



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Transit, Infrastructure & Roads
Committee

February 10, 2010
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
Transit, Infrastructure & Roads Committee
Meeting Agenda**

February 10, 2010

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

Item Number(s)

2(A)
2(B)
2(C)
3(A)
3(B)
3(C)
3(E), 3(F), 3(G), 3(H), 3(I), 3(J), 3(K), 3(L), 3(M), 3(N), 3(O)
3(P)

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:
Michael Amador-Gil, Legislative Analyst
Jason T. Smith, Senior Legislative Analyst

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



Legislative Notes

Agenda Item: 2(A)
File Number: 100208
Committee(s) of Reference: Transit, Infrastructure & Roads Committee
Date of Analysis: February 10, 2010
District: 5
Sponsor: Commissioner Bruno A. Barreiro
Type of Item: Amendment to Lease Agreement and Concession and License Agreement

Summary

This resolution amends the Lease Agreement and the Concession and License Agreement between Miami-Dade County and the Miami Parking Authority, for Lot 18, Folio No. 01-3135-037-0020; Lot 26, Folio No. 01-3135-037-0080; and Lot 27, Folio No. 01-3135-037-0010. The properties may accommodate temporary use of an open-air flea market during weekend hours and legal holidays.

These are the parking lots for the Richard E. Gerstein Criminal Courthouse and the surrounding buildings (Civic Center area). In addition to the courthouse, the Civic Center area includes jails, hospitals, the Miami-Dade Public Defender's Office and the State Attorney's Office.

Amendment Highlights

The Miami Parking Authority will pay rent to Miami-Dade County in the amount of 50 percent of the total gross revenue received from the flea market and any parking income received during such operation.

No permittee of the Miami Parking Authority will be granted a permit which exceeds one year in duration.

The following questions were posed to General Administration Services staff:

- By how much would the rental income increase? What is the rental income now?
On each of those lots, we are paid approximately \$75,000 per annum for Monday to Friday operations. The proposed dollars would be in addition to the \$75,000 since the lots are not currently used on weekends.

- Is the City of Miami required to approve the amendments?
Not the City of Miami - Off-Street Parking (which operates parking on behalf of the City) has verbally approved the amendments.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 2(B)
File Number: 100204
**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee
Date of Analysis: February 10, 2010
District: 7
Sponsor: Commissioner Carlos A. Gimenez
Type of Item: Resolution

Summary

This resolution directs the County Mayor or his designee to take all necessary steps to install mile markers (emergency reference makers) at appropriate spacing to as little as every one tenth of one mile facing both directions of the Rickenbacker Causeway extending from the toll booth to the entrance of the Village of Key Biscayne, and to report to the Board when the installation has been completed.

Background and Relevant Information

On January 17, 2010, Christophe Le Canne, a 44-year-old cyclist from South Miami was killed on Bear Cut Bridge, which is approximately 3 miles away from the entrance to the Village of Key Biscayne. An ambulance took approximately 20-22 minutes to arrive from when the initial 911 call was made at 8:04 am. The Village of Key Biscayne Fire Rescue has no jurisdiction on the causeway and Miami-Dade Fire Rescue Station 15 was closed. Miami-Dade dispatched a unit from South Miami, which is 10 miles away.

Advisory Committee

The Bicycle Advisory Committee (BAC) was created by the MPO Governing Board for the Miami Urbanized Area in 1984, as a subcommittee of the CTAC. In 1985, the BAC was made a separate committee. In the 1990's, the committee took on pedestrian issues as the Bicycle Pedestrian Advisory Committee (BPAC).

Currently, the BPAC consists of 17 (out of a possible 23) citizens to advise the Governing Board on bicycle and pedestrian-related issues within Miami-Dade County. Each Governing Board voting member has one appointment to the BPAC. The term for each appointee is at the discretion of the appointing board member.

The purposes of the BPAC are to:

- Provide information to and assist the MPO staff with development of a comprehensive bicycle transportation plan, which will be appended to the Long-Range Transportation Plan; and
- Advise the MPO Governing Board on matters relating to bicycling and walking.

