



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

Board of County Commissioners Meeting

July 23, 2019
9:30 A.M.
Commission Chambers

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**BCC Meeting: July 23, 2019
Research Notes**

**Item No. 3B1
File No. 191224**

Researcher: IL Reviewer: TD

RESOLUTION RATIFYING THE ACTION OF THE MAYOR’S DESIGNEE EXECUTING CHANGE ORDER NO. 4 TO MISCELLANEOUS CONSTRUCTION CONTRACT MCC-8-10 WITH MUNILLA CONSTRUCTION MANAGEMENT, LLC, EXTENDING THE CONTRACT TIME FOR 548 DAYS AND AUTHORIZING NO INCREASE IN FUNDING; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve Change Order No. 4 for a Miscellaneous Construction Contract (MCC-8-10) with Munilla Construction Management, LLC (MCM), for a time extension of 548 days and no monetary increase for the Miami-Dade Aviation Department (MDAD).

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services Department (ISD)

There is no procedural history at this time.

ANALYSIS

The purpose of this item is to get approval from the Board for Change Order No. 4 associated with MCC-8-10 for an extension of time for 548 days. MDAD’s ability to issue new change orders expired on February 28, 2019, however MCM continues to perform work on previously issued work orders.

MCM was hired to pursuant to Resolution No. R-585-17 to develop an RFQ that allows for a qualitative award based on experience as oppose to price. Change Order No. 4 provides for the continuity of construction services throughout the County’s airport system until RFQ No. MCC 9-18 is awarded and approved by the Board. MCC 9-18 is the forthcoming replacement contract.

There is no Fiscal Impact as Change Order No. 4 is a retroactive extension from March 1, 2019 to August 29, 2020, a total of 548 non-compensable calendar days.

This change order was approved on February 28, 2019 pursuant to the Mayor’s delegated authority. Below is a table with the history of change orders associated with this contract:

Contract/Change Order No.	Date	Time	Money
MCC-8-10	December 19, 2011	Four year term	\$50,125,000
Change Order No.1	February 18, 2015	None	\$30,000,000 (increase)
Change Order No.2	March 8, 2016	One year extension	\$10,000,000 (increase)
Change Order No.3	April 4, 2017	Two year extension	\$39,800,000 (increase)
Change Order No.4	July 23, 2019	548 days	None
Total		8.5 years (approximately)	\$129,925,000

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The MCC program allows MDAD to retain a General Contractor (GC) that will perform the requested construction work through the competitive solicitation of subcontractors on a work order basis.

OCA conducted a review of the firm on multiple sites:

Firm Name	Sunbiz	Tax Collector	BBB	DBPR	West Law
MCM	Principial Address: 6201 SW 70 Street 1 st Floor, Miami, FL 33141 Active: 12-17- 2018	Account No.40- 255905 Account No.14- 833926 Account No. 40- 261392 Account No.64- 64010 Account No.71- 56937	Zero Complaints	Construction Business License – No Complaints.	9 Cases ranging from breach of contract to construction defects and wrongful death suits. (See additional information section)

DEPARTMENTAL INPUT

The following questions were made to MDAD on July 18, 2019:

- What is the File Number of the item going to the Board for RFQ No. MCC-9-18? **This response was provided at the aides briefing via 3B1 supplemental, File No. 191913. RFQ No. MCC-9-18 will go before the BCC on September 5, 2019.**
- Can MCM be a potential bidder on the new RFQ?
- Can you provide a list of construction projects and repairs that have been done by this firm over the course of the last 8 years?
- A July 16, 2019 Miami Herald article brought to light that MCM seeks an \$18 million loan to remain solvent in the face of bankruptcy resulting from the FIU bridge collapse. Can you verify if MCM secured a loan to remain solvent, considering that this non compensable extension is projected through August 29, 2020.
- MCM has a series of cases filed against them, does ISD know if the decision of those cases will impact the performance of MCM?

ADDITIONAL INFORMATION:

OCA conducted a google search on July 16, 2019 on MCM finding a Miami Herald article from March 02, 2019, where MCM attorneys state that MCM was seeking a loan from Berkshire Hathaway for \$18 million dollars as part of a bankruptcy process. Failure to attain the loan could result in MCM's dissolution and inability to continue operation. OCA is could not verify if MCM secured the loan.

<https://www.miamiherald.com/news/local/community/miami-dade/article227029359.html>

OCA identified 9 open cases on July 18, 2019 on the Miami-Dade County Clerk of Courts website where MCM is directly named as the defendant (see the list below). This analysis does not include the cases where MCM is named co-defendants, please note there are a few of those as well. A link has been provided below the list to the Clerk of Court's website. Number 10 is a bankruptcy case to which we do not have a link for am also attaching the Bankruptcy case I found for your review and direction. Please note that the outcomes of all of these cases have not yet been posted.

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1. NATHANIEL BUTLER VS MAGNUM CONSTRUCTION MANAGEMENT, LLC ET AL
Local Case Number: 2019-009589-CA-01
Negligence case for employee was hurt due to electrocution.

2. DE LAGE LANDEN FINANCIAL SERVICES INC VS MUNILLA CONSTRUCTION MANAGEMENT LLC
Local Case Number: 2018-035741-CA-01
Breach of Contract

3. BEC GROUP SERVICES INC VS MUNILLA CONSTRUCTION MANAGEMENT LLC ET AL
Local Case Number: 2018-017912-CA-01
Breach of contract

4. CARLOS CHAPMAN ET AL VS MUNILLA CONSTRUCTION MANAGEMENT, LLC ET AL
Local Case Number: 2018-016746-CA-01
Construction Defect

5. CHELSEA L BROWNFIELD ET AL VS MUNILLA CONSTRUCTION MANAGEMENT LLC ET AL
Local Case Number: 2018-012424-CA-01
Construction Defect

6. GINA (PR) DURAN ET AL VS MUNILLA CONSTRUCTION MANAGEMENT, LLC ET AL
Local Case Number: 2018-010344-CA-01
Construction Defect

7. LUIS ARIAS ET AL VS MUNILLA CONSTRUCTION MANAGEMENT LLC ET AL
Local Case Number: 2018-009651-CA-01
Other Negligence

8. ERIK ROJAS ET AL VS MUNILLA CONSTRUCTION MANAGEMENT, LLC ET AL
Local Case Number: 2018-009652-CA-01
Other Negligence

9. JOSE PEREZ VS MUNILLA CONSTRUCTION MANAGEMENT LLC
Local Case Number: 2018-006933-CA-01
Commercial Premises Liability (FTL Int Airport)

10. Magnum Construction Management LLC f/k/a Munilla Construction Management, LLC
Case Number: 19-12821-BKC-AJC
Bankruptcy

<https://www2.miami-dadeclerk.com/ocs/Search.aspx>
<http://bankrupt.com/misc/flsb19-12821-14.pdf>

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APPLICABLE LEGISLATION/POLICY

Section 212.055 of the Florida Statutes governs discretionary sales surtaxes; each charter county that has adopted a charter, each county the government of which is consolidated with that of one or more municipalities, and each county that is within or under an inter-local agreement with a regional transportation or transit authority created under Chapter 343 or Chapter 349 may levy a discretionary sales surtax, subject to approval by a majority vote of the electorate of the county or by a charter amendment approved by a majority vote of the electorate of the county. The rate shall be up to 1 percent.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0212/Sections/0212.055.html

Section 2-8.2.7 of the County Code (Miscellaneous Construction Contracts Program) is intended to enhance the contracting opportunities of Small Business Enterprises for construction services and to facilitate and expedite the award of construction contracts to small businesses. MCC participants are allowed to participate in the contracting plans (i.e., 7040 Plan and 7360 Plan) in accordance with the contracting procedures and specifications to be developed, maintained and amended by the Small Business Development Division of the Internal Services Department. The 7040 Plan is a rotational set-aside, and the 7360 Plan is an open competitive plan. The 7360 Plan is used whenever the funding source prohibits the use of SBE-Con set-asides or when SBD determines that there is insufficient availability for a SBE-Con set aside within the 7040 Plan to accomplish the proposed work.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7.01MICOCOPR

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

The Mayor is delegated the authority to award and reject bids or proposals for contracts for public improvements (construction), and purchases of supplies, materials and services (including professional services, other than professional architectural, engineering and other services subject to section 2-10.4 and Section 287.055, Florida Statutes) costing \$1,000,000 or less, or in the case of miscellaneous construction contracts designed to provide opportunities for Community Small Business Enterprises specifically authorized by Board resolution \$5,000,000 or less, without the need for action by the County Commission. For contract awards, information shall be added to the recommendation for award memorandum presented by the County Mayor to the Board of County Commissioners identifying (1) each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each, and (2) the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-285 of the County Code (County Manager’s authority as to contracts for the Aviation Department) Mayor shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement

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https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTXXXIIAVDE_S2-285COMAAUCOAVDE

Resolution No. R-187-12, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1122-11, adopted January 26, 2012, approved a contract award for a miscellaneous construction contract ITB No. MCC-8-10 to MCM in an amount of \$50,125,000 for a 4 year term.

<http://www.miamidade.gov/govaction/matter.asp?matter=120143&file=false&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-187-15, adopted February 18, 2015, approval of Change Order No. 1 to Miscellaneous Construction Contract No. MCC-8-10 with MCM increasing the contract amount by no more than \$30,000,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=150152&file=true&fileAnalysis=false&yearFolder=Y2015>

Resolution No. R-228-16, adopted January 27, 2016, approval of Change Order No. 2 to Miscellaneous Construction Contract No. MCC-8-10 with MCM extending the contract time for one-year and increasing the contract amount by no more than \$10,000,000.

<http://www.miamidade.gov/govaction/matter.asp?matter=160221&file=true&fileAnalysis=false&yearFolder=Y2016>

Resolution No. R-384-17, adopted April 4, 2017, approved Change Order No. 3 to Miscellaneous Construction Contract No. MCC-8-10 with MCM extending the contract time for one-year and increasing the contract amount by no more than \$6,000,000.

<http://intra/gia/matter.asp?matter=170732&file=true&yearFolder=Y2017>

Resolution No. R-421-16, adopted May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Resolution No. R-585-17, adopted June 6, 2017, rejects all bids received in connection with the invitation to bid for MCC, ITB-MDAD-MCC9-16.

<http://www.miamidade.gov/govaction/matter.asp?matter=170493&file=true&fileAnalysis=false&yearFolder=Y2017>

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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Implementing Order No. 3-53 sets forth policies and procedures for the administration of the MCC Program.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-53.pdf>

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Item No. 5A
File No. 191802

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING, AFTER A PUBLIC HEARING, SIGNIFICANT MODIFICATION OF BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND (“BOND”) PROGRAM PROJECT NO. 325 – “WEST PERRINE SENIOR CITIZEN CENTER” TO REDUCE ITS ALLOCATION BY \$489,000.00, DECLARING SAID \$489,000.00 AS SURPLUS FUNDS, AND APPROVING A SIGNIFICANT MODIFICATION OF BOND PROGRAM PROJECT NO. 326 – “ACQUIRE OR CONSTRUCT MULTI-PURPOSE FACILITIES” TO INCREASE ITS ALLOCATION BY \$489,000.00 OF SURPLUS FUNDS, ALL AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-917-04; APPROVING ALLOCATION OF THE ADDITIONAL \$489,000.00 FROM PROJECT NO. 326 TO THE LARCENIA J. BULLARD PLAZA; APPROVING, AFTER A PUBLIC HEARING, SIGNIFICANT MODIFICATION OF BOND PROGRAM PROJECT NO. 321 – “REDEVELOPMENT-RICHMOND HEIGHTS SHOPPING CENTER” TO REVISE THE PROJECT NAME TO LARCENIA J. BULLARD PLAZA, AS IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-914-04; WAIVING THE PROVISIONS OF IMPLEMENTING ORDER 3-47 REGARDING THE USE OF SURPLUS FUNDS TO FUND BUDGET SHORTFALLS [SEE AGENDA ITEM NO. 8F1]

ISSUE/REQUESTED ACTION

Whether the Board should approve significant modifications to the following Building Better Communities General Obligation Bond (Bond) Program Projects: Bond Program Project No. 325, *West Perrine Senior Citizen Center*, reducing its allocation by \$489,000 and declaring that amount as surplus funds; Bond Program 326, *Acquire or Construct Multi-Purpose Facilities*, increasing its allocation by \$489,000 and approving allocation of that amount to the qualifying project, Larcenia J. Bullard Plaza; and renaming Bond Program Project No. 321, *Redevelopment – Richmond Heights Shopping Center* to reflect the project’s new name, *Larcenia J. Bullard Plaza*.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: None

The item has no procedural history.

ANALYSIS

The purpose of this item is to approve significant modification to three bond programs, ultimately addressing a budget shortfall in Project No. 326 for the development of the Larcenia J. Bullard Plaza, formerly the Richmond Heights Shopping Center. The reallocation of funds will come from reducing the allocation to Bond Program Project No. 325, *West Perrine Senior Citizen Center* in District 9, by \$489,000 and declaring that amount surplus, as only \$11,000 of the original allocation of \$500,000 have been spent on preliminary programming, scoping, and design for the facility. It was determined in this process that the original \$500,000 allocation would be significantly insufficient to undertake the renovation, upgrade or expansion of the West Perrine Senior Citizen Center, and the project was thus put on hold indefinitely pending the identification and allocation of additional funding. Given that no additional funds have been identified for the facility, this item seeks to reduce Bond Program Project No. 325’s allocation and appropriate those surplus funds to Bond Program Project No. 326, *Acquire or Construct Multi-Purpose Facilities*.

The entire original \$4,500,000 allocation for Bond Program Project No. 326 was directed to fund the qualifying project, development of the Richmond Heights Shopping Center, which has since been renamed the Larcenia J. Bullard Plaza. Bond Program Project No. 321, specifically and also for the redevelopment of the Richmond Heights Shopping Center (Larcenia J. Bullard Plaza) into a multi-use facility, has an original allocation of \$3,600,000. A solicitation for the construction and redevelopment of the Larcenia J. Bullard Plaza produced a lowest responsive and responsible bid that,

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when factoring in the other design and architectural contracts needed to complete the project, is higher than the funds available in Bond Program Project Nos. 321 and 326, creating a budget shortfall for the Larcenia J. Bullard Plaza project. The recommendation for the construction contract award for this project to Lunacon Construction Group, Corp. in an amount not to exceed \$6,155,005 is also on the agenda for the Board's consideration as Item No. 8F1 (191811). In order to reallocate surplus funds from Project No. 325 to Project No. 326 for this purpose, waiver of IO 3-47, directing the Office of Management and Budget to consider certain factors when reallocating surplus funds to existing projects, is required.

