



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Legislative Analysis**

**Recreation, Culture & Tourism Committee**

April 13, 2009

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**

**April 13, 2009**

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

**Item Number(s)**

2(B)
2(E)
4(A)
4(B)
4(C)

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 Marin, Legislative Analyst



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

#### **MEMORANDUM**

**TO:** Honorable Chairman Dennis C. Moss  
And Members, Board of County Commissioners

**FROM:** Office of the Commission Auditor – Legislative Division

**DATE:** 04-13-2009

**SUBJECT:** Legislative Analysis; Create Olympic Exploratory Committee Advisory Board  
Item 2(B)  
**(File No. 090866)**

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**Commission District: Countywide**

#### **Summary**

This resolution creates an Olympic Exploratory Committee Advisory board to serve as a working group to study the feasibility of how Miami-Dade County can compete to host the Summer Olympic Games and report back to the Board of County Commissioners with recommendations on the feasibility and methodology for bidding to host the Olympic Games

#### **Background and Relevant Legislation**

According to the Official Website for the Olympic Movement ([www.Olympic.org](http://www.Olympic.org)), the Olympic bidding process begins with the submission of a city's application to the International Olympic Committee (IOC) by its National Olympic Committee (NOC) and ends with the election of the host city by the members of the IOC during ordinary session.

The procedure leading to the election of a Host City for the Olympic Games is governed by the Olympic Charter (Chapter 5, Rule 34). This procedure is comprised of two phases which include: Application and Candidature.

Phase one (1) requires the applicant City to answer a questionnaire contained in the IOC's "Candidature Acceptance Procedure" which provides the IOC with an overview of each city's project to host the Olympic Games. Applications are then assessed by a Working Group which determines the cities' potential to organize successful Olympic Games in the year in question. This technical assessment includes a number of criteria such as government support, public opinion, general infrastructure, security, venues, accommodation and transport. The IOC Executive Board determines which cities are to be accepted as "Candidate Cities" based on the findings of the Working Group's report.

Phase two (2) requires the Candidate Cities to submit a candidature file to the IOC by answering the questions contained in the IOC's Candidature Procedure and Questionnaire. These are analyzed by an Evaluation Commission. The Commission carries out a site inspection of each Candidate City and issues a report of its findings which is sent to all IOC Members and made available on the IOC website. The IOC Executive Board then draws up the final list of Candidate Cities to be submitted for a vote by the IOC

Session to elect the Host City.

The Evaluation Commission members are comprised of IOC members, representatives of the International Federations (IFs), the NOCs, the IOC Athletes' Commission and the International Paralympic Committee (IPC), as well as other experts.

All IOC bid documents are made public and can be found on the IOC's website.

The deadline to submit applications for the 2016 Summer Olympic Games was September 13, 2007. On June 4, 2008, the IOC announced the cities accepted as candidates and they include:

- Tokyo;
- Madrid;
- Chicago;
- Rio de Janeiro;
- Doha;
- Prague; and
- Baku

Budgetary Impact

The budgetary impact will be dependent on the staffing and resources needed to fulfill advisory committee directives.

**Prepared by: Mia B. Marin**



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

**MEMORANDUM**

**TO:** Honorable Chairman Dennis C. Moss  
And Members, Board of County Commissioners

**FROM:** Office of the Commission Auditor – Legislative Division

**DATE:** April 13, 2009

**SUBJECT:** Legislative Analysis; Waiving Requirements Relating to Arts in Public Places  
Item 2(E)  
**(File No. 090853)**

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**Commission District 6**

**Summary**

This resolution waives the requirements of Section 2-11.15 of the Code of Miami-Dade County relating to the Art in Public Places Program (APP) for the construction of a multipurpose facility by the City of Hialeah on behalf of Miami-Dade County.

**Background and Relevant Legislation**

The APP is an appropriation for construction to include an amount for works of art on new construction projects. Miami-Dade County and each municipality in Miami-Dade County will provide, for the acquisition of works of art, equivalent in value to not less than one and one-half (1 ½) percent of the construction costs of new governmental buildings.

The multipurpose facility was approved through Resolution No. 303-08 for a General Obligation Bond (GOB) Program allocation of \$14 million for development. The \$14 million GOB allocation is comprised of three projects all located within District 6 and they include the following:

<b>Project No.</b>	<b>Project Description</b>	<b>GOB Allocation</b>
310	Jackson Health Center-Hialeah (Health Care Component)	\$7.5 million
249	Preservation of Affordable Housing Units	\$5 million
220	Acquire Construct Multi-purpose facilities	\$1.5 million

The APP program was established in 1973 by Miami-Dade County. The reserve maintenance account was established by the Department of Cultural Affairs when APP was merged into its department last year.

