



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Budget, Planning & Sustainability
Committee

November 9, 2009
2:00 P.M.
Commission Chamber

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

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

**Legislative Notes
Budget, Planning & Sustainability Committee
Meeting Agenda**

November 9, 2009

Written analyses and notes for the below listed items are attached for your consideration:

Item Number(s)

2(A)	4(D)
4(E)	4(F)
4(G)	4(H)
4(I)	4(L)

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
Elizabeth N. Owens, Legislative Analyst
Lauren Young-Allen, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 2(A)
File Number: 092097
Committee(s) of Reference: Budget Planning and Sustainability Committee
Date of Analysis: October 13, 2009
Type of Item: Zoning Code Amendment
Prime Sponsor: Senator Javier D. Souto

Summary

This ordinance amends §33-20 of the Code of Miami-Dade County (Code) to exempt personal watercrafts from the requirement of being stored behind the front lateral line of homes in some zoning districts.

This ordinance differs from the original that went before the July 14, 2009, Budget Planning and Sustainability Committee, in that it does the following:

- **Requires that any personal watercraft that is exempt from the requirement to be behind the front building line of a residence;**
- **Requires that the front and back of the watercraft is secured to a trailer;**
- **Allows no more than two watercrafts before the front building line of any residence;**
- **Mandates that the watercraft and trailer(s) will be maintained in good condition so as not to be an eyesore; and**
- **Provides that the watercraft and its trailer(s) will be no closer than ten (10) feet from the sidewalk or public right of way.**

Background and Relevant Legislation

Currently, the Code does not provide a specified definition of personal watercraft. Section 33-20 of the Code states that a boat, defined in subsection (h) as every description of watercraft or airboat used or capable of being used as means of transportation on water, may be stored or temporarily parked in the RU (residential), EU (single family estate), AU (agricultural), and GU (interim) zoning districts.

In addition, the Code mandates that the vehicle is to be stored in the rear of the front building line or temporarily parked in front of the front building line or in front of the side street building line for no more than 2 hours in any 24-hour period, while hitched to an operable motor vehicle.

Policy Change and Implication

This ordinance exempts personal watercraft vehicles from the requirement of being stored behind the front lateral line of homes in some zoning districts and allows for the previously specified requirements as noted under the summary section.

Other Florida Jurisdictions

A cursory review of the Zoning Code for Broward, Palm Beach, and Orange County found that storage of watercraft vehicles are addressed differently by each county.

Broward County

Section 39.275 of the Broward County Zoning Code allows licensed recreational vehicles and boats to be parked or stored in all residential zoning districts subject to the following:

- All boats, except canoes and boats less than twelve (12) feet in length, must be on a currently licensed boat trailer;
- Not more than one (1) boat and one (1) recreational vehicle may be parked or stored outside of a carport or fully enclosed building;
- No recreational vehicle or boat shall be parked or stored in a location which causes the recreational vehicle or boat to encroach onto a street or in any location which visually obstructs vehicle egress from contiguous properties.

Palm Beach County

Palm Beach County's Code Enforcement Citation System, Article II, does not allow for recreational vehicles to be parked within the front yard or other area between the structure and the street for more than two hours within any 24-hour period. Furthermore, storage of more than one boat, recreational vehicle or trailer on property within a residential district of a residential property is prohibited.

Orange County

Sections 38-77 and 38-79 of the Orange County Zoning Code address the storage of recreational vehicles and boats. Recreational vehicles are allowed to be parked in the front of the residence (behind the front yard setback) subject to the length of the vehicle, size of the lot or parcel, and that it is on approved surface, asphalt, gravel, pavers, or concrete.

Prepared by: Elizabeth N. Owens

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 4D

File Number: 092938

Committee(s) of Reference: Budget, Planning & Sustainability

Date of Analysis: November 6, 2009

Type of Item: Issuance of \$600 Million Aviation Revenue Bonds (Series 2010A)

Sponsor: Finance Department

Summary

This resolution authorizes the Finance Director, as the Mayor's designee, to issue Aviation Revenue Bonds in multiple sub-series, in an amount not to exceed \$600 million nor 40 years in maturity; and to use Build America Bonds as a portion of the issuance (if advisable).

