



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

Board of County Commissioners

April 7, 2009
9:30 AM
Commission Chamber

Charles Anderson, CPA
Commission Auditor

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

Board fo County Commissioners
Agenda Notes
April 7, 2009

Item No.	Subject Matter	Background	Analysis / Comments / Questions
4(B)	<p>Permanent Donation Collection Bins on Improved Property Owned by Charity</p> <p>Prime Sponsor Commissioner Joe A. Martinez</p>	<p>This ordinance amends the Code of Miami-Dade County (Code) to provide for permanent donation collection bins on improved property owned by a charity, providing for buffering, setbacks, and permit requirements.</p> <p>Current Code Currently under § 33-19 of the Code, donation collection bins are prohibited. A donation collection bin is defined as a receptacle designed with a door, slot or other opening and which is intended to accept and store donation items. This definition does not include non-motorized vehicles which are permitted as a special exception.</p> <p>Proposed Additions to the Code <u>Charitable Organization</u></p> <ul style="list-style-type: none"> • States that the organization allowed to place a permanent donation bin is a not-for-profit organization under the laws of the State of Florida for charitable purpose; and • The charitable organization is declared exempt from the payment of federal income taxes by the United States Internal Revenue Service. <p><u>Permanent Donation Collection Bins</u> The proposed ordinance mandates that charities can maintain collection bins on site if the following occurs:</p> <ul style="list-style-type: none"> • The donation collection bins are to be permanently affixed to the property; • Approved by the Director of the Building Department as meeting the requirements for wind resistance established by Miami-Dade County; • Buffered from view from any location off of the property of said charity; • No closer than 75 ft. from any property line; • Require a permit application which will be reviewed by both the from the Department of Planning and Zoning and the Building Department for the type of structure and the setbacks prior to the placement on the property; • Floor area not in excess of 20 sq. ft. and height not exceeding 6 ft.; • Not required to comply with the windborne debris impact standards of the 	<p>Other jurisdictions which require collection bins to be permitted or registered include Chicago (I.L.), Woodbridge (N.J.), Huntington (N.Y.), Nashville (T.N), and Milwaukee (W.I).</p> <p>Comparison to Other Jurisdictions A cursory review of other jurisdictions, found the following subject matters being addressed in their Code:</p> <ul style="list-style-type: none"> • The placement of the collection bin could constitute a health or safety hazard. Such hazards include, but are not limited to, the placement of a collection bin in parking spaces, in any area that interferes with pedestrian or vehicular traffic, landscaping, or within 100 yards of any place which stores or sells large amounts of fuel or other flammable liquids/gases, or is likely to attract vermin or litter (sources: Borough of Edgewater Ordinance No. 1403-2009; Township of Bernards Ordinance No. 2042;); • Specify the number of collection bins allowed on the property; • Mandate that all donations must be fully enclosed in the collection bin. Donations that are not fully enclosed in the collection bin are considered a public nuisance and subject to

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		<p>Florida Building Code; and</p> <ul style="list-style-type: none"> No electrical connections. <p><u>Illegal Collection Bins</u> The Office of Neighborhood Compliance (ONC) issues a notice of violation in the case of illegal structures.</p> <p>Prepared by: Elizabeth N. Owens</p>	<p>removal at the owner's expense (Milwaukee Code § 33.02); and</p> <ul style="list-style-type: none"> Specify the material the collection bins can be composed of (ex. metal, steel, plastic). <p>In addition, this ordinance does resolve some common issues that other jurisdictions are experiencing in regards to collection bins:</p> <ul style="list-style-type: none"> That of non-profit organizations setting up collection bins; and/or The proliferation of unregulated collection bins. <p>According to ONC, from January 2008 to April 2, 2009, they conducted a total of 32 investigations regarding illegal collection bins. Of the 32 cases, there have been 24 warning letters issued for the removal of collection bins and 3 notices of violation served. Two cases remain open.</p>
4(C)	Ordinance Relating to Vehicles For-Hire; Amending to Article V of the Code Relating to Eligibility Requirements for Initial and Renewal Fixed Route or Jitney Service Chauffeur Applicants	<p>This ordinance amends Article V, Section 31 of the Code relating to the eligibility requirements for initial and renewal fixed route or jitney service chauffeur applicants by providing applicants whose primary language is not English to pass a separate examination which demonstrates the applicant's ability to communicate in English with emergency personnel and passengers.</p> <p>This amendment provides that applicants, whose primary language is not English, be required to take and pass a separate examination demonstrating their ability to communicate in English with emergency personnel and passengers in situations such as accidents, illness, fire, physical injury or trauma. The amendment also provides that the one-day oral and written examination be administered in Spanish or Creole to applicants whose primary language is other than English.</p> <p>Comments The amendment is limited to jitney and fixed route chauffeurs. Currently, Section 31-306 of the Code provides that private school bus drivers whose language is other than English and who transport students who are fluent in the language of the</p>	

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	<p>Prime Sponsor Commissioner Rebeca Sosa</p>	<p>driver be required to take and pass a separate examination that demonstrates the applicant's ability to communicate in English with emergency personnel in situations of an accident, illness, fire, physical injury or trauma.</p> <p>According to the Consumer Services Department, 115 tests were administered to jitney applicants in calendar year 2008. Out of the 115 tests that were given, 74 passed on the first attempt (64%), 92 passed on the second attempt (80%), 101 passed on third or subsequent attempts (88%).</p> <p>The first and second attempts are at no charge, the third and subsequent attempts are \$15.</p> <p>Prepared by: Tiandra D. Sullivan</p>	
4(D)	<p>Proposed Ordinance Amending Chapter 8 of the Code of Miami-Dade County</p>	<p>This ordinance amends Chapter 8 of the Code of Miami-Dade County that provides for inspections of boilers by adding the criteria for boilers that would require annual certification.</p> <p>Background Currently, the Code requires that boilers with a heat input capacity of 200,000 British Thermal Units (Btu) be examined and certified by the Building Department personnel on an annual basis. Due to an amendment by the Florida Building Commission that changed the definition on the types of boilers that require annual inspection by increasing the heat intake from 200,000 Btu to 400,000 Btu. With this change, boilers with a heat intake capacity of 200,000 Btu would no longer require annual inspections.</p> <p>Comments/Questions According to the Miami-Dade Building Department annual inspections of boilers are required only on commercial premises. During the FY 2007-08, the Department performed 615 inspections throughout UMSA and the City of West Miami; there were 62 failed boiler inspections during FY 2007-08. The cost of an annual inspection is \$74.42.</p> <p>Prepared by: Tiandra D. Sullivan</p>	
4(E)	<p>Ordinance Providing for Extensions of Time to Periods for Compliance set Forth in Orders of the Unsafe Structures Board or Appeals Panels</p>	<p>This ordinance amends Chapter 8 of the Code of Miami-Dade County to allow for extensions relating to the compliance periods that are determined by the Unsafe Structures Board or Appeal Panels.</p> <p>The Unsafe Structures Appeal Panels hears appeals of decisions of the Miami-Dade County Building Official declaring single-family and duplex residences and their accessory structures on vacant land to be unsafe where there is a danger to the health and safety of citizens.</p> <p>Currently, the Code provides that if the cost of completion, alteration, repair and or/replacement of an unsafe building or structure exceeds 50 percent of its value, the building should be demolished and removed from the premises. If a building</p>	

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	<p>Prime Sponsor Commissioner Dorrin D. Rolle</p>	<p>can be repaired and made safe, the building must be completed and brought into full compliance with the Florida Building Code within such time as the Building Official, Unsafe Structures Appeal panel or the Unsafe Structures Board may determine to be reasonable for such completion. If the building is not brought into full compliance within that timeframe the building or structure is demolished.</p> <p>This amendment allows for the owner or representative to seek an extension in writing of the timeframe that is granted by the Unsafe Structures Board or the Unsafe Structures Appeal Panel.</p> <p>Prepared by: Tiandra D. Sullivan</p>	
4(G)	<p>Community Small Business Enterprise (CSBE) Program</p> <p>Prime Sponsor Commissioner Dorrin D. Rolle</p>	<p>This ordinance amends the Code of Miami-Dade County (Code) as it relates to the CSBE Program, providing for enforcement and penalties for failure to satisfy an approved CSBE Make-up Plan.</p> <p>The proposed provisions specify the following requirements for failing to meet an established CSBE goal:</p> <ul style="list-style-type: none"> • Approval of a CSBE Make-up Plan by the Director of the Department of Small Business Development (SBD); and • For future contracts, the Make-up Plan and a corresponding Schedule of Intent Affidavit submitted as part of any bid or proposal. The Schedule of Intent Affidavit must identify: <ul style="list-style-type: none"> ○ All CSBEs to be utilized to meet the first tier subcontractor goal; and ○ The trade designation of work each firm will perform in satisfaction of a make-up. ○ In addition, any other goals that may be applicable. <p>Proposed Penalties: The following proposed penalties are in addition to any other sanctions for failing to fulfill the CSBE measure requirement.</p> <p><u>Schedule of Intent Affidavit</u> - Failure to include the required Schedule of Intent Affidavit for any future contracts will result in the submittal of a bid or a proposal being deemed nonresponsive.</p> <p><u>Make-up Plan</u> - Any contractor subject to an approved Make-up Plan that fails to comply with any of the material term of the Make-up Plan, without good</p>	<p>Current Code Currently under § 10-33.02 of the Code, a contractor who is awarded a County contract, determined to be appropriate for CSBE participation, is required to fulfill CSBE goals as established by the County. Failure to achieve the CSBE participation goals may subject the contractor to a variety of sanctions including suspension, work stoppage, termination/cancellation of the contract, and debarment.</p> <p>In addition, the existing Code states that contractors who fail to fulfill the participation goal may also be ineligible to receive future contracts unless they agree to make up the deficit by having the CSBE perform equal to double the dollar value of the deficiency (the Make-up Goal).</p> <p>On March 10, 2009, the Office of the Commission Auditor (OCA) posed a similar request to SBD regarding the status of open violations of various companies totaling over \$100,000 each from the Violations Report dated</p>

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		<p>cause, will be subject to an automatic suspension from bidding and/or otherwise participating on County contracts as a prime or subcontractor for a six month period.</p> <p><u>2nd Make-up Plan</u> - In the case of failure to comply with any of the material terms of a second make-up plan, without good cause, will be subject to an automatic suspension of bidding and/or otherwise participating on County Contracts as a prime or subcontractor for a one year period.</p> <p><u>3rd Make-up Plan</u> – A contractor that fails to comply with any of the material terms of a third make-up plan, without good cause, may be subject to debarment and will be automatically referred to the debarment committee.</p> <p>After serving a debarment for failure to satisfy a make-up plan for no good cause, the subject firm shall be deemed ineligible for bidding on county contracts with measures for one additional year unless the County Manager determines that an emergency exists justifying such participation and the Board of County Commissioners approves such decision.</p> <p>Goal Deficit Make-up Report The February 29, 2009 SBD Goal Deficit Make-up Report lists 17 contractors who have open CSBE violations. Of the 17 contractors listed, only 2 firms have approved Make-up Plans (see table below).</p> <table border="1" data-bbox="541 1029 1451 1442"> <thead> <tr> <th colspan="3" data-bbox="541 1029 1451 1133">Contractors Presently Required to Submit a Make-Up Plan and Whose Cumulative Deficit Dollar Balance Exceeds \$100,000 As of February 28, 2009</th> </tr> <tr> <th data-bbox="541 1133 1045 1198">Contractor</th> <th data-bbox="1045 1133 1213 1198">Date of Violation</th> <th data-bbox="1213 1133 1451 1198">Cumulative Deficit Balance</th> </tr> </thead> <tbody> <tr> <td data-bbox="541 1198 1045 1235">Adventure Environmental, Inc.</td> <td data-bbox="1045 1198 1213 1235">9/2007</td> <td data-bbox="1213 1198 1451 1235">\$198,583</td> </tr> <tr> <td data-bbox="541 1235 1045 1305">American Earth Movers, Inc.*</td> <td data-bbox="1045 1235 1213 1305">11/2007 5/2008</td> <td data-bbox="1213 1235 1451 1305">\$756,500</td> </tr> <tr> <td data-bbox="541 1305 1045 1375">Budget Construction Co.</td> <td data-bbox="1045 1305 1213 1375">6/2007 6/2008</td> <td data-bbox="1213 1305 1451 1375">\$993,891</td> </tr> <tr> <td data-bbox="541 1375 1045 1412">DACA Environmental, Inc.</td> <td data-bbox="1045 1375 1213 1412">2//2003</td> <td data-bbox="1213 1375 1451 1412">\$171,283</td> </tr> <tr> <td data-bbox="541 1412 1045 1442">Dato Electric, Inc.</td> <td data-bbox="1045 1412 1213 1442">10/2006</td> <td data-bbox="1213 1412 1451 1442">\$996,145</td> </tr> </tbody> </table>	Contractors Presently Required to Submit a Make-Up Plan and Whose Cumulative Deficit Dollar Balance Exceeds \$100,000 As of February 28, 2009			Contractor	Date of Violation	Cumulative Deficit Balance	Adventure Environmental, Inc.	9/2007	\$198,583	American Earth Movers, Inc.*	11/2007 5/2008	\$756,500	Budget Construction Co.	6/2007 6/2008	\$993,891	DACA Environmental, Inc.	2//2003	\$171,283	Dato Electric, Inc.	10/2006	\$996,145	<p>March 6, 2009. Additional attempts were made on March 17 and April 1, 2009 to obtain this information. As of the printing of this analysis, SBD has not responded to this request.</p>
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4(H)	Ancillary Outdoor Dining Use	<p data-bbox="520 982 1467 1052">This ordinance amends the Code of Miami Dade County (Code), permitting outside dining as an ancillary use in business and industrial zones.</p> <p data-bbox="520 1084 701 1117">Current Code</p> <p data-bbox="520 1117 1467 1219">Currently under § 33-13, 33-238 and 33-259 of the Code, outdoor patios and table service in connection with restaurants are considered unusual use and is not allowed unless approved by public hearing.</p> <p data-bbox="520 1252 919 1284">Proposed Revisions to the Code</p> <p data-bbox="520 1284 1467 1354">The proposed ordinance allows outdoor dining as an ancillary use to a structure where the primary is as a food service establishment.</p> <p data-bbox="520 1386 1467 1456">It <u>removes the public hearing requirement</u> for outdoor dining in business and industrial districts and includes, but is not limited to, the following</p>	<p data-bbox="1476 982 1919 1015">Comparison to Other Jurisdictions</p> <p data-bbox="1476 1015 1965 1117">A cursory review of other jurisdictions found the following in comparison to the proposed ordinance:</p> <ul data-bbox="1476 1117 1965 1425" style="list-style-type: none"> <li data-bbox="1476 1117 1965 1219">• The proposed ordinance contains regulatory language similar to the Cities of Miami and Miami Beach. <li data-bbox="1476 1219 1965 1425">• The City of Raleigh North Carolina requires a written Indemnity Agreement that holds the City, its officers, councilors, and employees harmless of any property damage or personal injury. 																					

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		<p>requirements:</p> <ul style="list-style-type: none"> • No reduction in required parking or landscaping for the site; • Outdoor seating will be included in the calculations for required parking; • No outdoor cooking or food preparation; • Permits un-amplified music; • Outdoor dining operations permitted between the hours of 7a.m. to 11p.m.; • Alcohol beverages may be served; • Subject to plan review and approval through the building permit review process; and • Requires an annually renewed Certificate of Use. <p>Prepared by: Elizabeth N. Owens</p>	<p>In addition, the City of Miami’s Code includes a section establishing the Dog Friendly Dining Program. This program provides implementation and enforcement procedures allowing for patrons' dogs within certain approved outdoor seating areas of food service establishments in the City of Miami.</p> <p>Economic Impacts This regulation provides for an annually renewed Certificate of Use providing a positive economic impact to the County.</p>
5(F) & 5(G)	<p>Ordinance Authorizing the Issuance of \$130 Million Subordinate Special Obligation Bonds to Pay Stadium Costs</p> <p>And</p> <p>Ordinance Authorizing the Issuance of \$378 Million Professional Sports Franchise Facilities Tax Revenue Bonds to Refund Revenue Refunding Bonds and to Pay Stadium Costs</p>	<p>Overview - Procedural Posture During a special legislative session held on March 23, 2009, the Board of County Commissioners (BCC) authorized, on first reading, the issuance of Subordinate Special Obligation Bonds and Professional Sports Franchise Facilities Tax Revenue Bonds to finance, in general, the development and construction of a new baseball stadium, and to refinance outstanding debt, among other things. Both bond ordinances are presently before the BCC for passage on second reader. Both ordinances have been placed on the BCC agenda without committee review, with the consent of the Commission Chair and Committee Chair.</p> <p>Ordinances’ Purpose These proposed ordinances, in effect, are enabling ordinances. Their implementation depends on the passage of subsequent resolutions (set forth below in Items 8E1B and 8E1C) which will detail the maturity dates, interest rates, denominations and other specification necessary for issuing the bonds.</p> <p>Norman Braman Litigation As a result of the pending Braman Appeal, the County is required to secure a “no-merit” opinion from Bond Counsel. The Administration notes that Bond Counsel has completed its analysis and will issue a “no-merit” opinion in connection with the Subordinate Special Obligation Bonds, Professional Sports Franchise Facilities Tax Revenue Bonds, and the General Obligation Bonds.</p> <p>Item 5F - Issuance of \$130 Million Subordinate Special Obligation Bonds Item 5F authorizes the issuance of Subordinate Special Obligation Bonds in the amount of \$130 million for purposes of paying the costs of :</p> <ul style="list-style-type: none"> • developing and constructing a County-owned professional baseball stadium to be operated by the Florida Marlins 	

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		<p>baseball team;</p> <ul style="list-style-type: none"> • developing and constructing certain public infrastructures surrounding the baseball stadium site; • funding a reserve fund • issuing bonds • obtaining bond insurance, <p>Authorization for Issuing Subordinate Special Obligation Bonds Under Master Bond Ordinance 97-210, enacted by the Board of County Commissioner (BCC) in 1997, the BCC determined it was in the best interest of the County to provide funds for the construction of a new sports arena through the issuance of Subordinate Special Obligation Bonds, among other things.</p> <p>The BCC further determined that capital projects financed with Subordinate Special Obligation Bonds are permitted to be funded by the County’s Convention Development Tax (CDT). However, under Master Bond Ordinance 97-210 the CDT revenues used for purposes of funding a new sports arena are subject to existing priority obligations which are already secured by the County’s CDT. This includes the refunding of outstanding bonds (Bond Series 1996B, 1997A, 1997B, 1997C, 2005 A, 2005B) and financing bonds previously issued for the Miami Beach Senior Interlocal, American Airline Arena, and the Performing Arts Center, and Hedge Payments. Accordingly, the pending bond ordinance authorizes the issuance of \$130 million of bonds, secured by CDT revenues, on a subordinate basis.</p> <p>Financing Component of Baseball Stadium - Pledged Security The Subordinate Special Obligation Bonds will be secured by a lien or pledge of “Pledged Funds.” Therefore, these bonds will not constitute a general obligation. Pledged Funds for the Subordinate Special Obligation Bonds consist of:</p> <ul style="list-style-type: none"> • Designated Convention Development Tax (CDT) revenues (i.e., tax revenues minus prior obligations) • Funds held under the 1997 Ordinance • Investment earnings • Available sales tax in the Debt Service Fund <p>Bond Structure -- Caveat The Subordinate Special Obligation Bonds (CDT Bonds) will be comprised of fixed rate bonds and variable rate demand bonds. The fixed rate bonds will be sold as either Current Interest Rate bonds and/ or Capital Appreciation Bonds. If sold as Capital Appreciation Bonds, the interest will not be paid to bondholders until the date of maturity. Thus, the interest payments will accrue and compound during the term of the bond. Long term Capital Appreciation Bonds are sometimes difficult to sell before maturity by bondholders at a fair price. Therefore, these bonds are less marketable.</p> <p>Plan of Finance – Caveat The Plan of Finance, set forth in the County Manager’s memo accompanying this proposed ordinance, provides that the</p>	

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		<p>the issuance of Professional Sports Revenue Bonds. In 1998, approximately \$94 million of Professional Sports Franchise Facilities Revenue Refunding Bonds were issued to refund bonds previously issued. That series of bonds are secured by a primary pledge of the Professional Sports Tax revenues and a secondary pledge of the Tourist Development Tax revenues. The pending 2009 Series Professional Sports Tax Bonds will refund the 1998 Series, and release the lien on the Professional Sports and Tourist Development tax revenues, allowing the 2009 Series Bonds to be secured by those tax revenues (as noted above).</p> <p>Financing Component of Baseball Stadium - Pledged Security The Professional Sports Franchise Facilities Tax Revenue Bonds, as special and limited obligations, will be payable from a prior lien and secured by a pledge of “Pledged Funds.” Therefore, these bonds will not constitute a general obligation. Pledged Funds for the Professional Sports Franchise Facilities Tax Revenue Bonds will consist of:</p> <ul style="list-style-type: none"> • 1% tourist-based tax on transient lodging (a/k/a Professional Sports Tax) • 2% tourist-based tax on lodging facilities development room tax (a/k/a Tourist Development Tax) • Covenant revenues (non ad valorem revenues) • Hedge receipts – if any (from interest rate swaps) • Investment earnings <p>Pledged Hedge Receipts Certain County Commissioners have expressed concern over the County’s exposure and dependence on interest rate swap transactions (which the proposed bond ordinance cites as a pledged fund) in light of recent swap terminations prior to scheduled maturity dates, and in light of the County’s exposure to higher debt service costs as a result of swaps containing variable interests which may increase, or as a result of a downgrade in the swap counterparty’s ratings.</p> <p>Bond Structure -- Caveat Similar to the Subordinate Special Obligation Bonds (CDT Bonds), the Professional Sports Franchise Facilities Tax Revenue Bonds will be comprised of fixed rate bonds and variable rate demand bonds. The fixed rate bonds will be sold as either Current Interest Rate bonds and/ or Capital Appreciation Bonds. If sold as Capital Appreciation Bonds, the interest will not be paid to bondholders until the date of maturity. Thus, the interest payments will accrue and compound during the term of the bond. Long term Capital Appreciation Bonds are sometimes difficult to sell before maturity by bondholders at a fair price. Therefore, these bonds too are less marketable.</p> <p>Prepared by: Lauren Young-Allen</p>	
7(A) & Supp.	Zoning Regulation of Signs, Deleting Sunset Provision for the	<p>This ordinance amends Chapter 33 of the Code of Miami-Dade County (Code) pertaining to the zoning regulations of signs in the City of Miami Downtown Core by repealing the sunset provision that is contained in Section 9 of Ordinance 07-61.</p> <p>Ordinance 07-61 created limited exemptions for 35 mural signs within the City of Miami Downtown Core and it also</p>	