The main functions of the BPAC are to:

- Assist in the development of bicycle and pedestrian plans.
- Review transportation plans and projects for bicycle and pedestrian mobility.
- Review the Long-Range Transportation Plan and the Transportation Improvement Program.

Several Bicycle and Pedestrian studies are ongoing.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 2(C)
File Number: 100163
**Committee(s)
of Reference:** Transit Infrastructure & Roads Committee
Date of Analysis: February 8, 2010
Type of Item: Resolution
Sponsor: Commissioner Barbara J. Jordan

Summary

This resolution directs the County Mayor to include in all award items presented to the Board of County Commissioners for ratification under the County's Economic Stimulus Plan the names of all firms awarded contracts, details describing the solicitation processes used to select such firms, and an estimate of the number of jobs generated per project by such awards.

The Mayor is further directed to present this information to the Commissioner Auditor prior to ratification by the Board of County Commissioners.

Background and Relevant Information

In May 2008, more than 500 industry representatives attended a meeting with the Office of Capital Improvements (OCI), the directors of the County's 16 capital departments, and the Departments of Procurement and Small Business Development to discuss how the County can accelerate its capital projects.

On July 17, 2008, the BCC, through Ordinance 08-92, authorized the Mayor or his designee the following responsibilities in order to expedite capital projects under the ESP:

- (a) Issue bid and proposal documents;
- (b) Receive, open and review bids and proposals;
- (c) Appoint standing selection committee members to obtain professional services in accordance with the Code of Miami-Dade County; and
- (d) Award or reject bids for contracts including professional service agreements and construction contracts and issue Notices to Proceed (the award value of the contract must be reviewed by OSBM, the base value of a recommended award does not exceed the base estimate by more than 20%), negotiate and settle contractor claims, and issue change orders (change orders or amendments are timely in submission and do not exceed \$500,000 or 15% of the contract price), retroactive change orders must be submitted to the Board for approval.

Economists view this type of government intervention as an “*Economic Multiplier Concept*.” The multiplier effect is a tool used by governments to stimulate aggregate demand. This can be done in a period of recession or economic uncertainty. The money invested by a government creates more jobs, which in turn will mean more spending. For example, a company spends \$1 million to build a factory. The money does not disappear, but rather becomes wages to construction workers and revenue to suppliers etc. The construction workers will have higher disposable income as a result, so consumption, therefore aggregate demand will rise as well. This creates an additional cycle of more labor income and more spending.

According to OCI’s December 31, 2009 weekly ESP updates:

\$519.3 million from the original \$625.7 million list of ESP projects have been expedited. This number is lower than the \$522.5 million reflected during the last reporting period by \$3.2 million because projects were awarded this period for less than the amounts reflected in the requests -to-advertise (RTA) processed under the ESP.

- \$32.6 million in projects that were added to the list via resolution have been expedited; and
- \$30 million in ARRA projects, which are automatically part of the ESP, have been expedited (Public Works and Housing projects).
- \$582 million - Grand Total - ESP Projects Expedited

Below is the current percentage (%) of projects expedited based on both number of projects and dollars:

- Percentage of projects from the original list expedited based on number of projects: 88% (118 of total 135 projects)
- Percentage of projects from the original list expedited based on \$\$ value: 83% (\$519.3 million of \$625.7 million)

American Recovery and Reinvestment Act (ARRA)

According to the ARRA 2009 Job Creation and Grant-Related Activities Report, the County has applied for over \$578 million in ARRA funding, and approximately \$230 million has been awarded. Based on information from departments, 49 jobs have been identified.¹

Local Construction Industry

According to the latest Beacon Council’s unemployment figures, Miami-Dade County’s unemployment rate for November 2009 was 10.5 percent. This was a decrease of 1.3 percent compared to October 2009 (11.8%) and an increase of 4.3 percent compared to November 2008. The unemployment rate for the State of Florida was 11.5 percent and the United States was 9.4 percent in November 2009. The Miami-Dade County unemployment rate is lower again than the State of Florida.