The series of bonds, referenced as Series 2010A Bonds, are to be issued for the following purposes:

- 1) refinancing and/or retiring all or a portion of outstanding Aviation Commercial Paper Notes Series A AMT, and Series B Non-AMT (CP Notes) issued to fund capital Improvements projects at County-owned and operated airports (\$530,200,000);
- 2) financing or reimbursing the County for all or a portion of the cost of the Capital Improvement Projects (included in the \$530,200,000);
- 3) funding the Reserve Account with respect to the Series 2010A Bonds (\$21,900,000);
- 4) paying certain costs associated with the issuance of Series 2010A Bonds (\$7,500,000); and
- 5) paying capitalized interest (i.e., interest paid on the bonds) on the Series 2010A Bonds for 18 months (\$40,400,000).

This resolution also authorizes the Finance Director to:

- 1) determine the terms of the Bonds (including the amount, tax status, number of sub-series, 1st interest payment date, purchase price, maturity dates, denominations, which sub-series shall be issued as Build America Bonds);
- 2) issue the bonds through a negotiated sale in lieu of a competitive bid;
- 3) designate a Paying Agent, Registrar and, as necessary, any other agents;
- 4) establish a reserve account , Reserve Facilities or debt service reserves account;
- 5) secure bond insurance;
- 6) negotiate and execute certain agreements, instruments and certificates in connection with the Bonds, including the Bond Purchase Agreement and Registrar and Paying Agent Agreement; and

7) take any other action necessary regarding the issuance and sale of the Bonds.

Lastly, this resolution authorizes the execution of one or more Bond Purchase Agreements with Citigroup Global Markets, Inc., and amendments to the list of Aviation capital improvement projects to include:

- 1) runway pavement reconstruction, and
- 2) reconfiguration of the North terminal and its concourses,
- 3) renovation of and South terminal space,
- 4) code upgrades, major repairs,
- 5) upgrades to perimeter roads and parking facilities,
- 6) construction of MIA automated people mover,
- 7) expansion of cargo facilities,
- 8) improving aircraft maintenance facilities, and
- 9) airfield improvements.

(Resolution, Exhibit D, handwritten pp.119-124)

Background and Relevant Legislation

In a series of bond enabling ordinances enacted by the Board of County Commissioners (BCC) from 1995 through 2008, the BCC authorized the issuance of Aviation Revenue Bonds collectively totaling \$4.7 billion for the purpose of financing capital improvements for County Airports, among other things. There remains \$1.4 billion authorized but not issued to fund projects at the airport. (Resolution, Exhibit D, handwritten p.136). This resolution implements the authority conferred under the Enabling Bond Ordinances for the completion of airport projects, provided the issuance of additional bonds, as authorized, does not exceed \$600 million.

Policy Change and Implication

As noted above, the BCC has previously authorized the issuance of Aviation Revenue Bonds in which the bonds are secured on a parity basis with outstanding aviation bonds. Therefore, the proposed resolution does not constitute a new policy.

Given that the principal, interest, redemption premiums and other payments required will be paid solely from and secured by a 1st lien on and pledge of net aviation revenues, aviation fees, such as landing fees, decreased in FY 2009, and aviation parking revenues have decreased in FY 2009. (Exhibit D, handwritten 139)

Budgetary Impact

Debt Service

The Administration reports that the estimated average annual debt service payment resulting from the issuance of the Series 2010A Bonds is \$47 million per year calculated at a true interest cost of 5.8% for a 32-year maturity term, based on October 2009 market conditions.

The Administration further reports that the true interest cost parameter is 7.5%. Based on a review of Schedule B (handwritten p.44), the annual debt service payment per year would range from \$9.6 million to \$50 million (in year 2041).

Delayed Principal

The principal amortization is projected to start in FY 2012 (and not 2010), contrary to the fiscal concerns expressed by some Commissioners.

Build America Bonds

If the County issues Build America Bonds, it intends to receive the cash subsidy from the US Treasury equivalent to 35% interest on the Build America Bonds in lieu of providing the tax credits or direct payments to bond investors. (Resolution, handwritten p.25).

Outstanding Aviation Debt

To date, the principal amount of outstanding bonds authorized to be issued from 1997 through 2009 (and prior to the pending resolution) totals \$5.3 billion. Of this amount, the principal amount outstanding is \$5 billion. (Resolution, Exhibit D, handwritten p.146).