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	<p>Establishment of Murals</p> <p>Prime Sponsor Commissioner Bruno A. Barreiro</p>	<p>authorized signs with noncommercial messages where commercial messages are permitted. The ordinance also contained a sunset provision that repealed the ordinance after two years of the effective date.</p> <p>This ordinance repeals the sunset provision in its entirety from Ordinance 07-61.</p> <p>Enforcement of Unpermitted and Illegal Signs</p> <p>According to the Supplemental for this item, there are no illegal murals or Type C (Billboard) signs within the City of Miami Downtown Core; but that does not remain the case in UMSA and the City of Miami outside of the Downtown Core.</p> <p><u>UMSA</u></p> <p>Since March 2006, the Office of Neighborhood Compliance (ONC) has opened a total of 30 cases for enforcement in UMSA. Of those 30 cases, 13 were mural signs of which only one, Malibu Lodging Investments, LLC aka City Inn, remains open and has been referred for civil action.</p> <p>The remaining 17 cases are other Class C signs of which 3 remain open but have had liens recorded against the property and are under review for possible civil action.</p> <p><u>City of Miami (City) Outside the Downtown Core</u></p> <p>The City of Miami is primarily responsible for the enforcement of sign regulation within its boundaries. If the City does not take adequate enforcement steps, then ONC issues warnings and follows up with citations. Since March 2006, ONC has pursued 29 cases for enforcement in the City. Of those 29 cases, 28 were mural signs of which all have been closed.</p> <p>The one remaining case was for other Class C sign and is closed.</p> <p>However, a new mural sign has appeared on a structure that had previous enforcement issues. This new mural has been referred to the City for enforcement.</p> <p><u>Fines</u></p> <p>According to the County Manager, forthcoming amendments to Chapter 8CC of the Code will assess more stringent and additional fines for violations.</p> <p>Prepared by: Elizabeth N. Owens</p>	
7(B)	Permanent Landscape Irrigation Restrictions	<p>This ordinance amends § 32-8.2 of the Code of Miami-Dade County (Code) relating to permanent landscape irrigation restrictions.</p> <p>At the March 10, 2009, Governmental Operations Committee meeting, this item was amended to correct scrivener's</p>	

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	<p>Prime Sponsor Commissioner Natacha Seijas</p>	<p>errors and allow the irrigation of new lawns (irrigation allowed from 11:00a.m and 12:01p.m.) for a period of 30 days.</p> <p>The ordinance intends to increase water use efficiency and protect the water resources of the County, curtailing wasteful water use practices by providing mandatory year-round landscape irrigation conservation measures. It also provides for an increase of penalties for violating the permanent landscape irrigation restrictions from \$50.00 to \$75.00.</p> <p>Current Code Currently the Code provides that water restrictions be placed on landscape irrigation during periods of high evaporation and prohibits the operation of irrigation systems operated in a manner that causes water to be wasted.</p> <p>While water restrictions are in place, Miami-Dade County residents are allowed to irrigate lawns and landscaping twice a week. Even numbered addresses may irrigate lawns on Thursdays and Sundays, while residents with odd-numbered addresses are able to irrigate their lawns and landscapes on Wednesdays and Saturdays between the hours of 12 a.m. to 9 a.m. and/or 5 p.m. to 11:59 p.m.</p> <p>The proposed ordinance further provides that the above referenced water conservation measures are mandatory, enforced year round and prohibits lawn and landscape irrigation between the hours of 10 a.m. to 4 p.m. daily.</p> <p>Comment On April 18, 2008, the South Florida Water Management District issued a Modified Phase II Severe Water Shortage Order. According to the WASD, in FY 07-08, there has been a total of 1,131 complaints were received, 696 advisories, 98 warnings and 11 citations were issued.</p> <p>Prepared by: Elizabeth N. Owens</p>	
7(C)	<p>Ordinance Amending the Code Relating to Vehicles For-Hire</p> <p>Prime Sponsor Commissioner Dorrin D. Rolle</p>	<p>This ordinance amends Sections 31-82, 31-303 and 31-602 of the Code of Miami-Dade County by clarifying the exclusion period that a person may not be eligible for a for-hire license if they have pled nolo contendere, pled guilty, been found guilty or been convicted of trafficking narcotics.</p> <p>The ordinance also establishes a 10 year exclusion period that a person may not be eligible for a Chauffeur’s registration if they have pled nolo contendere, pled guilty, been found guilty or been convicted of trafficking narcotics.</p> <p>Current policy Sections 31-82, 31-303 and 31-602 of the Code establishes provisions where an applicant is not eligible for a for-hire license, chauffeur’s registration and for-hire limousines licenses. Currently, an applicant who has been convicted of trafficking narcotics is not eligible for a chauffeur’s registration. Furthermore, Sections 31-82, 31-303 and 31-602 contain</p>	

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		<p>conflicting provisions regarding the exclusion period that a person may not be eligible for a for-hire license and a for-hire limousine license.</p> <p>Comments The ordinance establishes that an applicant who has pled nolo contendere, pled guilty, been found guilty or been convicted of trafficking will be eligible to obtain a for-hire license, chauffeur’s registration or a for-hire limousine license after 10 years of the conviction. The ordinance also eliminates conflicting provisions in Sections 31-82, 31-303 and 31-602.</p> <p>Prepared by: Tiandra D. Sullivan</p>	
7(D)	Ordinance Amending Chapter 10 of the Miami-Dade County Code	<p>This ordinance amends Chapter 10 of the Code of Miami-Dade County establishing the Waterproofing Contractors license category. A series of industry workgroups culminated in the development of a definition and the creation of waterproofing installation guidelines. The ordinance establishes the following guidelines:</p> <p style="padding-left: 40px;">A Waterproofing Contractor is a contractor qualified, by three (3) years experience, has passed a written examination, is qualified and certified to clean, sandblast, caulk, and prepare the surface to install, repair and replace waterproofing systems including the incidental use of sheet metal and other components in connection therewith to create an impervious barrier preventing the passage water by applied protective material, membrane, surfacing, or sealant, both above and below grade, excluding on grade asphalt surfaces. In no way is this to be interpreted as limiting, denying or excluding general, building, residential and roofing contractors in the performance of this craft.</p> <p>Building Code Compliance Office (BCCO) staff indicates that meetings between waterproofing stakeholders, their counsel and BCCO were ongoing in 1999. The meetings/discussions continued for one more year.</p> <p>Have any other meetings been conducted between waterproofing stakeholders and BCCO staff since 2000?</p> <p>According to BCCO staff, the underlying issue of ongoing discussions with the industry was the desire to establish guidelines which would facilitate the broader use of waterproofing systems and the acceptance of waterproofing as an alternative to roof systems by local building departments. The meetings culminated with a set of guidelines which were endorsed through consensus. The guidelines established the conditions under which waterproofing could be used in lieu of an approved roof system. Additionally, issues of permits, inspections and minimum installation requirements were contained in the guidelines. The guidelines were presented to the Board of Rules and Appeals (BORA) in 2001. BORA adopted these guidelines and re-adopted them again after the implementation of the Florida Building Code in 2002. BORA endorsed the countywide use of the guidelines as a means of establishing uniformity among the various building departments regarding waterproofing installations. Moreover, these guidelines were submitted by BCCO during a 2004</p>	

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		<p>building code update cycle and are now contained in the Florida Building Code.</p> <p>Background The Miami-Dade Construction Trades Qualifying Board (CTQB) is recommending the Waterproofing licensing category. The CTQB was established in 1957 through Ordinance 57-25. The CTQB assures that competency standards are met in the trades and specialty construction categories and works to resolve citizens' complaints. Furthermore, the CTQB meets separately as an "A" Division, which regulates building, roofing and building specialty licenses. According to BCCO staff, individuals with a background in waterproofing have sought guidance from the CTQB "A" Division as to how they could become licensed to perform waterproofing. The most recent was an individual who appeared at the July 2008 full meeting of the CTQB. As a result, BCCO and CTQB members worked together to introduce legislative text that suggested the scope of the waterproofing license. The text was not submitted until the following September 2008 CTQB "A" Division meeting. The CTQB "A" Division reviewed the language contained in the current ordinance modification and endorsed the modification for the Board of County Commissioners (BCC) consideration.</p> <p>Roofing Industry According to BCCO staff, an overall consensus of the industry's leaders shows no opposition to the establishment of a waterproofing contractor license.</p> <p>Licensing Costs The cost of any contractor license issued by Miami-Dade County is \$315.00 for a personal certificate. A personal certificate indicates one who has met all experience requirements, successfully passed the examination and who has been approved by the CTQB. If the individual chooses to establish a company and begin the work of contracting, another fee of \$315.00 is required. A financial background check is conducted and CTQB approval is required. The total cost for a waterproofing license in Miami-Dade County is \$630.00.</p> <ul style="list-style-type: none"> • According to BCCO staff, the waterproofing license is a County license valid only within the County. There will be an examination specifically for waterproofing. The exam vendor, Gainesville Testing, will prepare the exam to various languages. The CTQB will approve the applicants for licensure and business applications. <p>Legislative History On October 19, 2004, the CTQB introduced an ordinance to the BCC that established the Waterproofing Contractor category to differentiate the scope from the painting and roofing contractor categories in response to the development of installation criteria specific to waterproofing. The ordinance was deferred by the BCC and sent back to the Governmental Operations and Environment Committee.</p> <p>Comments</p>	

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		<p>According to BCCO staff, it is becoming essential that waterproofing be viewed as a stand alone discipline. As performance demands increased, the need for more versatile systems spawned an array of installation-specific waterproofing systems.</p> <p>In many ways waterproofing differs from traditional roofing systems. Some of the differences are as follows:</p> <ul style="list-style-type: none"> • Must be resistant to standing water and hydraulic head • Not subject to Ultra Violet • Must withstand traffic • Must resist environmental contaminants and pollutants • Must resist pesticides, insecticides and herbicides • Materials are different • Accommodate structural movement in the substrate • Must last the life of the building in many instances • May not be accessible • Repair or replacement can be catastrophic • Details different • Warranties • Different causes of failures <p>The CTQB recognized that the complexity involved in waterproofing installations was not addressed by the non-tested “Painting and Waterproofing” license category. Consequently, the CTQB took action to sever waterproofing from the Painting license. Moreover, as urban areas build upward, the need to utilize spaces and provide parking has resulted in a proliferation of waterproofing systems. Currently, Greenroof systems are becoming more common, with a fundamental component being a waterproofing system. For the first time, above grade waterproofing requirements are now in the Florida Building Code. Cutting edge and innovative waterproofing systems of liquid applied membranes, modified bitumen, single ply technology and other systems which may be foreign to many roofing contractors have become state of the art.</p> <p>Currently, roofing contractors, general, building and residential contractors may perform waterproofing installations. However, waterproofing has developed as a specialty category. As such, it is the intent of the BCCO and CTQB to offer licensure to those individuals who may not qualify for a roofing or general contractor license; but instead are trained, in the installation of waterproofing systems.</p> <p>Question Is this type of standalone waterproofing license being offered in any other jurisdiction in Florida?</p>	

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		Prepared by: Tiandra D. Sullivan																																																																																									
7(E)	Ordinance Relating to Park and Recreation Department Agreements with Programming Partners and Community Based Not-for-Profit Organizations	<p>This ordinance amends the Park and Recreation Department (MDPR) agreements with Programming Partners (PP) and Community Based Organizations (CBO).</p> <p>The amendment allows PP and CBO's (who provide service at County Park and Recreation facilities) the opportunity to negotiate and/or renew Programming Partnership Agreements (PPA). Currently, the ordinance does not provide a renewal or negotiation option and limits participants grandfathered into the Programming Partners process to no more than two (2) years.</p> <p>Currently, there are twenty-seven (27) CBO's that have a PPA with MDPR. Three (3) out of twenty-seven (27) CBO's have agreement terms ending in 2009 and twenty-five (25) CBO's have had more than five (5) years of association with MDPR.</p> <table border="1" data-bbox="527 703 1682 1469"> <thead> <tr> <th data-bbox="527 703 1171 873">PROGRAMMING PARTNER</th> <th data-bbox="1171 703 1373 873"># of years under programming partner agreement</th> <th data-bbox="1373 703 1505 873">Ending initial term in 2009</th> <th colspan="2" data-bbox="1505 703 1682 873">Years with MDPR before PP Agreement</th> </tr> </thead> <tbody> <tr><td>American Youth Soccer - 3 Lakes</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>American Youth Soccer Org.</td><td>2</td><td></td><td colspan="2">5+</td></tr> <tr><td>B.E.A.C.H.E.S. Foundation</td><td>2</td><td></td><td colspan="2">5+</td></tr> <tr><td>Boys & Girls Club of Miami</td><td>2</td><td></td><td colspan="2">5+</td></tr> <tr><td>Coral Estates Soccer Club</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>Everglades Archers, Inc.</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>Greater Goulds Optimist</td><td>3</td><td></td><td colspan="2">5+</td></tr> <tr><td>Howard Palmetto Baseball & Softball</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>Jr. Marlins Neighborhood Sports Assoc.</td><td>5</td><td>Y</td><td colspan="2">5+</td></tr> <tr><td>Metro Aquatics Club of Miami</td><td>3</td><td></td><td colspan="2">5+</td></tr> <tr><td>Miami Friends Baseball Assoc.</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>New Birth Optimist</td><td>3</td><td></td><td colspan="2">5+</td></tr> <tr><td>Northside Optimist Club</td><td>5</td><td>Y</td><td colspan="2">5+</td></tr> <tr><td>Optimist Club of Ives Estate</td><td>3</td><td></td><td colspan="2">5+</td></tr> <tr><td>Optimist Club of Kendall Hammocks, Inc. (Devonaire Park)</td><td>4</td><td></td><td colspan="2">5+</td></tr> <tr><td>Optimist Club of West Kendall</td><td>4</td><td></td><td colspan="2">5+</td></tr> </tbody> </table>	PROGRAMMING PARTNER	# of years under programming partner agreement	Ending initial term in 2009	Years with MDPR before PP Agreement		American Youth Soccer - 3 Lakes	4		5+		American Youth Soccer Org.	2		5+		B.E.A.C.H.E.S. Foundation	2		5+		Boys & Girls Club of Miami	2		5+		Coral Estates Soccer Club	4		5+		Everglades Archers, Inc.	4		5+		Greater Goulds Optimist	3		5+		Howard Palmetto Baseball & Softball	4		5+		Jr. Marlins Neighborhood Sports Assoc.	5	Y	5+		Metro Aquatics Club of Miami	3		5+		Miami Friends Baseball Assoc.	4		5+		New Birth Optimist	3		5+		Northside Optimist Club	5	Y	5+		Optimist Club of Ives Estate	3		5+		Optimist Club of Kendall Hammocks, Inc. (Devonaire Park)	4		5+		Optimist Club of West Kendall	4		5+					
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			Palm Springs North Athletic Assoc.	2	5+
			Perrine Optimist Club of Miami	2	5+
			Pinecrest Premier Soccer, Inc.	3	5+
			Rockway Swim Foundation	3	5+
			Soccer Academy of the Americas	2	
			South Florida Baseball Dreamers, Inc. (Bros. to the rescue Park)	1	
			South Kendall Optimist Club Inc (Eureka Park)	4	5+
			South Kendall Soccer Club, Inc. (Kendall Indian Hammocks Park)	4	5+
			Southern Soccer Coalition (Miller's Pond Park)	2	5+
			Tamiami Youth Baseball Assoc. (Tamiami Park)	5	Y 5+
			Westchester Optimist Club	4	5+
			<p>Ordinance 02-137 formalizes the agreement and relationship between the County and CBO's. CBO's are currently required to provide payment for the use of fields, insurance, coaching certification, annual financial statements, legal status, players and coaches roster, and background checks. Currently, the PP program partnership requires participants to provide an annual affidavit indicating that background checks were conducted and all employees passed.</p> <p>How are the annual background checks being handled for each CBO?</p> <p><i>During the annual audits by the contract management section of the MDPR, the background checks are reviewed and compared against the list of coaches. Ultimately, the responsibility of the background checks falls on the Programming Partner.</i></p> <p><i>According to the MDPR, there are no known deficiencies regarding the background checks of the CBO Programming Partners. Additionally, there is currently no known deficiency for the previous year's annual audit. Audits for the current year have not begun. The audits typically start in May or June and run through September.</i></p> <p>Prepared by: Mia B. Marin</p>		
8(A)1(A) & Supp.	Award Recommendation to Merkury Corporation in the Amount of \$5,843,250	This resolution recommends an award to Merkury Corporation d/b/a Merkury Development in the amount of \$5,843,250 to refurbish Miami-Dade Aviation Department (MDAD) Buildings 3094 and 3095. Building 3095 is the old Pan Am round hangar and Building 3094 is a seven-story parking garage adjacent to Building 3095.	The CPFS, hand written p. 16, lists the project schedule as follows: <ul style="list-style-type: none"> • Start Design 5/15/06, • Advertise 3/19/08, • Award 8/20/08, • NTP 10/21/08, and 		

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>The project consists of general repair and refurbishment of the seven-story post-tensioned, exposed concrete parking garage and general repair and refurbishment of the exterior exposed concrete and corrugated steel panel siding of an eleven-story hangar. The County Manager’s memorandum gives a detailed project description including repair of drainage system; prefabricated stairs and railings; several electrical related repairs and many other items.</p> <p>However, the project description on the Capital Project Fact Sheet (CPFS) only states that the buildings will be:</p> <ul style="list-style-type: none"> • Surveyed to determine extent of exterior damage. • Pressure cleaned to remove mold, mildew, and peeling paint. • Damaged surfaces will be patched or replaced as appropriate. • All exterior surfaces will be sealed and/or painted to preserve them. <p><i>According to MDAD, the CPFS is an internal document used for budgeting purposes and the project description narrates the conceptual scope of work. The description on the County Manager’s memo is the same description used in the advertisement of bids. It reflects the final scope of work and is more elaborate for bidders.</i></p> <p>There are no annual operation or maintenance costs associated with this contract. The refurbishment will provide an additional 40 years life expectancy to the buildings that are approximately 25 years old. It will also bring the buildings into compliance with the South Florida Building Code and National Fire Prevention Association.</p> <ul style="list-style-type: none"> • What are those buildings currently used for? <i>The current tenant in the hangar and the lower two office floors is American Airlines. MDAD collects \$3,523,736 annually from American Airlines which includes the hangar, office space & 480 parking spaces. The upper offices are vacant because they are not code compliant. The parking garage is used by AA, MDAD Police, TSA, CPB and some MDAD employees. However, the upper floors could be leased in the future or remain as additional office space for MDAD staff.</i> • Why haven’t the buildings been painted or maintained for the past 25 years? <i>The buildings have received routine maintenance as per MDAD’s procedures. However, with age they require more comprehensive maintenance work that is often combined into a large competitively bid</i> 	<ul style="list-style-type: none"> • Completion 10/21/09. <p>Why has this taken so long to come before the BCC? Pursuant to MDAD:</p> <ul style="list-style-type: none"> • Bid Opening: 10/8/08, • A/E completed Bid Evaluation: 10/27/08, • MDAD requested CSBE Compliance Review from SBD: 12/03/08, • SBD issued Compliance Review Memorandum: 12/24/08, and • MDAD submitted complete Contract Award Recommendation: 1/13/09. <p>The CPFS, hand written p. 17, shows a column stating Actual Paid as of 10/5/05 in the amount of \$151,106. What is this? Has this been paid?</p> <ul style="list-style-type: none"> • Pursuant to MDAD, the \$151,106 has been paid to the A/E for the design services completed up to that date. • <i>Why was the payment on 10/5/05 if the A/E consultant start date was 5/15/06?</i> <p><i>Additional response from MDAD: May 15, 2006 was the start date for the A/E consultant professional services. The time from 5/15/06 through 3/19/08 was for a complete survey of existing conditions, Schematic Design; Design Development; Preparation of construction/Bid Documents; Reviews by MDAD; HNTB; Building Department; Fire Department; and other Regulatory</i></p>

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		<p><i>contract.</i></p> <p><u>Funding Source</u> The funding source budgeted for this project is Airport Development Funds in the amount of \$8,926,000. The A/E, Douglas Wood & Associates, Inc., provided the estimate for this project at \$7,192,802, however, the contract award is for \$5,843,250.</p> <p>According to MDAD, the A/E estimate was based on market conditions when the construction industry was booming. Bids for this project were received when the market conditions had changed significantly. MDAD received seven bids of which six are below the A/E estimate. The difference between the estimate and the contract amount will be returned to the MDAD finance division accounts for use on other MDAD unfunded projects.</p> <ul style="list-style-type: none"> • <i>Can this project be done with \$1,892,802 less than the A/E estimate? Yes, however, the County is protected by Bid Bond, Performance Bond and Payment Bond on the project.</i> <p><u>Contract Measures</u> The contract measures are 24% CSBE and 29% CWP. Merkury Development will be performing 12% of the CSBE measure, Solares Electrical Services will be performing 6% and C.L. Elias Construction will be performing the remaining 6%.</p> <p><u>According to the Capital Improvements Information System (CIIS):</u></p> <ul style="list-style-type: none"> • Merkury Development is a Level 3 CSBE, has 4 contracts listed totaling \$3,591,187, and has 5 evaluations posted with an average rating of 3.6. • Solares Electrical Services is a Level 2 CSBE, has 4 contracts listed totaling \$4,475,607, and has 2 evaluations posted with an average rating of 3.5. • C.L. Elias is a Level 1 CSBE. <p>Prepared by: Bia Marsellos</p>	<p>Agencies. <i>The estimate prepared by the A/E upon completion of the above noted activities (prior to the scheduled advertisement date of 3/19/08) was higher than the project budget. Therefore, MDAD staff reviewed each scope item in the design documents and identified selected items that were deleted to stay within the budget. The A/E consultant needed additional time to revise the bid documents to reflect those changes.</i></p> <p>What were the discrepancies described in the recommendation letter dated October 27, 2008 from Douglas Wood 7 Associates to MDAD (hand written p. 8)?</p> <ul style="list-style-type: none"> • <i>Pursuant to MDAD, the discrepancies in this bid were judged to be minor and correctable.</i>
8(E)1(A)	Resolution Designating Miami Daily Business	This resolution designates the Miami Daily Business Review as the publication for publishing delinquent taxes and improvement liens and special assessment liens.	