The construction sector continues to be of major concern, although the rate of decline has slowed down. It experienced a decrease in employment of 6,700 jobs or 14.9 percent between November 2008 and November 2009.

¹ Under Federal Office of Management and Budget guidelines, an ARRA-created job is defined as a new position created and filled or an existing unified position that is filled as a result of ARRA. A retained job is an existing position that would have been eliminated if not for ARRA. A job cannot be counted as both created and retained.

Question: Did the ESP meet the 2,619 projected additional employment positions for year one (1)?
(See File No. 082232 BCC 7A Supp No. 2-Fiscal Impact)

Question: How is OCI measuring the ESP's impact on the local workforce?

- Third party verification of results is not required or even contemplated under current ESP legislation.
 - On June 30, 2009, the BCC, through Ordinance 09-60, approved several amendments to the ESP Ordinance. One of the amendments included the *Department of Procurement Management* review ESP purchases. The Office of Strategic Business Management and OCI have been monitoring the ESP since its inception (July 2008).

Legislative History

In October 2001, following the events of September 11, 2001, former Mayor Penelas presented an emergency plan that contained a similar proposal to expedite county spending on construction projects. On October 11, 2002, a report was presented to the BCC relating to expedited capital contracts. During the discussion, members of the BCC suggested the following:

- (1) Area residents be hired for jobs generated by the capital projects under the expedited process;
- (2) Jobs generated be advertised in the County's Job Clearinghouse; and
- (3) Provide a status on the hiring of area residents.

The BCC also suggested an oversight and monitoring committee be added to the expedited process.²

- *On October 11, 2001, Resolution 1084-01 was adopted 8-1, approving invocation of Emergency purchase procedures under the "General Building/Engineering and Specialty Trade Contractors".*

Prepared by: Michael Amador-Gil

² See File No. 012667 Special Item No. 2

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(A)
File Number: 100262
Committee(s) of Reference: Transit, Infrastructure & Roads
Date of Analysis: February 8, 2010
Type of Item: Grant Application (Federal)

Summary

With the approval of this item the County Mayor or his designee, or the Director of Miami-Dade Transit will have the authority to apply for and expend grant funds from the Job Access and Reverse Commute program. These grant funds, which require a local contribution, will support existing Metrobus routes.

Background and Relevant Legislation

The Job Access and Reverse Commute (JARC) program funds transportation projects designed to help low-income individuals access to employment and related activities where existing transit is either unavailable, inappropriate, or insufficient. The JARC program also funds reverse commute transit services available to the general public. A reverse commute is a round trip, regularly taken, from a metropolitan area to a suburban one in the morning, and returning in the evening.

Miami-Dade County Transit annually applies for and receives JARC grant funding to underwrite the continuation or expansion of existing transit bus routes. The routes identified to be impacted by this current grant application include:

Route	Major Job Sites Serviced by this Route
Rt. 36	Miami International Airport and hotels in the adjacent area; the Doral Center office complex; the Miami Springs and Doral neighborhoods; Miami-Dade College West Campus; Miami International Mall; and Dolphin Mall.
Rt. 302 – Card Sound Express	Florida City and various points in Monroe County including the Ocean Reef Club.
Rt. 238	Miami International Airport and area hotels; Airport Cargo City area; Metrorail; Tri-Rail; Blue Lagoon

	executive office park; Airport West executive area; Miami International Mall; and Dolphin Mall.
Rt. 136	Dadeland South Metrorail Station; Douglas Road Metrorail Station; employment points along Hammocks Blvd.; the Falls Shopping Center.
Rt. 248/Brickell Key Shuttle	Businesses in the Brickell area.
Rt. 252/Coral Reef MAX Extension	Businesses along Coral Reef Drive; Deerwood Business Park; and Metrozoo.
Rt. 35 Extension	Businesses and residences in Kendall, Richmond Heights, Perrine, Cutler Bay, Goulds, Naranja, Princeton, Homestead and Florida City.
Rt. 150 Airport Flyer (Airport to South Beach Express)	Miami International Airport; and South Beach.