Prepared by: Lauren Young-Allen

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 4E

File Number: 092940

Committee(s) of Reference: Budget, Planning & Sustainability

Date of Analysis: November 6, 2009

Type of Item: Special Revenue Refunding Bond (Series 2009); County Fair & Exposition

Sponsor/ Requester: Finance Department

Summary

This resolution authorizes the Finance Director, as the Mayor's designee, to issue Special Revenue Refunding Bonds (Miami-Dade County Fair & Exposition Project), Series 2009, in an amount of not to exceed \$5,600,000 for the purpose of refunding the Series 1995 Bonds previously issued under Bond Enabling Ordinance No. 95-143; and to pay the cost of issuance.

This resolution also authorizes the execution of (1) a Loan Agreement between the County (as issuer) and the Miami-Dade County Fair & Exposition, Inc., (as borrower) and (2) a Guaranty & Credit Agreement between the County, Sun Trust Bank and Miami-Dade County Fair & Exposition, Inc.

In addition, this resolution authorizes the pledge of additional security to Sun Trust Bank in the form of a covenant to appropriate each fiscal year non-ad valorem funds as may be necessary to satisfy or cure any "event of default" that may arise.

Lastly, this resolution authorizes the Finance Director to sell the Series 2009 Bonds through a negotiated private placement to SunTrust Bank in lieu of a competitive sale of the Series.

Background and Relevant Legislation

In July 1995, the BCC enacted enabling legislation which authorized the issuance of Series 1995 Bonds in the amount of \$12 million to the Miami-Dade County Fair & Exposition, Inc., a non-profit Florida organization which conducts public fairs and expositions. The proceeds of the 1995 Bonds were loaned to the organization to repay a mortgage loan, finance certain costs of improving and expanding facilities, and acquiring and installing equipment at Tamiami Park. The organization is now seeking to refund the 1995 Bond Series with a final maturity date of 2015.

Since their issuance, the 1995 Series were marketed as variable rate interest obligations secured by a direct pay Letter of Credit issued by Sun Bank/Miami, N.A. Recently, the Letter of Credit Provider's credit rating has been downgraded. Furthermore, the Letter of Credit will expire in August 2010. In addition, the outstanding bonds (reduced to \$5.2 million) became Bank Bonds as a result of a failure to successfully remarket the bonds. While presently the bonds have been successfully remarketed, it is anticipated that the variable interest rate will increase and the organization will not be able to secure a Letter of Credit when the current Letter expires. To eliminate any potential adverse financial exposure, the organization is seeking to refinance the Series 1995 Bonds through a private placement with Sun Trust Bank. Sun Trust Bank, as the purchaser of the Series 2009 Refunding Bonds, requires the County and the organization to enter into a separate Guaranty & Credit Agreement in which the County guarantees that the organization will pay Sun Trust Bank. The County, as a condition of serving as the conduit issuer, is requiring a Loan Agreement be executed between the County and the organization in which the organization agrees to repay the Series 2009 Refunding Bonds from the organizations' fair revenues and a debt service reserve. To ensure that the County is not financially obligated, a Trust Indenture Agreement is also to be executed in which the County, as issuer, pledges the organizations' collateral to bondholders.

If the above-noted agreements are approved by the BCC, the Series 2009 Bonds will be issued to the organization, and Sun Trust will be awarded the right to sell the bonds.

Policy Change and Implication

This financial transaction is structured similarly to Industrial Development Revenue Bonds which are issued for purposes of providing financial assistance to capital projects which enhance civic services or inure to the benefit of the public. Therefore, authorization to refund and issue a new series of bonds as a pass-through conduit to a non-profit Florida entity, which conducts public fairs and expositions, is not a novel concept or new County policy.

Budgetary Impact

The Administration reports that the County is not obligated or liable for the payment of the interest or principal on any of the bonds. The organization's fair revenues have been pledged, and the bonds do not constitute an indebtedness of the issuer or a loan of credit within the meaning of any constitutional or state statutory authority. However, if approved, the resolution will obligate the County to budget and appropriate, each fiscal year, non-ad valorem funds as additional security to Sun Trust Bank per a Guaranty & Credit Agreement. The covenant is to be cumulative and shall continue until all payments have been made. (Resolution, handwritten pp 10-11)

Prepared by: Lauren Young-Allen

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 4F

File Number: 092941

Committee(s) of Reference: Budget, Planning & Sustainability

Date of Analysis: November 6, 2009

Type of Item: Aviation (Double-Barreled) General Obligation Bonds (Series 2010)

Sponsor' Requester: Finance Department

Summary

This resolution authorizes the issuance of Double-Barreled Aviation General Obligation Bonds, in one or more sub-series, and Build America Bonds (if feasible) in an aggregate amount not to exceed \$247.5 million for the purpose of:

- 1) financing various facility improvements to County-owned or operated airport facilities,
- 2) refunding and retiring certain indebtedness previously issued to finance prior improvements, and
- 3) paying the costs associated with issuing the bonds.