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	Review as the Publication for Publishing Delinquent Taxes and Liens	<p>Background The Miami Daily Business Review was the <u>only bidder</u> to respond to the County’s invitation to advertise the 2009 list of the 2008 delinquent taxes, improvement liens and special assessments. Under the award, Miami Daily Business Review will be required to publish the following :</p> <ul style="list-style-type: none"> • delinquent tax lists for the tax year 2008, • delinquent tangible personal property taxes, • delinquent real property taxes and • non-ad valorem assessments such as improvement liens and special assessment liens pertaining to the 2008 tax roll. <p>Section 197.402 of the Fl. Stat., requires the Tax Collector to (1) advertise delinquent tangible personal property taxes once within 45 days of the taxes becoming delinquent, and (2) to advertise delinquent real estate taxes once each week for 3 weeks. In addition, §18-14 of the Miami-Dade County Code and §197.363 and §197.3632 of the Fl. Stat. provide that improvement liens and delinquent special assessments shall be advertised in the same manner as delinquent real estate taxes.</p> <p>Funding Source The cost of the advertising delinquent property taxes is paid by the Tax Collector at the time of advertising and is recovered from the taxpayer at the time taxes are paid or from investors when tax certificates are sold.</p> <p>Note The following newspapers were identified and invited to bid: Miami Today, Miami Daily Business Review, New Times, The Miami Herald and The Miami Times. Only the Miami Daily Business Review responded with a bid offer totaling \$256,128.</p> <p>The Administration notes that the Tax Collector’s Office does advertise in community circulations in keeping with the County’s Periodical Program.</p> <p>Prepared by: Lauren Young-Allen</p>	
8(E)1(B) & 8(E)1(C)	Resolutions Providing the Terms, Maturities, Interest Rates and Other Details Regarding Professional Sports Franchise	<p>Provided the above-listed Master Bond Ordinances (Items 5F and 5G) are favorably approved today (by passage on 2nd reader), these 2 Bond Resolutions set forth certain provisions and specifications for each bond. In particular:</p> <ul style="list-style-type: none"> • the mode of sale • the method of issuance • terms and conditions of issuance • the manner of payment, computation and rates of interest • pledged security • registry requirements 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	Facilities Tax Revenue Refunding Bonds, and Professional Sports Franchise Facilities Tax Revenue Bonds Issued To Pay Stadium Costs	<ul style="list-style-type: none"> • designation of the Bond Registrar, Paying Agent, Escrow Agent and Verification Agent, Reserve Account Credit Facility • designation of underwriter and financial advisor • bond insurance • debt service • terms of redemption • the use of Bond proceeds • bond form (denominations, numbering and lettering) • documents to be executed. <p>Delegated Authority The proposed Bond Resolutions also delegate to the Finance Director the authority to:</p> <ol style="list-style-type: none"> (1) sell the Series 2009 bonds through a competitive process or negotiated private placement (2) award the Series 2009 bonds to Merrill Lynch, as senior manager/ underwriter provided the true-interest-cost to the County does not exceed 7.5% for tax-exempt bonds and 8% for taxable bonds; (3) issue the Series 2009 bonds, in one or more tranches (i.e. smaller sub-series) as fixed rate serials bonds or variable rate bonds with maturity dates not to exceed 40 years; (4) negotiate and obtain bond insurance Reserve Account Credit Facility ; and (5) to designate the Paying Agent, Bond Registrar, Escrow Agent and Verification Agent (6) to execute the Bond Purchase Agreement with underwriters <p>Background Under the Baseball Stadium Agreement adopted by the BCC, the County and the Marlins have the option to terminate the Stadium Agreement by June 30th or July 1st if concerns remain about the ability of either party to meet its funding obligations in light of the current state of the financial markets. Accordingly, these 2 resolutions initiate the funding process in order to finance the stadium project by or before the termination deadline.</p> <p>Specifics Regarding Issuance of \$105 Million Professional Sports Franchise Facilities Tax Revenue Refunding Bonds; and \$273 Million Professional Sports Franchise Facilities Tax Revenue Bonds (Item 8E1B)</p> <ul style="list-style-type: none"> • Sale Date: May – June 2009 • Issuance Date: Summer of 2009 • Maturity date: 40 years from date of delivery • Type of Bond: fixed rate Current Interest Bonds and Capital Appreciation Bonds, Convertible Capital Appreciation Bonds, Variable Rate Demands, • Interest rate: unknown for variable rate demands, ≤7.5% (maximum true interest for tax-exempt bonds); ≤8% (for taxable bonds) 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • Interest Payments: payable semi-annually • Principal amortization beginning date: to be determined by the Finance Director • Pledged revenue: 1% PST tax revenues, 2% TDT tax revenues, non ad valorem revenues, hedge receipts (payment from interest rate swaps) , investment earnings • Cost of Issuance: not specified • Debt service: not specified • Series (numbering and lettering of the bonds): Series 2009 PST • Method of issuance: denominations of \$5000 through a book-entry system • Mode of sale: competitive bid or negotiated sale • Bond Manager: Merrill Lynch • Bond Registrar: to be selected after a competitive process • Paying Agent: to be selected after a competitive process • Escrow Agent : to be selected after a competitive process • Bond insurer: to be selected after a competitive process • Reserve Account Credit Facility : to be designated after a competitive process <p>Specifics Regarding Issuance of \$130 Million Subordinate Special Obligation Bonds (Item 8E1C)</p> <ul style="list-style-type: none"> • Sale Date: May – June 2009 • Maturity date: 40 years from date of delivery • Bond type: Capital Appreciation Bonds (tax-exempt and taxable) • Interest rate: fixed $\leq 7.5\%$ (maximum true interest for tax-exempt bonds); fixed $\leq 8\%$ (for taxable bonds); fixed rate, compounded semi-annually • Interest Payments: payable at maturity or at redemption • Principal amortization projected beginning date: to be determined by the Finance Director • Pledged revenue: Pledged Funds (Designated CDT Revenues, Omni Tax Increment Revenues, Investment Earnings, Available Sales Tax, Funds held under 1997 Ordinance) • Cost of Issuance: not specified • Debt service: not specified • Series (numbering and lettering of the bonds): CAB R-1 and upward; Series 2009 CDT Bonds • Method of issuance: denominations of \$5000 through a book-entry system • Bond Manager: JP Morgan Securities (as underwriters) • Bond Registrar: to be selected after a competitive process • Paying Agent: to be selected after a competitive process • Escrow Agent: to be selected after a competitive process 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • Bond insurer: to be selected after a competitive process • Reserve Account Credit Facility: to be designated after a competitive process <p>Prepared by: Lauren Young-Allen</p>	
8(E)1(D)	<p>Resolution Providing the Terms, Maturities, Interest Rates and Other Details Regarding \$55 Million General Obligation Bonds, Series 2009A Issued to Pay Stadium Costs</p>	<p>This resolution authorizes:</p> <p>(1) authorizes the issuance and public sale of General Obligation Bonds Series 2009A in the Amount of \$55,000,000 for purposes of paying a portion of the costs for developing and constructing a new baseball stadium, and</p> <p>(2) delegates authority to the Finance Director to negotiate for bond insurance, accept bids, award bonds to the lowest bidder or negotiate the sale of the bonds, and select the Registrar & Paying Agent</p> <p>Background</p> <p>In a special election held in November 2004, the general electorate voted to approve the issuance of general obligation bonds in the aggregate principal amount of \$2,925,750,000, in one or more series, for the following capital improvement areas: water and sewer; <u>parks and recreation</u>; bridges, public infrastructure and neighborhood improvements; emergency and healthcare; public safety; public outreach facilities; housing; cultural, library and multicultural educational facilities. Following the special election, the Board of County Commissioners (BCC) enacted, in March 2005, legislation authorizing the issuance of the general obligation bonds approved by the electorate. In December 2007, the BCC enacted legislation which amended the list of eligible bond projects, identified in a previously adopted authorizing resolution, by deleting Project 50 (Renovation of the Orange Bowl) and adding Project 50A (Marlins Ballpark) which was allocated \$50 million. The current pending resolution implements authorization to issue \$50 million in General Obligation Bonds to finance the development and construction of a new baseball stadium, and \$5 million in General Obligation Bonds to pay the costs associated with the issuance of the Stadium bonds.</p> <p>Specifics Regarding Issuance</p> <ul style="list-style-type: none"> • Issuance Date: May – June 2009 • Maturity date: planned 30 years from date of delivery, but not more than 40 years • Interest rate: 6.25% (maximum true interest) • Interest Payments: payable semi-annually • Principal amortization beginning date: Not specified • Pledged revenue: ad valorem taxes • Cost of Issuance: \$5 million • Debt service: 0.2 mills, \$3.7 million annually • Denominations, numbering and lettering of the bonds: Series 2009A • Method of issuance: denominations of \$5000 through a book-entry system • Mode of sale: competitive bid or negotiated sale • Underwriter: to be selected by competitive bid 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • Bond Registrar: to be selected • Paying Agent: to be selected • Bond insurer: to be selected <p>Prepared by: Lauren Young-Allen</p>	
8(F)1(A)	Resolution Authorizing the Release of Deed Restrictions	<p>District 9</p> <p>This resolution authorizes the General Service Administration (GSA) to release certain deed restrictions which prohibit mixed-uses, and to execute a new less restrictive County deed for property located east of 10061 Hibiscus Street, in unincorporated Miami-Dade County.</p> <p>Background</p> <p>In 2003, the Board of County Commissioners (BCC) passed legislation which authorized the sale of 7 infill housing lots to Muro Investments, Inc. for \$65,000. The conveyance was made subject to certain restrictions, which included a requirement that each parcel be developed with an affordable single family home that meets the guidelines of the Infill Housing Initiative. Four years later, the BCC established the Perrine Community Urban Center District (the District) in which the District’s regulations included provisions permitting a mixed-use optional land use (i.e., multi-level dwellings with offices, or multi-family dwellings). The current deed does not allow Muro Investments, Inc. to develop the lots as a mixed use.</p> <p>GSA recommends that the deed restrictions be modified in light of the creation of the District resulting in a change in zoning, thereby permitting Muro Investments, Inc. to develop 4 of his 7 lots in accordance with the District’s amended zoning. Muro Investments will still be required to provide affordable housing, occupied by low and moderate income households, under the residential component of any development.</p> <p>The Administration further recommends that the BCC authorize the recording of a new deed which will reflect the release of the deed restrictions and which will supersede the existing recorded County deed.</p>	<p>Infill Housing Initiative</p> <p>Under the Infill Housing Initiative, the County, upon identifying the inventory of county-owned land or privately donated land available for sale and/or development under the Infill Housing Initiative, solicits the participation of developers to construct new affordable housing on the identified vacant lots throughout the Miami-Dade County area</p> <p>The County's Infill Housing Initiative is geared to revitalize low and moderate-income neighborhoods. The initiative facilitates the development of stable neighborhoods by eliminating slum and blight, providing homeownership opportunities to the working poor, increasing the County's tax base, and encouraging economic development and commercial investments in the community.</p> <p>Muro Investments, Inc.</p> <p>Muro Investments, Inc. was incorporated October 20, 2000, for the purpose of providing affordable housing to County residents. Julio Rodriguez was formerly President, and Ivan Contreras as formerly Vice-President of Muro Investments, Inc. Under the former corporate officers, the</p>

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Prepared by: Lauren Young-Allen</p>	<p>corporation had constructed and sold several affordable homes in Miami-Dade County. (Source R-1230-03) Rosario Munoz is the current president.</p> <p>The company is presently listed as an active corporation and has consistently filed annual reports with the Florida State Department's Division of Corporations.</p>
8(F)1(B)	<p>Resolution Authorizing contract for Sale and Purchase of Vacant Land for Additional Parking for the Little River Branch Library</p>	<p>District 3</p> <p>This resolution authorizes a contract for sale and purchase of a vacant lot, in the amount of \$150,000, for the purpose of providing additional parking for staff and patrons of the Little River branch Library.</p> <p>The lot size is 5,960 square feet and the 2008 Assessed Market Value of the property is \$142,250.</p> <p>The property is located on 7817 N.E. 1 Avenue, Miami.</p> <p>This purchase will be funded from the Capital Asset Acquisition Bond 2007 proceeds.</p> <p>The land acquisition budget for this library is \$1,575,000. The County recently purchased the property adjacent to this vacant lot to facilitate the relocation of the Little River Branch Library in the amount of \$1,400,000 (R-1014-08).</p> <p>The funding for design and construction is estimated at \$2.4 million, and is provided from the Miami-Dade Library Taxing District and Building Better Communities Bond.</p> <p>An Agreement with the City of Miami to use, operate, and maintain eight Library facilities (to include Little River branch) was approved by the Board of County Commissioners on December 4, 2007, by Resolution No. R-1329-07, for a 15-year term at an annual rental fee of \$1.00. The County is responsible for maintaining both the interior and exterior of the premises and for replacing anything that becomes obsolete or worn beyond repair. The existing Little River Branch Library site, located at 160 N.E. 79th Street, requires major renovations; additionally, the building cannot be expanded or provide parking to patrons of the facility.</p> <p>The property is being purchased from GOL marketing, LLC.</p> <p>According to GSA, fifteen (15) parking spaces can be accommodated on this vacant lot.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																																																																																		
		<p>The budget for this library is proposed to be \$4 million and annual operating expenditures are estimated to be \$353,000.</p> <p>The expenditure schedule for Library Capital Projects for FY2009-10 includes the following:</p> <table border="1" data-bbox="527 427 1955 1052"> <thead> <tr> <th>Library Branch</th> <th>Expenditure</th> <th>Total Project Budget</th> <th>Description</th> <th>Location</th> </tr> </thead> <tbody> <tr><td>Arcola Lakes</td><td>\$720,000</td><td>\$6.7 M</td><td>Construction</td><td>District 2</td></tr> <tr><td>Doral</td><td>\$1.9 M</td><td>\$9.0 M</td><td>Land/Building Acquisition</td><td>District 11</td></tr> <tr><td>Hialeah Gardens</td><td>\$1.5 M</td><td>\$9.0 M</td><td>Land/Building Acquisition</td><td>District 12</td></tr> <tr><td>Killian</td><td>\$1.988 M</td><td>\$9.0 M</td><td>Land/Building Acquisition</td><td>District 8</td></tr> <tr><td>Coconut Grove</td><td>\$871,000</td><td>\$2.05 M</td><td>Construction</td><td>District 7</td></tr> <tr><td>Coral Gables-Phase II</td><td>\$1.898 M</td><td>\$3.84 M</td><td>Construction</td><td>District 7</td></tr> <tr><td>Coral Reef</td><td>\$110,000</td><td>\$570,000</td><td>Planning, Design and Construction</td><td>District 8</td></tr> <tr><td>Culmer/Overtown-Phase II</td><td>\$435,000</td><td>\$575,000</td><td>Planning, Design and Construction</td><td>District 3</td></tr> <tr><td>Kendall</td><td>\$1,697 M</td><td>\$3.41 M</td><td>Construction</td><td>District 8</td></tr> <tr><td>Little River</td><td>\$766,000</td><td>\$4.0 M</td><td>Planning and Construction</td><td>District 3</td></tr> <tr><td>Main Branch</td><td>\$125,000</td><td>\$1.76 M</td><td>Planning and Design</td><td>District 5</td></tr> <tr><td>Miami Lakes</td><td>\$1.845 M</td><td>\$4.8 M</td><td>Construction</td><td>District 13</td></tr> <tr><td>Northeast Regional</td><td>\$9.4 M</td><td>\$15 M</td><td>Construction</td><td>District 4</td></tr> <tr><td>South Dade</td><td>\$151,000</td><td>\$205,000</td><td>Construction</td><td>District 8</td></tr> <tr><td>South Miami-Phase II</td><td>\$288,000</td><td>\$1.269 M</td><td>Construction</td><td>District 8</td></tr> </tbody> </table> <p>Prepared by: Mia B. Marin</p>	Library Branch	Expenditure	Total Project Budget	Description	Location	Arcola Lakes	\$720,000	\$6.7 M	Construction	District 2	Doral	\$1.9 M	\$9.0 M	Land/Building Acquisition	District 11	Hialeah Gardens	\$1.5 M	\$9.0 M	Land/Building Acquisition	District 12	Killian	\$1.988 M	\$9.0 M	Land/Building Acquisition	District 8	Coconut Grove	\$871,000	\$2.05 M	Construction	District 7	Coral Gables-Phase II	\$1.898 M	\$3.84 M	Construction	District 7	Coral Reef	\$110,000	\$570,000	Planning, Design and Construction	District 8	Culmer/Overtown-Phase II	\$435,000	\$575,000	Planning, Design and Construction	District 3	Kendall	\$1,697 M	\$3.41 M	Construction	District 8	Little River	\$766,000	\$4.0 M	Planning and Construction	District 3	Main Branch	\$125,000	\$1.76 M	Planning and Design	District 5	Miami Lakes	\$1.845 M	\$4.8 M	Construction	District 13	Northeast Regional	\$9.4 M	\$15 M	Construction	District 4	South Dade	\$151,000	\$205,000	Construction	District 8	South Miami-Phase II	\$288,000	\$1.269 M	Construction	District 8			
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8(F)1(C)	Resolution Authorizing the Leasing of Certain Premises to Be Used as District 13's Resource Center	<p>District 13</p> <p>This resolution authorizes the execution of a 4-year lease agreement with Country Club Shopping Center, Inc. for purposes of leasing 750 sq. ft. of air-conditioned office space and parking spaces located at 7660A N.W. 186 Street, Miami, FL for District 13's Resource Center.</p> <p>Rent</p> <p>Excluding expenses for electricity, insurance, and lease management fees, the annual base rent spanning a 4-year period is:</p> <p>1st Year: \$19,500 (= \$1625 per month, or \$26.00 per sq. ft.)</p> <p>2nd Year: \$19,500 (= \$1625 per month, or \$26.00 per sq. ft.)</p>																																																																																			