Policy Change and Implication

Application and execution of this grant are actions consistent with the County’s current policy regarding federal grants.

Budgetary Impact

This item represents a positive fiscal impact of \$1,336,500 in federal grant funds. A local match of \$1,336,500 is also required from Miami-Dade Transit. Funding for the local match will be identified from the Transit department’s operating budget.

Question

Why is the County just now applying for JARC funds from 2007?

The South Florida Regional Transportation Authority (Tri-Rail) is the local lead, designated recipient for this grant for Miami-Dade, Broward and Palm Beach counties. Therefore, funding could not be drawn down until Tri-Rail completed all of their necessary steps—one of which was a public noticing of the funding availability which took place last year.

(Answer provided by Miami-Dade Transit)

Prepared By: Jason T. Smith

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(B)
File Number: 093413
Committee(s) of Reference: Transit Infrastructure & Roads Committee
Date of Analysis: February 8, 2010
Type of Item: Change Order No. 1 and Final
District: 5

Summary

This resolution approves Retroactive Change Order No. 1 and Final between Miami-Dade County and Southeastern Engineering Contractors, Inc. (Southeastern), for Public Works Department project entitled Miami River Outfall Retrofit – Basin 21, (Project No. 20060158), increasing the contract amount by \$95,000.00 and extending the contract time by 284 calendar days.

The Change Order tabulation on handwritten page three (3) differs from the tabulation on handwritten page 10.

Below is a summary of Southeastern’s business history, Change Order history and other related findings:

- The principals of Southeastern are Eduardo Dominguez and Vivian Dominguez. Southeastern is located at 12054 N.W. 98th Avenue, Hialeah Gardens, Florida 33018.
- Southeastern has conducted extensive work with County agencies in the last five (5) years, totaling \$45,781,151.16.
- Since 2002, Southeastern has been found in violation of Prime Failed to Meet CSBE Subcontractor and Failure to Respond to Requests for Information. (See History of Violations chart below)

History of Change Orders for Southeastern

Change Order	Project No.	Dept	Reason	BCC Approval Date
Change Order 1 and Final	693126	PWD	Increased contract amount by \$55,885.29, and added fifteen new pay items.	Sept. 3, 1998 (File No. 982465)

Change Order	Project No.	Dept	Reason	BCC Approval Date
Change Order No. 1 (Unilateral) ¹	663013	PWD	Change Order reflected staff's unilateral evaluation of time owed to the contractor as a result of inclement weather and utility conflicts. Extended contract time by 75 calendar days.	July 23, 2002 (File No. 022113)
Change Order No. 2 and Final	630153Q	PWD	Added seventeen new pay items and replenished the contingency fund. ²	Sept. 12, 2002 (File No. 022684)
Change Order No 1 and Final (Unilateral)	693238Q	PWD	<p>This Change Order reflected staff's evaluation of time and monies owed to the contractor as a result of delays beyond its control. It included overruns and underruns for the unit priced items which were based on final field measurements and were necessary to properly complete the project. Also included were fifteen (15) additional days necessary to compensate the contractor for delays during the relocation of a storm sewer pipe not indicated on the plans and a pipeline relocation performed by the Water and Sewer Department and two (2) new pay items associated with the aforementioned additional work.</p> <p>The Change Order increased the contract by \$35,498.14.</p> <p>The contractor, Southeastern Engineering Contractors, Inc., was presented with this Change Order on April 26, 2002, and later declined to execute it because it disagreed with the dollar value and the full accord language on the change order form.</p>	Nov 19, 2002 (File No. 023169)
Change Order No. 2 (Retroactive Unilateral)	663013	PWD	Extended contract time by 92 calendar days due to delays beyond the contractor's control.	May 6, 2003 (File No. 030883)
Change Order No. 2 (Unilateral)	671134	PWD	Increased the contract amount by \$619,100 and added one (1) new pay item. The percentage of increase from the original contract amount: 27.41%	Oct. 7, 2003 (File No. 032398)
Settlement of Lawsuit	663013	N/A	Miami-Dade County agreed to pay Southeastern \$750,000 pertaining to the Metrorail Extension of the Palmetto Expressway and Multi-Modal Facility Access Road.	Dec. 6, 2005 (File No. 053257)
Settlement Agreement	S-746B	N/A	Miami-Dade County agreed to pay Southeastern \$128,222.95 and added 339 days to contract S-7468.	Jan. 24, 2006 (File No. 060097)

¹ Change Orders presented as Unilateral is due to the contractor's unwillingness to sign a document presented by the department.