This item also changes the name of Project No. 321 to reflect the facility's name change from the Richmond Heights Shopping Center to the Larcenia J. Bullard Plaza. The proposed Larcenia J. Bullard Plaza is located at 14518 and 14508 Lincoln Boulevard in District 9, on approximately 1 acre (43,483 sq. ft.). Once development is completed, the Plaza will consist of a two-story building with approximately 14,000 square feet of total constructed area. The first floor will be dedicated to a South Miami-Dade Black History Area, gallery/exhibit space, retail/dry goods space, and support space, including restrooms, and storage space. The second floor will have offices to house the Richmond Heights Community Development Corporation, the designated manager for the Plaza. The subject property will continue to be owned and operated by Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Implementing Order 3-47 requires the Office of Management and Budget to consider certain factors when allocating surplus funds to existing projects to fund budget shortfalls and make a recommendation to the Board on said factors.
<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-47.pdf>

Resolution No. R-917-04, adopted July 20, 2004, provided for holding of General Obligation Bond Special Election in Miami-Dade County, Florida on November 2, 2004 with respect to authorization of not exceeding \$255,070,000 General Obligation Bonds to construct and improve public service outreach facilities.
<http://intra/gia/matter.asp?matter=042289&file=false&yearFolder=Y2004>

Resolution No. R-914-04, adopted July 20, 2004, provided for holding of General Obligation Bond Special Election in Miami-Dade County, Florida on November 2, 2004 with respect to authorization of not exceeding \$352,182,000 General Obligation Bonds to construct and improve bridges, public infrastructure, and neighborhood improvements.
<http://intra/gia/matter.asp?matter=042286&file=false&yearFolder=Y2004>

Resolution No. R-487-14, adopted June 3, 2014, renames the Richmond Heights Shopping Center located on Lincoln Boulevard and Carver Drive in Miami-Dade, as the Larcenia J. Bullard Plaza.
<http://intra/gia/matter.asp?matter=141078&file=true&yearFolder=Y2014>

Resolution No. R-40-15, adopted January 21, 2015, finds that the Larcenia J. Bullard Plaza project is a multi-purpose facility and those eligible for \$4.5 million in funding from Bond Program Project No. 326, *Acquire or Construct Multi-Purpose Facilities*.
<http://intra/gia/matter.asp?matter=142363&file=true&yearFolder=Y2014>

Resolution No. R-638-18, adopted June 19, 2018, approved as a Governmental Facility the development plan for the Larcenia J. Bullard Plaza located at 14518 and 14508 Lincoln Boulevard, in compliance with Section 33-303 of the Code of Miami-Dade County.
<http://intra/gia/matter.asp?matter=181257&file=true&yearFolder=Y2018>

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**Item No. 8A1
File No. 191524**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND AVE, LLC, EXTENDING DEVELOPMENT PERIOD OF THE LEASE BY FIVE YEARS THROUGH 2024, AND THE TERM OF THE LEASE THROUGH APRIL 30, 2084 AND PROVIDING FOR PAYMENT TO COUNTY OF \$1,500,000 AND TWO PERCENT OF LESSEE'S ANNUAL GROSS REVENUES, APPROVING ALLOCATION, SUBJECT TO RECAPTURE AND THE FUTURE APPROVAL BY THIS BOARD OF GRANT AGREEMENT, OF UP TO \$5,000,000 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 124 – "ECONOMIC DEVELOPMENT FUND" TO FUND THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE FOR AVIATION FACILITIES TO BE LOCATED AT MIAMI-OPA LOCKA EXECUTIVE AIRPORT; WAIVING BOND PROGRAM ADMINISTRATIVE RULE REQUIRING PROJECT 124 FUNDS TO BE ALLOCATED IN MINIMUM AMOUNT OF \$10,000,000

ISSUE/REQUESTED ACTION

Whether the Board should authorize an amendment of a lease agreement between the County and an a lessee to extend the development period of the lease by five years and the term of the lease, and to provide payment to the County of \$1,500,000 and two percent (2%) of the lessee's annual gross revenues. Additionally, the Board is being requested to authorize the allocation of a \$5,000,000 grant bond agreement to fund public infrastructure for aviation facilities at Miami-Opa Locka Executive Airport, and an administrative rule pertaining to the Bond program.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan

Department/Requester: Miami-Dade Aviation Department (MDAD)

This item was heard at the Tourism and the Ports (TAPS) Committee meeting of June 12, 2019 and forwarded to the BCC meeting of July 10, 2019 with a favorable recommendation. Subsequently at the BCC meeting of July 10, 2019, Commissioner Rebeca Sosa requested deferral, out of respect for Commissioner Barbara J. Jordan who is the sponsor of the item and was not present at the meeting; thus there was no discussion. Below is a synopsis of the commentary during the TAPS Committee meeting of June 12, 2019:

- Commissioner Sosa raised several questions pertaining to the process MDAD undertakes in making determinations about a \$10,000,000 transfer fee adjustment to other airport tenants, when the lessee assigns the lease to another entity. Commissioner Sosa gave a brief background on the item, with regard to the lessee's filing of a complaint with the FAA, stating the transfer fee violated federal law.
- Commissioner Sosa posed the following questions: How does the County typically handle previous transfer adjustments; why the lessee in this instance is getting a five year extensions on development and lease; whether this was general practice for the airport; whether the administration had spoken to other tenants to explain this.
- Commissioner Sosa also stated that if everyone pays the transfer fee, then everyone needs to abide by those rules.
- Commissioner Jordan explained there are companies that have not paid a transfer fee and that there are differences in a lot of the leases; however, that this item had taken two years to reach this agreement, and that the new agreement is better than the transfer fee of \$10,000,000 – over time.
- Commissioner Ms. Sosa requested for the Department to provide a written list of the companies that have paid and been allowed to not pay the transfer fee.
- Ms. Jordan asked the Department representative to explain the item, as she does not want the public to think there is anything to hide.

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- Leland Salomon, Deputy Director of Economic Development for RER, stated that discussions with the lessee's owner began after the lessee had filed a complaint with the FAA, citing the development of the property could not proceed under the existing lease. At that point, Mr. Salomon said he received the mayor's approval to begin negotiations with the lessee.
- Mr. Salomon stated some concessions were made in the existing lease, one of which was for the lessee to not have to pay the transfer fee. The lessee claimed he could not raise enough capital to build the project; notwithstanding, Mr. Salomon stated that under the terms of the proposed agreement, the lessee will pay the County more over the term of the lease.
- Mr. Salomon also stated the owner has agreed to pay the County \$1.5 million upfront and that instead of the 1.5% occupancy fee – it would be actually be a 2% occupancy fee, giving the County a \$26 million advantage over the term of the agreement.
- As part of the negotiations, Mr. Salomon said the lessee would transfer several of the lessee's lease-hold properties to Bridge (Bridge/EGMR, an industrial developer), and for AVE to pay the outstanding rent of approximately \$1.3 million.
- Commissioner Jordan asked whether the FAA deemed the amended lease fair, and Mr. Salomon responded that the FAA had approved the subject lease amendment.
- Commissioner Jordan also stated that, in her estimation, the County has never asked a Director to meet with all of the other tenants to make sure they approve of what the County is doing, and so it would be unjust to do that in the case of AVE. She also stated that to ask competitors to weigh in on this is going beyond the scope of what the County's role.
- Commissioner Sosa stated perhaps she may have misinterpreted the item's paperwork and that she does not sit with anyone or respond to any interests in the County, except for the residents who elected her. She requested to know who promised the other (tenants) to show them information on what others would do, once AVE filed a suit against the County. Mr. Leland responded he was not the one and did not know if someone else had.
- Commissioner Sosa then requested to see paperwork on the initial contract with the lessee. She stated she had conducted research and found that when the County does a transfer from one company to another, she asked if they would be able to transfer without a competitive bid. She referred the question to ISD, as the entity in charge of County procurement.
- In response to Commissioner Sosa's inquiry, ISD Chief Procurement Officer Namita Uppal stated that if a company was brought over by another company, the latter would need to go through ISD for approval, and then ISD would do the transfer. Ms. Uppal stated it would not be a situation where a company could decide to not do business with the County and then walk away – that is not allowed.
- Commissioner Sosa then asked whether the County had adjusted the transfer fee for any other tenant, to which Mr. Leland said no.
- Ms. Sosa said she wanted to ensure fairness, if the County was giving the opportunity to one company that is getting years of extension because she had not seen that before. She also requested to review the initial contract for the company, and for the county attorney to provide responses from the FAA for all of the adjustments done and the complaint filed by AVE.
- Commissioner Dennis Moss said his concern pertained to the General Obligation Bond (GOB) and that AVE had not been allowed to apply for that program.
- Mr. Salomon said he believed AVE had been on an agenda for inclusion as an allocation for GOB money at a Committee meeting at one point, but the committee did not accept that allocation.
- Ms. Jordan stated there had been a committee item for a \$5 million allocation to match a state allotment that had been dependent on the match. She said there had been opposition from existing tenants, hence the item did not pass.

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- Ms. Sosa also said she would like to know an update on the FAA complaint.
- Ms. Jordan said she requested to move the item forward, and pointed out that every lease at OPF is different in some way and gives different concessions in some way.

ANALYSIS

The proposed resolution requests Board approval to authorize an amended lease agreement between the County and AVE, LLC (AVE), AVE assignees and Bridge/EGMR (the lessees) for the following:

- Extend the development period of the current lease by five years through 2024, and the term of the lease through April 30, 2024;
- Provide for payment to the County in the amount of \$1,500,000 and 2% of the lessee's annual gross revenues;
- Approve an allocation subject to future Board approval of a grant agreement of up to \$5,000,000 from the Building Better Communities General Obligation Bond Program Project No. 124 (Economic Development Fund) to fund construction of public infrastructure for aviation facilities at Miami-Opa Locka Executive Airport (OPF)
- Waiving a Bond Program Administrative Rule that requires Project 124 funds to be allocated in a minimum amount of \$10,000,000

The fiscal impact is \$1,500,000 of payment by the lessee to the County, with AVE paying a 2% opportunity fee for gross revenues on 150.24 acres out of a total 178.69 acres. According to the mayor's memo, MDAD expects an additional fee revenue of \$26,535,019 during the next 66 years, of which the estimated net present revenue value is \$11,339,789. In addition, AVE will pay \$1,318,720.59 within 10 days of this amendment for the outstanding rent balance through May 31, 2019. Per the mayor's memo, the aforementioned calculation does not factor in land rent or additional fuel surcharges that will be paid as part of the existing lease.

The subject item was first approved in 1999, and later amended the lease agreement in 2007. Pursuant to Resolution No. R-873-99, the County approved a development lease agreement with Renaissance Airpark Corp. (RAC), the initial lessee (at that time) for ±174 acres of undeveloped land on the western portion of OPF. At that time, the County determined that RAC's proposed use of the property was aviation related and approved the lease agreement for a 55-year term, with RAC's option to renew for two successive 15-year terms, for a total of 85 years and required RAC to invest a minimum of \$305 million for aviation and non-aviation developments. The lease agreement between the County and RAC contained the following terms:

- The use of the premises is subject to the County's Comprehensive Development Master Plan, Airport's Master Plan, and the Aviation System Plan;
- RAC would hire a certain number of employees for activities under the leader from the County's Quality Neighborhoods Initiative Bond Program;
- RAC would work with Florida Memorial College to train local residents; and
- RAC will voluntarily effect a 20% Black Business Enterprise minority participation for all of its contracts; finds and determines that the proposed non-exclusive uses of the Aviation and Aviation Support Areas constitute aviation and airport purposes under Section 125.35, Florida Statutes; authorizes the County

Later in 2007, pursuant to Resolution No. R-131-07, the Board approved an amended lease agreement (to the 1999 approval), assigning the RAC development lease to AVE. The 2007 resolution revised the lease and provided for the following:

- An amended and restated development lease agreement between the County and AVE for the premises covered by the RAC Development Lease;

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Researcher: MF Reviewer: TD

- A finding and determination that the premises covered by the RAC and AVE agreements constituted airport facilities, thus, the amended and restated development lease agreement to said premises could be negotiated under Florida Statute Section 125.35; and
- An agreement for water and sewer sanitary sewage between the County through the Water and Sewer Department, MDAD, and RAC for construction of certain water and sanitary sewer facilities on the premises.

As part of the aforementioned 2007 Board approval, the County agreed to the development lease for ±174 acres located at OPF to AVE. Subsequently, the County and AVE entered into a lease for 178 acres at OPF, and for the next nine years AVE developed approximately 58 acres of both aviation and non-aviation related property. The 2007 lease to AVE was approved by the Federal Aviation Administration and provided for the following:

- AVE’s investment of \$187.4 million for construction of aviation and aviation support facilities on the premises;
- A reduction in the development period to 10 years;
- A reduction in the total term from 85 years to not more than 68 years;
- A requirement for AVE to start paying land rent no later than 36 months from the commencement date, with a portion of aviation area rent to be paid as early as the 18th month following the date of execution of the lease; and
- An improvement rent payment of 1.5% of gross revenue starting in the 41st year.

OCA performed due diligence on AVE, LLC, on July 18, 2019; below are the findings:

Company Name	Sunbiz	Tax Collector	Westlaw
AVE, LLC	Active; Established 2005	Not found	No open cases

DEPARTMENTAL INPUT

OCA sent the following inquiry to MDAD on July 19, 2019; the inquiry was answered the same day by Mr. Salomon, (of RER), who is working on this item.

- The mayor’s memo states two different acreages with regard to the development lease (174 acres and 178 acres, respectively for RAC and AVE). Please clarify.

In Resolution R-131-07 approving the assignment of the Development Lease from Renaissance Airpark Corporation to AVE, LLC, the Manager’s Memo makes reference to the property as being “174+/- acres”. In the Amended and Restated Development Lease between Miami Dade County and AVE, LLC, Article 2.1 Demise of Premises refers to the Premises consisting of “178 gross acres”.

Staff is expecting an Escrow Agreement for the \$1.3m back rent owed by AVE, LLC to MDAD to be issued by Bridge/EGMR (an industrial developer to whom AVE, LLC is assigning approximately 74 acres of their leasehold). The Escrow will be held by Akerman (Bridge’s attorney) and released to the County once the item has been approved by the BCC on 7/23 and once the properties being assigned have their assignments recorded (30 days) following the Effective Date of the Agreement.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-873-99, adopted July 27, 1999, approval of a development lease agreement with Renaissance Airpark Corp. for undeveloped land at Opa-Locka General Aviation Airport; finding that the tenant’s proposed use thereof constitutes an aviation use.