According to the DCA, the reserve maintenance account is proving to be an effective, recurring way to establish the resources to care properly for the more than 600 works in our public art collection.

**Policy Change and Implication**

Section 2-11.15 of the Code of Miami-Dade County is applicable to all new construction projects located in Miami-Dade County and each municipality in Miami-Dade County.

Waiver of the application of the APP program has been approved once before by the Board of County Commissioners through Resolution No. 918-07 on July 27, 2007. Resolution No. 918-07 approved a joint participation agreement with the City of Hialeah for Reverse Osmosis Water Plant to be located in the City of Hialeah.

**Budgetary Impact**

The waiver of the APP application is estimated at \$210,000 (1.5% of construction cost). This allocation will be used for the construction of two (2) additional affordable housing units within the same multipurpose facility rather than for the acquisition of art.

**Date and Time Delivered to OCA: April 8, 2009.**



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

**MEMORANDUM**

**TO:** Honorable Chairman Dennis C. Moss  
And Members, Board of County Commissioners

**FROM:** Office of the Commission Auditor – Legislative Division

**DATE:** April 13, 2009

**SUBJECT:** Legislative Analysis; FY2008-2009 Community Grants Program-Third Quarter  
Recommendations  
Item 4(A)  
**(File No. 090812)**

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**Commission District: Countywide**

**Summary**

This resolution approves thirty-six (36) grant awards for a total of \$170,000 from the FY2008-09 Community Grants Program (CGP)-Third Quarter.

**Background and Relevant Legislation**

The CGP is a quarterly program that provides funding to non-profit organizations that develop small to medium scale community based arts programs, projects and event (fairs, parades, neighborhood festivals, conferences and publications). This program is particularly appropriate for projects which encourage the preservation of heritage and cultural traditions, social service organizations and cultural groups developing collaborative intervention projects.

**Policy Change and Implication**

Of the thirty-six (36) grant awards for this program, the following are first time recipients:

- Camposition, Inc. a/f/a for La Fortuna
- City of Miami Community Redevelopment Agency
- City of Miami Model City Neighborhood Enhancement Team (NET)
- Friends of the Japanese Garden, Inc.
- Friends of the Japanese Garden, Inc. afa for EdgeRep, Inc.
- Hispanic-American Lyric Theatre, Inc. A/F/A Teatro Flamenco Carmen Rubio
- Lovewell Institute for the Creative Arts, Inc.
- Miami-Dade Beacon Council, Inc., The
- Musical Arts Association of Miami, Inc., The
- Virginia Key Beach Park Trust
- Vizcayans, Inc., The

**Budgetary Impact**

The CGP is funded from the Department of Cultural Affairs proprietary revenues approved in the FY2008-2009 budget.

**Prepared by: Mia B. Marin**



**Miami-Dade County  
Board of County Commissioners  
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**MEMORANDUM**

**TO:** Honorable Chairman Dennis C. Moss  
And Members, Board of County Commissioners

**FROM:** Office of the Commission Auditor – Legislative Division

**DATE:** April 13, 2009

**SUBJECT:** Legislative Analysis; Arcola Lakes Branch Library  
Item 4B  
(File No. 090963)

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**Commission District 2**

**Summary**

This resolution recommends the Board of County Commissioners (BCC) to reject all bids; authorize a Waiver of Bid Protest Process, authorize a Waiver of Competitive Bidding and to execute a Construction Contract between Solution Construction, Inc. (Solution) and Miami-Dade County for the Construction of the new Arcola Lakes Library in an amount not to exceed \$3,006,000.

**Background and Relevant Legislation**

The BCC approved Resolution No. 114-09 related to the Arcola Lakes Library which authorized the rejection of all bids, authorized a Waiver of the Bid Protest Process and authorize a Waived Competitive Bidding.

The resolution further authorized the County Mayor or designee to execute a contract with the lowest responsive bidder resulting from the Best and Final Offer process (BAFO) between the following three lowest bidders: Zurqui Construction Service, Inc., Solution Construction, Inc., and Link Construction Group, Inc.

The BAFO process resulted in revised bids and rated Solution as the lowest responsive bidder.

During the November 20, 2008, Board of County Commissioners meeting, concerns were raised regarding Solution's Open Violations totaling \$175,000. Subsequent to this meeting, the Small Business Development Department (SBD) has received a Community Small Business Enterprise Make-up Plan submitted by Solution. As of March 31, 2009, SBD has approved the make-up plan.

According to the Florida Department of State Division of Corporations, Solution's status is active.