This resolution also authorizes the Finance Director, as the Mayor's designee, to:

- 1) determine the terms of the Bonds (including the amount, tax status, number of sub-series, 1st interest payment date, purchase price, maturity dates);
- 2) issue the bonds through a negotiated sale in lieu of a competitive bid;
- 3) designate a Paying Agent, Registrar and, as necessary, any other agents;
- 4) establish a reserve account and Reserve Facilities for the Bonds;
- 5) secure bond insurance;
- 6) negotiate and execute certain agreements, instruments and certificates in connection with the Bonds, including the Bond Purchase Agreement and Registrar and Paying Agent Agreement; and
- 7) take any other action necessary regarding the issuance and sale of the Bonds.

Lastly, this resolution authorizes the execution of one or more Bond Purchase Agreements with Morgan Stanley & Co., Inc., and amendments to the list of Aviation capital improvement projects to include:

- 1) MIA Automated People Mover System, and
- 2) reconfiguration of the North terminal and its concourses.

Background, Relevant Legislation, and Specifics

In 1986, pursuant to voter approval, the Board of County Commissioners (BCC) enacted Ordinance No. 86-75 (the Enabling Bond Ordinance), authorizing the issuance of general obligations bonds in one or more series, in an aggregate principal amount not to exceed \$247.5 million for the purpose of financing capital improvements for County Airports, and to refund debt previously issued. Accordingly, this resolution implements the authority conferred under the Enabling Bond Ordinance.

This resolution specifies the particulars pertaining to the preparation and sale of the bonds by delineating the terms and forms of the bonds; the security pledged; redemption policies; covenants; the creation and use of accounts; defaulting events and remedies; maturity schedules, principal amounts and interest rates; and the appointment of Paying Agent, Bond Insurers, Underwriters and other third parties.

If the proposed resolution is approved, the Administration anticipates issuing the bonds in February 2010.

Policy Change and Implication

The Aviation bonds will be issued under a concept referred to as “doubled barreled.” Under this concept, the Administration may secure the bonds by pledging both proprietary/ enterprise revenues and ad valorem tax revenues. In the event that the proprietary revenues are insufficient, the bonds are additionally secured by the pledge of ad valorem tax revenues; thereby protecting the investor against default. The Administration reports that this two-tiered manner of securing the bonds results in lower interest costs to the County, and has been previously done for Series 1996 Seaport General Obligation Bonds.

Questions/ Caveats

- (1) While the double barreled concept may be a cost-effect financing vehicle, will this approach affect the County’s general obligation bond rating? Is it necessary to pledge ad valorem revenues as a secondary source?
- (2) The Double Barreled Aviation Bonds’ lien on airport revenues will be subordinate to the Aviation Revenue Bonds (Series 2010A) concurrently pending before the BCC as Agenda Item 4D of this agenda. Are the debt service schedules for the Double Barreled Aviation Bonds (Series 2010) and the Aviation Revenue Bonds (series 2010A – Agenda Item 4D) reconciled?
- (3) Given that the principal, interest, redemption premiums and other payments required will be paid solely from and are secured by a lien and pledge of net aviation revenues; and given that aviation fees, such as landing fees, decreased in FY 2009, and aviation parking revenues have decreased in FY 2009 (Exhibit D, handwritten 192) will there be sufficient airport revenues to cover first priority liens and also the subordinate Double Barreled Aviation Bonds’ lien?

Budgetary Impact

Debt Service

The Administration reports that the estimated average annual debt service payment resulting from the issuance of the Series 2010 Bonds is \$16.5 million per year calculated at a true interest cost of 5.3% for a 32-year maturity term. However, a true interest cost parameter for the bonds is 7%, yielding an

estimated average annual debt service payment of \$19.8 million per year based on October 2009 market conditions.