<http://intra/gia/matter.asp?matter=992495&file=false&yearFolder=Y1999>

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Researcher: MF Reviewer: TD

Resolution No. R-131-07, adopted February 6, 2007, relating to Opa-Locka Executive Airport; approving assignment of development lease by Renaissance Airpark Corporation to Ave., LLC, approving the cancellation of such development lease and execution of an amended and restated development lease agreement between Miami-Dade County and the assignee, AVE, LLC, finding and determining that the premises for such leases constitute airport facilities whose lease may be negotiated; ratifying and approving agreement for water and sanitary sewage facilities between the County and Renaissance Airpark Corporation applicable to such premises and approving its assignment to Ave, LLC.

<http://www.miamidade.gov/govaction/legistarfiles/MinMatters/Y2008/081461min.pdf>

Section 125.35 of Florida Statutes (County authorized to sell real and personal property and to lease real property), states the Board of County Commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the county, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

<https://m.flsenate.gov/Statutes/125.35>

**BCC Meeting: July 23, 2019
Research Notes**

**Item No. 8A2
File No. 191661**

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND ROSS & BARUZZINI, INC.; FOR BAGGAGE HANDLING SYSTEMS SERVICES, CONTRACT NO. E16-MDAD-02C IN AN AMOUNT NOT TO EXCEED \$3,308,250.00 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE AGENDA ITEM NOS. 8A3 AND 8A4]

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and Ross & Baruzzini, Inc. for baggage handling systems services for the Aviation Department in an amount not to exceed \$3,308,250 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

The item was forwarded to the BCC with a favorable recommendation by the Tourism and the Ports Committee at its July 16, 2019 meeting. A request to waive the Board's Rules of Procedure to allow the proposed resolution to be heard at the July 23, 2019 BCC meeting was made in committee and was subsequently approved by the BCC Chairwoman.

ANALYSIS

The purpose of the PSA with Ross & Baruzzini is for the Aviation Department to acquire architectural and engineering professional services for design and evaluation of new and existing baggage handling systems at Miami International Airport (MIA)'s South, Central, and North Terminals. The scope of design and evaluation services includes evaluation of the replacement, repair, expansions, interconnections, and modifications of existing equipment, utilities, programming, and connections to existing systems. The contract value is \$3,308,250 for a five-year term. This is one of three identical award recommendations for the provision of the same services. The other awards, which are also on the TAPS agenda, are to Vic Thompson Company and JSM & Associates, LLC.

The total contract amount for the five-year term of \$3,308,250 consists of a base estimate of \$3,000,000, a contingency allowance of \$300,000 and \$8,250 in Inspector General fees. The Fiscal Year (FY) 2018-19 Adopted Budget and Multi-Year Capital Plan (Plan) applicable Project numbers are 2000000068 and 2000000095. The Plan describes Project # 2000000068 (MIA Reserve Maintenance Projects) as *various unusual and extraordinary projects, including, but not limited to maintenance, repairs, renewals, and/or replacement; replace IT equipment; fund miscellaneous environmental projects, paving rehabilitation, elevator modernization, Concourse H restroom renovations, roofing repairs, switch gear replacement at Concourse G, and fire main replacement at buildings 890, 891, and 896*. The funding sources are FDOT funds, Federal Aviation Administration, and Reserve Maintenance Fund. Total expenditures for this project are \$435,157,000.

The Plan describes Project #2000000095 (MIA South Terminal Improvements) as to *enhance MIA's south terminal baggage handling system; replace roof in Concourse H; renovate Concourse H to include conversion of gates H12, H14, and H15 from domestic only gates to international capable arrival gates; and modify gate H15 to accommodate A-.380 aircraft to sustain airport growth and flexibility*. The funding sources are Aviation 2016 Commercial Paper,

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**Item No. 8A2
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Researcher: JFP Reviewer: TD

FDOT funds, Federal Aviation Administration, Future Financing, and Transportation Security Administration funds. Total expenditures for this project are \$406,424,000.

The Aviation Department prefers that the Prime consultants have a cumulative five years of experience within the last 20 years designing and modifying baggage systems at large hub United States airports or airports with similar baggage handling systems as those existing at MIA. The PSA includes a 20 percent (\$660,000) DBE-A/E goal. The DBE subconsultants are Gartek Engineering Corporation (10 percent - \$330,000), Jordim Engineering, LLC (2.5 percent - \$82,500), Digital Building Services, LLC (2.5 percent - \$82,500), and Grindstone Group, LLC (5 percent - \$165,000).

Four proposals were received in response to the solicitation. The respondents were Ross & Baruzzini, Inc., JSM & Associates, LLC, BNP Associates, Inc., and Vic Thompson Company. BNP Associates, Inc. and its team were eliminated from further consideration for the solicitation due to their non-compliance with the DBE Program provisions. Following the competitive selection process, Ross & Baruzzini was ranked third. Given that revisions to the Request to Advertise increased the amount of the project and amended the number of Agreements from two to three, Ross & Baruzzini is being recommended for award.

According to a July 15, 2019 search on sunbiz.org, the official State of Florida Division of Corporations website, Ross & Baruzzini is a foreign for-profit corporation with a principal address of 6 South Old Orchard, St. Louis, Missouri. The firm has a local address of 7200 NW 19 Street, Suite 305, confirmed by OCA on the Tax Collector's database. The company holds an Architect Business and Certificate of Authorization license types per information found on July 15, 2019 on the website of the Florida Department of Business & Professional Regulation.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on July 15, 2019, finding that Ross & Baruzzini has six evaluations with an average evaluation rating of 3.4 out of a possible 4.0.

Ross & Baruzzini, Inc. has been awarded two Equitable Distribution Program agreements with the County in the past three years with a total value of \$400,000. At the July 10, 2019 BCC meeting, the Board approved a PSA between the County and Ross & Baruzzini, Inc. for general special systems engineering services for the Aviation Department in an amount not to exceed \$2,205,500 for a term of five years.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html

Section 2-10.4 of the County Code governs the County's acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

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Section 2-10.4.01 of the County Code sets forth the County's Small Business Enterprise Architecture and Engineering Program.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR

Section 2-8.1 of the County Code requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-8.3 of the County Code (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE

Ordinance No. 14-79, adopted September 3, 2014, requires that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://intra/gia/matter.asp?matter=141211&file=true&yearFolder=Y2014>

Implementing Order No. 3-34 establishes procedures for the formation and performance of selection committees in the competitive procurement process, including competitive selection committees utilized in the acquisition of architectural and engineering professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-34.pdf>

Implementing Order No. 8-8 sets forth the Sustainable Buildings Program, requiring the County to incorporate sustainable development building measures into the design, construction, renovation and maintenance of County-owned, County-financed and County-operated buildings.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO8-8.pdf>

Administrative Order No. 3-39 establishes the County's policies and procedures for user departments for the construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Resolution No. R-187-12, adopted February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

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**Item No. 8A2
File No. 191661**

Researcher: JFP Reviewer: TD

Resolution No. R-421-16, adopted May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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**Item No. 8A3
File No. 191663**

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND VIC THOMPSON COMPANY; FOR BAGGAGE HANDLING SYSTEMS SERVICES, CONTRACT NO. E16-MDAD-02B IN AN AMOUNT NOT TO EXCEED \$3,308,250.00 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE AGENDA ITEM NOS. 8A2 AND 8A4]

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and Vic Thompson Company for baggage handling systems services for the Aviation Department in an amount not to exceed \$3,308,250 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

This item was forwarded to the BCC with a favorable recommendation by the Tourism and the Ports Committee at its July 16, 2019 meeting. A request to waive the Board's Rules of Procedure to allow the proposed resolution to be heard at the July 23, 2019 BCC meeting was made in committee and was subsequently approved by the BCC Chairwoman.

ANALYSIS

The purpose of the PSA with Vic Thompson Company is for the Aviation Department to acquire architectural and engineering professional services for design and evaluation of new and existing baggage handling systems at Miami International Airport (MIA)'s South, Central, and North Terminals. The scope of design and evaluation services includes evaluation of the replacement, repair, expansions, interconnections, and modifications of existing equipment, utilities, programming, and connections to existing systems. The contract value is \$3,308,250 for a five-year term. This is one of three identical award recommendations for the provision of the same services. The other awards, which are also on the TAPS agenda, are to Ross & Baruzzini, Inc. and JSM & Associates, LLC.

The total contract amount for the five-year term of \$3,308,250 consists of a base estimate of \$3,000,000, a 10 percent contingency allowance of \$300,000 and \$8,250 in Inspector General fees. The Fiscal Year (FY) 2018-19 Adopted Budget and Multi-Year Capital Plan (Plan) applicable Project numbers are 2000000068 and 2000000095. The Plan describes Project # 2000000068 (MIA Reserve Maintenance Projects) as *various unusual and extraordinary projects, including, but not limited to maintenance, repairs, renewals, and/or replacement; replace IT equipment; fund miscellaneous environmental projects, paving rehabilitation, elevator modernization, Concourse H restroom renovations, roofing repairs, switch gear replacement at Concourse G, and fire main replacement at buildings 890, 891, and 896.* The funding sources are FDOT funds, Federal Aviation Administration, and Reserve Maintenance Fund. Total expenditures for this project are \$435,157,000.

The Plan describes Project #2000000095 (MIA South Terminal Improvements) as to *enhance MIA's south terminal baggage handling system; replace roof in Concourse H; renovate Concourse H to include conversion of gates H12, H14, and H15 from domestic only gates to international capable arrival gates; and modify gate H15 to accommodate A-380 aircraft to sustain airport growth and flexibility.* The funding sources are Aviation 2016 Commercial Paper,

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Item No. 8A3

File No. 191663

Researcher: JFP Reviewer: TD

FDOT funds, Federal Aviation Administration, Future Financing, and Transportation Security Administration funds. Total expenditures for this project are \$406,424,000.

The Aviation Department prefers that the Prime consultants have a cumulative five years of experience within the last 20 years designing and modifying baggage systems at large hub United States airports or airports with similar baggage handling systems as those existing at MIA. The PSA includes a 20 percent (\$660,000) DBE-A/E goal, which was achieved by Vic Thompson Company at 40 percent at the time of award. Other subconsultants are Graef-USA, Inc., Gartek Engineering Corporation, Mobio Architecture, Inc., and Digital Building Services, LLC.

Four proposals were received in response to the solicitation. The respondents were Ross & Baruzzini, Inc., JSM & Associates, LLC, BNP Associates, Inc., and Vic Thompson Company. BNP Associates, Inc. and its team were eliminated from further consideration for the solicitation due to their non-compliance with the DBE Program provisions. Following the competitive selection process, Vic Thompson Company was ranked second.

According to a July 15, 2019 search on sunbiz.org, the official State of Florida Division of Corporations website, Vic Thompson Company is a foreign for-profit corporation with a principal address of 3751 New York Ave., Ste. 140, Arlington, TX. The firm does not have a local address. The company holds a Certificate of Authorization license type per information found on July 15, 2019 on the website of the Florida Department of Business & Professional Regulation.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on July 15, 2019, finding that Vic Thompson Company does not have any evaluations as the firm has not been awarded any County contracts.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants' Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html

Section 2-10.4 of the County Code governs the County's acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4.01 of the County Code sets forth the County's Small Business Enterprise Architecture and Engineering Program.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR

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Research Notes**

**Item No. 8A3
File No. 191663**

Researcher: JFP Reviewer: TD

Section 2-8.1 of the County Code requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

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Section 2-8.3 of the County Code (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE

Ordinance No. 14-79, adopted September 3, 2014, requires that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://intra/gia/matter.asp?matter=141211&file=true&yearFolder=Y2014>

Implementing Order No. 3-34 establishes procedures for the formation and performance of selection committees in the competitive procurement process, including competitive selection committees utilized in the acquisition of architectural and engineering professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-34.pdf>

Implementing Order No. 8-8 sets forth the Sustainable Buildings Program, requiring the County to incorporate sustainable development building measures into the design, construction, renovation and maintenance of County-owned, County-financed and County-operated buildings.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO8-8.pdf>

Administrative Order No. 3-39 establishes the County's policies and procedures for user departments for the construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

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Resolution No. R-187-12, adopted February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

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Resolution No. R-421-16, adopted May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

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Item No. 8A3

File No. 191663

Researcher: JFP Reviewer: TD

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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Research Notes**

**Item No. 8A4
File No. 191664**

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND JSM & ASSOCIATES, LLC; FOR BAGGAGE HANDLING SYSTEMS SERVICES, CONTRACT NO. E16-MDAD-02A IN AN AMOUNT NOT TO EXCEED \$3,308,250.00 FOR A TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE THE TERMINATION PROVISIONS CONTAINED THEREIN [SEE AGENDA ITEM NOS. 8A2 AND 8A3]

ISSUE/REQUESTED ACTION

Whether the Board should approve the Professional Services Agreement (PSA) between the County and JSM & Associates, LLC for baggage handling systems services for the Aviation Department in an amount not to exceed \$3,308,250 for a term of five years.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Aviation Department

The item was forwarded to the BCC with a favorable recommendation by the Tourism and the Ports Committee at its July 16, 2019 meeting. A request to waive the Board's Rules of Procedure to allow the proposed resolution to be heard at the July 23, 2019 BCC meeting was made in committee and was subsequently approved by the BCC Chairwoman.

ANALYSIS

The purpose of the PSA with JSM & Associates, LLC is for the Aviation Department to acquire architectural and engineering professional services for design and evaluation of new and existing baggage handling systems at Miami International Airport (MIA)'s South, Central, and North Terminals. The scope of design and evaluation services includes evaluation of the replacement, repair, expansions, interconnections, and modifications of existing equipment, utilities, programming, and connections to existing systems. The contract value is \$3,308,250 for a five-year term. This is one of three identical award recommendations for the provision of the same services. The other awards, which are also on the TAPS agenda, are to Ross & Baruzzini, Inc. and Vic Thompson Company.

The total contract amount for the five-year term of \$3,308,250 consists of a base estimate of \$3,000,000, a 10 percent contingency allowance of \$300,000 and \$8,250 in Inspector General fees. The Fiscal Year (FY) 2018-19 Adopted Budget and Multi-Year Capital Plan (Plan) applicable Project numbers are 2000000068 and 2000000095. The Plan describes Project # 2000000068 (MIA Reserve Maintenance Projects) as *various unusual and extraordinary projects, including, but not limited to maintenance, repairs, renewals, and/or replacement; replace IT equipment; fund miscellaneous environmental projects, paving rehabilitation, elevator modernization, Concourse H restroom renovations, roofing repairs, switch gear replacement at Concourse G, and fire main replacement at buildings 890, 891, and 896.* The funding sources are FDOT funds, Federal Aviation Administration, and Reserve Maintenance Fund. Total expenditures for this project are \$435,157,000.