² The cumulative contingency expenditure of Change Order No. 1 was approved under the Expedite Ordinance oo-104, April 3, 2001.

Change Order	Project No.	Dept	Reason	BCC Approval Date
Change Order No. 1 and Final (Retroactive)	693127Q	PWD	The Change Order increased the contract amount by \$125, 163.64 and extended the time by 237 calendar days.	Feb. 5, 2008 (File No. 080007)
Change Order No. 1 and Final (Retroactive)	20050170	PWD	Extended the contract time by 157 non-compensable calendar days.	June 30, 2009 (File No. 091753)

History of Violations on Previous Contracts for Southeastern

Date of Violation	Project No.	Dept	Amount Makeup	Reason	Status
07/24/02	630157Q	PWD	\$135,904.62	Prime Failed to meet CSBE subcontractor goal	Closed 12/01/08
10/24/07	S-718-4 ER 15761	WS	\$59,418.76	Prime Failed to meet CSBE subcontractor goal	Closed 12/01/08
02/05/08	20050170	PW	\$0.00	Failure to respond to requests for information.	Closed 03/15/08

Information provided by the Department of Small Business Development's History of Violations Report.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda No.: 3(C)
File Number: 100123
**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee
Date of Analysis: February 8, 2010
Commission District: 5
Type of Item: Contract Award

Summary

This resolution approves a Contract Award to Hardesty & Hanover, LLP (H & H) for the preparation of complete construction plans (Engineering and Design) to replace the existing Tamiami Swing Bridge (Bridge No. 874135) in the amount of \$1,969,457.74.

No Violations are reported for Hardesty & Hanover, LLP.

Background and Relevant Information

Public Works Department (PWD) currently operates and maintains six (6) draw and one (1) horizontal swing (movable) bridges. The swing bridge crosses the Tamiami (C-4) Canal, four (4) draw bridges are located along the Miami River and two (2) draw bridges exist along the Venetian Causeway. The remaining draw bridges along the Miami River, Biscayne Bay and the Intracoastal Waterway are maintained by the Florida Department of Transportation (FDOT) with the exception of one (1) bridge that is located on, and maintained by, the City of Bay Harbor Island.

Legislative History

On May 5, 2009, the Board of County Commissioners, through Resolution 517-09, approved a Non-exclusive Professional Services Agreement to H & H for the preparation of complete construction plans (Design) to repair the existing twin Miami Avenue Bascule Bridges in the amount of \$333,973.67. The Building Better Communities General Obligation Bond proceeds will be used to fund the design work. It is expected that the construction cost will not exceed \$2.8 million.

H & H was also the sub contractor to the lead design PCL Civil Constructors, Inc. at the N.W. 17 Ave Bascule Bridge Replacement project. On February 5, 2008, the Board of County Commissioners (BCC), through Resolution 110-08, approved the following 2 Change Orders for PCL Civil Constructors, Inc.: (1)

Change Order No. 1 in the amount of \$1,417,368.67 for structural repairs at the N.W. 17 Avenue Bascule Bridge and; (2) Change Order No. 2 in the amount of \$2,025,569.98 for electrical and mechanical repairs at the same location.

- Change Order No. 1 stated that PCL Civil Constructors, Inc., through H & H was responsible for the design of: (1) new steel on the bascule leafs, including the first floorbeam; concrete deck and the flanking spans; new end locks; and new steel components be designed with latest AASHTO Standard Specifications for Highway Bridges, Moveable Bridges, and FDOT Structures Design Guidelines.