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>3rd Year: \$19,595 (= \$26.13 per sq. ft.) 4th Year: \$19,891.95 (= \$26.52 per sq. ft.)</p> <p>Funding Source: District 13's operating budget</p> <p>County Obligations at Tenant The County is also responsible for electricity and janitorial services. The lease agreement does not include provisions governing whether the County will be required to reimburse the landlord for the County's proportionate share of any increases in the ad valorem property taxes and insurance that exceeds the base year rent.</p> <p>Relevant Legislation During the Government Operations Committee meeting, held 3/10/09, legislation proposed by the Administration to relocate an existing office and lease new space for the County's Government Information Center failed in committee, although this item had been specified in budget memos published by the Administration for FY 2009. Committee members objected to the leasing of a private commercial building instead of a government-owned facility, and the location of the Center which will only benefit a few commission districts creating a disparity.</p> <p>Prepared by: Lauren Young-Allen</p>	
8(F)1(D)	Resolution Authorizing the Leasing of Certain Premises for GSA's Parking Operations Division	<p>District 5</p> <p>This resolution authorizes the execution of a 5-year lease agreement with Jack Thomas, Inc. (the agent of Flagler Building, LLLP – limited liability corporation and limited partnership) for purposes of continuing to lease 834 sq. ft. of office space located at 172 West Flagler Street, Suite 325, Miami, FL to General Services Administration's Parking Operations Division.</p> <p>Rent Excluding expenses for lease management fees, the annual base rent spanning a 5-year period is: 1st Year: \$13,800 (= \$16.54 per sq. ft.) 2nd Year: \$14,352 (= \$17.21 per sq. ft.) 3rd Year: 4% increase over the prior year's base rent 4th Year: 4% increase over the prior year's base rent 5th Year: 4% increase over the prior year's base rent</p> <p>Option-To-Renew Period One two-year renewal option</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>1st Year: \$16,789.80 2nd Year: \$17,461.39</p> <p>Funding Source: Internal Service Funds</p> <p>County Obligations as Tenant The County will be required to reimburse the landlord for the County's proportionate share of any increases in the ad valorem property taxes and insurance that exceed the base year rent up to 10%.</p> <p>Landord Obligations Under the terms of the lease, the Landlord will be responsible for utility costs (electricity), water, water disposal services, electricity and janitorial services, and air-conditioning and heating equipment.</p> <p>Owner Track Record As of April 2008, the County has no record of negative performances regarding Jack Thomas as agent for Flagler Building LLLP.</p> <p>Prepared by: Lauren Young-Allen</p>	
8(F)(1)(E) & 8(F)(1)(F)	Lease Agreement and Assignment of Lease	<p>District 2 and 12</p> <p>The following two resolutions authorize the execution of Lease Agreements and Assignments for the State of Florida Department of Health.</p> <p>Item 8F1E Commission District: 2</p> <p>Owner: 7900 N.W. Avenue LLC</p> <p>Total rental rate: \$59,708.69 (First year). This amount includes direct and indirect expenses. The annual rent for years two through five increases by 3 %. The annual rent amount does not include the direct and indirect expenses.</p> <p>Funding: The lease is budgeted by the State of Florida.</p> <p>Location: Northside Shopping Center, 7900 N.W. 27 Avenue</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Square Footage: 3,090</p> <p>Square Footage Rate: \$18.58; a property located at 2300 N.W. 89 Place proposed \$15.00 per square feet.</p> <p>Use: Office space for Women Infant Children Program (WIC)</p> <p>Term: 5 years with 1 additional five-year option periods</p> <p>Comments: No record of negative performance. The WIC will be located inside a shopping center along 27th Avenue. A property located at 2300 N.W. 89 Place proposed \$15.00 per square feet. According to the Miami-Dade Health Department website, there are 18 WIC program centers.</p> <p>Item 8F1F</p> <p>Commission District: 12</p> <p>Owner: AOA Flexx, LLC: By Adler Office Associates Ltd. And Alder Office Associates, Inc.</p> <p>Total rental rate: \$90,591.95 (First year). This amount includes direct and indirect expenses. The annual rent for years two through five increases by 4 %. The annual rent amount does not include the direct and indirect expenses.</p> <p>Funding: The lease is budgeted by the State of Florida.</p> <p>Location: 2246, 2264, 2266 and 2268 N.W. 82 Avenue, Building 5202</p> <p>Square Footage: 6,800</p> <p>Square Footage Rate: \$11.00</p> <p>Use: Office and warehouse space</p> <p>Term: 5 years with 2 additional 3-year option periods</p> <p>Comments: No record of negative performance. The landlord is completing the improvements specified under Article XXIII of the agreement.</p> <p>Prepared by: Michael Amador-Gil</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
8(F)1(G)	Settlement Agreement with Forestville Corporation and Tri-S Security Corporation	<p>This resolution authorizes a settlement agreement with Forestville Corporation (Forestville) and Tri-S Security Corporation (Tri-S) for claims made by the County in association with the requirements for the vendor to provide roving patrol services at County Trash Transfer Stations and field supervision to all posts.</p> <p>Tri-S has purchased Forestville and although the settlement agreement guarantees payment from Forestville it also binds Tri-S for payment.</p> <p>During a routine inspection by General Services Administration (GSA) Security Management Staff, it was identified that the Forestville was not performing the services required pursuant to the county contract. The contract required services to be performed by two separate personnel, when in fact, the vendor was billing for the services with only one personnel. According to GSA, the contract with Forestville began on April 1, 2005 and the questionable practice was discovered in July 23, 2007.</p> <p>The County estimates the breach of contract by the vendor includes costs and fees totaling \$682,496. However, this settlement agreement is for only \$537,789. According to GSA, the original amount of estimated damages was reduced by the value of the supervisor on duty (the value of the guard service that was not provided).</p> <p>According to GSA, the Security Management staff removed the Trash Transfer Stations from Forestville and assigned the post to another vendor under Emergency Bid Number EM7797-2/07-OTR. Currently, there are seven (7) other vendors under this bid number and they include the following:</p> <ul style="list-style-type: none"> • 50 State Security Service Incorporated • Alanis Incorporated • DELAD Security Incorporated • Empirical Protective Services Incorporated • Milex Corporation (1985) Incorporated • Security Alliance of Florida, LLC • Vanguard Security Incorporated <p>Security Alliance of Florida replaced Forestville patrols on August 2, 2007.</p> <p>The State Attorney's Office has elected to defer any criminal actions until the County has reached a settlement with Forestville and Tri-S over the disputed billing.</p> <p>Forestville has been awarded seven (7) contracts to include:</p> <ul style="list-style-type: none"> • Security Guard Services 0741-4/98-4 expired 3/31/05 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • Emergency Contract EM7797-2/07 Emergency Security Guard Service expired 3/31/06 • Emergency Contract EM7797-2/07-1 Emergency Security Guard Service expired 9/30/06 • Emergency Contract EM7797-2/07-2 Emergency Security Guard Service expired 3/31/06 • RFP437 Security Guard Services for Special Taxing District expired 9/30/06 • RFP437-1(3) Security Guard Services for Special Taxing District expired 9/30/08 • <u>RFP437-2(3) Security Guard Services for Special Taxing District expires 9/30/2010</u> <p>Forestville has been awarded an RFP437-2(3) which does not expire until September 30th 2010. RFP437-2(3) is for security guard services for a special taxing district.</p> <p>Currently, the Procurement Department has received formal notification from Forestville that it wishes to be removed from this contract. Additionally, Procurement Department staff has stated it will be meeting with the County Manager’s Office with regards to the disposition of this contract.</p> <p>Additional Questions:</p> <p><i>Has a mechanism been set in place to correct or prevent such breaches from occurring again?</i></p> <p><i>According to GSA, fifty-one (51) inspections have been conducted since the incident took place. Additionally, a detailed invoicing policy was established and a data base system has been implemented to track site inspections.</i></p> <p><i>Have debarment proceedings been initiated against Forestville?</i></p> <p>To date, no debarment recommendation has been made.</p> <p>Prepared by: Mia B. Marin</p>	
8(F)3(A)	Contract Award Recommendation for Design Services for Wynwood/ Allapatah Regional Neighborhood Service Center Demolition and Reconstruction	<p>This recommendation awards a Professional Services Agreement (PSA) between Gurri Matute, P.A. in an amount not to exceed \$808,762 for the Wynwood/Allapatah Neighborhood Services Center (WANSC) Demolition and Reconstruction.</p> <p>The WANSC project was originally two separate GOB projects that comprised of the following:</p> <ul style="list-style-type: none"> • GOB Project 215- Wynwood Neighborhood Service Center Demolition and Reconstruction; and • GOB Project 216- Neighborhood Service Center Land Acquisition and Construction-Allapatah. <p>GOB Projects 215 and 216 were part of the original GOB project list (R-917-04).</p> <p>The original square footage (sf) for the facilities as separate projects is as follows:</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																		
		<p data-bbox="642 261 764 289">Allapattah</p> <table border="1" data-bbox="621 326 1075 431"> <tr> <td>Building A</td> <td>9,849 sf</td> </tr> <tr> <td>Building B</td> <td>1,320 sf</td> </tr> <tr> <td>Total</td> <td>11,169 sf</td> </tr> </table> <p data-bbox="642 469 764 496">Wynwood</p> <table border="1" data-bbox="621 532 1075 638"> <tr> <td>Building A</td> <td>9,386 sf</td> </tr> <tr> <td>Building B</td> <td>16,862 sf</td> </tr> <tr> <td>Total</td> <td>26,248 sf</td> </tr> </table> <p data-bbox="522 675 1967 971">On December 20, 2007, the Board of County Commissioners (Board) approved R-1392-07; modifying the project scope by combining these two projects for a project total of \$15 million (each GOB project had separate budgets of \$7.5 million). The combined allocated funds of \$15 million would be used for the construction of a 30,000 square foot comprehensive neighborhood service center at the Wynwood site (located at 2902 NW 2nd Avenue) that would serve Wynwood and Allapatah communities. At the meeting, Board members expressed concerns about the impact of the merger on construction completion schedules and the level of services provided to the community. County staff explained that the Department of Human Services (DHS) and General Services Administration (GSA) determined that separate projects would not best serve the community. Furthermore, the community would be better served by combining the facilities to provide a more comprehensive level of social services.</p> <p data-bbox="522 1008 1335 1036">The square footage for the Wynwood/Allapatah facility is as follows:</p> <table border="1" data-bbox="621 1073 1075 1179"> <tr> <td>Building A</td> <td>10,000 sf</td> </tr> <tr> <td>Building B</td> <td>17,000 sf</td> </tr> <tr> <td>Total</td> <td>27,000 sf</td> </tr> </table> <p data-bbox="522 1216 1572 1243">The facility will also include a 75,000 sf parking area that will provide 80 parking spaces.</p> <p data-bbox="522 1281 1940 1382">Subsequently, GSA determined that a feasibility study should be conducted to assess the possibility of combining the services rendered in Wynwood and Allapatah in a new site. The study was prepared by TAG and completed in February 26, 2008. The cost of the study was \$25,000 and included the following services:</p> <ul data-bbox="569 1386 1688 1453" style="list-style-type: none"> • Determine space requirements based on merging social service programs for both facilities. • Preliminary building size layout based on program requirements 	Building A	9,849 sf	Building B	1,320 sf	Total	11,169 sf	Building A	9,386 sf	Building B	16,862 sf	Total	26,248 sf	Building A	10,000 sf	Building B	17,000 sf	Total	27,000 sf	
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Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • Preliminary construction cost based on gross square footage. • Preliminary Site Analysis to determine site capacity to house such buildings and parking requirements. <p>Based on the findings of this study, GSA presented the following three (3) options to DHS:</p> <ul style="list-style-type: none"> • Option 1, proposed to renovate both existing Buildings A and B at Wynwood and construct an addition of approximately 2500 sf of new construction. • Option 2, proposed to demolish Building A, renovate Building B and add approximately 2500 square feet of new construction. • Option 3, proposed to demolish both Buildings A and B and construct a new 30,000 sf facility. <p>DHS decided to proceed with Option 2, since there are extensive structural damages in Building A and Building B is structurally sound.</p> <p>Because the facility is being partially refurbished the total project cost for this project is \$11,870,853. A cost savings of \$3,129,147 is realized since the allocated budget for the project is \$15 million. The budget includes A/E Fees, LEED certification, testing, permitting, construction and County fees (APP, IG, GSA).</p> <p>The contractor, Gurri Matute, P.A. has been awarded nine (9) contracts totaling \$3,053,494. According to the Office of Capital Improvements CIIS, only one evaluation has been completed for this company with a rating of 4.0 (4.0 being the highest score). According to the Florida State Department of Corporations, this company's status is active.</p> <p>Questions:</p> <p>Who made the decision not to demolish the facility? <i>DHS.</i></p> <p><i>Does the decision not to demolish guarantee the there would be no cost overruns?</i></p> <p>What happens to the \$3,129,147 cost savings? <i>The cost avoidance in this project will go back into the general surplus within the Building Better Communities Program Fund.</i></p> <p>At the March 11, 2009 Housing & Community Development Committee meeting, the Office of Capital Improvements staff was directed to work with GSA to make a request to the Building Better Communities Bond Program's Citizens' Advisory Committee in recommending the \$3,129.147 surplus be used to establish a library within one of the Wynwood/Allapatah Buildings.</p> <p>Prepared by: Mia B. Marin</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
8(F)3(B)	<p>Recommendation to Award a Design-Build Contract to Siemens Building Technologies, Inc. to Upgrade Fire Alarm Systems and Building Management Systems</p>	<p>District 5</p> <p>Under this item, the General Service Administration (GSA) is seeking approval to award a design and build contract to Siemens Building Technologies, Inc. in an amount not to exceed \$10,162,143 for purposes of upgrading or replacing the County's fire alarm system and building management systems at the Stephen P. Clark Center (SPCC), the Cultural Center and the Central Support buildings located in District 5.</p> <p>In addition, under the award, a pressurization system will be designed and installed for the east stairwell and adjacent vestibule and freight elevator at the SPCC building to minimize smoke in the evacuation area and to insulate an area for disabled persons waiting to be rescued.</p> <p>Background</p> <p>The City of Miami, - in which the GSA-managed facilities are located - has requested the County to upgrade the County's fire alarm and building/ energy management systems at certain county buildings in order to comply with building code requirements. Building/ energy management systems provide remote automated control of HVAC, lights, alarms, card access and other building equipment. In addition, under an agreement with the City of Miami's Fire Marshall, the County has also agreed to replace the smoke evacuation system at the Cultural Center in 2009.</p> <p>In order to upgrade systems which no longer meet current building code requirements or to replace obsolete systems for the affected buildings, GSA is recommending that a contract be awarded to Siemens Building Technologies, Inc., <u>one of only two bidders who responded to the solicitation.</u></p> <p>Funding Source</p> <p>This project will be entirely funded by the proceeds from the Building Better Communities General Obligation Bonds (which in 2004 were approved for various capital improvements to public facilities to meet code requirements, among other things).</p> <p>Project Scope and Allocations</p> <ul style="list-style-type: none"> • Downtown Government Center Fire Alarm System \$1,613,800.00 • SPCC Facility Refurbishment (Stairwell & Elevators) \$1,494,462.00 • Building/Energy Management System For Government Facilities and Courthouses \$4,897,462.00 • SPCC Facility Refurbishment (Includes HVAC and Communications Systems) \$2,156,708.00 <p>Company's 5-Year Work History</p> <p>The County has awarded Siemens Building Technologies, Inc. 4 maintenance contracts for A/C Pneumatic Management Systems, Energy and A/C Building Systems, and Building Management Systems between November 2003 and November 2008. These contracts totaled \$6,012,496. No change orders were requested for these contracts.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Goals CSBE - 24% = \$1,843,139.59 (performing drywall/plastering, plumbing, painting, electrical work) CBE - 25% = \$184,615.75 (performing general structural engineering, architecture, and architectural construction management) Community Workforce Program - 20% = 9 Employees (The Dept. of Small Business and the Office of Capital Improvements report that the above dollar amounts are correct. CSBE and CBE dollar amounts are computed based on (1) the scope of work set aside, and (2) the actual negotiated bid award dollar amount and a 10% contingency fee.)</p> <p>Prepared by: Lauren Young-Allen</p>	
8(I)1(A)	Mutual Aid Agreements, Sheriffs of Florida	<p>This resolution authorizes the execution of two law enforcement mutual aid agreements (Agreements) between Miami-Dade County and the Florida Sheriff's Association.</p> <p>The Agreements ensure for mutual aid services in the event it is necessary for the public safety of our community or for Miami-Dade Police Department (MDPD) to assist other counties in Florida upon request.</p> <p>They will be effective upon execution and will expire on April 1, 2012.</p> <p>Agreement #1 The Florida Sheriffs' disaster Assistance Mutual Aid Agreement provides for MDPD to render or request assistance in the event of a Catastrophic Disaster or a Major Disaster, as defined in § 252.34(1), Florida Statutes.</p> <p>Agreement #2 The Florida Sheriffs' Combined Operation Assistance and Voluntary Cooperation Mutual Aid Agreement.</p> <p>The Operational Assistance provision provides for disturbances, large protest demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, concerts, parades, escapes from detention facilities, and incidents requiring utilization of specialized units.</p> <p><u>An example of Operational Assistance would be the following:</u></p>	<p>Florida Mutual Aid Act (Act) (Florida Statutes, Chapter 23, Part 1) This statute specified procedures allowing a law enforcement agency to enter into a mutual aid agreement with another law enforcement agency. The Act recognized the existing and continuing possibility of the occurrence of natural and manmade disasters or emergencies and other major law enforcement problems, including those that cross jurisdictional lines.</p> <p>The Act defines a mutual aid agreement as:</p> <ul style="list-style-type: none"> • A voluntary cooperative written agreement between two or more law enforcement agencies, which agreement permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines; • A requested operational assistance written agreement between two or more law enforcement agencies,

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> • A request for assistance due to a civil disturbance. <p>The Voluntary Cooperation provision provides for MDPD to render or request law enforcement assistance with any violations of Florida Statutes to include, but not limited to, vehicle thefts, and inter-agency task forces and/or joint investigations.</p> <p><u>Examples of Voluntary Cooperation would be the following:</u></p> <ul style="list-style-type: none"> • Establishing a joint city-county task force on narcotics smuggling; • Authorizing school safety officers to enforce laws in an area within 1,000 feet of a school or school board property; or • Establishing a joint city-county traffic enforcement task force. <p>Prepared by: Elizabeth N. Owens</p>	<p>which agreement is for the rendering of assistance in a law enforcement emergency; or</p> <ul style="list-style-type: none"> • A combination of these agreements.
8(K)1(A)	Resolution Amending LHAP to Incorporate AHAB Recommendations	<p>The resolution will approve an amendment to Miami-Dade County's Local Housing Assistance Plan (LHAP) to incorporate recommendation by the Affordable Housing Advisory Board (AHAB).</p> <p>Background On April 24, 2007, the Board of County Commissioners (BCC) adopted Resolution 406-07 which approved the submittal of the LHAP to the Florida Housing Finance Corporation for FY 2007-2008, 2008-2009 and 2009-2010. Florida Statutes allows that the LHAP be amended and that any recommendations from the AHAB that will be implemented should be incorporated within 90 days of the AHAB's initial report.</p> <p>Comments Florida Statutes 420.9072(2) requires that a county or an eligible municipality seeking approval to receive its share of the local housing distribution must adopt an ordinance creating an affordable housing advisory committee. AHAB serves as the Board's advisory committee.</p> <p>AHAB powers and duties include:</p> <ul style="list-style-type: none"> • Reviewing the County's established policies and procedures , ordinances, land development regulations and adopted comprehensive plan; • Making recommendations to the BCC regarding specific actions or initiatives to encourage or facilitate affordable housing which may include the modification of or repeal of existing policies, procedures, ordinances, regulations, or plan provision, the creation of exceptions applicable to provisions, including recommendations to amend the adopted comprehensive plan and corresponding regulations, ordinances, and other policies, and • Submit a report to the BCC that includes recommendations and triennially evaluates the implementation of 	

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		<p>affordable housing incentives in areas such as; the preparation of a printed inventory of locally owned public lands suitable for affordable housing and the support of development near transportation hubs and major employment center and mixed-use developments.</p> <p>On handwritten page 2, the cover memorandum to this resolution lists recommendations from AHAB. Some of the recommended actions are currently outlined in the Code under AHAB’s powers and duties.</p> <p>The AHAB consists of 17 members, thirteen (13) appointed by the Board, one (1) appointed by the Mayor, one (1) by the Overall Tenant Advisory Council, one (1) citizen representing essential services personnel and one (1) citizen representing employers within jurisdiction.</p> <p>According to the Miami-Dade County Boards and Appointment System, there are currently three vacancies on the Board:</p> <ul style="list-style-type: none"> • Overall Tenant Advisory • Citizen representing Essential Services Personnel • Citizen Representing Employers Within Jurisdiction <p>Prepared by: Tiandra D. Sullivan</p>																									
8(M)3(A)	Retroactive Change Order No. 4 and Final for Ives Estates Park Youth Ballfield Complex	<p>This retroactive change order No. Four (4) and Final for time only on a contract between ABC Construction, Inc. for construction of the Ives Estate Park Youth Ballfield Complex.</p> <p>The original contract amount for this project was \$3,319,183 and it was to be completed within 365 days. The fourth and final change order adjusts the contract amount to \$4,388,237 and the contract time extends to 1265 days.</p> <table border="1" data-bbox="527 1013 1955 1419"> <thead> <tr> <th></th> <th>Adjusted Contract Amount</th> <th>Adjusted Contract Time</th> <th>Reason for Change Order</th> </tr> </thead> <tbody> <tr> <td>Original Contract Amount</td> <td>3,319,183</td> <td>365</td> <td></td> </tr> <tr> <td>Change Order #1</td> <td>\$290,072</td> <td>90 days</td> <td>Environmental; required regulatory modifications.</td> </tr> <tr> <td>Change Order #2</td> <td>\$144,184</td> <td>63 days</td> <td>Regulatory modifications and additional work outside scope.</td> </tr> <tr> <td>Change Order #3</td> <td>\$895,800</td> <td>565 days</td> <td>Environmental; required regulatory modifications, upgrades and cost escalation.</td> </tr> <tr> <td>Change Order #4</td> <td>\$0</td> <td>182 days</td> <td>Re-mobilization delayed due to pending negotiations completed; replace vandalized electrical; and re-energize electrical power of facility.</td> </tr> </tbody> </table>		Adjusted Contract Amount	Adjusted Contract Time	Reason for Change Order	Original Contract Amount	3,319,183	365		Change Order #1	\$290,072	90 days	Environmental; required regulatory modifications.	Change Order #2	\$144,184	63 days	Regulatory modifications and additional work outside scope.	Change Order #3	\$895,800	565 days	Environmental; required regulatory modifications, upgrades and cost escalation.	Change Order #4	\$0	182 days	Re-mobilization delayed due to pending negotiations completed; replace vandalized electrical; and re-energize electrical power of facility.	
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8(O)1(A)	Waiver of Formal Bid Procedures for the Purchase of Goods and Services	<p data-bbox="527 776 1961 841">This resolution waives formal bid procedures for specified purchases. It authorizes the County Mayor or his designee to award such contracts, with authority to exercise subsequent options-to-renew (OTR).</p> <p data-bbox="527 878 1224 906">The following eight (8) contracts are included in this item:</p> <ul data-bbox="569 911 1961 1182" style="list-style-type: none"> <li data-bbox="569 911 1961 976">• Award of a sole source contract with an estimated cumulative value of \$942,000 (with OTRs exercised) to purchase software licenses, maintenance and support services; <li data-bbox="569 980 1961 1078">• Ratification of five (5) emergency purchase contracts for goods and services that include roof exhaust fans at \$634,000, recycling containers at \$359,625, diesel fuel at \$497,000, vehicle rental services at \$930,000 and software license upgrades and maintenance services at \$324,000; and <li data-bbox="569 1083 1961 1182">• Modification of two (2) non-competitive contracts that include an amendment to the master Software License Agreement, and an extension to an emergency purchase contract for juvenile detention services to increase spending authority an additional \$560,000 and time an additional 4 months. <p data-bbox="527 1219 674 1247">Sole Source</p> <p data-bbox="527 1252 1394 1279"><u>Pinnacle Software Licenses, Maintenance and Support Services (Item 1.1)</u></p> <p data-bbox="527 1284 1961 1414">The Enterprise Technology Services Department (ETSD) is seeking a long term support contract for software licenses, maintenance and technical support services for the Pinnacle Telecommunication Management System. The Pinnacle System manages the County’s telecommunication inventory, work orders, and billing function for both wireless and wired telecommunication devices. This system was</p>													