The Plan describes Project #2000000095 (MIA South Terminal Improvements) as to *enhance MIA's south terminal baggage handling system; replace roof in Concourse H; renovate Concourse H to include conversion of gates H12, H14, and H15 from domestic only gates to international capable arrival gates; and modify gate H15 to accommodate A-.380 aircraft to sustain airport growth and flexibility.* The funding sources are Aviation 2016 Commercial Paper,

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Research Notes**

Item No. 8A4

File No. 191664

Researcher: JFP Reviewer: TD

FDOT funds, Federal Aviation Administration, Future Financing, and Transportation Security Administration funds. Total expenditures for this project are \$406,424,000.

The Aviation Department prefers that the Prime consultants have a cumulative five years of experience within the last 20 years designing and modifying baggage systems at large hub United States airports or airports with similar baggage handling systems as those existing at MIA. The PSA includes a 20 percent (\$660,000) DBE-A/E goal. The DBE subconsultants are Gurri-Matute PA (5 percent - \$165,000), SDM Consulting Engineers, Inc. (7.5 percent - \$247,500), and Louis J. Aguirre & Associates, PA (7.5 percent - \$247,500). Other subconsultants are Mobio Architecture, Inc., Avcon, Inc., Jordim Engineering, LLC, Digital Building Services, LLC, and Montgomery Consulting Group, Inc.

Four proposals were received in response to the solicitation. The respondents were Ross & Baruzzini, Inc., JSM & Associates, LLC, BNP Associates, Inc., and Vic Thompson Company. BNP Associates, Inc. and its team were eliminated from further consideration for the solicitation due to their non-compliance with the DBE Program provisions. Following the competitive selection process, JSM & Associates was ranked first.

According to a July 15, 2019 search on sunbiz.org, the official State of Florida Division of Corporations website, JSM & Associates LLC is a Florida Limited Liability Company with a principal address of 730 E 5th Avenue, Mount Dora, FL. The firm has a local address—9550 NW 12th Street, Suite 15, Doral, FL—which OCA verified on the Tax Collector’s database. The firm holds a Certificate of Authorization license type per information found on July 15, 2019 on the website of the Florida Department of Business & Professional Regulation.

Pursuant to Resolution No. R-421-16, a performance record verification was conducted in the Capital Improvements Information System on July 15, 2019, finding that JSM & Associates, LLC has one evaluation with a rating of 3.8 out of a possible 4.0.

APPLICABLE LEGISLATION/POLICY

Section 287.055 of the Florida Statutes sets forth the Consultants’ Competitive Negotiation Act, governing the processes for the acquisition of professional architectural, engineering, landscape architectural or surveying and mapping services.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/0287.html

Section 2-10.4 of the County Code governs the County’s acquisition of professional architectural, engineering, landscape architectural or land surveying and mapping services.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Section 2-10.4.01 of the County Code sets forth the County’s Small Business Enterprise Architecture and Engineering Program.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4.01SMBUENARENPR

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File No. 191664**

Researcher: JFP Reviewer: TD

Section 2-8.1 of the County Code requires that the award recommendation memorandum presented to the Board identify each dedicated allowance, contingency allowance and additional services allowance including the specific purpose for each and the dollar amount that shall be available for each and the corresponding percentage of each dedicated allowance, contingency allowance and additional services allowance in relation to the actual contract price.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-8.3 of the County Code (County Mayor's Recommendation) states that whenever a competitive process is utilized for selection of a contractor, vendor, consultant, tenant or concessionaire, the County Mayor shall review the responses to the solicitation and recommend to the County Commission award or other appropriate action. Such recommendation shall be in writing and shall be filed with the Clerk of the Board, with copies mailed to all participants in the competitive process, no later than 10 days prior to any Commission meeting at which such recommendation is scheduled to be presented. Such recommendation shall be accompanied by a memorandum from the County Mayor that clearly identifies any and all delegations of Board authority contained in the body of the proposed contract.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.3MARE

Ordinance No. 14-79, adopted September 3, 2014, requires that all agenda items related to planning, design and construction of County infrastructure include a statement that the impact of sea level rise has been considered.

<http://intra/gia/matter.asp?matter=141211&file=true&yearFolder=Y2014>

Implementing Order No. 3-34 establishes procedures for the formation and performance of selection committees in the competitive procurement process, including competitive selection committees utilized in the acquisition of architectural and engineering professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-34.pdf>

Implementing Order No. 8-8 sets forth the Sustainable Buildings Program, requiring the County to incorporate sustainable development building measures into the design, construction, renovation and maintenance of County-owned, County-financed and County-operated buildings.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO8-8.pdf>

Administrative Order No. 3-39 establishes the County's policies and procedures for user departments for the construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Resolution No. R-187-12, adopted February 21, 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-421-16, adopted May 17, 2016, requires the County Mayor or the County Mayor's designee to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work.

<http://intra/gia/matter.asp?matter=160124&file=true&yearFolder=Y2016>

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Researcher: JFP Reviewer: TD

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

<http://intra/gia/matter.asp?matter=182536&file=true&yearFolder=Y2018>

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Item No. 8F1
File No. 191811

Researcher: LE Reviewer: TD

RESOLUTION APPROVING AWARD OF CONSTRUCTION CONTRACT TO LUNACON CONSTRUCTION GROUP, CORP. FOR THE LARCENIA J. BULLARD PLAZA PROJECT NO. Z00099A-R GOB ESP/CONTRACT NO. Z00099A-R, IN AN AMOUNT NOT TO EXCEED \$6,155,005.00 FUNDED IN PART FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM FUNDS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE CONSTRUCTION CONTRACT, TO EXERCISE ANY AND ALL RIGHTS CONTAINED THEREIN, AND TO ENFORCE ALL TERMS AND CONDITIONS THEREOF [SEE AGENDA ITEM NO. 5A]

ISSUE/REQUESTED ACTION

Whether the Board should approve the award of construction contract to Lunacon Engineering Group, Corp. dba Lunacon Construction Group, Corp. to construct the Larcenia J. Bullard Plaza for a total of \$6,155,005 for a term of 480 calendar days.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

ANALYSIS

The purpose of this item is to approve the award of a construction contract to Lunacon Construction Group, Corp. for Project No. Z00099A-R GOB ESP to construct the Larcenia J. Bullard Plaza, in an amount not to exceed \$6,155,005 for a total contract period of 480 days.

The fiscal impact for the project is \$6,155,005, which consists of \$4,850,005 from the Redevelopment of Richmond Heights Shopping Center, \$489,000 from the West Perrine Senior Center, \$725,000 from GOB Infrastructure Improvements, and \$91,000 from the Quality Neighborhood Improvement Program 2017. This is a GOB project.

Resolution No. R-917-04 lists projects eligible for funding from the Building Better Communities General Obligation Bond Program. One of the projects included in the list is Project No. 321 – Redevelopment-Richmond Heights Shopping Center” with a project description that provides “Redevelopment of the Richmond Heights Shopping Center into a multi-use facility” and an allocation of \$3,600,000. The Bond Program also includes Project No. 326 – “Acquire or construct multi-purpose facilities for various uses” with an allocation of \$4,500,000. The County purchased one of the parcels for the development of the shopping center, and subsequently purchased two additional parcels.

In 2008, the national economic slowdown and the declining housing market had a significant adverse impact on the local labor market. Among the various labor sectors experiencing a decline in jobs, the construction industry was one of the hardest hit. In response to this economic slowdown, the County identified a number of projects that could be fast-tracked, as part of a comprehensive Economic Stimulus Plan. Resolution No. R-851-08, adopted by the Board on July 17, 2008, approved a list of capital projects included in the County’s Economic Stimulus Plan. The construction of the Richmond Heights Shopping Center was included in this list.

Resolution No. R-487-14, adopted by the Board on June 3, 2014, renamed the Richmond Heights Shopping Center as the Larcenia J. Bullard Plaza. The proposed Larcenia J. Bullard Plaza is located at 14518 and 14508 Lincoln Boulevard, in Commission District 9, represented by Dennis C. Moss, on approximately 1 acre (43,483 sq. ft.). Once development is completed, the Plaza will consist of a two-story building with approximately 14,000 square feet of total constructed area. The first floor will be dedicated to a South Miami-Dade Black History Area, gallery/exhibit space, retail/dry

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goods space, and support space, including restrooms, and storage space. The second floor will have offices to house the Richmond Heights Community Development Corporation, the designated manager for the Plaza.

Resolution No. R-638-18, adopted by the Board on June 19, 2018, approved as a Governmental Facility the development plan for the Larcenia J. Bullard Plaza located at 14518 and 14508 Lincoln Boulevard, in compliance with Section 33-303 of the Code of Miami-Dade County.

An Invitation to Bid was issued on November 16, 2018 for the purpose of obtaining services to construct the two-story multi-use facility. Three bids were received on January 10, 2019; however the lowest responsive bid was 44 percent higher than the project budget estimate developed by the architect of record. Negotiations with the lowest bidder took place on January 29, 2019 in an attempt to reach a price within the project estimate, but the negotiations were unsuccessful. Resolution No. R-252-19 approved a rejection of all bids received in response to invitation to bid No. Z00099A for the construction of the Larcenia J. Bullard Plaza. The lowest bidder was Stonehenge Construction, LLC with an advertised value of \$4,156,190.

The resolicited project resulted in the receipt of eight bids in response to the solicitation from the following firms:

- AARYA Construction and Design, Inc.
- Builcore, Inc.
- Burke Construction Group, Inc.
- Critical Path Services, Inc.
- Lemartec Corporation
- Lunacon Construction Group, Corp.
- Stonehenge Construction, LLC.
- West Construction, Inc.

Lunacon Construction Group, Corp. was the lowest responsible bidder with the contract amount of \$6,155,005, which includes a Deductive Alternate 1 Food Service Moveable Equipment, five percent contingency and two percent permit fees. Lunacon's bid was \$364,792 or six percent lower than the lowest bid in the first solicitation and 38 percent above the advertised estimate.

The subcontractors and suppliers involved with the project are listed below:

- Quamec Corp.
- Volt Electric Corp.
- Al Hill Plumbing Corp.
- Luis and Luigi Concrete, LLC
- JJAS Door Installations, Inc.
- All Dade Fences, Inc.
- Five Star Roofing Corp.
- Sunshine State Air Conditioning, Inc.
- A&B Pipe and Supply, Inc./Global Distribution Industries
- TJ Precast Corp.

The small business measures assigned to the contract are a SBE/CONST of 19.92 percent and a SBE-G&S of 1.76 percent.

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Lunacon maintains an active status on Sunbiz.org, the official website of the Division of Corporations for the State of Florida, with a principal address of 16890 South Dixie Hwy, Miami, FL 33157. Additionally, Lunacon has an active account with the Miami-Dade County Tax Collector's office.

The Florida Department of Business and Professional Regulation (DBPR), confirms that the firm has an active certified general contractor license.

Lunacon Construction Group, Corp. has been awarded two contracts with the County in the last three years for a total amount of \$8,936,130. Based on information found in the Capital Improvements Information System (CIIS) on July 18, 2019, the firm has an evaluation count of 3 with an average evaluation score of 3.4 out of a possible maximum score of 4.0.

OCA used Westlaw search engine and found an ongoing lawsuit, Dillon Pools, Inc. vs. Lunacon Engineering Group, Inc. and the City of Miami Springs. The action is for damages in excess of \$15,000. Dillon Pools, Inc. agreed to perform certain improvements at a project in exchange for \$836,869.32. The subcontract has remaining unpaid balance of \$147,162.12. Payments were due in full on November 4, 2016 and Lunacon Engineering Group, Inc. has breached the agreement between them and Dillon Pools, Inc. with untimely payment and refusal to pay. The total amount Lunacon owes Dillon Pools, Inc. is \$147,162.12 for the labor, services, or material furnished under the subcontract, interest on the fees, and attorney fees; Lunacon refuses to pay. The City of Miami Spring's motion to dismiss states that the unjust enrichment claim must be dismissed because Dillon Pools is seeking funds for extra work that was not a part of an approved change order by the City of Miami Springs.

ADDITIONAL INFORMATION

Below are aerial views of the parcels bought by the County for the plaza:



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APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 33-303, provides that, prior to the construction or operation of a governmental facility in the unincorporated areas of Miami-Dade County, a public hearing before the Board is required. “At the public hearing the Board of County Commissioners shall consider, among other factors, they type of function involved, the public need therefor, the existing l and use pattern in the area, alternative locations for the facility and the nature or the impact of the facility on surrounding properties.”

http://miamidade.fl.elaws.us/code/coor_ptiii_ch33_artxxxvi_sec33-303

Resolution No. R-917-04, adopted July 20, 2004 provided for holding of a General Obligation Special Election in Miami-Dade County on November 2, 2004 with respect to authorization of not exceeding \$255,070,000 General Obligation Bonds of the County to construct and improve public service outreach facilities.

<http://intra/gia/matter.asp?matter=042289&file=false&yearFolder=Y2004>

Resolution No. R-851-08, adopted July 17, 2008, approved a list of capital projects included in the County’s Economic Stimulus Plan.

<http://intra/gia/matter.asp?matter=082273&file=false&yearFolder=Y2008>

Resolution No. R-487-14, adopted June 3, 2014, renames the Richmond Heights Shopping Center located on Lincoln Boulevard and Carver Drive in Miami-Dade, as the Larcenia J. Bullard Plaza.

<http://intra/gia/matter.asp?matter=141078&file=true&yearFolder=Y2014>

Resolution No. R-40-15, adopted January 21, 2015, approved an allocation of \$4.5 million from the Building Better Communities General Obligation Bond Program Project Number 326 – “Acquire or Construct Multi-Purpose Facilities” to fund the development of the Richmond Heights Shopping Center buy Miami-Dade County.

<http://intra/gia/matter.asp?matter=142363&file=true&yearFolder=Y2014>

Resolution No. R-638-18, adopted June 19, 2018, approved as a Governmental Facility the development plan for the Larcenia J. Bullard Plaza located at 14518 and 14508 Lincoln Boulevard, in compliance with Section 33-303 of the Code of Miami-Dade County.

<http://intra/gia/matter.asp?matter=181257&file=true&yearFolder=Y2018>

Resolution No. R-252-19, adopted March 5, 2019, approved a rejection of all bids received in response to invitation to bid No. Z00099A for the construction of the Larcenia J. Bullard Plaza. The purpose of the bid was to obtain services to construct a new two-story multi-use facility.

<http://intra/gia/matter.asp?matter=190314&file=true&yearFolder=Y2019>

Section 2-8.2.7 provides an expedited process such as not requiring committee review to award certain contracts that have the express purpose of stimulating the local economy.