The following questions were answered by PWD staff:

- How will the bridge repairs be funded?
The bridge replacement will be funded from GOB (we have approximately \$16 million from GOB) and are seeking an additional \$24 million from the Federal government.
- What is the life expectancy of the bridge without any repairs?
PWD has already completed a major rehabilitation project that addressed deficiencies in the operating system and a few of the most urgent structural repairs. The construction contract amount was \$890,000. Although this rehabilitation has allowed for the continued operation of the bridge, major deficiencies still exist that require the complete replacement of the bridge.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item(s): 3(E), 3(F), 3(G), 3(H), 3(I), 3(J), 3(K), 3(L), 3(M), 3(N), 3(O)

File Number(s): 100179; 100184; 100187; 100190; 100194; 100197; 100198; 100199;
100201; 100259; 100203

Committee(s) of Reference: Transit, Infrastructure & Roads Committee

Date of Analysis: February 8, 2010

Type of Item: Rescinding Previous Resolutions

Summary

These resolutions either rescind or modify various resolutions approved by the Board of County Commissioners (BCC) which authorized the acquisition of land needed for roadway improvements along S.W. 27 Avenue, between US-1 and South Bayshore Drive in District 7.

The previous resolutions authorized the County Mayor or his designee, and the County Attorney to use any action necessary to acquire the various parcels in fee simple. The authorization included purchasing the land, acquiring the land through eminent domain proceedings, or by donation. Items 3(F)-3(M) and 3(O) change the boundaries and square footage needed for each parcel and authorizes the County Mayor and County Attorney to acquire said parcels in fee simple through purchase, eminent domain proceeding, or by donation. These parcels have not yet been purchased.

The proposed items would rescind, modify or create the following resolutions:

Agenda Item	Affected Resolution(s)	Affected Parcel(s)	Action
3E	R-1185-08, R-1279-08, R-1280-08, R1191-08, R1201-08, R-1216-08	1, 2, 3, 11, 24, 40	These resolutions which authorized acquisition of property will be rescinded. The parcels are no longer needed for this project.
3F	R-1186-08	6	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 2,048 sq. ft.
3G	R-1190-08	10	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 600 sq. ft.
3H	R-1192-08	12	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 193 sq. ft.
3I	R-1197-08	19	This resolution will be rescinded. The proposed resolution reduces

Agenda Item	Affected Resolution(s)	Affected Parcel(s)	Action
			the size of the parcel to be acquired by 297 sq. ft.
3J	R-1198-08	20	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 249 sq. ft.
3K	R-1199-08	21	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 4,326 sq. ft.
3L	R-1200-08	22	This resolution will be rescinded. The proposed resolution reduces the size of the parcel by 1,658 sq. ft.
3M	R-1206-08	29	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 1,373 sq. ft.
3N	<i>Resolution number assigned upon BCC approval.</i>	36	The proposed resolution accepts a counteroffer to sell the property to the County for \$70,000 . The property owner is Robert A. Tenzer. Parcel 36 is located at 3184 SW 27 Ave.
3O	R-1214-08	38	This resolution will be rescinded. The proposed resolution reduces the size of the parcel to be acquired by 404 sq. ft.

Background and Relevant Legislation

On November 20, 2008, the BCC approved a series of resolutions authorizing the Mayor or his designee, and the County Attorney to pursue the acquisition of more than 35 parcels of land needed by the Public Works Department (PWD) for roadway improvements along S.W. 27 Avenue, between US-1 and South Bayshore Drive.

This project consists of the reconstruction and widening of an existing 2-lane undivided roadway to a 3-lane roadway including a traffic circle, raised landscaped medians, left turn lanes, bicycle lanes, on-street parking, sidewalks, curb & gutters, continuous storm drainage system, signalization, pavement markings & signing, and decorative roadway lighting.

This project is listed in the People Transportation Plan as a Board-requested improvement project.