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		<p>The Pinnacle System is proprietary software, developed, supported and owned by Paetec Software Corporation. Paetec is the sole provider of software licenses, maintenance, and technical support services for this System.</p> <p>Contract Term: Three years with two, three-year OTR. The OTR is valued at \$300,000 each for a total of \$600,000.</p> <p>Contract Amount: \$342,000 for the initial 3-year term.</p> <p>Funding Source: ETSD - Internal Service Funds</p> <table border="1" data-bbox="548 526 1967 829"> <thead> <tr> <th data-bbox="548 526 657 594">Item No.</th> <th data-bbox="657 526 884 594">Contract Term & Amount</th> <th data-bbox="884 526 1136 594">Amount per Year</th> <th data-bbox="1136 526 1409 594">Previous Contract Term & Amount</th> <th data-bbox="1409 526 1671 594">Previous Contract Amount per Year</th> <th data-bbox="1671 526 1967 594">Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 594 657 829">1.1</td> <td data-bbox="657 594 884 829">\$342,000 / 3 years with 2, 3 year OTRs valued at \$300,000 each</td> <td data-bbox="884 594 1136 829">\$114,000 per year for the initial 3 years of the contract.</td> <td data-bbox="1136 594 1409 829">\$95,000 for 6 months</td> <td data-bbox="1409 594 1671 829">\$190,000 for 1 year (note: This contract was for only 6 months)</td> <td data-bbox="1671 594 1967 829">Paetec Software Corporation (non-local vendor) <u>There is no performance or compliance issues with this firm.</u></td> </tr> </tbody> </table> <p>Emergency Purchases <u>Emergency Replacement of Roof Exhaust Fans (Item 3.1)</u> This item seeks ratification of an emergency contract to replace 125 roof exhaust fans in the West Cargo Buildings at Miami International Airport (MIA).</p> <p>According to the Manager’s Memo, an inspection of the MIA West Cargo Facilities identified an immediate need to replace the exhaust fans to maintain the facilities in safe working condition. The Department of Procurement Management solicited bids from seven vendors. A.C. Cooling Projects, Inc., offered an equal product at \$561,028. They were the lowest bidder; however, they did not fully meet the minimum specifications established in the solicitation.</p> <p>On August 14, 2008, the Miami-Dade Aviation Department (MDAD) established this contract with Environmental Control, Inc., the next lowest bidder.</p> <p>Contract Term: August 14, 2008.</p> <p>Contract Amount: One time purchase cost - \$634,000.</p> <p>Funding Source: Aviation - Operating Revenue</p>	Item No.	Contract Term & Amount	Amount per Year	Previous Contract Term & Amount	Previous Contract Amount per Year	Vendor / Performance Record	1.1	\$342,000 / 3 years with 2, 3 year OTRs valued at \$300,000 each	\$114,000 per year for the initial 3 years of the contract.	\$95,000 for 6 months	\$190,000 for 1 year (note: This contract was for only 6 months)	Paetec Software Corporation (non-local vendor) <u>There is no performance or compliance issues with this firm.</u>			
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			<p>The life expectancy for the new fans is approximately 10 to 15 years. This contract is for installation only.</p> <table border="1" data-bbox="550 326 1967 561"> <thead> <tr> <th data-bbox="550 326 646 391">Item No.</th> <th data-bbox="646 326 873 391">Contract Term & Amount</th> <th data-bbox="873 326 1100 391">Amount per Year</th> <th data-bbox="1100 326 1373 391">Previous Contract Term & Amount</th> <th data-bbox="1373 326 1646 391">Previous Contract Amount per Year</th> <th data-bbox="1646 326 1967 391">Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td data-bbox="550 391 646 561">3.1</td> <td data-bbox="646 391 873 561">\$634,000</td> <td data-bbox="873 391 1100 561">N/A This is a one time purchase of product contract.</td> <td data-bbox="1100 391 1373 561">N/A</td> <td data-bbox="1373 391 1646 561">N/A</td> <td data-bbox="1646 391 1967 561">Environmental Control, Inc <u>There is no performance or compliance issues with this firm.</u></td> </tr> </tbody> </table> <p><u>Recycling Containers (Item 3.2)</u> This item seeks ratification of a modification for additional time and spending authority of an emergency contract for the purchase of recycling containers.</p> <p>On August 21, 2008, the Department of Solid Waste Management (DWM) established this contract with Cascade Engineering, Inc. for the purchase of 7,500 additional 95-gallon recycling containers.</p> <p>Current Allocation: \$5,153,374 for 5 months</p> <p>Modified Allocation: \$5,512,999 for 6 months (contract increased by \$359,625)</p> <p>Current Expiration: January 31, 2009</p> <p>Modified Expiration: February 28, 2009</p> <p>Funding Source: Solid Waste Management Proprietary Funds</p> <table border="1" data-bbox="550 1203 1938 1474"> <thead> <tr> <th data-bbox="550 1203 646 1338">Item No.</th> <th data-bbox="646 1203 1001 1338">Contract Term & Amount</th> <th data-bbox="1001 1203 1215 1338">Amount per Month</th> <th data-bbox="1215 1203 1442 1338">Previous Contract Term & Amount</th> <th data-bbox="1442 1203 1656 1338">Previous Contract Amount per Year</th> <th data-bbox="1656 1203 1938 1338">Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td data-bbox="550 1338 646 1474">3.2</td> <td data-bbox="646 1338 1001 1474">\$359,625 per month <u>Modification Reason:</u> To allow an increased</td> <td data-bbox="1001 1338 1215 1474">\$1,030,675 per month for 5 months. 98,250 carts at</td> <td data-bbox="1215 1338 1442 1474">N/A</td> <td data-bbox="1442 1338 1656 1474">N/A</td> <td data-bbox="1656 1338 1938 1474">Cascade Engineering <u>There is no performance or</u></td> </tr> </tbody> </table>	Item No.	Contract Term & Amount	Amount per Year	Previous Contract Term & Amount	Previous Contract Amount per Year	Vendor / Performance Record	3.1	\$634,000	N/A This is a one time purchase of product contract.	N/A	N/A	Environmental Control, Inc <u>There is no performance or compliance issues with this firm.</u>	Item No.	Contract Term & Amount	Amount per Month	Previous Contract Term & Amount	Previous Contract Amount per Year	Vendor / Performance Record	3.2	\$359,625 per month <u>Modification Reason:</u> To allow an increased	\$1,030,675 per month for 5 months. 98,250 carts at	N/A	N/A	Cascade Engineering <u>There is no performance or</u>	
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			<p>allocation of \$359,625 and time extension of 1 month in order to distribute 7,500 carts to reduce the backlog of request.</p> <p>Cost per cart = \$47.95</p>	<p>\$41.08 per cart and 25,062 at \$44.58 per cart for a total allocation of \$5,153,374</p>		<p><u>compliance issues with this firm.</u></p>										
<p><u>Hurricane Ike Diesel Fuel Emergency Purchase (Item 3.3)</u></p>																
<p>This item seeks to ratify an emergency contract awarded to Transmontaigne Product Services, Inc. by GSA by assessing the State of Florida’s emergency fuel contract to provide fuel to Miami-Dade Transit (MDT) and other County departments to maintain fuel supply to support normal and emergency operations.</p>																
<p>September 5, 2008, Hurricane Ike restricted the availability of fuel to the County’s fuel contract suppliers. This emergency contract was awarded to a vendor on the State of Florida Emergency Fuel Contract to supply fuel to MDT.</p>																
<p>In 2008, the State Attorney General initiated a price gouging investigation in response to complaints received during Hurricane Ike. The investigation is to determine the propriety and legality of the price increases at Transmontaigne during Hurricane Ike.</p>																
<p>Contract Amount: \$497,000</p>																
<p>Contract Term: September 5, 2008 to September 14, 2008</p>																
<p>Funding Source: GSA – Internal Service Funds and MDTA – Operating Funds.</p>																
<table border="1"> <thead> <tr> <th data-bbox="583 1133 709 1201">Item No.</th> <th data-bbox="709 1133 1045 1201">Contract Term & Amount</th> <th data-bbox="1045 1133 1241 1201">Amount per month</th> <th data-bbox="1241 1133 1577 1201">Previous Contract Term & Amount</th> <th data-bbox="1577 1133 1906 1201">Previous Contract Amount per month</th> </tr> </thead> <tbody> <tr> <td data-bbox="583 1201 709 1237">3.3</td> <td data-bbox="709 1201 1045 1237">\$345,000 / 3 months</td> <td data-bbox="1045 1201 1241 1237">\$115,000</td> <td data-bbox="1241 1201 1577 1237">\$1,699,999 / 18 months</td> <td data-bbox="1577 1201 1906 1237">\$94,444</td> </tr> </tbody> </table>							Item No.	Contract Term & Amount	Amount per month	Previous Contract Term & Amount	Previous Contract Amount per month	3.3	\$345,000 / 3 months	\$115,000	\$1,699,999 / 18 months	\$94,444
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<p><u>Emergency Vehicle Rental Services (Item 3.4)</u></p>																
<p>Ratification of an emergency contract awarded by Miami-Dade Police Department for MDPD and GSA to rent cars, vans, and pick-up trucks.</p>																
<p>On July 17, 2008, the Board rejected an award of the successor contract to an existing long-term emergency vehicle rental</p>																

Item No.	Subject Matter	Background	Analysis / Comments / Questions																					
		<p>contract. The Board directed staff to issue a new solicitation without the third party liability insurance requirement. This emergency contract was award to the incumbent vendor to provide continuity of services while the replacement solicitation was advertised, evaluated and awarded.</p> <p>The County currently assumes liability for damages to third parties. On January 12, 2009, the County Manager issued a memo stating that there had been a total of 37 third party claims totaling \$173,432.24 paid to date. In addition, there are seven claims pending with an estimated value of \$265,172.88.</p> <p>Contract Term: October 20, 2008 to February 19, 2009</p> <p>Contract Amount: \$930,000</p> <p>Previous Contract Allocation: \$5,801,219 for 20 months.</p> <p>Vendor: Royal Rent-A-Car Systems of Florida, Inc.</p> <p>Funding Source: GSA - Internal Service Fund and MDPD – General Fund</p> <table border="1" data-bbox="583 829 1906 932"> <thead> <tr> <th>Item No.</th> <th>Contract Term & Amount</th> <th>Amount per month</th> <th>Previous Contract Term & Amount</th> <th>Previous Contract Amount per month</th> </tr> </thead> <tbody> <tr> <td>3.4</td> <td>\$930,000 / 4 months</td> <td>\$232,500</td> <td>\$5,801,219 / 20 months</td> <td>\$290,061</td> </tr> </tbody> </table> <p><u>ASG Software License Upgrade and Maintenance (Item 3.5)</u> Ratification of an emergency award to Allen Systems Group, Inc. for software license upgrades and maintenance services for the Enterprise Technology Services Department.</p> <p>Funding Source: ETSD - Internal Service Fund / Recording Fees</p> <table border="1" data-bbox="583 1203 1906 1338"> <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 month</th> </tr> </thead> <tbody> <tr> <td>3.5</td> <td>\$324,000 / 1 year</td> <td>\$324,000</td> <td>\$164,639 / 1 year</td> <td>\$164,639 Maintenance fees only</td> </tr> </tbody> </table> <p>Non-Competitive Contract Modification <u>Levi, Ray and Shoup Software Maintenance and Support Services (Item 4.1)</u></p>	Item No.	Contract Term & Amount	Amount per month	Previous Contract Term & Amount	Previous Contract Amount per month	3.4	\$930,000 / 4 months	\$232,500	\$5,801,219 / 20 months	\$290,061	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per month	3.5	\$324,000 / 1 year	\$324,000	\$164,639 / 1 year	\$164,639 Maintenance fees only		
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3.5	\$324,000 / 1 year	\$324,000	\$164,639 / 1 year	\$164,639 Maintenance fees only																				

Item No.	Subject Matter	Background	Analysis / Comments / Questions														
		<p>The Enterprise Technology Services Department is requesting an amendment to the existing Software License Agreement (SLA) with Levi, Ray & Shoup (LRS). This amendment <u>does not</u> include an increase in spending authority or time. ETSD wishes to convert the existing SLA's pricing structure from one based on mainframe computer capacity to one that is based on the number of actual printers that use the software.</p> <p>There are no compliance or performance issues with this firm. See current contract below:</p> <table border="1" data-bbox="556 459 1936 764"> <thead> <tr> <th data-bbox="556 459 709 527">Item No.</th> <th data-bbox="709 459 867 527">Contract Title</th> <th data-bbox="867 459 1318 527">Service</th> <th data-bbox="1318 459 1549 527">Initial Contract Term/ \$ Amount</th> <th data-bbox="1549 459 1745 527">O-T-R \$ Amount</th> <th data-bbox="1745 459 1936 527">Funding Source</th> </tr> </thead> <tbody> <tr> <td data-bbox="556 527 709 764">4.1</td> <td data-bbox="709 527 867 764">Levi, Ray & Shoup Software Maintenance & Support Services</td> <td data-bbox="867 527 1318 764">On-going maintenance and support of a software management tool servicing the County's IT Dept.'s (ETSD) mainframe printing system</td> <td data-bbox="1318 527 1549 764">11/26/07–11/25/08 \$80,000</td> <td data-bbox="1549 527 1745 764">\$80,000 11/26/08 – 11/25/09</td> <td data-bbox="1745 527 1936 764">ETSD - Internal Service Funds/ Recording Fees</td> </tr> </tbody> </table> <p><u>Juvenile Detention Services (Item 4.2)</u> The Juvenile Assessment Center (JAC) is requesting to extend an emergency contract for additional spending authority and time for purchase of juvenile detention services.</p> <p>This contract does not include the 2% User Access Program (UAP) provision. This contract is exempt from paying User Access fees because this contract was awarded by the JAC. The UAP is only applicable to contracts awarded by the Department of Procurement Management (DPM); therefore, DPM can not apply the UAP to this contract.</p>	Item No.	Contract Title	Service	Initial Contract Term/ \$ Amount	O-T-R \$ Amount	Funding Source	4.1	Levi, Ray & Shoup Software Maintenance & Support Services	On-going maintenance and support of a software management tool servicing the County's IT Dept.'s (ETSD) mainframe printing system	11/26/07–11/25/08 \$80,000	\$80,000 11/26/08 – 11/25/09	ETSD - Internal Service Funds/ Recording Fees			
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Item No.	Subject Matter		Background			Analysis / Comments / Questions	
		<p>Item No.</p> <p>4.2</p>	<p>Contract Title</p> <p>Juvenile Detention Services</p> <p><u>Reason:</u> Modification of an emergency contract for additional spending and time for purchase of services at the Miami-Dade Juvenile Assessment Center.</p>	<p>Initial Contract Term & Amount</p> <p>\$4,7560,000 for 34 months</p>	<p>Extended Term</p> <p>4 months</p>	<p>Increased Allocation</p> <p>\$560,000</p> <p>Funding Source: General Fund</p>	<p>Vendor / Performance Record</p> <p>The Wackenhut Corporation</p> <p>The Audit and Management Services Department performed an audit on the Miami-Dade Transit Security Services contract with Wackenhut Corporation. The results indicated that Wackenhut overbilled the County. The Final close-out of the audit is pending.</p>
Prepared by: Elizabeth N. Owens							
8(O)1(B)	<p>Recommendation for Approval to Award Contract for Hybrid Buses</p>	<p>This resolution allows Miami-Dade Transit (MDT) to access an existing Broward County contract for hybrid diesel/electric buses. It is necessary for the Board of County Commissioners to waive formal competitive bidding to access this contract.</p> <p>Pursuant to the contract, the County will purchase 13 forty-foot hybrid diesel/electric buses from North American Bus Industries, Inc. (NABI).</p> <p>Broward County awarded NABI a contract for 40 hybrid buses through a competitive process. Because this resolution requires that formal bid procedures be waived, a 2/3 vote of the Commissioners present is required for passage by the full Board of County Commissioners.</p> <p>Fiscal Impact \$7,494,000 for 13 buses (\$576,461.53 per bus). Funding for the buses will come equally from the Florida Department of Transportation County Incentive Grant Program, and the People’s Transportation Plan.</p> <p>Background According to MDT officials, this procurement represents the first purchase of</p>				<p>The memorandum to the resolution states that 13 buses will be procured to replace older transit buses which are presently in service and will soon reach the end of their useful lives.</p> <ul style="list-style-type: none"> • Will 13 40-foot buses be retired? When? • What will the County do with the buses once they are retired? (Will the buses be sold, sold for parts, or auctioned off?) • Can the retired buses be used to generate <i>any</i> type of revenue for MDT, such as selling them for parts? If so, how much money could be generated in this regard? • How many buses have been retired over the past five years, and what has happened to those 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>hybrid buses for the County. MDT is moving towards replacing its entire fleet of 850 diesel buses with hybrid diesel/electric buses by 2018.</p> <p>Generally, there is a \$200,000 difference between the cost of hybrid buses and standard diesel buses; however, the true cost of the hybrid buses may be more comparable as hybrid buses realize greater fuel cost savings over their useful life.</p> <p>MDT has not identified the specific routes the hybrid buses will service. However, MDT officials have stated that the hybrid buses will be used on routes which experience the most “stop-and-go” traffic.</p> <p>Prepared by: Jason T. Smith</p>	<p>buses?</p>
8(O)1(C)	Substitute No. 2 - Award of Competitive Contracts	<p>This resolution authorizes the award of two (2) competitive contracts, a bid rejection, and two (2) contract modifications.</p> <p>At the March 10, 2009, Budget, Planning and Sustainability Committee meeting, this item was amended twice – (1st) to remove the Janitorial Services for Downtown contract; and (2nd) to remove the Automotive and Truck Replacement Parts and Specialized Repair contract. The items remaining have been renumbered.</p> <p>The five (5) remaining contracts in this package include the following:</p> <ol style="list-style-type: none"> (1) Award of 2 competitive contracts for a total allocation of \$8,395,780 including the subsequent options-to-renews (OTRs). The competitively bid contracts include janitorial services and landscaping maintenance services; (2) Rejection of all bids received in response to a solicitation for the purchase of two hydraulic cranes; and (3) Modification of contracts awarding a supplemental allocation for goods or services within the scope of the original contract award. <p>Competitive Bids <u>Janitorial Services for Miami-Dade Housing Agency (1.1)</u> This contract provides janitorial services for 30 sites operated by the Miami-Dade Housing Agency. Sites include tenant complexes, community centers, community kitchens, and management offices. This contract is \$60,844 lower than the previous contract.</p> <p>The solicitation for this contract was structured as a performance-based contract, defining the results the contract is seeking, rather than prescribing the process by which those results are attained.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																						
		<p>Vendor: Vista Building Maintenance Services, Inc. and Chi-Ada Corporation. There are no performance or compliance issues with these 2 firms.</p> <p>Funding Source: Federal Grants</p> <table border="1" data-bbox="554 391 1938 561"> <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>1.1</td> <td>\$2,016,468 for three years with one, 2-year OTR valued at \$1,344,312.</td> <td>\$672,156</td> <td>\$733,000 for 1 year</td> <td>\$733,000</td> </tr> </tbody> </table> <p><u>Landscaping and Lawn Maintenance Services for Miami Dade Transit's Metrorail, Metromover, and Busway (Item 1.2)</u> This contract provides general grounds maintenance services to all Miami-Dade Transit Metrorail, Metromover, and Busway locations. This contract is \$152,800 per year more than the previous contract due to the addition of Busway Zones K & L. Zone K covers the area of SW 264th Street to SW 308th Street. Zone L covers SW 308th Street to SW 344th Street.</p> <p>Vendor: McIntyre Maintenance, Inc., Integrated Holdings, Inc., Mc Family Enterprises, Inc., a Native Tree Services, Inc., R & R Quality Landscaping & Tree Service, Inc., C & W Lawn Care, Inc., Abraham Vanegas Landscaping, Inc., and Groundkeepers, Inc. There are no performance issues with these 8 firms.</p> <p>Performance Issues: C & W Lawn Care, Inc. was placed on a 30-day probationary period on February 6, 2008 for failure to provide grounds maintenance services on Bid No. 7634-4/09-2 (Annual Roadside Tractor Mowing Services). McIntyre Maintenance, Inc. was placed on a 30-day day probationary period on September 14, 2007 for failure to provide services on Bid No. 8239-4/12 (Lot Clearing Services for Team Metro). Both companies completed the probationary period satisfactorily and are performing the required services consistent with the terms and conditions of the contract.</p> <p>Funding Source: Operating Funds.</p> <table border="1" data-bbox="554 1235 1938 1373"> <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>1.2</td> <td>\$1,007,000 for 1 year with four, 1-year OTR valued at \$4,028,000</td> <td>\$1,007,000</td> <td>\$1,138,933 for 16 months</td> <td>\$854,200</td> </tr> </tbody> </table> <p>Rejected Bids Hydraulic Cranes for Miami-Dade Public Works Department (Item 2.1)</p>	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year	1.1	\$2,016,468 for three years with one, 2-year OTR valued at \$1,344,312.	\$672,156	\$733,000 for 1 year	\$733,000	Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year	1.2	\$1,007,000 for 1 year with four, 1-year OTR valued at \$4,028,000	\$1,007,000	\$1,138,933 for 16 months	\$854,200			
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		<p>Due to a staff error in the solicitation process it is recommended that the bid for this contract be rejected and that the Department of Procurement Management re-solicit the bid or access another agency's competitive contract, whichever is in the County's best interest.</p> <p>On November 27, 2007, the solicitation for this contract was issued. A no-bid offer was received and opened on January 16, 2008. The opening date was inadvertently extended during which a proposal was received from Kelly Tractor. According to the County Attorney's office, that bid must be rejected.</p> <p>Competitive Contract Modification:</p> <table border="1" data-bbox="554 560 1938 1304"> <thead> <tr> <th data-bbox="554 560 659 662">Item No.</th> <th data-bbox="659 560 974 662">Contract Title and Modification Reason</th> <th data-bbox="974 560 1188 662">Initial Contract Term and Amount</th> <th data-bbox="1188 560 1402 662">Modified / Extended Term</th> <th data-bbox="1402 560 1617 662">Increased Allocation</th> <th data-bbox="1617 560 1938 662">Vendor / Performance Record</th> </tr> </thead> <tbody> <tr> <td data-bbox="554 662 659 966">3.1</td> <td data-bbox="659 662 974 966"> Protective Clothing (Bunker Gear) <u>Reason:</u> additional spending authority to allow Miami-Dade Fire Rescue to purchase 130 sets of protective clothing. </td> <td data-bbox="974 662 1188 966">\$957,170 / 1 yr.</td> <td data-bbox="1188 662 1402 966">Term unchanged</td> <td data-bbox="1402 662 1617 966">\$183,430 Funding Source: Fire District Funds</td> <td data-bbox="1617 662 1938 966"> Bennett Fire Products Co., Inc. <u>Compliance / Performance Issues:</u> No issues reported. </td> </tr> <tr> <td data-bbox="554 966 659 1304">3.2</td> <td data-bbox="659 966 974 1304"> Juvenile/Adult Photo Imaging System <u>Reason:</u> Additional spending authority to allow MDPD to replace equipment and software enhancement to the Juvenile Services Dept. system. </td> <td data-bbox="974 966 1188 1304">\$1,189,065/5 year term</td> <td data-bbox="1188 966 1402 1304">Term unchanged</td> <td data-bbox="1402 966 1617 1304">\$210,000 Funding Source: General Fund</td> <td data-bbox="1617 966 1938 1304"> Datworks Plus, LLC. <u>Compliance / Performance Issues:</u> No issues reported. </td> </tr> </tbody> </table> <p>Prepared by: Elizabeth N. Owens</p>	Item No.	Contract Title and Modification Reason	Initial Contract Term and Amount	Modified / Extended Term	Increased Allocation	Vendor / Performance Record	3.1	Protective Clothing (Bunker Gear) <u>Reason:</u> additional spending authority to allow Miami-Dade Fire Rescue to purchase 130 sets of protective clothing.	\$957,170 / 1 yr.	Term unchanged	\$183,430 Funding Source: Fire District Funds	Bennett Fire Products Co., Inc. <u>Compliance / Performance Issues:</u> No issues reported.	3.2	Juvenile/Adult Photo Imaging System <u>Reason:</u> Additional spending authority to allow MDPD to replace equipment and software enhancement to the Juvenile Services Dept. system.	\$1,189,065/5 year term	Term unchanged	\$210,000 Funding Source: General Fund	Datworks Plus, LLC. <u>Compliance / Performance Issues:</u> No issues reported.	
Item No.	Contract Title and Modification Reason	Initial Contract Term and Amount	Modified / Extended Term	Increased Allocation	Vendor / Performance Record																
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8(P)(1)(A)8	Contract Award	The items listed below authorize contract award recommendations through the PTP Neighborhood Improvement initiative																			