[https://library.municode.com/fl/miami -
_dade county/codes/code of ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7ECSTOR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.2.7ECSTOR)

Ordinance No. 08-92, adopted July 17, 2008, creates a process to expedite certain capital development projects through resolution.

<http://intra/gia/matter.asp?matter=082311&file=false&yearFolder=Y2008>

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Resolution No. R-832-15, adopted October 6, 2015, adds certain capital projects to the approved list of Economic Stimulus Projects.

<http://intra/gia/matter.asp?matter=151977&file=true&yearFolder=Y2015>

Resolution No. R-421-16, adopted by the Board on May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor's work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Resolution No. R-187-12, adopted February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

Resolution No. R-1181-18, adopted November 8, 2018, directs the County Mayor to: (1) consider safety records of prospective contractors and first-tier subcontractors for public construction projects; and (2) confirm that the safety records of recommended contractors and first-tier subcontractors were considered and report any instances where the safety record may adversely affect a finding of contractor responsibility in award memorandum to the Board.

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**Item No. 8F2
File No. 191695**

Researcher: PGE Reviewer: TD

RESOLUTION RATIFYING AN EMERGENCY PURCHASE IN THE AMOUNT OF \$1,098,860.00 AND AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN THE AMOUNT OF \$7,248,056.00 FOR THE CURRENT TERM AND FOR THE OPTION TO RENEW TERM FOR THE SHOTSPOTTER ACOUSTIC GUNSHOT DETECTION SOLUTION FOR CONTRACT NO. RFP-00327 FOR THE MIAMI-DADE POLICE DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should ratify an emergency purchase of \$1,098,860 and authorize additional expenditure authority of \$7,248,056 for the current term and for the option to renew term for the Police Department's ShotSpotter acoustic gunshot detection solution contract.

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

This item was considered at the July 15, 2019 meeting of the Public Safety and Rehabilitation Committee wherein it was waived to the July 23, 2019 meeting of the Board of County Commissioners.

ANALYSIS

The purpose of this item is to obtain Board ratification of an emergency purchase valued at \$1,098,860 as well as Board approval to increase expenditure authority by \$7,248,056 under the County's contract with ShotSpotter, Inc. to expand the Police Department's acoustic gunshot detection program. On September 20, 2016, pursuant to Resolution No. R-845-16, the Board approved the award of Contract No. RFP-00327 to ShotSpotter, Inc. for provision of an acoustic gunshot detection solution for the Police Department in a total amount of \$5,635,994 for five years plus one, five-year option to renew term.

The solution is used by the Police Department to detect gunshots in three high incident geographic zones located within unincorporated Miami-Dade County – one within the Northside District and two within the South District. The option to renew fees approved under the award total \$3,016,994. The contract permits optional additional gunshot detection zones for \$69,000 per square mile.

Under the contract, ShotSpotter, Inc. shall provide hardware and software, hosting services, implementation, installation, training and ongoing maintenance and technical support services for the operation of the gunshot detection solution. Where possible, the solution's acoustic sensors are mounted on rooftops away from traffic. Once a gunshot incident is confirmed, notification is provided to the Police Department's Real Time Crime Center via a secure incident review portal. Such notification contains information regarding latitude and longitude, street address, the exact time and number of shots fired, shooter position, speed and direction of travel as well as gunshot incident history and pattern analysis.

On July 10, 2018, through Resolution No. R-736-18, the Board directed the County Mayor to develop a plan to increase the location of ShotSpotters in areas of additional concern. On December 18, 2018, the Board approved a motion that

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directed the County Mayor to expand the ShotSpotter to three additional areas of concern – in the Northside, South and Intracoastal Districts. Based on a mayoral report issued on February 26, 2019, since its April 2017 launch, there have been 76 arrests (i.e., 29 on-scene and 47 post on-scene investigation arrests) due to the implantation of the gunshot detection solution.

Resolution No. R-278-19, adopted on March 5, 2019, directed the County Mayor to determine the feasibility of implementing cameras and other technology, including, but not limited to license plate readers and surveillance cameras in the Northside District, South District and expansion locations, to enhance the effectiveness of the ShotSpotter System and provide a report to the Board. This agenda item responds to that directive by increasing the allocation needed to expand the gunshot detection solution program.

The contract's initial term expires on October 31, 2021 and is valued at \$3,717,859. As of July 10, 2019, the Blanket Purchase Order (BPO) shows that \$2,677,859 has been released of the \$3,717,859 allocated amount, leaving a balance of \$1,040,000.

Increased Spending Authority for Initial Term

This agenda item is requesting additional spending authority of \$2,024,884 for the initial term. If approved, the modified allocation for the initial term would be \$5,742,743. The increased spending will be used to cover additional areas of concern for the gunshot detection program, i.e., an additional 13.85 square miles. If approved, the modified total mileage covered under the program would be 21.85 square miles. The additional miles fall within the Northside, South and Intracoastal Districts.

Emergency Purchase Ratification

On May 6, 2019, the Director of the Police Department declared an emergency purchase in the amount of \$1,098,860 for the ShotSpotter Expansion Project. Under Implementing Order 3-38, an emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order. The Declaration of Emergency Purchase Form signed by the Police Director explains that the ShotSpotter expansion project is a life safety item that proactively addresses gun violence throughout the three highest incident geographic zones located within the unincorporated County. The emergency purchase supports the Board's direction to expand the project to an additional 13.85 miles. The cost covers ShotSpotter annual subscription services for 13.85 square miles, service initiation and installation, SST onboarding, training and best practices.

Increased Spending for Option to Renew

The item is also requesting \$5,223,172 for the option term to cover services for the additional 13.85 miles of the expanded gun detection solution. There is a five percent escalation per each year of the five-year option to renew.

Breakdown of Requested Allocation

The table below summarizes the requested actions: (1) a ratification of \$1,098,860; (2) additional spending of \$2,024,884 for the initial term; and (3) an additional \$5,223,172 for the option to renew.

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Initial Term Value	Requested Increase for Initial Term	OTR Term Value	Requested Increase for OTR Term	Emergency Purchase Value	Cumulative Contract Value
\$2,619,000	\$2,024,884	\$3,016,994	\$5,223,172	\$1,098,860	\$13,982,910

DEPARTMENTAL INPUT

The following information was requested from the Internal Services Department on July 19, 2019. As of the time of publication of these research notes, the department has not provided a response.

- Since its launch, provide a breakdown per calendar year for the number of arrests attributable to the ShotSpotter acoustic gunshot detection and location system;
- What sounds, if any, other than gunfire does the system detect;
- Summarize any instance where the gunshot detection system provided an inaccurate incident location, explaining the cause of the inaccuracy; and
- Clarify if the sensors facilitating the location alerts are installed on residential rooftops.

APPLICABLE LEGISLATION/POLICY

Section 5.03(D) of the Home Rule Charter states that contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. The Board, upon written recommendation of the Mayor, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county.

<http://www.miamidade.gov/charter/library/charter.pdf>

Section 2-8.1 of the County Code requires formal sealed bids for all contracts and purchases when the transaction involves the expenditure of \$250,000 or more, except that the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-187-12, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-454-13, adopted June 4, 2013, directed the County Mayor to bring emergency contract ratifications to the Board within 120 days of such emergency and bring retroactive contract modifications to the Board within 120 days of modification.

<http://www.miamidade.gov/govaction/matter.asp?matter=131016&file=true&fileAnalysis=false&yearFolder=Y2013>

Resolution No. R-845-16, adopted September 20, 2016, approved the award of Contract No. RFP-00327 to ShotSpotter, Inc. for provision of an acoustic gunshot detection solution for the Police Department in a total amount of \$5,635,994 for five years plus one, five-year option to renew term.

<http://intra/gia/matter.asp?matter=161963&file=true&yearFolder=Y2016>

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Researcher: PGE Reviewer: TD

Resolution No. R-736-18, adopted on July 10, 2018, directed the County Mayor to develop a plan to increase the location of ShotSpotters in areas of additional concern.

<http://intra/gia/matter.asp?matter=181083&file=true&yearFolder=Y2018>

Resolution No. R-278-19, adopted on March 5, 2019, directed the County Mayor to determine the feasibility of implementing cameras and other technology to enhance the effectiveness of the ShotSpotter System and provide a report to the Board.

<http://intra/gia/matter.asp?matter=190222&file=true&yearFolder=Y2019>

Mayoral Report issued on December 18, 2018 related to the development of a plan to increase the location of ShotSpotters in areas of additional concern. The report recommended areas for expansion of the ShotSpotter solution.

<http://www.miamidade.gov/govaction/matter.asp?matter=182892&file=true&fileAnalysis=false&yearFolder=Y2018>

Mayoral Report issued on February 20, 2019 indicated that \$5,000,000 will be set-aside from the Homestead Exemption Mitigation Reserve to support funding the expansion of the ShotSpotter program, including associated equipment and infrastructure.

<http://www.miamidade.gov/mayor/library/memos-and-reports/2019/02/02.20.19-Use-of-Homestead-Exemption-Mitigation-Reserve.pdf>

Mayoral Report issued on February 26, 2019 responding to Directive 182892 communicates that the ShotSpotter is in three areas – one within the Northside District and two within the South District – and since its April 2017 launch, there have been 76 arrests (i.e., 29 on-scene and 47 post on-scene investigation arrests).

<http://www.miamidade.gov/mayor/library/memos-and-reports/2019/02/02.26.19-Report-on-ShotSpotter-Directive-182892.pdf>

Implementing Order 3-38 sets forth the County’s policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources. An emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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**Item No. 8F3
File No. 191474**

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00743 FOR THE RAILCAR WHEEL PRESS MACHINE FOR THE DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS FOR A ONE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$980,600.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDERS TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES CONTAINED IN EXHIBIT 1, AS AMENDED, OF THE PEOPLE'S TRANSPORTATION PLAN

ISSUE/REQUESTED ACTION

Whether the Board should approve award of *Contract No. FB-00743, Railcar Wheel Press Machine*, to BBM Railway Equipment, LLC for a one-year term in an amount up to \$980,600 for the Department of Transportation and Public Works (DTPW).

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item was forwarded to the BCC with a favorable recommendation by the Transportation and Finance Committee at its July 15, 2019 meeting. A request to waive the Board's Rules of Procedure to allow the proposed resolution to be heard at the July 23, 2019 BCC meeting was made in committee.

ANALYSIS

The purpose of this item is to establish a contract for DTPW, accommodating the removal of an existing railcar wheel press machine and the furnishing and installation of a new machine used for accurate positioning and mounting/demounting of the railcar wheels. There is no existing or previous County contract for wheel press procurement as the current wheel press machine was installed over 35 years ago. The aged machine is in constant need of repair and is often out of service for this purpose, rendering rail cars in need of the wheel press machine unavailable for public use.

The contract amount of up to \$980,600 for wheel press services is to be funded with Charter County Transportation Surtax funds. Pursuant to Section 29-124(f) of the County Code, the Citizens' Independent Transportation Trust forwarded a favorable recommendation of this item to the Board on June 20, 2019.

The method of award was to the responsible bidder with the lowest priced responsive bid. 827 vendors were notified of the solicitation, with two vendors responding. The recommended awardee is BBM Railway Equipment, LLC, a non-local vendor with the lowest price responsive bid. The second vendor, also non-local, was not recommended for award due to being deemed non-responsible.

A July 18, 2019 search of Sunbiz.org, the official State of Florida website for the Department of State Division of Corporations, revealed that BBM Railway Equipment, LLC is not listed as registered to do business in Florida. Its principal address is 3200 Innovation Place, Youngstown, Ohio. A search on the Business Management Workforce System conducted on July 18, 2019 under the pertinent commodity code, 92950 - Machinery and Heavy Hardware Maintenance and Repair, yielded the following local certified small business firm:

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Researcher: JFP Reviewer: TD

- Pinon Machine Shop

Note that the Mayoral Memorandum indicates the Small Business Development Division advised that there were no certified Small Business Enterprise firms under this commodity code. It is unclear from the item, however, whether Pinon Machine Shop is capable of providing wheel press scope of services.

Below is an image of a BBM wheel press machine.



ADDITIONAL INFORMATION

BBM Railway Equipment, LLC

BBM Railway Equipment, LLC, a member of the Brilex Group of Companies, was established in 2011 through a joint venture agreement between Brilex Industries, Inc., Youngstown, Ohio and Officine Meccaniche BBM, S.p.A. Italy. By implementing proven, cutting-edge rail technology from Italy and the manufacturing experience of Brilex Industries, Inc., BBM Railway Equipment, LLC provides state-of-the-art, advanced equipment and services to North American railways.

<https://www.bbm-railway.com/>

Half Penny Charter County Sales Surtax/The People's Transportation Plan

<https://www.miamidade.gov/publicworks/peoples-transportation.asp>

<http://www.miamidade.gov/citt/peoples-transportation-plan.asp>

APPLICABLE LEGISLATION/POLICY

Section 29-124(f) of the County Code states that no surtax proceeds may be used to pay the costs of a contract unless the Trust has submitted a recommendation to the County Commission regarding said contract award.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIIICOOOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR

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**Item No. 8F3
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Researcher: JFP Reviewer: TD

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-477-18, adopted May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Resolution No. R-187-12, adopted February 21 2012, directed the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-716-12, adopted September 4, 2012, requires identification of small business enterprise firms in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-1011-15, adopted November 3, 2015, directed the County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ in memoranda to the Board pertaining to vendors being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

Implementing Order 3-38 sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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Research Notes**

**Item No. 11A8
File No. 191794**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING A DEVELOPMENT LEASE AGREEMENT ("AGREEMENT") BETWEEN MIAMI-DADE COUNTY AND WMD TAMIAMI LLC ("WMD"), FOR LEASE OF APPROXIMATELY 34 ACRES AT MIAMI EXECUTIVE AIRPORT ("TMB") FOR A TERM OF THREE YEARS, WITH RENT TO THE COUNTY OF \$2,450,000.00 AGGREGATED ACROSS THE TERM OF THE LEASE, AND PROVIDING FOR AN INVESTMENT OF \$60,000,000.00 IN DEVELOPMENT BY WMD; APPROVING A SUBSEQUENT OCCUPANCY LEASE AGREEMENT ("LEASE") FOR A TERM OF 50 YEARS, AND FOR A PROJECTED ANNUAL RENT PAYMENT TO THE COUNTY OF \$2,800,000.00; AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONFERRED THEREIN, INCLUDING TERMINATION, AND TO PERFORM ALL ACTS NECESSARY TO EFFECTUATE SAME; WAIVING THE PROVISIONS OF RESOLUTION NO. R-273-15 AS IT RELATES TO INSURANCE FOR SUB-TENANTS

ISSUE/REQUESTED ACTION

Whether the Board should approve a lease agreement between Miami-Dade County and WMD Tamiami LLC (WMD), for a lease of approximately 34 acres at Miami Executive Airport (TMB) and approving a subsequent occupancy lease for a 50 year term.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Joe A. Martinez, Commission District 11

Department/Requester: None

This item was brought before the TAPS Committee on July 16, 2019, and was forwarded to the BCC with a favorable recommendation.

