



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Recreation, Culture & Tourism Committee

July 13, 2009

2:00 PM

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 Analysis
Recreation, Culture and Tourism
Meeting Agenda**

July 13, 2009

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

Item Number(s)

4(D)
4(E)

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**



Legislative Notes

Agenda Item: 4(D)

File Number: 092019

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

Date of Analysis: July 9, 2009

Type of Item: Settlement Agreement

Summary

This resolution approves a Settlement Agreement and Mutual Release between Miami-Dade County (County) and C.G. Chase Construction Management, Inc. (Chase) in the amount of \$56,465. The proposed settlement agreement is for work performed by Chase in connection with the construction of the Naranja Prototype Branch Library.

Approval of this settlement agreement will prevent future litigation between the County and Chase regarding monetary disputes as it relates to the Naranja Library Construction Project.

Background and Relevant Legislation

Chase was contracted by the County for the construction of the Naranja Prototype Branch Library. The settlement is to adjust the contract amount for additional labor and materials due to scope changes. The dispute arose when County staff was not in agreement with the amounts submitted by Chase for the additional scope changes.

The scope changes were regulatory changes, user agency requests and County requests that totaled \$56,465. The total County requested changes amounted to \$44,230 which is 78% percent of the total cost of the project.

Construction of this project is 100% complete. The placement of interior furniture, computers, books and materials is currently at 80%. The Library Department is responsible for the work pending.

A soft opening for this library is expected on July 13, 2009.

Questions

(Answers provided by General Services Administration)

What is the difference between a regular library and a prototype library?

The prototype refers to the building design that was done to be reproduced at various sites. The use of a prototype design allows the County to save monies allocated for design for the construction of new libraries. Regardless of the type of building, all library services are the same throughout the County.

How many existing prototype libraries do we have?

There are four existing prototype libraries (Naranja, Golden Glades, International Mall, and Kendale Lakes).

How many future prototype libraries are planned to be built?

There are two libraries planned to be built (Arcola Lakes and Hialeah).

Why are we building prototype libraries rather than regular libraries?

The use of the Prototype design allows the County to save time and money for the construction of new libraries.

Company History

According to the Office of Capital Improvements Information (OCI) System, Chase has been awarded two (2) contracts, including the Naranja Library project. The two awards total \$7,769,973.

The OCI Contractor Evaluations Report reflects an evaluation count of three (3) with an average evaluation of 3.3 out of 4.

Budgetary Impact

According to the General Services Administration, the budget for this project does not increase since there was no interruption in construction and the availability of unused monies budgeted from the dedicated allowances.

The budget for the Naranja Branch Library is \$7.036M (\$1.281M for Planning/Design and \$5.775M for Construction).

The estimated annual operating impact is \$966,000.

The funding source will come from the Miami-Dade Library Taxing District.

Prepared By: Mia B. Marin

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



Legislative Notes

Agenda Item: 4(E)

File Number: 091888

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

Date of Analysis: July 9, 2009

Type of Item: Grant

Summary

This resolution approves twenty-six (26) grant awards for a total of \$216,890 from the FY 2008-09 Tourist Development Grants Program.

Background and Relevant Legislation

The Tourist Development Council Grants Program (TDC) provides support to significant cultural and/or special events, including sports activities and television/film origination projects that promote Miami-Dade County's appeal as a tourist destination.

Policy Change and Implication

Of the twenty-six (26) grant awards for this program, the following are first time recipients:

- Dade Community Foundation f/a Miami Beach Gay Pride, Inc.
- Galata, Inc. f/a Haitian Historical Academy
- Ground Up & Rising, Inc.
- The Musical Arts Association of Miami, Inc.
- Nueva Entertainment, LLC
- United States Volleyball Association

Budgetary Impact

Funding for the TDC comes from the 2% Tourist Development Room Tax (TDT) Revenue and the 2% Hotel/Motel Food and Beverage Surtax (Tourist Development Surtax) Revenue.

On May 4, 2009, the County Manager issued a memo titled, Update on Tourist Taxes Report , which includes seven months of actual revenues distributed from the collection of these taxes. The tourism taxes collected include: Tourist Development Tax (2%), Tourist Development Surtax (2%), Convention Development Tax (3%), Professional Sports Facilities Franchise Tax (1%), and the Homeless Domestic Violence Tax (1%).

According to the Update on Tourist Taxes Report, the following data is reflected:

- County has collected 12.1% (\$51.386 million from \$58.474 million) below last year at the same time for all tourist taxes combined; and
- March 2009 monthly collection for all taxes combined were 19.1% less than collections from March 2008.

Additionally, the latest projected revenues for TDT and the Tourist Development Surtax have been provided in a Revenue Estimating Conference Report dated May 8, 2009, from the Office of Strategic Business Management which includes the following:

(\$ in 000's)

	Actuals FY07-08	Projected FY08-09	Projected Budget FY09-10	Percentage difference from FY07-08 Actual and FY08-09 Projected
TDT	\$17,723	\$13,824	\$13,133	-22%
Tourist Development Surtax	\$5,663	\$4,644	\$4,412	-18%

Prepared By: Mia B. Marin