According to the Capital Improvements Information System, Solution has been awarded fourteen (14) contracts whose total award value is \$8,540,497. Additionally, the Capital Improvements Information System Contractor Evaluation Report reflects six (6) evaluations with an average evaluation rating of 3.6 out of 4.

**Legislation relating to the Arcola Lakes Library is as follows:**

<b>Resolution</b>	<b>Title</b>
648-07	Government Facilities Hearing-Arcola Lakes Library
1021-07	Grant Application/Receipt for \$500,000 from Florida Department of State
114-09	Construction of Arcola Lakes Library: Rejection of all bids; Bid Protest Process Waiver; Competitive Bidding Waiver; Execute Contract from a Best and Final Bidding Process
380-09	Add Police to the Arcola Library in District 2-Economic Stimulus List

According to General Services Administration (GSA)staff, the Capital Asset Acquisition Bond 2007 Proceeds allocated to fund this project must be used entirely by May 2010. In order to meet this deadline and project schedule, it is crucial that the selected contractor be given a Notice to Proceed by May 2009.

**Arcola Lakes Library Project Schedule**

RCTC Meeting	4/13/2009
BCC Meeting	4/21/2009
Notice of Award	4/22/2009
Insurance Documents from Contractor	5/1/2009
Insurance Documents approved by Risk	5/6/2009
Pre-construction Meeting	5/11/2009
Notice to Proceed	5/15/2009
Construction start	5/18/2009
Construction Substantial Completion	9/15/2010
Preparation of Punch List	9/25/2010
Completion of repairs from Punch List	10/25/2010
Project Close-Out	11/25/2010

**Budgetary Impact**

As a result of the BAFO process, the lowest responsive bid was lower (\$263,329) than the original bid submitted in July 2008. The original bid was \$3,334,825 and the new bid is now \$3,050,604.

**Arcola Library Expenditure Schedule**

	Prior Years	2008-09	2009-2010	2010-2014	Future	Total

Land/Building Acquisition	\$1,484,000	0	0	0	0	\$1,484,000
Planning and Design	500,000	0	0	0	0	\$500,000
Construction	\$1,195,000	\$2,867,000	\$720,000	0	0	\$4,782,000
<b>Total Expenditures</b>	<b>\$3,179,000</b>	<b>\$2,867,000</b>	<b>\$720,000</b>	<b>0</b>	<b>0</b>	<b>\$6,766,000</b>

The expenditure schedule for Library Capital Projects for FY2009-10 includes the following:

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

Analysis prepared by: Mia B. Marin



**Miami-Dade County**  
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#### **MEMORANDUM**

**TO:** Honorable Chairman Dennis C. Moss  
And Members, Board of County Commissioners

**FROM:** Office of the Commission Auditor – Legislative Division

**DATE:** April 13, 2009

**SUBJECT:** Legislative Analysis; Cooperative Park management Agreement between Miami-Dade County and the National Park Service  
Item No 4(C)  
**(File No. 090986)**

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#### **Commission District 9**

#### **Background and Relevant Legislation**

The Miami-Dade Park and Recreation Department (MDPR) is the operator of wastewater collection and disposal systems serving the wastewater disposal needs at park sites.

In July 2001, the Board of County Commissioners approved Resolution No. 833-01 which authorized a consent agreement between MDPR and the Department of Environmental Resources Management (DERM). This consent agreement requires MDPR to provide wastewater treatment generated at Homestead Bayfront Park. The consent agreement further requires MDPR to construct an interim package sewer treatment facility (facility) at Homestead Bayfront Park.

#### **Policy Change and Implication**

The Biscayne National Park wishes to share capacity of the proposed facility with MDPR to meet its wastewater treatment requirements. MDPR and the National Park Service (NPS) wish to share the proposed wastewater treatment facility as an effective and efficient management of wastewater at both parks (Biscayne and Homestead).

#### **Budgetary Impact**

There will be no savings in the construction portion of the contract. The construction of the wastewater treatment facility will be expanded by thirty-two (32%) percent to allow for the increased capacity to meet the needs of the two entities. The NPS will pay \$499,000 toward construction costs needed to expand the facilities capacity.

There will be a savings of thirty-three (33%) percent for the annual operational costs of the facility. According to MDPR, annual operational costs for this proposed facility were estimated at \$25,000 regardless of the change in size of the facility.

Total Project Cost of facility is \$2,560,845 and the breakdown is as follows:

	<b>Amount</b>	<b>Funding Source</b>
County	\$2,061,845	General Obligation Bond Program
NPS	\$499,000	

Total Operating and Management Cost of facility is \$25,000 and the breakdown is as follows:

	<b>Amount</b>	<b>Funding Source</b>
County	\$17,000	General Fund
NPS	\$8,000	

**Prepared by: Mia B. Marin**