A review of the original plans for the roadway project resulted in a redesign of the project. Certain parcels have been eliminated from the project design and the amount of right-of-way needed for other parcels has decreased, according to PWD.

Policy Change and Implication

While these items nullify current resolutions and enact new resolutions related to the 27 Avenue improvement project, these items do not represent a change in current Board policy.

Budgetary Impact

When the BCC originally approved the acquisition of these parcels on November 20, 2008, the total project cost for the 27 Avenue improvement project was \$17,838,000 and the right-of-way estimate was \$11.3 million.

Item 3N approves the purchase of Parcel 36 for \$70,000. *This item will also require approval by the Citizens Independent Transportation Trust.*

The project will be funded by Charter County Transit Surtax, also known as the People's Transportation Plan (PTP).

Prepared By: Jason T. Smith

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda No.: 3(P)
File Number: 100185
**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee
Date of Analysis: February 8, 2010
Commission District: Countywide
Type of Item: Professional Services Agreement

Summary

This resolution approves a Contract Award in the amount of \$25,000,000 for General Land and Engineering Surveying Services with forty-five firms.

There are no violations reported by Small Business Development's History of Violations Report, and all the firms are registered with the Florida Department of State-Division of Corporations.

Contract Award Highlights

- Compensation will not exceed \$159 per hour. (See hdwpg 43)
- Adjustments of compensation and time for completion of services will be left to the department director. Any work requiring overtime, will be compensated in accordance with the Land Surveyor's Overtime Rate Policy.
- A Surveyor will be compensated for certain work related expenditures not covered by fees for Land Surveying Services (i.e. expenses for document reproduction; rental of specialized equipment; and purchase of special instruments, provided that the equipment remains with the County upon work completion.
- The total compensation to a surveyor for services under the terms of the agreement will not exceed \$555,555.
- **The County will adjust the rates of compensation by a 2% increase on the second year and 2% for the third year of continuous service under the agreement. The increase for any three year period will not exceed an aggregate total of 10%.**

The following questions were answered by Public Works Department staff:

- How did these firms make the list of 45?
All firms that meet the advertisement requirements made it to the pool. The firms have to be prequalified with Miami-Dade County and be Technically Certified in at least one of the following three categories included in the advertisement: 15.01 General Land Surveying, 15.02 Aerial Photogrammetry and 15.03 Underground Utility Survey. Additionally, a Letter of Qualification and a Lobbyist Registration Form had to be submitted by the submittal deadline.
- What is the approximate compensation per vendor throughout the 3 years?
The subject agreement will authorize a maximum compensation of \$555,555.55 for the three year term of the agreement, actual compensation will vary depending on the countywide demand for these types of services.
- How many minority firms are included in the packet?
This contract was advertised as “no measure”, but there are 7 of the 45 firms listed as Small Business Enterprise (SBE) since the minority category no longer exists. The companies listed under the SBE are as follows: Delta Surveyor, Inc., Biscayne Engineering Company, Inc., K M Engineering Consultants Inc., Triangle Surveying and Mapping Inc., Leiter, Perez & Associates, Inc., J. Bonfill and Associates, Inc. and Manuel G. Vera & Associates, Inc.
- In the last year, if possible, please provide an approximate price per hour in municipalities for similar work. The item mentions surveyors will be compensated \$159 per hour.
This type of contract is not available in municipalities, usually a Municipality will put out a bid for a project specific contract and the surveying services are included in that particular project. The \$159 hourly rate is for the company principal, which remained the same the previous contract with PWD. All rates were negotiated exactly the same as the previous contract thus remaining flat.
- Will PWD use the Equitable Distribution Program to distribute work? Please explain how the work will be distributed.
PWD will not use the EDP to distribute work. These agreements will be managed by PWD using the EDP system as a template, but benefiting from the staff expertise in Land Surveying to better manage it. The work will be assigned based on a rotation list kept for each one of the above listed categories. The individual firms position on the first rotation list is based on the amount awarded to that firm countywide during the previous three years, subsequent rotations will add the amounts awarded under this contract to the beginning balance to determine the company’s position on the next rotation list.

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