Delayed Principal

The principal amortization is projected to start in FY 2012, contrary to the fiscal concerns expressed by some Commissioners.

Build America Bonds

If the County issues Build America Bonds, it intends to receive the cash subsidy from the US Treasury which is equivalent to 35% interest on the Build America Bonds in lieu of providing the tax credits or direct payments to bond investors. (Resolution, Exhibit D - Official Statement, handwritten p 117).

Outstanding Aviation Debt

To date, the principal amount of outstanding bonds authorized to be issued from 1997 through 2009 (and prior to the pending resolution) totals \$5.3 billion. Of this amount, the principal amount outstanding is \$5 billion. (Resolution, Exhibit D, handwritten p.146).

Prepared by: Lauren Young-Allen

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item(s): 4G, 4H, 4I

File Number(s): 092942, 092943, 092944

Committee(s) of Reference: Budget, Planning & Sustainability

Date of Analysis: November 6, 2009

Type of Item(s): Industrial Development Authority Revenue Bonds

Sponsor/ Requester: Finance Department

Commission Districts: 1, 11, 12

Summary

Agenda items 4G, 4H, and 4I are 3 separate resolutions which grant approval of the issuance and refunding of 3 Industrial Development Revenue Bonds by the Miami-Dade County Industrial Development Authority for Belen Jesuit Preparatory School, Inc., South Florida Stadium, LLC, and FIU Athletic Finance Corp.

Background and Relevant Legislation

Industrial Development Revenue Bonds are issued as either tax-exempt or taxable bonds by the Miami-Dade County Industrial Development Authority for purposes of providing financial assistance to capital projects which enhance civic services or inure to the benefit of the public such as by establishing public entertainment venues or educational institutions. In this instance, the Industrial Development Authority has reviewed the applications of 3 separate entities which are seeking the issuance of new industrial development revenue bonds and/ or the refinancing of existing industrial development revenue bonds for the expansion of their facilities. The Industrial Development Authority intends to approve the applications of the applicants listed below, and issue the bonds provided the Board of County Commissioners' (BCC) grant final approval.

Belen Jesuit Preparatory School, Inc. (Item 4G)

Belen Jesuit Preparatory School, Inc. is a Florida not-for-profit corporation, located in District 12, which serves as a Catholic all-boys private school. The school has requested the Miami-Dade County Industrial Development Authority (the "Authority") to issue \$18 million in Revenue Bonds, the proceeds of which will be used to (1) refund the outstanding amount of the Authority's \$8 million Revenue Bonds (Series 1999) and the Authority's \$5.9 million Educational Facilities Revenue Bonds (Series 2007), (2) refinance \$6.6 million in construction loans incurred by the school to complete construction of a science building,

art pavilion, theater, administration building, sports facilities, to acquire land, and to finance furniture, fixtures and equipment and (3) \$590,000 to pay the costs of the issuance of the Bonds.

The school reports that it currently employs approximately 180 persons.

South Florida Stadium, LLC (Item 4H)

South Florida Stadium LLC is a Florida limited liability company which owns and operates the Landshark Sports Stadium located in District 1. The company has requested the Miami-Dade County Industrial Development Authority (1) to issue or reissue \$76.3 million in tax-exempt Industrial Development Revenue Bonds, in one or more series, for the purpose of refunding the Authority's outstanding Industrial Development Revenue Bonds (Dolphins Stadium Tax-Exempt Refunded Bonds -Series 1985), the proceeds of which were loaned to the Stadium and used to pay part of the costs of the acquisition, construction and installation of the sports facility, and (2) to issue or reissue \$163.7 million in taxable Industrial Development Revenue Bonds, in one or more series, for the purpose of refunding the Authority's outstanding Taxable Industrial Development Revenue Bonds (Series 2000, Series 2006 and Series 2007), the proceeds of which were loaned to the Stadium and used to pay all or part of the costs of certain capital improvements and renovations to the Stadium, including the addition of 4 new levels on the north and south sides of the Stadium to provide concessions, restaurants, restrooms, shaded areas on the upper concourse levels, fan interactive areas, pre-event and post-event hospitality spaces, banquet and entertainment areas.

The company reports that it currently employs approximately 4,100 people.