Item No.	Subject Matter	Background				Analysis / Comments / Questions		
(P)(1)(C)8(P)(1)(D) 8(P)(1)(E) & 8(P)(1)(J)	Recommendation	and are funded by the Charter County Transit System Sales Surtax. The work to be performed consists of illuminating street name signs and the installation of field equipment for the Advanced Traffic Management System.						
		TIR Items	Firm	Contract Amount	Location	Contract Duration	CSBE Goals	Comments
		8P1A	Brailly Electric Corp. Principal address: 10000 East Calusa Club Drive, Miami, Florida	\$488,988	Countywide	120 calendar days	Levels 1, 2, & 3	47 firms were notified utilizing the Office of Capital Improvement's (OCI) CICC 7040 contract. 5 firms purchased contract documents and 2 firms proffered a bid. Brailly proffered the lowest response. No violations were reported for this firm.
		8P1C	Gancedo Technologies, Inc. Principal address: 3425 N.W. 73 Avenue, Miami, Florida	\$420,239	Countywide	120 calendar days	No contract measures	47 firms were notified utilizing OCI's CICC 7360 contract. 14 firms purchased contract documents and 8 firms proffered a bid. Gancedo proffered the lowest response. OCI's CIIS system shows 13 awards to Gancedo and an overall performance rating of 3.0. Gancedo has 3 closed violations for: inaccurate payrolls (2002); underpayment of employee (2007); and misclassification of employee (2007).
8P1D	AGC Electric, Inc. Principal address: 2660 West 79 Street, Hialeah, Florida	\$1 million	Countywide	365 calendar days	No contract measures	49 firms were notified utilizing OCI's CICC 7360 contract. 13 firms purchased contract documents and 6 firms proffered a bid. The lowest bidder, Tropical Electric, Inc., withdrew their bid due to their inability to adhere to the contract terms and conditions.		

Item No.	Subject Matter		Background				Analysis / Comments / Questions	
								<p>Additionally, the two lowest responsive, responsible bidders, AGC and Horsepower Electric, Inc., proffered matching percentage factors of 0.89%. On February 11, 2009, both firms submitted a “Best and Final” bid and as a result, AGC proffered the lowest responsive of 0.86.</p> <p>OCI’s CIIS system shows 7 awards to AGC and an overall performance rating of 3.6. No violations were reported for this firm.</p>
	8P1E	AGC Electric, Inc. Principal address: 2660 West 79 Street, Hialeah, Florida	\$1 million	Countywide	365 calendar days	No contract measures	<p>49 firms were notified utilizing OCI’s CICC 7360 contract. 11 firms purchased contract documents and 3 firms proffered a bid. AGC proffered the lowest response.</p> <p>OCI’s CIIS system shows 7 awards to AGC and an overall performance rating of 3.6. No violations were reported for this firm.</p>	
	8P1J	Under Power Corp. Principal Address: 7900 N.W. 60 Street, Miami, Florida	\$427,125	Countywide	120 calendar days	No contract measures	<p>47 firms were notified utilizing OCI’s CICC 7360 contract. 16 firms purchased contract documents and 9 firms proffered a bid. Under Power proffered the lowest response.</p> <p>OCI’s CIIS system shows 40 awards to Under Power and an overall performance rating of 3.2. No violations were reported for this firm.</p>	
<p>The projects listed above were advertised in the Daily Business Review and all solicitations were made available on-line through the Miami-Dade portal under the Procurement Solicitations link.</p>								

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Comments During the March 11, 2009 Transit, Infrastructure and Roads Committee, the Department of Small Business Development (SBD) noted that there are 34 certified electrical CSBE firms; however, about 3 have the requisite certification, experience and International Municipal Signal Association (IMSA) certification to do this type work. Public Works Department (PWD) confirmed that all of the companies mentioned above are all certified in IMSA, this is a requirement for all traffic signal work as stipulated in the contract in order to obtain the award.</p> <p>Additional Notes PWD along with SBD held a workshop with Electrical Contractors on March 16, 2009 to review the requirements for contractors specified within the PWD contracts. Approximately, 50 electrical contractor companies were in attendance for this meeting.</p> <p>Prepared by: Michael Amador-Gil</p>	
8(P)(1)(B) & 8(P)(1)(G)	Joint Participation Agreement between the Town of Cutler Bay	<p>District 8</p> <p>Item 8P1B This resolution authorizes a Joint Participation Agreement (JPA) between Miami-Dade County and the Town of Cutler Bay (Town) for the design and construction along Caribbean Boulevard from Coral Sea Road to S.W. 87 Avenue totaling \$10,231,940. The County will use the Town's resources to design, contract and construct the project on a reimbursable basis.</p> <ul style="list-style-type: none"> • This project is listed within the People's Transportation Plan Ordinance Exhibit 1; • The Caribbean Boulevard project is 1.75 miles and consists of widening the roadway from 2 to 3 lanes, storm drainage, enhanced lighting, landscaping, sidewalk and pedestrian cross walks, bike lanes, bus pullouts, and intersection improvements; • The design and construction firm will be competitively bid by the Town; • The design work is estimated to cost \$1,000,000 and the construction costs are estimated to be \$10,186,000; • The Town will fund the project and invoice the County for eligible costs. Additional funds would need to be funded by the Town; • The County will disburse funds quarterly to the Town from FY 2010-11 through FY 2011-12; • Public Works Department (PWD) staff estimate final design should be submitted around July 2011 and construction completed by October 2012; and • PWD anticipates that a total of 45 jobs may be created for this job site. <p>Funding Source: Charter County Transit System Surtax</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Contract Measures: The Town will include the Community Small Business program, Community Business Enterprise Program, Community business Enterprise, the Community Workforce Program, and the Responsible Wages and Benefits Ordinance.</p> <p>Similar Projects: S.W. 97 Avenue from S.W. 40 Street to S.W. 56 Street and 97 Avenue from S.W. 56 Street to S.W. 72 Street. This was a 2 mile project consisting of roadway improvements from 2 to 3 lanes totaling \$11,668,000.</p> <p>Item 8P1G This resolution authorizes a Joint Participation Agreement (JPA) between Miami-Dade County and the Town of Cutler Bay (Town) for the design and construction along Old Cutler Road from S.W. 97 Avenue to S.W. 87 Avenue totaling \$7,524,319. The County will use the Town’s resources to design, contract and construct the project on a reimbursable basis.</p> <ul style="list-style-type: none"> • This project is listed within the People’s Transportation Plan Ordinance Exhibit 1; • The Caribbean Boulevard project is 1.75 miles and consist of widening the roadway from 2 to 3 lanes, storm drainage, enhanced lighting, landscaping, sidewalk and pedestrian cross walks, bike lanes, bus pullouts, and intersection improvements; • The design and construction firm will be competitively bid by the Town; • The design work is estimated to cost \$450,000 and the construction costs are estimated to be \$7,200,000; • The Town will fund the project and invoice the County for eligible costs. Additional funds would need to be funded by the Town; • The County will disburse funds quarterly to the Town from FY 2009-10 through FY 2011-12; • PWD staff anticipate final design should be submitted around July 2010 and construction completed by October 2011; and • PWD anticipates that a total of 45 jobs may be created for this job site. <p>Funding Source: Charter County Transit System Surtax</p> <p>Contract Measures: The Town will include the Community Small Business Program, Community Business Enterprise Program, Community Business Enterprise, the Community Workforce Program, and the Responsible Wages and Benefits Ordinance.</p> <p>Comments According to PWD staff, there are no other projects similar to this project because it includes 2 very large traffic circles and safety improvements. According to staff, monitoring and reporting activities on JPAs follow the same requirements as on County contracts.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
8(P)1(H)	Joint Participation between the City of North Miami	<p>Prepared by: Michael Amador-Gil</p> <p>District 4</p> <p>This resolution authorizes a Joint Participation Agreement (JPA) between Miami-Dade County and the City of North Miami (City) for the construction of a traffic circle at the intersection of N.E. 121 Street, N.E. 19 Avenue, and N.E. 19 Drive totaling \$202,508. The County will use the City’s resources to contract and construct the project on a reimbursable basis.</p> <ul style="list-style-type: none"> • The County’s contribution to the project is 50% (maximum \$100,000) of the actual construction project; • Construction plans have been prepared by the County; • The County will disburse funds quarterly to the City during FY 2008-09; • Construction was to begin on November 2008; • This is not a Site Specific Project, but does qualify under the Neighborhood Improvements listed in Exhibit 1 of the People’s Transportation Plan Ordinance; and • PWD anticipates that a total of 15 jobs may be created for this job site. <p>Funding Source: Charter County Transit System Surtax</p> <p>Contract Measures: The City will include the Community Small Business Program, Community Business Enterprise Program, Community business Enterprise, the Community Workforce Program, and the Responsible Wages and Benefits Ordinance. According to staff, monitoring and reporting activities on JPAs follow the same requirements as on County contracts.</p> <p>Questions Is the cost for the preparation of construction plans included in the total construction costs?</p> <p>Prepared by: Michael Amador-Gil</p>	
8(P)1(I)	Joint Participation Agreement between the Florida Department of Transportation	<p>This resolution authorizes the execution of Amendment No. 2 to the original Joint Participation Agreement (JPA) between Miami-Dade County and the Florida Department of Transportation (FDOT).</p> <p>Amendment No. 2 provides for the following:</p> <ul style="list-style-type: none"> • Increases the original JPA amount from \$1,400,000 to \$1,900,000 (+\$500,000); and • Extends the JPA from June 30, 2009 to June 30, 2012. 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
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Background
 On October 2, 2007, through Resolution 1106-07, the Board of County Commissioners approved a JPA to prepare landscape plans for mutually agreed locations with FDOT. The JPA established \$1,400,000 for the cost of design and installation of landscaping along various FDOT maintained roadways through Miami-Dade County.

NEW TREE PLANTING / ENHANCEMENT SITES APPROVED BY THE MIAMI-DADE LANDSCAPE COMMITTEE

Dist	Locations	From	To
1	N.W. 47 Avenue	N.W. 183 Street	N.W. 199 Street
7	Seaport entrance		
6/10	87 Avenue	N.W. 8 Street	S.W. Coral Way Street
7	S.W.76 Avenue	S.W. 72 Street	S.W.80 Street
2	N.W.7 Avenue	N.W.119 Street	N.W.135 Street
6	N.W. 36 Street	N.W. 42 Avenue	N.W.72 Avenue
10	S.W. Bird Road	S.W. 67 Avenue	S.W.117 Avenue

NEW TREE PLANTING SITES PENDING APPROVAL BY THE LANDSCAPE COMMITTEE

4	N.E. Sunny Isles Blvd	S.W. Within City limits	
3	N.W. Biscayne Blvd	N.W. 104 Street	123 Street
7	S.W. Sunset Drive	S.W. 67 Avenue	117 Avenue
9	S.W. US-1	S.W. Card Sound Road	S.W. 344 Street
1	N.W. 826 Exp N.W.	N.W. 27 Avenue	N.W. 57 Avenue

The list of pending sites will be presented to the Miami-Dade County Landscape Committee and FDOT for approval.

Prepared by: Michael Amador-Gil

Item No.	Subject Matter	Background	Analysis / Comments / Questions
8(P)1(K)	Joint Participation Agreement between the City of Coral Gables	<p>District 7</p> <p>This resolution authorizes a Joint Participation Agreement (JPA) between Miami-Dade County and the City of Coral Gables (City) for the construction of a traffic roundabout at the intersection of Segovia Street and Biltmore Way totaling \$350,000. The County will use the City's resources to contract and construct the project on a reimbursable basis.</p> <p>Prepared by: Michael Amador-Gil</p>	
8(P)1(L)	Resolution to Execute any Local Agency Program	<p>This resolution authorizes the Mayor or his designee to execute any Local Agency Program (LAP) Agreements between Miami-Dade and the Florida Department of Transportation (FDOT) for improvements along Federal Highway Administration Federal Aid System roads.</p> <p>LAP Highlights:</p> <ul style="list-style-type: none"> • The County is estimated to receive approximately \$24.7 million in Federal Stimulus roadway infrastructure projects; • The County will invoice FDOT for reimbursement on a monthly basis; • Improvements include resurfacing, restriping, ADA sidewalks, and arterial street lighting; • Federal requirements for the use of Davis Bacon Wages and Disadvantaged Business Enterprise (DBE) apply; • No cost may be incurred under the LAP until the County receives a written Notice-to-Proceed from FDOT; and • The Public Works Department (PWD) will monitor and track these future projects. <p>Questions</p> <p>Will the projects be advertised in English, Spanish and Creole?</p> <p>The following answers were provided by PWD staff:</p> <ul style="list-style-type: none"> • How many jobs are anticipated from future LAP projects? <p><i>Since the specific projects are still being finalized, there has not been an updated estimate for job creation. But based on a proration of earlier estimates, it is anticipated that the \$24.7million will lead to approximately 210 jobs.</i></p> <ul style="list-style-type: none"> • Which FY will the LAPs impact? <i>Impact will be over FY 2008-09, FY 2009-10, and FY 2010-11.</i> • How will the County fund these projects? <i>Currently being discussed between PWD and OSBM.</i> 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<ul style="list-style-type: none"> How will these projects be equally distributed to commission districts? <i>The MPO allocation of \$24.7million was for improvements to the Unincorporated Miami Dade County Areas, distribution is to be based on existing UMSA population within the Commission Districts. (Similar to the distribution of QNIP funding)</i> 	
9(A)1	Resolution Rescinding Grant Award from Safe Neighborhood Parks Bond program to the Coalition to Improve North Dade and Approving grant Award to City of Miami Gardens	<p>District 1</p> <p>This resolution rescinds the Safe Neighborhood Parks Bond Program Grant Award to the Coalition to Improve North Dade (CIND) for the North Dade Optimist Park and allocates the funds in the amount of \$75,000 to the City of Miami Gardens to continue this project.</p> <p>CIND is a private, nonprofit organization comprised of residents, professionals and business representatives who live and/or work in North Miami-Dade County. CIND was awarded a series of community based organization grants from Miami Dade County for the construction of a recreation building at the North Dade Optimist Park.</p> <p>In July 2004, ownership of the County park was transferred to the City of Miami Gardens, as a result of its incorporation (R-982-04). The agreements with CIND were still considered active although the funds had not been drawn down and construction had not yet begun. The City has volunteered to take over the project with the endorsement from CIND.</p> <p>In order to facilitate the renovation of the park with all the appropriate funds, the City has requested that all grant monies awarded to North Dade Optimist Park be transferred to the City, to include the \$75,000 grant from the Office of Safe Neighborhood Parks.</p> <p>As of January 22, 2009, the Safe Neighborhood Bond Program (SNP) Status Report of On-Going Projects reflects the following:</p> <ul style="list-style-type: none"> There are 43 projects remaining for completion; The last projected completion date for SNP is June 2010; The remaining balance for the SNP is \$21,097,194. 	Prepared by: Michael Amador-Gil
9(A)2	Resolution Awarding Recaptured Funds from the Safe Neighborhood	<p>This resolution allocates \$819,929 Safe Neighborhood Parks (SNP) Recaptured Funds to specific entities for various park projects.</p> <p>The funds were originally allocated to the same grantees by the Board of County Commissioners (Board) on December 4, 2007 under R-1365-07.</p>	Prepared by: Mia B. Marin.

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	Parks Program	<p>The funds were recaptured because the grantees were unable to complete the projects by the contract completion date. All the grantees have requested an extension of their contracts and reallocation of funds. The SNP Oversight Committee considers written requests for recaptured fund grants for review and approval. They are recommending the re-allocation of the \$819,929 in SNP grant awards to the same grantees.</p> <p>The SNP Committee did not recapture any funds in 2008 and the last time funds were recaptured and reallocated was May 1, 2007.</p> <p>The SNP projects are located within six municipalities (City of North Miami, Village of Biscayne Park, City of Homestead, Town of Cutler Bay, Village of Palmetto Bay and Miami-Dade County) and five Commission Districts (2, 4, 7, 8 and 13).</p> <p>As of January 22, 2009, the Safe Neighborhood Bond Program (SNP) Status Report of On-Going Projects reflects the following:</p> <ul style="list-style-type: none"> • There are 43 projects remaining for completion; • The last projected completion date for SNP is June 2010; • The remaining balance for the SNP is \$21,097,194. <p>Prepared by: Mia B. Marin.</p>	
9(A)3	Approving Second Amendment to a Training Contract	<p>This resolution approves Amendment No. 2 to an existing contract between Miami-Dade County and Florida Venture Foundation (FVF) for mentoring, training and placement of students in the construction field. Amendment No. 2 provides for the following: (1) eliminates the placement and retention requirement in Section XIV of the amended contract; and (2) reduces the original contract amount by \$100,000. The amendment closes out this contract, which expires May 14, 2009.</p> <p>Background</p> <p>On April 25, 2006, through Resolution 481-06, the Board of County Commissioners approved a contract totaling \$250,000 with FVF to assist 75 students with training and job placement in the construction industry in order to curb unemployment in Miami-Dade.</p> <ul style="list-style-type: none"> • FVF advertised the program to locate students for their construction training programs; • The contract placed students on projects funded by the Building Better Communities Bond Program (BBC); and • The contract also required FVF to reimburse the County \$2,000 for each student that did not complete the program. 	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>On May 8, 2007, FVF's contract was amended (Amendment No. 1) through Resolution 606-07 by the BCC to: (1) expand employment opportunities on any projects funded in whole or in part by any governmental agency located in Miami-Dade County; (2) extend the placement period from 12 months to 24 months; and (3) extend the contract from two years to three years.</p> <p>Fiscal Impact The breakdown of payment to FVF provided:</p> <ul style="list-style-type: none"> • \$75,000 at the time the original contract was executed; • \$1,000 per client placed in a training program up to \$75,000;and • \$1,334 per client mentored, trained, placed on a BBC funded program or partially funded projects, and would have been employed for at least 6 months in a 12 month period beginning at the time of placement and received a minimum of 120 hours of training. • To date, FVF has been paid \$150,000 for their outreach services. <p>Florida Venture Foundation FVF was established in 1998 to contribute to the area's economic development by assisting residents and businesses. FVF is located at 782 N.W. LeJeune Road, Suite 348, Miami, Florida 33126. FVF is a non-profit organization that was structured to provide training, guidance, education, outreach, technical support, and other services to:</p> <ul style="list-style-type: none"> • Minority or disadvantaged (at-risk) young adults through its YouthBuild Outreach Program; and • Small or minority-owned companies through a series of outreach programs and FVF's Business Resource Center. <p>Comments Pursuant to the Agreement, FVF was to place a minimum of 75 students in projects funded in part by BBC proceeds or projects funded in whole by governmental agencies, and have students employed a minimum of 6 months during the 12 month period following placement. However, the placement and retention portion valued at \$100,000 was not completed by FVF to the County's satisfaction.</p> <p>Staff states that FVF claimed to have placed 75 students on construction projects, but did not provide necessary documentation from the employer to satisfy the County's reimbursement requirements and receive funds for this task. OCI staff indicated that they worked with FVF on the final phase of the contract (placement) since the summer of 2008 without success.</p> <p>Question: Did the random evaluations show any irregularities mentioned above?</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>Unemployment Figures Miami-Dade County's unemployment rate for February 2009 was 7.5 percent. This is an increase of 0.6 percent compared to January 2009 and an increase of 2.8 percent compared to February 2008. The construction sector continues to be a concern, decreasing by 19.0 percent between February 2008 and February 2009.</p> <p>Source: The Beacon Council- February 2009 Unemployment Figures</p> <p>Prepared by: Michael Amador-Gil</p>	
9(A)4	Establish a Deposit Only Account Associated with the Alternative Incarceration Trust Account	<p>This resolution establishes a deposit only account in association with the Miami-Dade County Corrections and Rehabilitation Department (MDCR) Alternative Incarceration Trust Account. It authorizes MDCR to establish a deposit only account at Wachovia Bank.</p> <p>Alternative Incarceration Programs include House Arrest Program, Boot Camp Program and Weekender Program.</p> <p>Background MDCR is responsible for the supervision of inmates who have been permitted to participate in Alternative Incarceration programs.</p> <p>Currently, program participation fees are received by MDCR staff from program participants and are subsequently deposited in the Miami-Dade County Alternative Incarceration Trust Account at Wachovia Bank in Miami, Florida. These fees help defray the MDCR costs of administering the respective programs and may include percentages of their income, flat fees and can ultimately be waived by a judge for those participants that cannot pay or have lost their job.</p> <p>This item modifies the collection process to require program participants or their families to go to any Wachovia Bank branch to deposit the participation fees into the newly established deposit only account themselves.</p> <p>In order to avoid any opportunity for inappropriate actions by program participants, deposits will be made directly to the deposit only account and then automatically transferred to the MDCR Alternative Incarceration Trust Account each business day, maintaining a zero balance in the deposit only account.</p> <p>MDCR staff consulted with bank representatives and the Finance Department and it was recommended that MDCR establish this new zero balance deposit only account.</p> <p>Prepared by: Elizabeth N. Owens</p>	
9(A)5	Resolution Authorizing the	This resolution authorizes the Miami-Dade Fire Department (MDFR) to: (1) act as the general contractor and solicit bids from County approved trade contractors to complete construction of new fire facilities and replacement, renovation, or	