- Commissioner Rebecca Sosa stated that this is the type of procurement that is not good when it is delayed.
- Commissioner Dennis C. Moss stated that these types of procurements cannot take so long, we need to move faster on these procurements that are going to create jobs.

ANALYSIS

The purpose of this item is for the Board to approve two separate lease agreements simultaneously with WMD authorized pursuant to Section 125.35 and 125.012 of the Florida Statutes due to the land associated with each agreement is part of TMB. Lease agreement 1 is a three year developmental lease agreement where WMD will finance, permit, design, and construct commercial and retail facilities within the premises in two phases. The first phase will be developed on the south side of S.W. 128 Street and second phase is to be developed on the north side of S.W. 128 Street. The second agreement is a fifty year lease occupancy agreement entitled: "Fifty Year Lease Agreement between the County and WMD as lessee for the premises at Miami-Executive Airport.

The fiscal impact of the 3-year development lease agreement generates revenues to the County throughout the three-year period while the infrastructure is being constructed, as will the 50-year occupancy agreement throughout the fifty year occupancy period of the newly constructed commercial and retail facilities. WMD will be the county annual land rent of \$350,000 during the first year, \$700,000 during the second year, and \$1,400,000 during the third year. WMD will have to invest a total of \$60,000,000 to develop the approximate 34 acres. The 50-year occupancy agreement will yield a projected annual land rent of \$2,800,000, which will increase by 2.5 percent and the County is also slated to

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receive two percent of the amount of the gross revenues. The property will be subject to an appraisal review every 10 years.

In 2007 an RFP was advertise pursuant to Resolution No. R-650-07 for a Public Private Investor Projects (PPIPs) to develop designated parcels of land at MIA and/or TMB. On June 5, 2007 MDAD advertised RFP No. MDAD-06-03 seeking proposals from qualified investors to finance, construct, renovate, manage and/or operate projects at both MIA and at TMB. Two firms responded and the competitive selection committee (CSC) used a Net Present Value (NPV) formula to calculate the NPV of the proposed development project.

Firm	Technical Points	Rank based on Technical	Price based on NPV	Points based on NPV	Adjusted Score	Overall Ranking
TA 137 th Avenue Associa tes	5,467	2	\$14,384,091	1,823	7,290	2
WMD Tamia mi	5,525	1	\$15,782,207	2,000	7,525	1

In March 2008, the CSC recommended to enter into negotiation with the highest-ranked proposer (WMD) was approved, and the first rounds of negotiations the following month. Various complex issues concerning land values, market values (rent), limitations on increases in land rent adjustments, additional rent payments for improvements after passage of the amortization period and transfer fees, if the lease interest is transferred or sold. Concurrently, the real estate economy collapsed along with the general economy nationwide and although the economy showed signs of improvement in 2012 bank loans to construct projects were again becoming available. Zoning challenges that took time to resolve and a Federal Aviation Administration (FAA) also took time reviewing the occupancy lease agreement and would not accept any lease greater than 50 years. This resulted in a renegotiation between WMD and MDAD making for a total 53 year term divided into two phases. After a lengthy review the FAA accepted the amended lease term.

Firm	Sunbiz	West Law
WMD Tamiami LLC	Principal Address: 3200 N. Military Trail, 4 th Floor, Boca Raton, FL 33431 Active	No Cases

WMD will be required to relocate existing airport structures at its own cost, install new fences and create traffic circulation patterns separating WMD's facilities from MDAD activities at TMB; install secondary access roadways to the north and south of the development areas for use by MDAD and emergency response vehicles; install a sidewalk along S.W. 137 Avenue that is compatible with the proposed community-friendly sidewalk surrounding TMB, and compliance with all FAA and MDAD requirements.

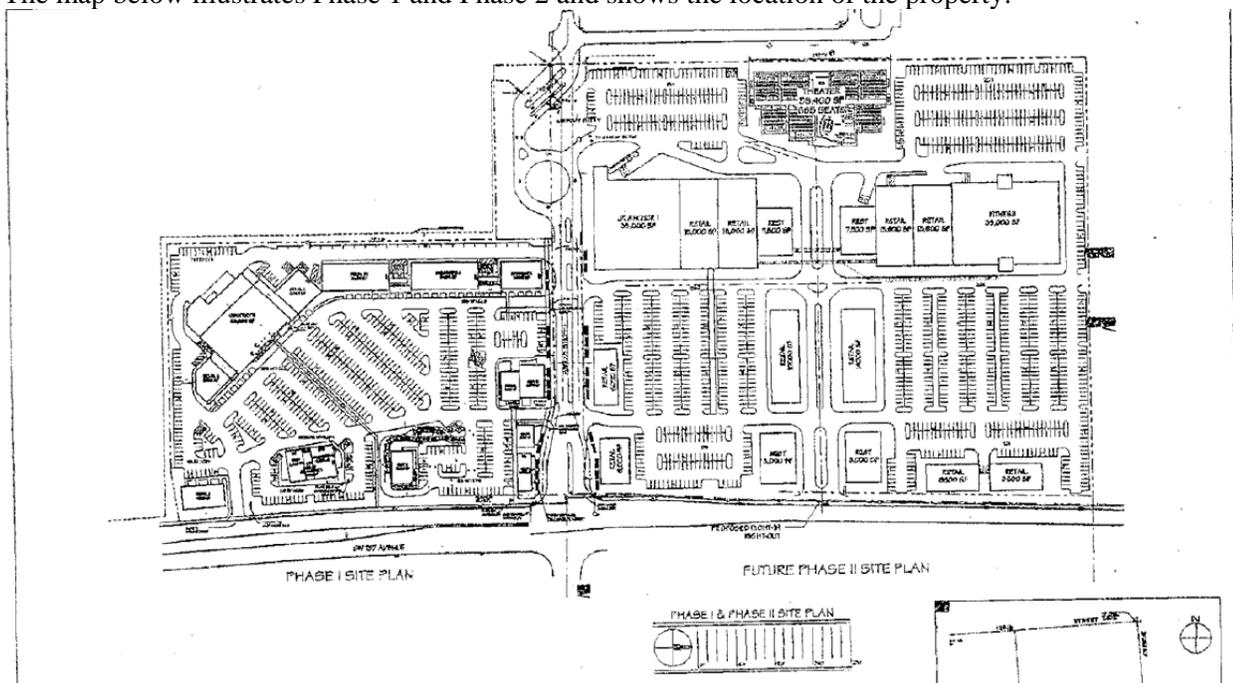
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All improvements made on the premises by the tenant shall become part of the premises and shall be property of (an all depreciation deductions and like benefits associated therewith may be taken by) Lessee or its sub lessees, but such Improvements shall become the property of the County at the end of the Term or upon the earlier termination of this agreement. At the County's request, Lessee shall execute in favor of the County appropriate documentation that conveys its interest in the Improvements to the County free and clear of any liens or encumbrances within thirty (30) days after the end of the term or the date of any earlier termination of this agreement.

The map below illustrates Phase 1 and Phase 2 and shows the location of the property.



DEPARTMENTAL INPUT:

The following questions were asked to MDAD on July 18, 2019,

- How many jobs will this item create? **During Construction 200-240 jobs, when the center is fully complete and open it will create between 700 and 900, varies based on restaurants.**
- Is there impact on vehicular and aircraft traffic? **Adding one lane in each direction to SW 128th Street will maintain and potentially improve the existing Level of Service being experienced by the airport employees and customers, and, will significantly contribute to the mobility of the area once Aviation Square is built out.**
- Will the construction affect flight schedules arriving and departing TMB? **There will be no impact on arriving or departing flights, we are not in the flight paths.**

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APPLICABLE LEGISLATION/POLICY

Section 125.012 of the Florida Statutes, Project facilities; general powers and duties - To pledge by resolution or contract the revenues arising from the operation of any project or projects owned and operated by the county to the payment of the cost of operation, maintenance, repair, improvement, extension, or enlargement of the project or projects from the operation of which such revenues are received and for the payment of principal and interest on bonds issued in connection with any such project or projects; and to combine for financing purposes any two or more projects constructed or acquired by the County.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.012.html

Section 125.35 of the Florida Statutes, County authorized to sell real and personal property and to lease real property, The board of county commissioners is expressly authorized to sell and convey any real or personal property, and to lease real property, belonging to the county, whenever the board determines that it is to the best interest of the county to do so, to the highest and best bidder for the particular use the board deems to be the highest and best, for such length of term and such conditions as the governing body may in its discretion determine.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.35.html

Florida Statutes Section 125.38 states that the Board of County Commissioners may if satisfied that such property is required for such use and is not needed for county purposes, may convey or lease the same at private sale to the applicant for such price, whether nominal or otherwise, as such board may fix, regardless of the actual value of such property. The fact of such application being made, the purpose for which such property is to be used, and the price or rent therefor shall be set out in a resolution duly adopted by such board. In case of a lease, the term of such lease shall be recited in the resolution. No advertisement shall be required.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-650-07, adopted May 3, 2007, authorizes the Mayor to advertise a request for proposals relating to the availability of designated investment area parcels at both Miami International Airport and Kendall-Tamiami Executive Airport for Development of such parcels under terms to be negotiated between the County and the proposers offering the greater financial return to the Airport System.

<http://www.miamidade.gov/govaction/matter.asp?matter=071399&file=true&fileAnalysis=false&yearFolder=Y2007>

Resolution No. R-333-15, adopted April 21, 2015, established the County policy requiring disclosure of the market value of market rental in legislative items authorizing the conveyance or lease of County-owned property to promote disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-380-17, adopted April 4, 2017, requires that the County Mayor or County Mayor's designee provide written notification to District Commissioners in which County-owned property lies no less than four weeks prior to (1) any issuance of a request for proposal or expression of interest regarding the sale, lease, or development of such property or (2) placing any item on the agenda of the Board or any committee of the Board requesting the approval, sale, lease, or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

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Resolution No. R-461-13, adopted June 4, 2013, establishes County policy to require inclusion of a reverter or lease termination provision in conveyance documents when conveying County-owned property by sale or lease under Florida Statute section 125.38.

<http://intra/gia/matter.asp?matter=130909&file=true&yearFolder=Y2013>

Resolution No. R-791-14, adopted September 3, 2014, directing the Mayor or the Mayor's designee to provide the Miami-Dade County Property Appraiser a copy of all leases and operating agreements involving County-Owned property.

<http://www.miamidade.gov/govaction/matter.asp?matter=141723&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-256-13, adopted April 2, 2013, establishing County policy with respect to conveyances to not for profit corporations under Florida Statute Section 125.38, 1) to lease, rather than convey property, unless other compelling circumstances justify the conveyance of same, and 2) to include lease terms requiring a rental payment in lieu of paying taxes in the event that tax exempt status is achieved by the not-for-profit corporation, unless a hardship or other substantial reason exists for foregoing such payment.

<http://intra/gia/matter.asp?matter=130443&file=true&yearFolder=Y2013>

Administrative Order (A.O.) No 8-4 sets forth the County's processes and procedures for the sale, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification if applicable. Should a recommendation not be received from the Planning Advisory Board within the time period provided within this administrative order, the Planning Department Director will provide a recommendation on the proposal.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

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**Item No. 14A1
File No. 191734**

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR TO EXECUTE A PURCHASE AND SALES AGREEMENT BETWEEN MIAMI-DADE COUNTY, WARD TOWERS ASSISTED LIVING ASSOCIATES, LTD., A FLORIDA LIMITED PARTNERSHIP, AND MDHA DEVELOPMENT CORPORATION (MDHADC), A FLORIDA NOT-FOR-PROFIT CORPORATION, IN THE AMOUNT OF \$200,000, PLUS ALL CLOSING FEES AND COSTS IN AN AMOUNT NOT TO EXCEED \$15,000, RELATED TO THE TRANSFER OF THE PUBLIC HOUSING DEVELOPMENT KNOWN AS WARD TOWERS ASSISTED LIVING FACILITY TO THE COUNTY, TO EXERCISE ALL PROVISIONS, INCLUDING BUT NOT LIMITED TO, TERMINATION AND AMENDMENT PROVISIONS, CONTAINED THEREIN, TO EXECUTE AN ASSIGNMENT AND ASSUMPTION OF LEASES AND AN ASSIGNMENT AND ASSUMPTION OF SERVICE CONTRACTS, PERMITS AND WARRANTIES, TO ACCEPT A SPECIAL WARRANTY DEED FROM MDHA DEVELOPMENT CORPORATION, AND TO TAKE ALL OTHER NECESSARY STEPS TO EFFECTUATE THE TRANSFER OF THE WARD TOWERS ASSISTED LIVING FACILITY TO THE COUNTY, INCLUDING, BUT NOT LIMITED TO, RECEIVING FROM AND EXECUTING AN INSTRUMENT WITH MDHADC THAT ASSIGNS THE COUNTY DOCUMENTARY STAMP SURTAX PROGRAM LOAN IN THE AMOUNT OF \$6,500,000 BACK TO THE COUNTY; ALLOCATING UP TO \$215,000 OF DOCUMENTARY STAMP SURTAX FUNDS TO COVER THE PURCHASE PRICE AND RELATED FEES AND CLOSING COSTS; AND WAIVING THE REQUIREMENTS OF SECTION 2-10.4.2 OF THE CODE OF MIAMI-DADE COUNTY

ISSUE/REQUESTED ACTION

Whether the Board should authorize the purchase and sales agreement between the County and a public housing development in the amount of \$200,000 plus \$15,000 (totaling \$215,000) for closing fees and costs, in addition to executing certain leases, contracts, permits and warranties and allocate said \$215,000 in surtax funds to cover the transaction.

PROCEDURAL HISTORY

Prime Sponsor: Commission Chairwoman Audrey M. Edmonson

Department/Requester: Public Housing and Community Development (PHCD)

This item was heard at the Housing, Social Services and Economic Development Committee meeting of July 16, 2019 and waived to the BCC meeting of July 23, 2019 with a favorable recommendation. Below is a synopsis of the brief discussion that transpired between Commissioner Jean Monestime and PHCD Director Michael Liu.

- Commissioner Monestime stated he didn't remember seeing a similar item before, an asked whether it was standard practice that the County purchase properties similar to this one.
- Mr. Liu explained that the property was developed and the item should have been cleaned up in a 2008 resolution but because there was tax credit involved, the tax credit investors wanted to take advantage of tax credits under the low-income housing credit program. The expiration of the compliance period ends this year. Mr. Liu also stated the County has taken two years to negotiate this in order to take the property back – something that was originally intended in 2008. He also said the debt is owed to the County and that the County is assuming its own debt; also that the \$200,000 in the subject item covers the transaction costs.

