



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Recreation, Culture & Tourism Committee

June 7, 2010

2:00 PM

Commission Chamber

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

**Legislative Analysis
Recreation, Culture and Tourism
Meeting Agenda**

June 7, 2010

Written legislative analyses for the below listed items are attached for your consideration in this Legislative Analysis.

Item Number(s)

2(A)
4(C)

Written fiscal analysis for the below listed item is also attached for your consideration in this Legislative Analysis.

Item Number(s)

4(B)

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:
Mia B. Marin, Legislative Analyst

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



Legislative Notes

Agenda Item: 2(A)

File Number: 101433

Committee(s) of Reference: Recreation, Culture & Tourism

Date of Analysis: June 4, 2010

Type of Item: Resolution to List Building Better Communities Bond Program Project No. 38 as Eligible for Funding in Next Series of Building Better Communities General Obligation Bonds

Summary

This resolution directs the County Mayor or Mayor's Designee to list Building Better Communities General Obligation Bond (GOB) Project #38 as eligible for funding in the next series of GOB bonds and to fund \$10 million from these proceeds to develop and construct the Ronald Reagan Equestrian Center Expansion.

Background and Relevant Legislation

The Board of County Commissioners (BCC) approved R-917-04 which allows for the issuance of bonds under GOB in an amount not to exceed \$255.070 million over a multiyear period to fund improvements to the County's infrastructure and address a number of quality of life issues in the community. This resolution includes an attached list of projects which contains Project #38 Tropical Park.

According to the Capital Improvements Information System website (CIIS) the following information is included under Project #38:

- Project Description: Area-wide park improvements include equestrian and boxing center expansion, stadium upgrades, dog park, vehicle and pedestrian circulation improvements, landscaping and utilities;
- Project location: Tropical Park, 7900 SW 40th Street;
- BBC-GOB allocation: \$15,000,000;
- Cost estimate: \$10,000,000

Project #38 contains the following projects sites:

- 70148 Boxing Center Expansion
- 70765 PHASE II Tropical Park - Equestrian Complex improvements include, horse barn expansion and renovations, covered/uncovered horse rings, walkways, utilities, office renovations, building construction, expand & re-work existing parking & entrance areas, landscaping & FFE package;
- 70766 Dog Park;
- 70766 Future Development;
- 71214 Phase III Tropical Park – Proposed Track & Field Improvements;
- 71790 Phase I Equestrian Center Development - improvements to RV parking area, existing horse stalls, bleacher area, fencing, signage package;
- 72383 Phase I – Equestrian Center Development signage package;
- 73214 Replace Marquee Entrance Sign on Bird Road with new digital sign

The Equestrian Center Expansion is listed as bond site #70765 under Project #38. This project will be funded 100% through General Obligation Bond (GOB) funds. The total budget for project #38 is \$15 million of which \$10 million is budgeted for the Equestrian Center Expansion (project site #70765).

Under CIIS, the project milestones for the Project site #70765 include the following:

Milestone	Budget
Planning	\$164,891
A/E Selection	\$0
Design	\$539,413
Dry Run/Permit	\$80,740
Contractor Selection	\$203,285
Construction	\$5,359,967
Project Administration	\$151,704
Total	\$6,500,000

Under CIIS, project site #70765 draws funds from GOB Series A, C, D, E, F, G, H and I. The amounts from each GOB Series are as follows:

GOB Series	FY	Budget
A	2005-2006	\$ 363,442
C	2008-2009	\$ 506,240
D	2008-2009	\$ 32,033
L	2015-2016	\$ 800,000
M	2016-2017	\$ 1,700,000
N	2017-2018	\$ 2,000,000
O	2018-2019	\$ 1,098,285
Total		\$6,500,000

According to the Parks and Recreation Department (PRD), the WCAC project is presently on-hold due to funding constraints within the BBC-GOB program. Additionally, funding for this project is not expected to be available until FY2015-2016.

According to PRD, once funding is available for project site #70765, the project can be completed in 18 months.

Budgetary Impact

At the May 28, 2010 BCC Aides Briefing, Manager's staff stated that it is in the process of finalizing a list of projects which will be recommended for the next two bond sales to be available to Commission staff in a few weeks.

County staff has developed a series of criteria for the development of the recommended projects list for the 2010 and 2011 GOB bond series sales to include the following:

- Phase of on-going work and "ready to go" status for new projects;
- Legal obligations, commitments and directives from the Board of County Commissioners;
- Projects that can be completed with funding provided through the next two bond sales, thereby avoiding having projects partially completed during the gap of time between the next bond proceeds (FY2014-2015);
- Projects that have little or no operating costs for the County;
- Projects that reflect the County's strategic plan and other stated priorities; and
- Partial funding for large, long term projects, such as the Miami-Art Museum and Miami Science Museum projects to continue planning and developing the Museum Park sites.

At the June 3, 2010 BCC meeting, several Commissioners has questions and comments on the upcoming list of projects recommended for the 2010 and 2011 GOB bond series sale to include the following:

- **The project list broken down by Commission District;**
- **Time frame for project readiness once a project is pulled back for not meeting the criteria;**
- **Operational impacts of projects as they are added to the list;**
- **Include projections of the projects on the list when other factors come into play (for example, Museum Projects coming into the pipeline).**

Prepared By: Mia B. Marin

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



FISCAL IMPACT ANALYSIS

Agenda Item: 4B-Parks & Recreation

File Number: 101236

Type of Item: Resolution-Significant Modification reallocating interest proceeds from BBC GOB Project No. 322-Northside Police Station to fund budget shortfall for Project No. 44-Trail Glades Range and also modifying funds allocated to each of these projects.

