification issued during the initial contract term.

**Contract modification approved by the Board for one time only.

Source: Department of Procurement Management