ANALYSIS

The purpose of this resolution is to request Board approval to purchase a 100-unit affordable housing development, which is owned by Ward Towers Assisted Living Associates Ltd. (WTA), located in Commission District 3, represented by Chairwoman Audrey M. Edmonson. Per the mayor's memo, the property will continue to be operated as a housing facility

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for low-income residents. According to the mayor's memo, none of the residents will be displaced. Per a conversation with PHCD, OCA learned the building (Ward Towers ALF) never served as an ALF because the private investor group (WTA) did not file with the State of Florida for the required license through Agency for Health Care Administration.

The fiscal impact to the County is \$215,000, which will go toward fees, costs and an indemnity bond; the County will assume the outstanding \$6,500,000 surtax loan. This outstanding loan will be modified by an additional \$215,000, which will be added \$6,500,000. Through the proposed purchase of the property the County will assume the outstanding Surtax debt, which will be satisfied from property cash flows.

The requested purchase and sales agreement consists of the following terms:

- A purchase and sales agreement among the County, Ward Towers Assisted Living Associates, Ltd. (WTA), a Florida limited partnership, and MDHA Development Corporation (MDHADC), in the amount of \$200,000 plus \$15,000 for closing fees and costs.
- Execute an Assignment and Assumption of Leases
- Execute an Assignment and Assumption of Service Contracts, Permits, and Warranties
- Accept a Special Warranty Deed conveying the project from MDHADC to the County, including receiving from and executing an instrument with MDHADC that assigns the Documentary Stamp Surtax program loan in the amount of \$6,500,000 to the County;
- Allocate up to \$215,000 of Documentary Stamp Surtax funds to cover the price and closing fees and costs associated with the transfer of the Project to the County; and
- Waive the provisions of Section 2-10.4.2(a) of the Code, which requires that whenever the County purchases, sells or is involved in a lease of real estate, whether as lessor or lessee, and the fee simple value of the property being bought or sold or the annual value of the property being leased is in excess of \$5,000,000, the County shall prior to consummating the purchase, sale or lease have the property appraised by two real estate appraisers holding the Member of the Appraisal Institute designation.

According to the mayor's memo, the County initially conveyed the property to MDHADC, a not-for-profit corporation created by the County through a county deed. Subsequently, MDHADC entered into a ground lease with Ward Towers Assisted Living Associates, which applied for the tax credit, and caused the construction of the Ward Towers Apartments. The County does not own the land or the improvements, but does serve as a property manager. In addition, the County provides public housing operating subsidy because Ward Towers is a public housing development owned by a private entity.

Pursuant to Resolution No. R-903-00, the BCC authorized the then-County manager to form a non-profit entity, known as MDHADC, in order to expedite the affordable housing needs in the County. This corporation then financed projects countywide with a mix of public and private funding, as well as Low Income Housing Tax Credits and bonds. Per the mayor's memo, MDHA Development Corporation has agreed to dissolve after the transaction has been completed.

OCA conducted due diligence on Ward Towers Assisted Living Facility on July 15, 2019 and below are the findings:

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Company Name	Location	Sunbiz.org	Tax Collector	Westlaw
Ward Towers Assisted Living Facility	5301 NW 23 Ave., Miami, FL 33142	Active; Established 2001	Paid https://miamidade.county-taxes.com/public/real_estate/parcels/30-3122-058-0011/bills/13347085	No open cases

DEPARTMENTAL INPUT:

The following questions were asked of PHCD on July 18, 2019, and the Department responded the same day; the responses are shown in **bold**.

- Of the 100 units in the building, how many are rented to elderly and/or disabled? **Of the 100 units there are currently 8 elderly individuals residing in the building and no disabled residents. The other 92 units are occupied by low-income residents.**
- Why did the private firm not apply for an Assisted Living Facility (ALF) license with the state? **PHCD has no record or knowledge as to why the private developers of the property opted not to apply with the State of Florida for the ALF designation and license. Neither the County nor PHCD have any insights or information as to why the application for the ALF was never filed by the developers of the property with the State of Florida.** When was the ALF license supposed to have been obtained and when was discovery made that it was not? **There was never a requirement for an ALF license to be obtained nor for the property to be operated as an ALF. The only requirement was that the property had to be operated as affordable multifamily housing for low-income residents which is how the property has and continues to be operated.** Was this a violation of state or federal law, given the use of surtax funds and the nonprofit component through MDHADC? **The developer had originally planned the site as an ALF at inception but changed course at some point during or shortly after the building was constructed. There is no Federal or state law that required them to apply and receive the license to operate the property as an ALF. There is also no condition on the use of Surtax funds that were loaned that required the property to be designated or operated as an ALF by the developer. The only condition on the Surtax funding was that the property must be operated as affordable multifamily housing for low-income residents.**
- Were there any local, state or federal or other benefit not realized because of the lack of proper licensure? **There are none.**
- Is the building currently in code compliance? **The property is currently in code compliance.** Please provide any violations within the last 5 years. **There have been no code violations within the past 5 years.**
- What are the advantages for the County to dissolve MDHADC? **The County is cleaning up the final outstanding issue that occurred under the “House of Lies” period of Miami-Dade Public Housing. The partnership is being dissolved because if the item is approved, the partnership will no longer have any financial or ownership interest in any properties that were developed with County financing or that have County participation.** Is this public housing transaction with private investors common? **Yes, what is known as “mixed finance transactions” are commonly used by public housing authorities (such as PHCD) as well as Counties (such as Miami-Dade) and private investors to finance and facilitate the development of affordable housing. These transactions are common practice throughout the United States and the State of Florida with very few, if any, low income housing projects being constructed in the United States that do not have this type of financing.**

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APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000.00; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by Implementing Order (I.O.) and approved by the Board.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-10.4.2(a) of the Code of Miami-Dade County (Appraisers Required for Purchases, Sales and Leases) applies whenever the County purchases, sells or is involved in a lease of real estate, whether as lessor or lessee, and the fee simple value of the property being bought or sold or the annual value of the property being leased is in excess of five million dollars, the County shall prior to consummating the purchase, sale or lease have the property appraised by two (2) real estate appraisers holding the M.A.I. designation.

https://library.municode.com/fl/miami_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-10.4.2APREPUSALE

Resolution No. R-641-98, adopted by the Board on June 16, 1998, authorized the county manager to apply for, receive and expend funds totaling approximately \$4.5 million to execute agreements

<http://intra/gia/matter.asp?matter=981431&file=false&yearFolder=Y1998>

Resolution No. R-903-00, adopted by the Board on July 27, 2000, authorized the County manager to form a Florida not-for-profit corporation to be known as the Miami-Dade Housing Agency (MDHA) Development Corporation as well as create subsidiaries and affiliated entities of such corporation.

<http://intra/gia/matter.asp?matter=001933&file=false&yearFolder=Y2000>

Resolution No. R-412-08, adopted by the Board on April 8, 2008, approved the transitional agreement with the MDHA Development Corporation (MDHADC), which provides for the return of property and related funding for affordable housing projects to the County and relinquishment of contracts and leases by MDHADC, provides for MDHADC to retain the Ward Towers and postmaster projects and related funding.

<http://intra/gia/matter.asp?matter=080806&file=true&yearFolder=Y2008>

Resolution No. R-502-17, adopted by the Board on May 2, 2017, authorized additional time of five years and expenditure authority in a total amount up to \$1,122,000 for prequalification pool No. RTQ-00073 for purchase and installation of room air conditioners for various county departments and authorizing the county mayor or county mayor's designee to solicit pricing, award contracts, exercise all provisions of the solicitation documents and any resulting contracts.

<http://intra/gia/matter.asp?matter=170786&file=true&yearFolder=Y2017>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the county mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

<http://www.miamidade.gov/govaction/matter.asp?matter=120561&file=true&yearFolder=Y2012>

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Item No. 14A1
File No. 191734

Researcher: MF Reviewer: TD

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department (ISD); the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

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Item No. 14A4
File No. 191652

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO SUBMIT AN AMENDMENT TO MIAMI-DADE COUNTY'S DISPOSITION AND/OR DEMOLITION APPLICATIONS TO THE UNITED STATES HOUSING AND URBAN DEVELOPMENT TO PERMIT RUDG, LLC OR ITS SUBSIDIARY, THE GALLERY AT SMATHERS PLAZA, LLC ("SUBSIDIARY"), TO CONSTRUCT A THIRD PHASE OF THE SMATHERS PLAZA REDEVELOPMENT PROJECT TO BE KNOWN AS THE GALLERY AT SMATHERS, TO EXECUTE, IN ACCORDANCE WITH SECTION 125.35, FLORIDA STATUTES, A 75-YEAR GROUND LEASE WITH AN ANNUAL RENTAL AMOUNT EQUAL TO \$30,000.00 (INCREASING ANNUALLY AT FOUR PERCENT) AND A ONE-TIME CAPITALIZED LEASE PAYMENT BETWEEN \$300,000.00 AND \$350,000.00 FOR A TOTAL BETWEEN \$13,758,941.00 AND \$13,808,941.00, TO EXECUTE A SUB-GROUND LEASE(S), TO EXERCISE ALL PROVISIONS CONTAINED IN THE GROUND LEASE AND SUB-GROUND LEASE(S), TO EXECUTE JOINDERS AND CONSENTS TO AN EASEMENT AGREEMENT BETWEEN SMATHERS PRESERVATION PHASE ONE, LLC AND SUBSIDIARY, AND AN EASEMENT AGREEMENT BETWEEN SMATHERS PHASE TWO, LLC AND SUBSIDIARY FOR THE PURPOSE OF GRANTING NON-EXCLUSIVE EASEMENTS TO THESE ENTITIES AND THE RESIDENTS TO AMONG OTHER THINGS ALLOW THEM TO ACCESS PARKING AND WALKWAYS, AND TO EXECUTE ALL NECESSARY MIXED-FINANCE AGREEMENTS, ALL OTHER DOCUMENTS RELATED TO THE GALLERY AT SMATHERS, AND AMENDMENT(S) TO THE ANNUAL CONTRIBUTION CONTRACT(S), SUBJECT TO THE UNITED STATES HOUSING AND URBAN DEVELOPMENT'S APPROVAL; AND WAIVING THE REQUIREMENTS OF RESOLUTION NO. R-130-06

ISSUE/REQUESTED ACTION

Whether the Board should authorize 1) the County Mayor (Mayor) to submit an amendment to Miami-Dade County's disposition and/or demolition application to the United States Housing and Urban Development (HUD) to permit RUDG, LLC or its subsidiary, the Gallery at Smathers Plaza, LLC (RUDG) to construct a third phase of the Smathers Plaza redevelopment project; 2) Authorize the Mayor to execute a 75-year ground lease with RUDG; 3) Authorize the Mayor to execute certain joinders and consents for the purpose of granting non-exclusive entities; 4) Waiving the requirements of Resolution No. R-130-06 which requires that all contracts must be fully negotiated and executed by a non-County party due to the fact that neither the County nor RUDG can execute any mixed-finance agreements without HUD's prior approval.

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Xavier L. Suarez, District 7

Requestor: Public Housing and Community Development (PHCD)

There is no procedural history for this item at this time.

ANALYSIS

The proposed resolution seeks Board authorization for the Mayor to amend the demolition HUD application for a 75 year ground lease (to RUDG) and sublease (Smathers Plaza), enter into mixed-finance agreements, waive the requirements for full negotiation and execution by non-County party among other dealings.

The fiscal impact is anticipated to be at approximately \$2.89 million in documentary stamp surtax funds. The amount can vary but will not exceed the previously mentioned amount. RUDG will pay the County an annual rental amount equal to \$30,000 (increasing annually at four percent) and a one-time capitalized lease between \$300,000 and \$350,000, related to the development of The Gallery at Smathers, for a total between \$13,758,941 and \$13,808,941. The total development cost for

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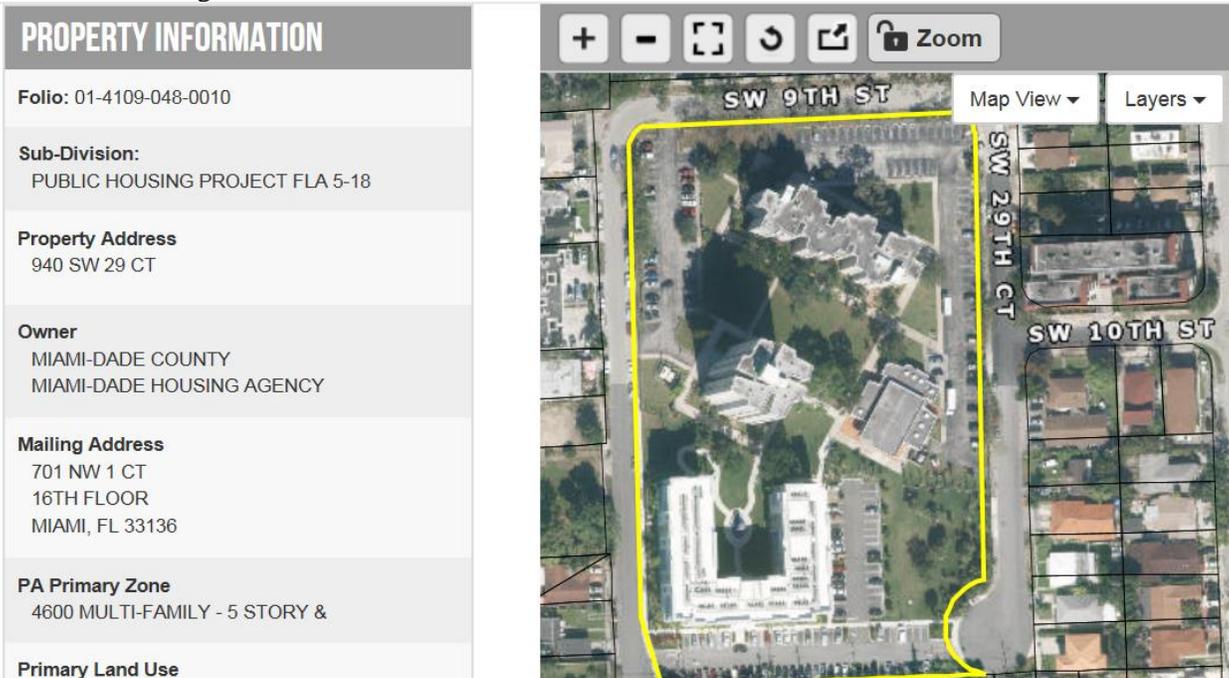
Researcher: IL Reviewer: TD

the affordable housing building consisting of 140 units is approximately \$31.3 million. The subject property is located at 940 SW 29th Court, Miami, FL 33135 in Commission District 7, represented by Commissioner Xavier L. Suarez.