Committee(s) of Reference: Recreation, Culture & Tourism

Date of Analysis: 06/02/10

Funding Request: \$3.6 million

Operating

Capital CIP page number _____

Operating Funding Source(s):

Recurring Estimated Operating Cost \$ _____

General Fund

Capital Funding Source(s): Index code CPRD044PR1780

Federal

This item would reduce the allocation to Project 322-Northside Police Station by \$2.5 million for a new allocation of \$11.02 million and the \$2.5 million would be reallocated to Project No. 44-Trail Glades Range increasing by \$1.1 million for a new allocation of \$9.1 million and return \$1.4 million back to GOB Interest Fund.

State

Proprietary

Other

County Match required:

Yes \$ _____ % _____

No

ISSUES/COMMENTS None

The original Northside Police Station budget, as noted in FY09-10 Adopted Budget, Vol 3, pg.38

<u>Revenue</u>	(dollars in thousands)	<u>Expenditures</u>	
Police Impact Fees	\$ 2,000	Land/Bldg .Acquisition	\$ 3,441
Criminal Justice Bond Interest	5,550	Planning & Design	489
BBC-GOB Program	10,000	Construction	16,063
BBC-GOB Interest	3,520	Furnishings/Other	842
	_____	Construction Mgmt	<u>235</u>
Total	\$21,070	Total	\$21,070

(continued on next page)

Agenda Item: 4B-Parks & Recreation

File Number: 101236

ISSUES/COMMENTS None

The project was awarded to Miami Skyline Construction Corp. on 2/25/10 for \$6.417 million. The construction budget in the Adopted Budget is \$16.063 million, a difference of \$9,646 million to date (change orders may occur in the future impacting the construction budget).

Please note, Miami Skyline Construction Corp. is the same vendor involved in agenda item 4C Park & Recreation Unilateral Retroactive Change Order. As stated in the background of agenda item 4C, handwritten page 6, "Since the contractor refuses to endorse the subject change order, it is recommended for unilateral approval in accordance with Construction Contract (Paragraph 1 of Article 36, CHANGES)."

Prepared by: Ines Beecher

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



Legislative Notes

Agenda Item: 4(C)
File Number: 101246
Committee(s) of Reference: Recreation, Culture & Tourism
Date of Analysis: June 4, 2010
Type of Item: Unilateral Retroactive Change Order

Summary

This is a unilateral retroactive change order No. Two (2) on a contract between Miami Skyline Construction Corp. and Miami-Dade County.

Background and Relevant Legislation

On June 3, 2008, the Board of County Commissioners approved a previous unilateral retroactive change order (Change order No. 1) for the same contract to Miami Skyline Construction Corporation (Skyline).

Change order No. 1 was a result of design omissions, design errors, pending claims and an increase in material costs. Change order No. 1 included a 28% increase in the contract amount valued at \$847,681 (original contract amount was \$3,004,981). Change order No. 2 is for a 6.5% increase of the last contract amount (\$3,852,663).

Change Order No. 2 also requests for an extension in time by 482 calendar days from September 30, 2008 to January 25, 2010.

Architectural Firm for this Project

The original design firm for this project was the Corradino Group (Corradino). Corradino's Professional Services Agreement was terminated by the Miami-Dade Parks and Recreation Department (MDPR) after multiple requests and demands to cure performance deficiencies were not corrected.

Several claims have been filed by Skyline and are pending a final assignment of responsibility that will determine potential entitlement to the extended general conditions resulting from delays. The analysis of those claims will also determine MDPR's position with respect to Corradino's responsibility for losses attributed to design errors, omissions, and/or administrative inefficiencies

related to the oversight of the construction administration process. MDPR is working with the County Attorney's Office to prepare a case to recover potential damages.

A pre-litigation "A/E Peer Review" evaluation was performed by an independent firm. MDPR has reviewed the report findings and is considering recovery action options.

According to the Office of Capital Improvements Information System (CIIS), the following information can be derived about Skyline:

- Submitted 45 bids in total;
- Awarded 9 contracts;
- 8 Evaluations on file (2.5 out of 4.0 rating);
- Notice of Deficiency in September 2009 for Contract GS-W70259.

History of Violations for Skyline between 1/1/94 to 5/2/08

Date	Project No.	Dept.	Violation Description	Status
3/11/04	96031	MDPR	Underpayment of Employee: amount identified \$1,822, amount recovered \$519	Closed

A history of violations was requested from the Small Business Development Department for Skyline (Time period between 5/1/2008 to present) but was not available at the time of printing this analysis.

Budgetary Impact

Breakdown for Change Order No. 1

Reason	Cost	Duration (Days)
Other Agency Requested Change	\$14,028	0
Design Omissions	\$5,777	0
Design Errors	\$58,575	5
County Requested Change	\$400,903	66
Unforeseen	\$127,013	60
Other	\$241,382	439

Summary of Original Contract Amount for Miami Skyline Construction Corp.

Base Bid Proffered by Miami Skyline	\$2,787,890
Original Contract Amount	\$3,004,981
Change Order No. 1	\$847,681
Change Order No. 2	\$248,801
Total Amount	\$4,101,464
Total Percentage Increase	36.5%

Prepared By: Mia B. Marin