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	<p>Miami-Dade Fire Rescue Department to Act as General Contractor</p>	<p>additions to existing fire facilities; (2) waive Resolution 120-83; and (3) adhere to Florida Statute 255.20 requiring a determination by a majority vote of the Board of County Commissioners (BCC) that it is in the public's best interest to perform the capital project(s) using MDFR personnel as general contractor for new construction, replacement, renovations and additions at fire station projects and facilities.</p> <p>If approved, the program will be in place until the completion of the projects, which is anticipated to last at least two years.</p> <p>Several capital departments have assigned in-house staff to handle a number of maintenance, repairs and other public construction work. The capital departments follow various requirements, specifically:</p> <ul style="list-style-type: none"> • Resolution 120-83 established a County policy requiring that new construction of public improvements and additions exceeding \$50,000 and renovations or modification work exceeding \$100,000 be competitively bid through private industry; and • Florida Statute 255.20 governs local bids and contracts for public construction work. Under this statute, a county, municipality, special district, or other political subdivision can award the project without competitive bidding under certain circumstances, such as when funds for the project will be diminished or lost under the project; or when the governing body of the local government, in a public meeting, determines that it is in the public's best interest to perform the project with the local government's own services, employees, and equipment. <p>Fiscal Implication The MDFR is exploring ways of reducing their cost of construction and start up costs for the approaching fiscal years. The capital projects include the construction of 5 fire stations, the replacement of 3 fire stations, 2 additions to existing fire stations and 1 addition to a fleet shop. MDFR staff anticipates that by using in-house personnel, the department may save 10% to 20% in costs per project. The resolution does not provide specific cost savings information. The savings may be significant or proportionate per project, but currently remains undetermined. Also, no data was provided illustrating that the project cost would be less than a low bid obtained through the County's competitive bid process.</p> <p>Relevant Information The MDFR will solicit bids from the County's pre-qualified CICC 7040 contractors list, which is administered by the Office of Capital Improvements (OCI). The 7040 Contract is set-aside solely for Community Small Business Enterprise firms certified by the Department of Small Business Development. Individual MCC 7040 projects cannot exceed \$2.5 million in construction costs. To be pre-qualified with OCI, vendors must have CSBE certification, the required license, must comply with minimum insurance requirements, must be a Miami-Dade County vendor and provide the "request to participate" form to OCI.</p>	

Item No.	Subject Matter	Background	Analysis / Comments / Questions																														
		<ul style="list-style-type: none"> • All of the contract awards will be awarded to Level 1 CSBE firms. • The County rules also require MDFR to exhaust the list of qualified 7040 contractors before looking at the 7360 contractor list. If qualified contractors are not available on the 7040 list, MDFR can use the 7360 process. MDFR could also access the 7360 contractor list to comply with the set aside restrictions that would be imposed if federal funds were received for a project being built by MDFR. The 7360 Contract is a competitive bid which is open to all vendors. Individual MCC 7360 projects cannot exceed \$2.5 million in construction costs. • County approved contractors performing the actual work will be required to carry the same County required insurance (liability, workers comp, etc.) necessary to perform work under the existing CICC 7040 program. <p>Insurance Coverage for Builder's Risk: MDFR is currently working with Miami-Dade County's General Services Administration to determine if the department will obtain additional insurance coverage such as builder's risk.</p> <ul style="list-style-type: none"> • What other costs may be incurred by MDFR acting as general contractor, if additional insurance coverage is required? <p>Possible Salary Adjustments: MDFR stated that the Department of Human Resources will ensure compliance with all collective bargaining agreements if additional duties are assigned to MDFR personnel that require adjustments to job classifications or pay. It is possible that some employees may have increased supervisory responsibility during some projects, but that will depend upon the specific needs of each project, the availability of the various private county contractors within the CICC 7040 program, and the flexibility and capacity of the MDFR workforce.</p> <p>MDFR will use the following personnel from the MDFR Facilities and Construction Division:</p>	<table border="1"> <thead> <tr> <th data-bbox="548 1070 701 1170">Name</th> <th data-bbox="701 1070 905 1170">License Type</th> <th data-bbox="905 1070 1108 1170">License Number/Rank</th> <th data-bbox="1108 1070 1346 1170">Status/Expires</th> <th data-bbox="1346 1070 1598 1170">Workers' Compensation</th> <th data-bbox="1598 1070 1944 1170">Complaints</th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1170 701 1344">Lamela</td> <td data-bbox="701 1170 905 1271">General Contractor</td> <td data-bbox="905 1170 1108 1271">CG017705</td> <td data-bbox="1108 1170 1346 1271">Current/Active Exp. 08/31/2010</td> <td data-bbox="1346 1170 1598 1271">Exemption not re-Issued</td> <td data-bbox="1598 1170 1944 1344">Licensed Activity Investigation No. 9708688 occurred on 03/11/97. The complaint was closed on 06/11/97.</td> </tr> <tr> <td data-bbox="548 1271 701 1344"></td> <td data-bbox="701 1271 905 1344">Architect</td> <td data-bbox="905 1271 1108 1344">AR0009520</td> <td data-bbox="1108 1271 1346 1344">Current/Active Exp. 02/28/2011</td> <td data-bbox="1346 1271 1598 1344"></td> <td data-bbox="1598 1271 1944 1344"></td> </tr> <tr> <td data-bbox="548 1344 701 1411">Villareal</td> <td data-bbox="701 1344 905 1411">General Contractor</td> <td data-bbox="905 1344 1108 1411">CGC057611</td> <td data-bbox="1108 1344 1346 1411">Current/Inactive* Exp. 08/31/2010</td> <td data-bbox="1346 1344 1598 1411">No data found</td> <td data-bbox="1598 1344 1944 1411">No Complaint information found.</td> </tr> <tr> <td data-bbox="548 1411 701 1446">Garces</td> <td data-bbox="701 1411 905 1446">General</td> <td data-bbox="905 1411 1108 1446">CGC1509684</td> <td data-bbox="1108 1411 1346 1446">Current/Inactive*</td> <td data-bbox="1346 1411 1598 1446"></td> <td data-bbox="1598 1411 1944 1446">No Complaint information</td> </tr> </tbody> </table>	Name	License Type	License Number/Rank	Status/Expires	Workers' Compensation	Complaints	Lamela	General Contractor	CG017705	Current/Active Exp. 08/31/2010	Exemption not re-Issued	Licensed Activity Investigation No. 9708688 occurred on 03/11/97. The complaint was closed on 06/11/97.		Architect	AR0009520	Current/Active Exp. 02/28/2011			Villareal	General Contractor	CGC057611	Current/Inactive* Exp. 08/31/2010	No data found	No Complaint information found.	Garces	General	CGC1509684	Current/Inactive*		No Complaint information
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Item No.	Subject Matter		Background		Analysis / Comments / Questions		
			Contractor		Exp. 08/31/2010	No data found	found.
		Fernandez	General Contractor	CGC016761	Current/Active Exp. 08/31/2010	Terminated July 8, 1993. Termination may be through the revocation of the exemption, expiration of the exemption, or invalidation by failure to re-issue the exemption.	No Complaint information found.
		Rodriquez	Professional Engineer	PE 58155	Current/Active Exp. 02/28/2011	No data found	No Complaint information found.
		Ledo	Not licensed (Graduate Architect)	N/A	N/A	N/A	N/A
		Villareal	Not licensed (Graduate Architect)	N/A	N/A	N/A	N/A
		Rojas	Electrical Contractor	EC13004038	Current/Active Exp. 08/31/2010	N/A	No Complaint information found.
		Meares	Electrical Contractor	EC0002136	Current/Active Exp. 08/31/2010	No data found	No Complaint information found.
		Abreu	Certified Air Conditioning Contractor	CAC057247	Current/Active Exp. 08/31/2010	N/A	No Complaint information found.
		Aleman	Certified Air Conditioning Contractor	CAC041214	Current/Active Exp. 08/31/2010	N/A	No Complaint information found.
		Trelles	Certified Air Conditioning Contractor	CAC024373	Current/Active Exp. 08/31/2010	N/A	No Complaint information found.
	<p>*Inactive - the licensee has met the Florida Department Business & Professional Regulation requirements for licensure but is not allowed to work under this license. Licenses are usually inactive if the person or organization wants to remain in good standing while they pursue other ventures. In order to return to an active status, the individual or organization would</p>						

Item No.	Subject Matter	Background	Analysis / Comments / Questions
		<p>simply have to notify the department and complete any outstanding requirements, such as continuing education.</p> <p>Sources: State of Florida Department of Financial Services and the Florida Department of Business and Professional Regulations</p> <p>Additional Notes Senate Bill 616 (SB), sponsored by Senator Mike Haridopolos, and identical House Bill 611 (HB), sponsored by Representative Dorothy L. Hukill, have been filed for the 2009 Florida Legislative Session that could possibly impact Miami-Dade County's governance of local bids and contracts for public construction work. The bills would amend Florida Statute 255.20 by restricting the use of city employees or city equipment for and broaden the circumstances when local governments are required to competitively award, public construction works. Policy implications could require the County to decrease workforce and may prevent local governments from carrying out public construction projects, maintenance and repairs with in-house staff.</p> <ul style="list-style-type: none"> • CS/HB 611 was amended last week to delete the 10% cost estimate threshold that authorizes the local government to perform work using their own staff and equipment but this change does not substantially alter the bill; • CS/HB 611 passed the House Roads, Bridges and Ports Policy Committee on March 18, 2009 and passed in the Economic Development & Community Affairs Policy Council on April 1, 2009; • SB 616 was temporarily postponed by the Senate Community Affairs Committee on March 31, 2009; and • CS/HB 611 has an effective date of July 1, 2009. <p>Comments According to MDFR Staff, the department intends to continue bidding out construction contracts for general contractors with at least 3 other fire station construction contracts to be awarded this year, including Model Cities Station 2, Sunny Isles Station 10 and Miami Lakes Station 64. MDFR will also hire an outside architect to design Highland Oaks Station 63 Phase 2 which will include a fire station and offices for Fire Prevention.</p> <p>On March 12, 2009, this item did not receive committee review during the Health, Public Safety & Intergovernmental Committee due to lack of quorum. A public notice was advertised 14 days prior to the April 7, 2009 BCC meeting. MDFR staff mentioned that as a courtesy, a public notice was also advertised in Spanish and Creole and advertised in the Miami New Times.</p> <p>Prepared by: Michael Amador-Gil</p>	
10(A)1	Resolution Authorizing Grant	This resolution authorizes funding of ten fellowship awards in the amount of \$150,000 to South Florida Artists from the Department of Cultural Affairs	The SFCC is a partnership among the local art agencies of Broward, Martin,

Item No.	Subject Matter	Background	Analysis / Comments / Questions
	Awards for the FY2009 South Florida Cultural Consortium	<p>(DCA) as the fiscal agent for the 2008-2009 South Florida Cultural Consortium (SFCC)-Visual & Media Artist Fellowship Program (VMAFP).</p> <p>The total amount in fellowships recommended in the FY2008-2009 to artist in each county is as follows:</p> <ul style="list-style-type: none"> • Miami-Dade County \$75,000 • Broward County \$45,000 • Palm Beach County \$15,000 • Martin County \$0 • Monroe County \$15,000 <p>Of the ten fellowships awarded, the following two recipients have previously been granted this award:</p> <ul style="list-style-type: none"> • Colby Katz awarded \$15,000 for the FY2003-2004 VMAFP (R-178-04); and • Samantha Salzinger \$15,000 FY2000 VMAFP (R134-00). <p>A moratorium of five years is imposed on recipients who received a \$15,000 fellowship award between 2004 and 2008 (applications submitted 2003-2007). A moratorium is imposed on recipients of a \$7,500 fellowship award between 2006 and 2008) (applications submitted 2005-2007).</p> <p>The two recipients (Katz and Salzinger) of previous VMAFP awards do not violate this moratorium.</p> <p>Prepared by: Mia B. Marin</p>	<p>Miami-Dade, Monroe and Palm Beach Counties. The VMAFP is intended to nurture the artistic development of eligible visual and media artists who reside in these counties.</p> <p>All emerging, mid-career and established South Florida professional artists are eligible to apply.</p> <p>In 2008, over 360 artists applied for the FY 2007-2008 VMAFP and only thirteen (13) fellowships were granted.</p> <p>Three hundred (300) artists applied for the FY2008-2009 VMAFP.</p>
10(A)2	Resolution Approving A Grant for the South Florida Cultural Consortium	<p>This resolution approves a \$20,000 grant from the Department of Cultural Affairs as fiscal agent for the South Florida Cultural Consortium (SFCC) to the Florida Atlantic University Foundation, University Galleries (FAU-UG) for the Regional Exhibition of the SFCC FY2008-2009 Visual and Media Arts Fellowship Program (VMAFP).</p> <p>The funding source is coming from the FY2008-2009 budget for the SFCC. The SFCC Board of Directors selects a major museum located in one of the participating counties (Miami-Dade, Martin, Palm Beach, Broward and Monroe), on a rotating basis, to present the annual exhibition of the VMAFP. FAU-UG was selected for the FY2009 Exhibition. FAU-UG has previously hosted the VMAFP exhibition (FY2005-2006, R-477-06).</p> <p>This grant is presented to the Board of County Commissioners (Board) annually for approval. The last three Board</p>	

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		<p>approvals are as follows:</p> <table border="1" data-bbox="527 293 1146 431"> <thead> <tr> <th>Fiscal Year</th> <th>Accompanying Resolution</th> </tr> </thead> <tbody> <tr> <td>FY2007-2008</td> <td>R-522-08</td> </tr> <tr> <td>FY2006-2007</td> <td>R-573-07</td> </tr> <tr> <td>FY2005-2006</td> <td>R-477-06</td> </tr> </tbody> </table> <p>Prepared by: Mia B. Marin</p>	Fiscal Year	Accompanying Resolution	FY2007-2008	R-522-08	FY2006-2007	R-573-07	FY2005-2006	R-477-06	
Fiscal Year	Accompanying Resolution										
FY2007-2008	R-522-08										
FY2006-2007	R-573-07										
FY2005-2006	R-477-06										
10(A)4	Alternate Resolution Approving Amendments to the Bylaws of the Public Health Trust	<p>This resolution approves amendments to the Bylaws of the Public Health Trust (PHT). The Board of County Commissioners (BCC) last approved amendments to the PHT Bylaws on April, 2004. The Executive Committee of the PHT met on May 27, 2008 to approve the proposed modifications to the Bylaws.</p> <p>On September 11, 2008, the original item came before the Health and Public Safety Committee (HPSC). The committee members addressed several concerns and the alternate item addresses these issues.</p> <p>The alternate provides for the following;</p> <ul style="list-style-type: none"> • The Employee Salaries and Benefits section will remain as a power and duty under Article IV, Section 2(j) 2, Personnel Matters as a power and duty of the Board of Trustees and will not be moved to the section in the Bylaws for Power and Duties of the President. • Adds a reference to Section 2-11.3 of the Code of Miami-Dade County relating to the automatic suspension of a Trustee who is charged with a felony. Chapter 25A provides in 25A-3(b) that Trustees serve without compensation. They are only entitled to be reimbursed for expenses related to Trust business. If suspended, the Trustee would not be entitled to expense reimbursement. • Conflict of Interest and Attendance respectively have provisions regarding attendance and applicability of the Code of Ethics to Trustee. The alternate remains unchanged. • Renames the External Audit Subcommittee as the Audit and Compliance Subcommittee expanding its responsibilities to include not only oversight of external and internal audit functions but also regulatory compliance. <p>Comments HPSC members also addressed issues regarding that two voting Commissioners be added as Executive Committee members and the Director of the Office of Countywide Healthcare Planning (OCHP) be included as an ex-officio non-</p>									

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		<p>voting member of the PHT. The Board of County Commissioners adopted Ordinance 05-85 and Ordinance 05-216 which addressed the concerns mentioned above. To date, the PHT has not amended the Bylaws to reflect the adoption of ordinances mentioned above.</p> <p>Prepared by: Michael Amador-Gil</p>	
11(A)1	<p>Resolution Extending the Designation of the Ludwig Van Beethoven Promenade under the Metrorail Guideway</p> <p>Prime Sponsor Commissioner Bruno A. Barreiro</p>	<p>District 5</p> <p>This resolution extends the designation of the Ludwig van Beethoven Promenade by two additional blocks to the north of S.W. 8 Street along the public M-Path to the Miami River’s south shoreline.</p> <p>The Beethoven Promenade currently includes the area under the Metrorail Guideway at S.W. 8th Street to the Brickell Metrorail Station.</p> <p>The Miami River Commission has recommended the extension of the Beethoven Promenade.</p> <p>Fiscal Impact This resolution is not expected to have a fiscal impact.</p> <p>Legislative History On May 6, 2003, the Board of County Commissioners adopted Resolution R-463-03 which designated the area under the Metrorail Guideway from SW 8th Street to the Brickell Metrorail Station entrance as the Ludwig van Beethoven Promenade.</p> <p>That resolution also authorized the expenditure of \$5,000 from Miami-Dade Transit’s operating funds to install a bronze plaque designating the area as the Ludwig van Beethoven Promenade.</p> <p>Prepared by: Jason T. Smith</p>	
11(A)3	<p>Resolution Directing the Mayor to Report on the Small Business Development Department</p>	<p>This resolution directs the County Mayor to provide a report to the Board of County Commissioners on the manner that the Small Business Development Department (SBD) establishes goals and monitors program compliance.</p> <p>The resolution seeks to ensure that small business firms are participating in County contracts during difficult economic conditions.</p> <p>The resolution also directs that the report be prepared and presented to the Board within 90 days.</p> <p>Background</p>	

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	<p>Prime Sponsor Commissioner Audrey M. Edmonson</p>	<p>On July 17, 2008, the Board approved Ordinance 08-92 that established measures to stimulate the economy by creating an expedited contracting process for certain capital development projects over a 12-18 month period. The Board also approved Resolution 851-08 that established the list of Economic Stimulus Projects that contained 140 capital projects with a total value of \$600 million.</p> <p>According to the SBD website, SBD is supporting this effort to ensure participation of small businesses on County contracts by reviewing all economic stimulus contracts for the application of small business measures. SBD has also established an Expedited Certification Process to maximize small business availability for Economic Stimulus projects.</p> <p>Comments As of March 5, 2009, SBD has 10 Economic Stimulus Projects approved with measures. One of the contracts listed has no measures set aside due to insufficient availability. The contracts are estimated to total \$31,293,643 with \$7,942,343.80 set-aside for small businesses.</p> <p>Question(s) Does SBD track those industries that seem to have insufficient availability and does the department seek to recruit businesses within the underserved industries? <i>According to SBD, the Department performs targeted outreach specifically in areas of low or no availability.</i></p> <p>What industries currently have low or no availability? <i>As of January 2009, the following trades are exempt from Community Small Business (CSBE) Program utilization due to insufficient availability:</i></p> <ul style="list-style-type: none"> • <i>Asbestos Abatement</i> • <i>Concrete Cutting</i> • <i>Docks & Seawalls</i> • <i>Fire Sprinklers</i> • <i>Geogard Recoating of Roof</i> • <i>Highway Signs</i> • <i>Lightning Rod Installation</i> • <i>Lightweight Concrete Insulation</i> • <i>Pin Piling</i> • <i>Pool Related Work</i> • <i>SIKA product application</i> • <i>Well Drilling</i> <p>Prepared by: Tiandra D. Sullivan</p>	