FIU Athletic Finance Corp.(Item 4I)

FIU Athletics Finance Corporation is a Florida not-for-profit corporation located in District 11 which serves as Florida International University's financial entity for purposes of financing projects related to the expansion of the University's football stadium. The corporation has requested the Miami-Dade County Industrial Development Authority to issue \$36 million of its Revenue Bonds, the proceeds of which will be used to (1) refinance at a lower variable rate interest the outstanding 2007 Bonds used to acquire, construct and equip FIU Stadium improvements, including a 17,000 seat stadium and (2) to pay the costs associated with issuing of the bonds.

The university reports that it has an economic impact of approximately \$1.7 billion on the South Florida economy.

Policy Change and Implication

In all 3 instances, the request is to refinance bonds previously issued by the Authority and approved by BCC. A decision to grant approval of the above-noted applications would be consistent with the BCC's previous actions.

Budgetary Impact

The Industrial Development Authority and Miami-Dade County are not liable for nor obligated to pay the debt service of the revenue bonds. Repayment is the sole responsibility of the bond recipients. Therefore, adoption of these 3 resolutions does not create any financial liability for the County.

Prepared by: Lauren Young-Allen

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
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Legislative Notes

Agenda Item: 092914
File Number: 4(L)
Committee(s) of Reference: Budget, Planning and Sustainability Committee
Date of Analysis: November 6, 2009
Type of Item: Competitive Contract Package

Summary

This Competitive Contracts Package includes a total of thirteen (13) procurement actions.

Policy Change and Implication / Budgetary Impact

- **Seven (7) Competitive Contracts:**

Item 1.1 – Technical Support, Emergency Repair Services, Parts and Supplies for Passenger Loading Bridges

This contract is to supply technical support, emergency repair services, parts and supplies for passenger loading bridges for the Seaport Department. This contract is for a two year term in the amount of \$630,000 with three, one year options to renew (OTR) in the amount of \$315,000 each for a cumulative total of \$1,575,000.

This contract is composed of three groups: Groups A and B– primary and secondary vendors to provide technical support and emergency repair service on electro-hydraulic and electronic/control components for passenger loading bridges; and Group C – prequalified vendors to provide parts and supplies for passenger loading bridges.

Questions / Comments

The County has three (3) current contracts which list both vendors, Oxford Electronic, Inc. and Tyssenkrupp Airport Systems. They are Refurbishing of Passenger Loading Bridges (5181-4/10), Passenger Loading Bridges (Prequalification Pool), and Baggage Conveyor Systems (7511-1/14). In addition, Oxford Electronic has two other contracts with the County: Conventional Baggage System Maintenance and Repair (4346-4/13) and Contract No. IB8606-3/13.

There is no prior contract.

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.1	\$630,000 for 2 years.	\$315,000	n/a	n/a

Item 1.2 – Drafting and Engineering Supplies (Pre-qualification)

This replacement contract establishes an open pool of pre-qualified vendors to supply drafting, engineering, and art supplies for twelve County departments. This contract is for two years in the amount of \$784,000 with two, two year OTR in the amount of \$784,000 each for a cumulative total of \$2,352,000.

Questions / Comments

The amount of this contract is considerably less than the previous contract because the previous contract has user departments that are not participating in this contract (see below under previous contract).

The funding source for the Planning and Zoning Department is amended to reflect General Fund and Operating Fund.

Previous Contract

- The previous contract was from July 1, 2004 to June 30, 2005 and included four, one-year OTRs through June 30, 2009. That contract had allocations from twenty-six departments including an MDT allocation.

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.2	\$784,000 for 2 years.	\$392,000	\$715,312 for 1 year.	\$715,312

Item 1.3 – Nuts, Bolts, Screws and Related Items

This replacement contract establishes an open pool of pre-qualified vendors to supply nuts, bolts, screws and related items for various County departments. This contract is for two years in the amount of \$536,000 with one, two year OTR in the amount of \$536,000 each for a cumulative total of \$1,072,000.

Questions / Comments

The funding source for the Human Services Department is amended to reflect Federal Funds, State Funds, and General Fund and the funding source for Vizcaya is Proprietary Funds.

The previous contract was approved for \$269,455 for one year. According to the DPM website, \$359,273.26 was utilized under this contract, which is \$89,818.26 more than the approved amount.

According to DPM, the overage is due to the current contract being extended administratively for an additional four (4) months, from September 1 to December 31, 2009. To request an increase in the allocation was deemed unnecessary since the overage was due to the contract extension.

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.3	\$536,000 for 2 years.	\$268,000	\$269,455 for 1 year.	\$269,455

Item 1.4 – Furnish, Material, Install, Service and Repair of Resilient Hard Surface Flooring

This contract is to purchase resilient hard surface flooring, service, repairs, and related items for eight (8) County departments. This contract is for five years in the amount of \$2,378,000, with one, five year OTR in the amount of \$475,600 each for a cumulative total of \$2,378,000. This contract is made up of the following three (3) groups: Group A to furnish materials only; Group B to furnish and install materials; and Group C for service and repair.

Questions / Comments:

The vendors recommended for award are all local vendors.

According to DPM, this contract is considerably less than the three previously allocated contracts because this contract does not include carpet. Those needs are being covered through Contract No. 5591-0/13 (Carpet and Related Flooring Materials; Amount: \$28,723,000; Term: April 1, 2009 to March 31, 2014).

Previous Contract

The following three (3) contracts are consolidated into this one (1) contract:

- Vinyl Tiles, Adhesive and Related Items
 - Contract No. EPP4979-4/10-3
 - Amount: \$1,606,189.74
 - Term: April 4, 2006 to April 30, 2010
- Carpet, Vinyl Tile (prequalification pool)
 - Contract No. IB5431-4/12-2
 - Amount: \$228,500.00
 - Term: April 1, 2007 to March 31, 2010
- Carpet and Flooring Materials
 - Contract No. 360-240-06-1
 - Amount: \$3,500,000.00
 - Term: July 5, 2007 to May 31, 2009

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.4	\$2,378,000 for 5 years.	\$475,600	\$2,112,604 for a 1 year period of the 3 contracts being consolidated.	\$2,112,604.

Item 1.5 – Air Compressors, Parts, Accessories, Field and Shop Repairs, Installations and Preventative Maintenance (Pre-qualification)

This contract establishes an open pool of pre-qualified vendors to supply air compressors, parts, accessories, field and shop repairs, installations and preventive maintenance for six (6) County departments. This contract is for five years in the amount of \$3,193,000, with five one-year OTR in the amount of \$638,600 each for a cumulative total of \$3,193,000.

Questions / Comments:

According to the County Manager’s memo, this contract includes a 21% increase in allocation to cover preventative maintenance which was not covered under the previous contract. Prior to this contract, light maintenance was performed by County maintenance crews.

According to DPM, the Aviation department acknowledged the need for professional comprehensive preventive maintenance to be performed by qualified technicians to avoid catastrophic failures of existing equipment and to prevent premature failures. The Aviation department requested that this provision be included in this new contract.

The previous contract, Contract No. 7636-4/09, was in the amount of \$250,000 for one year with four, one-year OTRs (see below).

<u>Previous Contract</u>	<u>Amount</u>
Initial Contract - 7636-4/09	\$250,000
1 st OTR - 7636-4/09-1	\$250,000
2 nd OTR - 7636-4/09-2	\$365,000
3 rd OTR - 7636-4/09-3	\$491,000
4 th OTR - 7636-4/09-4	\$526,000

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.5	\$3,193,000 for 5 years.	\$638,600	\$250,000 for 1 year.	\$250,000

Item 1.6 – Security Alarm and Card Access Systems (Pre-qualification)

This contract establishes two open pools of qualified vendors to supply and install security alarm and card access systems for ten (10) County departments. This contract is for a five year term in the amount of \$10,404,000 with one five-year OTR in the amount of \$2,080,800 each for a cumulative total of \$20,808,000.

Questions / Comments:

The Public Works Department Special Taxing Districts Division utilizes this contract to purchase replacement gate cards for the various guardhouses in public right-of-ways. This contract is funded by special taxing revenue from each Special Taxing district. The funding source for the Public Works Department is amended to reflect the use of Special Assessment Funds.

In addition, the Library Department withdrew its allocation. The Miami-Dade Police Department's allocation is amended to reflect \$500,000 and the funding source for Vizcaya is Proprietary Funds. The total award is amended to \$10,404,000.

Administration is recommending an award to Johnson Controls Inc. According to the County Manager's memo, in November of 2008, Johnson Controls Inc.'s performance on Contract No. MDAD-01-07 was the cause of a train crash in Terminal E-Satellite. The County is considering litigation in order to recover damages. There are no other known performance issues with this firm.