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11(A)4	<p>Resolution Relating to the Development of the Brownsville Metrorail Station Parking Lot</p> <p>Prime Sponsor Commissioner Audrey M. Edmonson</p>	<p>District 3</p> <p>This resolution approves the assignment of a lease agreement for the development of the Brownsville Metrorail Station parking lot from the Transport Workers Union 291 Community Services, Inc. (TWU), to the St. Agnes Housing Corporation.</p> <p>This resolution also approves an amended and restated lease agreement between St. Agnes (a non-profit organization) and Miami-Dade County.</p> <p>According to this resolution, St. Agnes will lease 5.12 acres of property at the Brownsville Metrorail station site for an initial period of 12 years, at a rental rate of \$1.5 million (to be paid as construction progresses), with an option to purchase the site.</p> <p>The non-profit agrees to develop the site into 445 affordable housing units, parking garage, and incidental retail space in five phases. Carlisle is the designated developer of this project.</p> <p>The project will progress in five phases:</p> <ul style="list-style-type: none"> • Phase I – 90 unit multifamily rental unit high rise, with 100% units set aside for tenants earning 60% or less than Miami-Dade Area Median Income (AMI). • Phase II – 100 unit multifamily rental unit high rise, with 100% units set aside for tenants earning 60% or less than Miami-Dade AMI. • Phase III – 85 unit minimum multifamily high rise, with 100% of units set aside for tenants earning 140% or less than Miami-Dade AMI. • Phase IV – 85 unit minimum multifamily high rise, with 100% of units set aside for tenants earning 140% or less than Miami-Dade AMI. • Phase V – 85 unit minimum multifamily high rise, with 100% of units set aside for tenants earning 140% or less than Miami-Dade AMI. <p>NOTE: According to the U.S. Department of Housing and Urban Development (HUD), the Area Median Income for Miami-Dade County in 2008 was \$49,200.</p> <p style="text-align: center;">Miami-Dade County: HUD 2008 50% and 120% of AMI Income Thresholds by Household Size</p> <table border="1" data-bbox="617 1308 1877 1446"> <thead> <tr> <th></th> <th>1 Person</th> <th>2 Person</th> <th>3 Person</th> <th>4 Person</th> <th>5 Person</th> <th>6 Person</th> <th>7 Person</th> </tr> </thead> <tbody> <tr> <td>50% of AMI</td> <td>21,100</td> <td>24,100</td> <td>27,150</td> <td>30,150</td> <td>32,550</td> <td>34,950</td> <td>37,400</td> </tr> <tr> <td>80% of AMI</td> <td>33,800</td> <td>38,600</td> <td>43,450</td> <td>48,250</td> <td>52,100</td> <td>55,950</td> <td>59,850</td> </tr> </tbody> </table>		1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	50% of AMI	21,100	24,100	27,150	30,150	32,550	34,950	37,400	80% of AMI	33,800	38,600	43,450	48,250	52,100	55,950	59,850	
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			<table border="1" data-bbox="617 224 1877 272"> <tr> <td>120% of AMI</td> <td>50,650</td> <td>57,900</td> <td>65,100</td> <td>72,350</td> <td>78,150</td> <td>83,950</td> <td>89,750</td> </tr> </table> <p data-bbox="590 277 1959 337">Source: http://www.huduser.org/publications/commdevl/nsp.html (accessed Oct. 3, 2008). Reported in the Manager's Memo, "Information on Median Household Income Measures for Miami-Dade County," March 13, 2009.</p> <p data-bbox="525 378 762 407">Legislative History</p> <p data-bbox="525 410 1934 508">On July 13, 2004, the Board of County Commissioners (BCC) approves Resolution R-860-04, directing the County to negotiate a lease for the Brownsville Metrorail Station. This action was precipitated by an unsolicited proposal received from TWU requesting that the County consider developing the site.</p> <p data-bbox="525 545 1871 605">On July 21, 2006, the BCC approved a lease agreement with TWU (R-521-06) for land adjacent to the Brownsville Metrorail station.</p> <p data-bbox="525 646 1959 706">On June 3, 2008, the BCC approved Resolution R-672-08 directing the County to renegotiate the lease agreement. During the discussions between the County and TWU, the initial project was modified to consist entirely of affordable housing.</p> <p data-bbox="525 743 1934 773">On Feb. 25, 2009, TWU sent the County a letter requesting to assign its rights, title and interest in the lease to St. Agnes.</p> <p data-bbox="525 813 856 842">Prepared by: Jason T. Smith</p>	120% of AMI	50,650	57,900	65,100	72,350	78,150	83,950	89,750	
120% of AMI	50,650	57,900	65,100	72,350	78,150	83,950	89,750					
11(A)5	<p data-bbox="289 857 510 1219">Resolution Requiring the Tax Collector to Annually Provide to County Departments Tax Notices Issued on Conveyed County Property Subject to Reverter Clauses or Conditions</p> <p data-bbox="289 1260 478 1390">Prime Sponsor Commissioner Carlos A. Gimenez</p>	<p data-bbox="525 857 1440 1052">This resolution would establish as county policy that all County agencies or departments, involved in the sale or transfer of county land - in which the transfer deed contains an obligation to comply with certain conditions or contains a right of reverter - shall request the County Tax Collector to provide the departments or agencies with duplicate tax notices each year until the conditions for reversion are no longer valid.</p> <p data-bbox="525 1092 680 1122">Background</p> <p data-bbox="525 1125 1461 1390">In some instances, the County conveys land by donation or sale which requires compliance with certain conditions such as the payment of taxes. The County retains a reverter right if taxes have not been paid on the conveyed property. For purposes of monitoring the payment of property taxes and ensuring that the conveyed property is not lost through the nonpayment of taxes, this resolution proposes establishing an administrative policy requiring the issuance of duplicate tax notices to County departments involved in the sale or transfer of the County property.</p>	<p data-bbox="1476 857 1955 886">Tax Collector Notices to Third Parties</p> <p data-bbox="1476 889 1959 1255">Pursuant to Florida Statute §197.343 and §197.344, an additional tax notice shall be mailed by April 30 to each taxpayer whose payment has not been received. In addition, a duplicate of the additional tax notice shall be mailed to a condominium unit owner's condominium association or to a mobile home owner's homeowners' association if the association has filed with the tax collector a written request and included a description of the land.</p> <p data-bbox="1476 1295 1965 1455">The holder or mortgagee of an unsatisfied mortgage, lienholder, or vendee under a contract for deed, may request and receive information concerning any delinquent taxes appearing on the current</p>									

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		Prepared by: Lauren Young-Allen	tax roll and certificates issued on the described land, upon filing with the tax collector a description of land so encumbered and paying a service charge of \$2.
11(A)6	<p>Resolution in Bringing AFRICOM to Homestead Air Reserve Base (HARB)</p> <p>Prime Sponsor Chairman Dennis C. Moss</p>	<p>This resolution requests the Mayor or Mayor's Designee to work with the Foundation for Democracy in Africa (FDA), Beacon Council, Defense Alliance, Homestead Air Reserve Base (HARB), SOUTHCOM, and other appropriate groups in bringing AFRICOM to HARB.</p> <p>According to the AFRICOM website, The United States Africa Command (AFRICOM) is a new U.S. military headquarters devoted to Africa. It is one of the Defense Department's six regional headquarters. AFRICOM is the result of an internal reorganization of the U.S. military command structure, creating one administrative headquarters that is responsible to the Secretary of Defense for U.S military relations with the 53 African countries. AFRICOM better enables the Department of Defense and other elements of the U.S. Government to work in concert with partners to achieve a more stable environment in which political and economic growth can take place.</p> <p>AFRICOM's focus is on war prevention and intends to work with African nations and African organizations to build regional security and crisis-response capacity in support of U.S. government efforts in Africa. Through 2008, AFRICOM will gradually assume administrative control of existing U.S. Defense Department programs currently administered by U.S Central Command, U.S European Command and U.S. Pacific Command.</p> <p>The Department of Defense created AFRICOM because of Africa's growth in military, strategic and economic importance in global affairs.</p> <p>AFRICOM was established in October 2007 and operated under U.S. European Command during its first year. October 1, 2008 marked AFRICOM's transition to independent Unified Command Status. Currently, AFRICOM uses existing facilities at Kelley Barracks, Stuttgart, Germany. The U.S. government is deliberating with partner nations to determine the best presence for the AFRICOM.</p> <p>AFRICOM is responsible to the Secretary of Defense for U.S. military relations with 53 African countries. AFRICOM's budget for FY2007 was \$50 million, FY2008 the budget is \$75.5 million. The Department of Defense has asked Congress for \$392 million for FY2009.</p> <p>A collaborative effort between the County Mayor, County staff and other economic development agencies to bringing AFRICOM to HARB will provide an enormous economic benefit of Miami-Dade County.</p>	

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		<p>At the March 11, 2009 Housing & Community Development Committee meeting, Diana Gonzalez from the Miami-Dade Defense Alliance (Alliance), expressed the Alliance’s commitment in pursuing the AFRICOM installation at HARB only to the extent that it does not jeopardize existing installations in South Florida (i.e SOUTHCOM).</p> <p>Prepared by: Mia B. Marin</p>	
11(A)7	<p>Resolution Regarding Semi-Annual Transit Meetings</p> <p>Prime Sponsor Chairman Dennis C. Moss</p>	<p>This resolution sets as policy that there will be semi-annual transportation meetings to discuss transit issues impacting Miami-Dade County.</p> <p>The County Mayor or his designee will be directed to work with the chairperson of the Transit, Infrastructure and Roads Committee to schedule the meetings and invite “interested parties” to participate.</p> <p>The Transportation, Infrastructure & Roads Committee amended this item during its March 11, 2009, meeting to stipulate that transportation “meetings” as opposed to “summits” will be semi-annually as opposed to “quarterly.” The Committee was concerned that quarterly summits would be too frequent and costly.</p> <p>Background On November 15, 2008, more than 700 people attended the transportation summit regarding the People’s Transportation Plan (PTP). Held at the Miami Mart Hotel, the summit was organized by the Miami-Dade Board of County Commissioners and the County Mayor. The public was given an opportunity to voice concerns regarding the use of the sales surtax for transit, and officials from around the County gave their input on the state of transit and the future use of the sales surtax.</p> <p>State, local and federal officials were among the invitees to the transit summit.</p> <p>Since the transit summit, the Board of County Commissioners has adopted changes to the way PTP funds are spent (R-222-09), allowing for PTP funds to be spent on new projects as well as the existing transit system.</p> <p>Prepared by: Jason T. Smith</p>	<p>This resolution regarding semi-annual transit meetings refers to the public PTP transportation summit held on Nov. 15, 2008. What was the County’s cost for the summit (including advertising, bus service, venue rental, etc.)?</p>
11(A)8	Resolution Adding Certain County	This resolution adds the Regional Head Start Center, Northside Police Station, Arcola Library and Arcola Lakes Senior Center (all located in District 2) to the	<p>Economic Stimulus Plan In response to the economic slowdown,</p>

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	<p>Facilities to the List of Economic Stimulus Projects</p> <p>Prime Sponsor Commissioner Dorrin D. Rolle</p>	<p>list of Economic Stimulus Projects covered under the County’s Economic Stimulus Plan.</p> <p>Background Ordinance 08-92 established the procedure for expediting capital improvement projects under the County’s Economic Stimulus Plan (ESP) for those capital development projects specifically identified by the Board of County Commissioners (BCC) as Economic Stimulus Projects. In addition Resolution No. R-851-08 established the list of Economic Stimulus Projects to be expedited under the Plan.</p> <p>Under the BCC’s authority to add or delete projects from the list of Economic Stimulus Projects, this resolution adds the above-named facilities located in District 2 to the list of Economic Stimulus Projects to be expedited under the County’s Economic Stimulus Plan.</p> <p>Prepared by: Lauren Young-Allen</p>	<p>the BCC enacted Ordinance 08-92 (in June 2008) which incorporates the Administration’s recommendation to evaluate various strategic actions that could be implemented which will have a significant positive impact on the local labor market in a more expedient manner. The Office of Capital Improvements identified certain capital projects that could be fast tracked over an 18- month period as part of a comprehensive Economic Stimulus Plan. To date, the list of projects primarily consist of construction contracts and are geared to assist the construction industry which has suffered the most hardship.</p>
11(A)9	<p>Resolution Requesting the SFWMD to Amend Administrative Rules Governing the Irrigation of New Landscaping</p> <p>Prime Sponsor Commissioner Natacha Seijas</p>	<p>This resolution urges the South Florida Water Management District (SFWMD) to amend its rules governing irrigation of landscapes, set forth under the Mandatory Year-Round Landscape Irrigation Conservation Measures, to include an expanded exemption for the irrigation of new landscaping.</p> <p>Background Under SFWMD’s Mandatory Year-Round Landscape Irrigation Conservation Measures, which became effective in 2003, South Florida water users are prohibited from irrigating their landscape during certain periods of the day when irrigation efficiency is significantly decreased, and are expressly limited to watering their landscape to a maximum number of days per week. Most recently, the SWFMD is contemplating amending its rules governing the conservation measures by imposing more stringent irrigation regulations which may include rules governing new landscaping. Currently landscaping may only be watered 6 days a week during the first 30 days, and 4 days a week during the next 30 days. The nursery industry asserts that the 60-day limitation adversely affects the public’s decision to buy new landscaping, and has ultimately had a negative impact on the industry. Some nurseries have made additional outlays for equipment and service, or dedicated additional time to their landscape under the conservation measures.</p> <p>Under the proposed resolution, SFWMD is urged to consider additional special provisions for new landscaping if SFWMD amends the year-round conservation measures for new landscaping. In particular, the resolution proposes that the SFWMD consider amending its rules to allow irrigation of new landscaping 6 days a week for 90 days from the date the new landscaping is purchased.</p>	

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		Prepared by: Lauren Young-Allen	
11(A)12	<p>Resolution Directing the Mayor to Equitably Allocate Interest Income Earned on Safe Neighborhood Bond Proceeds to Park & Recreation's Capital Projects and Land Acquisitions</p> <p>Prime Sponsor Senator Javier D. Souto</p>	<p>This resolution directs the Safe Neighborhood Parks Citizens Oversight Committee to equitably allocate among the 13 County Commission Districts interest income earned on Safe Neighborhood Bond proceeds which were issued for the purpose of financing capital improvement projects including the acquisition of land for parks, beaches, natural areas and recreational facilities.</p> <p>Background Currently, approximately \$36 million of interest income has been earned on the proceeds of the 1996 Safe Neighborhood Bonds deposited in the project fund. Of this amount, \$30 million has been allocated, and \$6 million of interest income has yet to be allocated. Under Ordinance 96-115, the interest earned on the proceeds derived from the Bonds, which have not been allocated, may be used for the acquisition of parks, open space and natural areas. Under the pending resolution, it is proposed that the remaining interest income derived from bond proceeds should be allocated to qualified projects equally among the 13 County Commissioners to be used for Miami-Dade Park and Recreation Department's qualified projects in the county and municipalities.</p> <p>Therefore, this resolution directs the Safe Neighborhood Parks Citizens Oversight Committee, which administers the process for allocating bond proceeds, within 120 days from the effective date of the resolution, to: (a) divide the earned interest income equally among the 13 County Commissioners; and (b) submit a recommendation to the Board of County Commissioners of specific qualified projects within each county district to be funded.</p> <p>Revisions The current resolution pending before the Board of County Commissioners (BCC) is a substitute resolution. Unlike the original resolution, this substitute item: (1) requires the Safe Neighborhood Parks Citizens Oversight Committee (Safe Neighborhood Parks Committee), <u>and not the County Mayor</u>, to divide the earned interest income proceeds among the 13 County commission districts. (2) deletes the Mayor as a recipient of the divided earned interest income (3) requires the Safe Neighborhood Parks Committee, <u>and not the County Mayor</u>, to recommend the qualified projects within each district. (4) requires the Safe Neighborhood Parks Committee to carry out this mission within 120 days, and not 60 days, from the effective date of the resolution.</p> <p>In addition, the original item directed the County Mayor to submit a resolution to the Board of County Commissioners, after consulting individually with each Commissioner, identifying and recommending (i) specific Parks Department's qualified projects to be funded from each Commissioner's and Mayor's share of the interest income; and (ii) the acquisition of one or more parcel(s) to be used for park, open space and natural areas by the Parks Department to be funded</p>	

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		<p>from unallocated interest income as required by the Ordinance 96-115.</p> <p>Comments & Concerns During the Budget, Planning & Sustainability Committee hearing of 3/10/2009, committee members expressed concern that parity will not be achieved among the 13 commission districts if the surplus proceeds are divided evenly among the districts. Some districts may require more funding than others. The proposed allocation process may jeopardize unfulfilled projects. Districts with unincorporated areas will get less given the non-existence of municipalities to contribute.</p> <p>Prepared by: Lauren Young-Allen</p>	
11(A)38	<p>Miami-Dade County Reentry Council</p> <p>Prime Sponsor Commissioner Rebeca Sosa</p>	<p>This resolution creates the Miami-Dade County Reentry Council (Council) to provide a forum for ongoing planning and coordination of local services to facilitate reentry of inmates into the community. In addition, the Council will prepare a plan implementing recommendations of the Blue Ribbon Advisory Committee and the requirements of the Second Chance Act of 2007.</p> <p>Background On March 28, 2008, the County’s Blue Ribbon Advisory Committee issued its report (entitled “Breaking the Cycle: Rehabilitation & Job Training in County Jails”) and recommendations on how to facilitate the successful transition of formerly incarcerated persons back into the community. The report recommended that the County establish a prisoner reentry initiative. The report included a “bricks and mortar” recommendation recommending the construction of capital projects at the planned Krome Detention Center and a rehabilitation and job training center to replace the existing Training & Treatment Center.</p> <p>On April 11, 2008, President Bush signed into law the Second Chance of 2007. The Act is designed to help state and local government better address the growing population of criminal offenders returning to the community, to quell recidivism, to establish self-sustaining transitional services, and to encourage coordinated and comprehensive services for released offenders.</p> <p>Comment The County’s Department of Corrections (MDCR) is responsible for the custody and care of more than 7,000 offenders in 6 detention centers. In addition, MDCR is responsible for 1900 persons on pre-trial release and 350 persons under supervised community control.</p> <p>The current diversion and reentry programs include Boot Camp, Drug Court and Work Release.</p> <p>Prepared by: Elizabeth N. Owens</p>	

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12(A)2	Resolution Approving the Settlement of a Bid Protest By Metro Express Inc.	<p>This resolution approves the terms and conditions of the settlement agreement between the County and Metro Express Inc. regarding Metro Express Inc.'s bid protests protesting the award of certain drainage improvement contracts.</p> <p>Background In September 2007, Metro Express Inc. filed a number of bid protests contesting Public Works Department's decision to not award several drainage improvement contracts to Metro Express, Inc. even though Metro Express, Inc. was the lowest bidder. Metro Express Inc. had accumulated 24 Notice of Violations from July 2002 through June 2006 for:</p> <ul style="list-style-type: none"> • failing to meet CSBE Contractor goal requiring a \$398,840 make-up • failing to submit CSBE monthly Utilization Reports • underpaying employees • submitting inaccurate payrolls • misclassifying employees • failing to post wages at a job site and • failing to respond to a payroll audit. <p>Accordingly, Public Works Department did not recommend Metro Express Inc. to be awarded the drainage improvement projects.</p> <p>In meetings between County staff and Metro Express Inc., held prior to any Protests Hearings, Metro Express Inc., agreed to withdraw its bid protests and <u>voluntarily</u> refrain from bidding on any County contracts for a one-year period.</p> <p>Terms of Settlement Agreement</p> <p>(1) Metro Express Inc. will not bid, propose or participate as prime contractor or subcontractor on any County contracts for a one-year period beginning April 11, 2008 and ending April 10, 2009. Any bids submitted during this period shall be treated as null and void. However, the Recusal Period shall not affect any contracts Metro Express, Inc. currently has with the County.</p> <p>(2) Metro Express Inc. will withdraw its outstanding bid protest regarding RPQ No. 20060438 Palms Spring Phase V (i.e., construction and installation of drainage structures, pipe culvert, exfiltration drains, miscellaneous drainage improvements, grading, sodding, and miscellaneous roadway restoration items related to drainage work). Metro Express, Inc. will also release its</p>	<p>Procedural Posture This item did not receive committee review. Pursuant to the Commission's Rules of Procedure, bid protests and settlements are not subject to committee review. Such items are heard directly by the County commission.</p> <p>Comments & Concerns During previous legislative meetings, the Board of County Commissioners expressed concerns over the voluntariness of an aggrieved vendor's withdrawal of a bid protest and forfeiture of appellate rights when the terms of the withdrawal require the vendor to accept suspension from participating in future solicitations for an extended period of time.</p>

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		<p>claims to pending contracts including Projects 2007-0572 (sidewalk improvement contract), 2007-0573 (sidewalk improvement contract), 2007-0593 (WASD Utility Road Rehabilitation), 2007-0659 (sidewalk improvement contract).</p> <p>(3) Metro Express Inc.'s officers, managers and directors shall attend 1 training session taught by the County's Department of Small Business Development at a mutually agreed upon date and time.</p> <p>(4) The County agrees to absolve Metro Express Inc. of its past cited violations committed prior to the effective date of the settlement agreement when considering Metro Express Inc. for future contracts provided Metro Express Inc. complies with the terms of the settlement agreement.</p> <p>(5) With the exception of a pending Community Small Business Enterprise make-up goal in the amount of \$78,035.05, all pending violations will be deemed cured, closed and resolved.</p> <p>(6) Any payments owed to Metro Express, Inc. for existing contracts will be paid upon execution of the settlement agreement.</p> <p>(7) The cited violations shall not be "used as a basis for the Board of County Commissioners [to] not ratify these [sic] Agreement."</p> <p>Prepared by: Lauren Young-Allen</p>		