This contract is considerably less than the previous contract.

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.6	\$10,404,000 for 5 years.	\$2,080,800	\$4,171,995 for 1 year.	\$4,171,995

Item 1.7 – Chemical Feed and Disinfection Systems, Parts and Accessories (Pre-qualification)

This contract is to supply chemical feed and disinfection systems, parts and accessories for the Miami-Dade Water and Sewer Department (WASD) and General Service Administration (GSA). This contract is for a five-year term in the amount of \$4,750,000 with five, one-year OTR in the amount of \$950,000 each for a cumulative total of \$9,500,000.

The recommended vendors include Hudson Pump and Equipment, TSC-Jacobs, Inc., and HLS Ecolo, Inc., all of whom are non-local vendors.

Questions / Comments:

This contract is less than the previous contract. According to DPM, the departments' estimate is based mainly on the contract's historical expenditures.

Previous Contract

- Under Resolution No. 77-04, the Board approved the request to solicit bids for the prior contract. The contract was awarded on June 8, 2004, for a two (2) year contract with three (3), one-year OTRs.
- WASD was the only using department listed under the original Invitation to Bid.
 - Vendors: Instruments South Corporation, Water Treatment & Controls Company, Rust Master Inc. *d/b/a* Florida Water Processing, TSC Jacobs Inc., FL Smidth Inc.

Item No.	Contract Term & Amount	Amount per year	Previous Contract Term & Amount	Previous Contract Amount per year
1.7	\$4,750,000 for 5 years.	\$950,000	\$2,850,000 for 2 years.	\$1,425,000

- **Six (6) Contract Modifications:**

Item No.	Contract Title and Modification Reason	Initial Contract Term & Amount	Modified / Extended Term	Increased Allocation	Record of Vendors' Performance
3.1	<p>Metrorail Parking Tickets</p> <p><u>Reason:</u> Additional spending authority to provide MDT an allocation funded by MDT Operating Funds* to purchase Metrorail parking tickets.</p> <p>Question / Comments: Where are these new distribution centers?</p>	\$23,000/ 1 year	No change.	\$19,000	No Compliance / Performance Issues reported for Dri-Stick Decal Corp. (non-local).
3.2	<p>Automotive Parts and Washer Machine Maintenance/Lease</p> <p><u>Reason:</u> Additional spending authority to provide MDT an allocation funded by MDT Operating Fund * for the lease and maintenance of automotive parts washing equipment.</p>	\$68,000 / 1 year	No change.	\$36,000	No Compliance / Performance Issues reported for Safety-Kleen Systems, Inc. (local vendor).
3.3	<p>Collection and Recycling of Used Oil Filters</p> <p><u>Reason:</u> No additional time or spending authority is requested. This modification is to obtain approval for use of MDT Operating funds* to continue to purchase collection and recycling service of used oil filters.</p>	\$24,000 / 1 year	No change.	No change.	No Compliance / Performance Issues reported for Environmental Management Conservation Oil Corp., a local vendor.
3.4	<p>Flags</p> <p><u>Reason:</u> No additional time or spending authority is requested. This modification is to obtain approval for use of MDT Operating funds* to continue to purchase flags.</p>	\$4,000 / 1 year	No Change.	No Change.	No Compliance / Performance Issues reported for A Far East Connection, Inc., a non-local vendor.
3.5	Public Records – Title Searches	\$193,000 / 5	No Change.	\$83,000	No Compliance /

	<p><u>Reason:</u> Additional spending authority to provide the Public Works Department to perform public records title searches for Right of Way acquisitions related to certain projects listed in the People’s Transportation Plan (PTP) Ordinance.</p>	years			Performance Issues reported for National Title Insurance Co., a local vendor.
3.6	<p>Automated Fare Collection System</p> <p><u>Reason:</u> Additional spending authority to provide MDT an allocation funded by MDT Operating Fund * to purchase additional equipment and services to support the Automated Fare Collection System.</p>	\$43,310,000 / 5 years	No Change.	\$459,000	No Compliance / Performance Issues reported for Cubic Transportation Systems, Inc., a non-local vendor.

*PTP funds are utilized as part of MDT’s Operating Funds.

Prepared by: Elizabeth N. Owens