The table below illustrates descriptive facts about the property:

Property (Legal Description)	Address	No. Of Units	Lot Size (Square ft.)	Market Value (2019) Property Appraiser
1)Public Housing Project FLA 5-18	940 SW 29 th Court Miami, FL 33135	315	220,478 sq-ft	\$10,983,000

Picture illustrating 940 SW 29th Court, Miami, FL 33135



A Request for Proposals (RFP) No. 794 was issued on July 14, 2011 with the purpose of soliciting proposals from developers to redevelop 100 existing public housing sites and vacant land sites administered by PHCD. On November 23, 2011 a site control through a master ground lease was issued to RUDG for the redevelopment of Smathers Plaza pursuant to R-1026-11. On December 16, 2014 the Board authorized the Mayor to submit a demolition and/or disposition application to HUD for Smathers Phase Two, a 133 unit building pursuant to resolution R-1114-14. On April 10, 2018, the Board authorized the County Mayor to proceed with Smathers Phase One, including the rehabilitation of 182 units pursuant to resolution R-336-18. Two applications were approved for Smathers Phase One and Smathers Phase Two on April 5, 2018 and April 7, 2015.

The Smather Plaza site originally consisted of a total of 5.68 acres however, subject to the HUD disposition the site was bifurcated in Smathers Phase One consisting of 3.48 acres and Smathers Phase Two consisting of 2.20 acres. An additional affordable housing and replacement of a community center is slated to take place and the land will be taken from Smathers Phase One (1.29acres from Phase One) and Smathers Phase Two (.44acres from Phase Two) for a total of 1.73 acres. A

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residential building with up to 140 units, amenities and a community center will be built on the 1.73 acres. The 140 units will be divided into 60 units for section 8 and 80 units eligible for affordable tax credit units. HUD requires that the County consult with residents who will be affected by the proposed action (demolition) and the County has met with residents and appointed resident councils on October 3, 2018.

Firm	Sunbiz	West Law
RUDG, LLC	Active Principal Address: 315 S. Biscayne Blvd, 3 rd Floor, Miami, FL 33131	Case No.2017-009509-CC-25 https://www2.miami-dadeclerk.com/ocs/Search.aspx Suit is against RUDG for breach of Contract, plaintiff seeks \$15,000 in payment for consulting work for affordable housing. Per the Clerk of Courts website the case is set for hearing on September 9, 2019. OCA is not aware if the case has been settled via settlement agreement as of July 16, 2019.
The Gallery at Smathers Plaza, LLC	Active Principal Address: 315 S. Biscayne Blvd, 4 th Floor, Miami, FL 33131	No cases
Smathers Preservation Phase One, LLC	Active Principal Address: 315 S. Biscayne Blvd, 4 th Floor, Miami, FL 33131	No cases
Smathers Phase Two, LLC	Active Principal Address: 315 S. Biscayne Blvd, Miami, FL 33131	No cases

DEPARTMENTAL INPUT

These questions were sent to the department on July 18, 2019

- Is RUDG/ Smathers Plaza LLC doing this type of work on any of the County’s other properties? **Currently RUDG is working on several PHCD projects which include Liberty Square, Smathers Plaza, and the Senior Campus redevelopment.**
- Has RUDG/Smathers Plaza LLC done this type of work for the County before? **RUDG has completed 9 similar projects for PHCD.**
- How was this company selected to do this work for PHCD? Was it competitive? **RUDG was selected through a competitive process in response to RFP 794 issued by PHCD on 2012.**
- There is an open case (Case No.2017-009509-CC/ Stone Soup Development, Inc. v. RUDG LLC) against RUDG for breach of contract in the amount of \$15,000, do you know if the case has been settled or resolved? According to **RUDG, the court docket indicates there is a Status Hearing scheduled for September 9, 2019.**

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APPLICABLE LEGISLATION/POLICY

Section 125.35 of the Florida Statutes

Sections 125.379(1) &(2) of the Florida Statutes (Disposition of county property for affordable housing), which requires each County in the State to prepare an inventory list of all real property within its jurisdiction to which the County holds fee simple title that is appropriate for use as affordable housing and properties identified as appropriate for use as affordable housing on the inventory list may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing.
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.379.html

Section 125.411 of the Florida Statutes (Conveyance of Land by County), sets forth the formality by which Deeds of Conveyance of lands are executed by County governments in the State of Florida.
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0125/Sections/0125.411.html

Section 17-103 of the County Code, governing the Administration and implementation of Miami-Dade County's Local Housing Assistance Program. The Housing Finance Authority of Miami-Dade County, Office of Community and Economic Development ("OCED"), Miami-Dade Housing Agency ("MDHA") shall be responsible for implementation and administration of the Local Housing Assistance Program. At a minimum, the Housing Finance Authority of Miami-Dade County, OCED, or Miami-Dade Housing Agency shall be responsible for Overseeing the receipt and expenditure of SHIP Program and other housing program funds assigned by the County Manager in accordance with applicable guidelines including the State Housing Initiatives Partnership Act and the Miami-Dade County Affordable Housing Program Guidelines; The cost of administering Miami-Dade County's Local Housing Assistance Program with SHIP Program funds shall not exceed ten (10) percent of the local housing distribution of SHIP Program funds deposited into the Local Housing Assistance Trust Fund.
https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH17HO_ARTVILOHOASPR_S17-103ADIMMIDECOLOHOASPR

Resolution No. R-376-11 (County Owned Real Property Affordable Housing) adopted May 3, 2011, directs that any resolution authorizing the rehabilitation, improvement or conveyance of County-owned real property appropriate for or to be used as affordable housing shall include detailed information on the property and the County's investment and future control.
<http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011>

Resolution No. R-1026-11, adopted November 23, 2011, authorizing the execution of ground lease agreement with RUDG, LLC for development of Miami-Dade County owned land to allow application to the Florida Housing Finance Corporation for nine percent low income housing credits.
<http://www.miamidade.gov/govaction/matter.asp?matter=112404&file=true&fileAnalysis=false&yearFolder=Y2011>

Resolution No. R-1114-14, adopted December 2, 2014, authorizing the County Mayor to execute a master development agreement, all necessary mixed-finance agreements and other documents with RUDG, LLC or its subsidiaries or designees for the development of phase two of the Smathers Plaza Public Housing Development, subject to the United States Department of Housing and Urban Development's approval; approving and authorizing the County Mayor to execute a ground lease and any additional ground leases that may be necessary to preserve site control of the development with Smathers Phase Two, LLC; authorizing the County Mayor to submit a disposition and/or demolition application and amendments to such application, as may be required, to United States Housing and Urban Development for Smathers Phase Two; and execute amendment(s) to annual contribution contract(s), subject to United States Department of Housing and Urban Development's approval

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<http://www.miamidade.gov/govaction/matter.asp?matter=142652&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-333-15 (Market Value or Market Rental in Legislative Items) adopted April 21, 2015, establishes a County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<http://intra/gia/matter.asp?matter=150446&file=true&yearFolder=Y2015>

Resolution No. R-336-18, adopted April 10, 2018, approving proposed fiscal year 2016 Documentary Stamp Surtax Housing Initiatives Partnership funding recommendation in an amount up to \$3,850,000 to the Related Urban Development Group (RUDG) LLC's Smathers Preservation Phase One, LLC for the development of a multi-family public housing rehabilitation rental development known as Smathers' Preservation Phase One.

<http://www.miamidade.gov/govaction/matter.asp?matter=180458&file=true&fileAnalysis=true&yearFolder=Y2018>

Resolution No. R-1291-18, adopted December 18, 2018, approving for purposes of section 147(F) of the Internal Revenue Code of 1986, as amended the issuance of multi-family housing revenue debt obligations by the Housing Finance Authority of Miami-Dade County (FLORIDA), in one or more series, in an amount not to exceed \$20,500,000, the proceeds of which will be loaned to the Gallery at Smathers Plaza, LLC to finance a portion of the costs of the acquisition and construction of a multi-family housing rental project known as The Gallery at Smathers Plaza

<http://www.miamidade.gov/govaction/matter.asp?matter=182845&file=true&fileAnalysis=false&yearFolder=Y2018>

Administrative Order No. 8-4 (Sale or Lease of County Real Property), adopted May 5, 1981, gives the Board the authority to sell or lease or otherwise dispose of County-owned real property:

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

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**Item No. 14A7
File No. 191521**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING, AFTER A PUBLIC HEARING, THE FISCAL YEAR 2019 ACTION PLAN WITH FUNDING RECOMMENDATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$10,886,157.00, HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS IN THE AMOUNT OF \$4,524,114.00, HOME PROGRAM INCOME IN THE AMOUNT OF \$1,759,078.59, AND EMERGENCY SOLUTIONS GRANT (ESG) PROGRAM FUNDS IN THE AMOUNT OF \$1,082,542.00; APPROVING SUBSTANTIAL AMENDMENTS TO THE FISCAL YEARS FY 2004-2018 ACTION PLANS AND THE CORRESPONDING FY 2003-2007, 2008-2012, AND 2013-2017 (AS EXTENDED THROUGH 2019) CONSOLIDATED PLANS FOR THE RECAPTURE AND REALLOCATION OF CDBG FUNDS IN THE AMOUNT OF \$1,251,226.82, HOME FUNDS IN THE AMOUNT OF \$1,286,823.26, HOME CHDO FUNDS IN THE AMOUNT OF \$24,604.10, HOUSING DEVELOPMENT GRANT PROGRAM INCOME IN THE AMOUNT OF \$1,613,176.74, AND ESG FUNDS IN THE AMOUNT OF \$274,045.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL STANDARD SHELL CONTRACTS, AMENDMENTS, STANDARD SHELL LOAN DOCUMENTS AND OTHER AGREEMENTS NECESSARY TO ACCOMPLISH THE PURPOSES OF THIS RESOLUTION, TO SUBORDINATE AND/OR MODIFY AGREEMENTS APPROVED HEREIN IN ACCORDANCE WITH CONDITIONS SET FORTH HEREIN; AND TO EXERCISE THE TERMINATION AND OTHER PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve: (1) the Fiscal Year 2019 Action Plan with recommendations for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME) and Emergency Solutions Grant Program (ESG) funds and (2) substantial amendments to the Fiscal Years 2004-18 Action Plans and the corresponding Fiscal Year 2003-07, 2008-12, and 2013-17 consolidated plans to recapture and reallocate certain funds.

PROCEDURAL HISTORY

Prime Sponsor: Housing, Social Services & Economic Development

Requester/Department: Public Housing and Community Development

The item was considered at the July 16, 2019 meeting of the Housing, Social Services and Economic Development Committee wherein it was waived to the July 23, 2019 meeting of the Board.

ANALYSIS

The purpose of this resolution is to secure CDBG, HOME and ESG funding through the Fiscal Year (FY) 2019 Action Plan, which must be submitted to HUD by August 16, 2019. More specifically, the FY 2019 Action Plan funding recommendations consist of \$10,886,157 of CDBG funds, HOME funds of \$4,524,114, HOME Program Income funds of \$1,759,079 and ESG funds of \$1,082,542. The FY 2019 Action Plan includes Commission District Fund allocations totaling \$899,268 for public service, public facilities/capital improvements, housing, and/or economic development activities. Note that \$2,049,142 of the \$10,886,157 CDBG funds will be slated for Section 108 Loan repayment. The Section 108 Loan Program involved \$40,000,000 for the purpose of creating a revolving loan fund for small businesses located in Targeted Urban Areas. For FY 2019, a financial obligation of \$2,049,142 is due to HUD for the Section 108 Program loan.

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The resolution also approves amendments to the FY 2004-18 Action Plans and the corresponding FY 2003-07, 2008-12, and 2013-17 (as extended through 2019) Consolidated Plans in order to recapture and reallocate \$1,251,227 of CDBG, \$1,286,823 of HOME, \$24,604 of HOME CHDO, \$1,613,176 of Housing Development Grant Program income and \$274,045 of ESG funds. These funds will be reallocated to economic development, public service, capital improvements, and housing activities.

The County is required to submit a Consolidated Plan to HUD relating to CDBG, HOME and ESG programs. The plan has four overall goals:

- Provide very-low and moderate-income households access to decent and affordable housing;
- Expand economic opportunities to create and retain jobs through business development;
- Provide adequate public facilities and public improvements to benefit low-to-moderate income areas and residents; and
- Provide access to public services (primarily senior services, services for the disabled, youth, substance abuse service, employment training and childcare).

The Plan addresses maintaining the existing affordable housing stock and increasing the availability of housing at an affordable cost to low-income and moderate-income families. The plan guides the coordination of the public housing grant process with the consolidated planning and application process. PHCD adheres to the required rule of a single consolidated submission for the planning and application aspects of the federal CDBG, HOME and ESG programs. The plan is updated on a regular basis as funds are reprogrammed through recapture and reallocation processes throughout the program year.

Under the FY 2019 Action Plan, projects and activities are recommended that meet the FY 2019 Request for Application minimum threshold requirements and scored 70 points or more for CDBG and HOME applications. ESG Shelter/Outreach applications had a maximum available score of 70 points with 70 percent required to meet the threshold. Failure to submit an Action Plan for FY 2019 by August 16, 2019 will result in the automatic loss of FY 2019 CDBG, HOME and ESG funds to the County. The FY 2019 Action Plan shows that no proposals were submitted for the HOME Single-Family Homeownership Rehabilitation category.

In terms of PHCD's recapture recommendations, per the mayoral memo, all entities with projects subject to recapture have been informed. Of the CDBG recaptured funds, \$26,195 are Commission District Fund allocations from Districts 2, 7 and 8. PHCD recommends recaptured HOME and HoDAG funds for the Fair Oaks, LLC and the HTG Paradises, LLC housing development applications that applied through the FY 2019 RFA.

DEPARTMENTAL INPUT

The following information was requested from the Public Housing and Community Development Department on July 19, 2019. Answers to questions have been bolded.

- Summarize any variations in the FY 2019 allocations from the Office of Community Planning and Development's formula programs compared to prior years, documenting any significant individual program funding reductions; **FY 2019 allocations have remained relatively flat compared to FY 2018.**

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- Of the \$40,000,000 maximum commitment amount under the Section 108 Loan Program, how much has the County borrowed and repaid; how many businesses in Targeted Urban Areas have been assisted by the Section 108 Loan Program, identifying the businesses that have defaulted;

Miami-Dade County has borrowed \$26,000,000 (\$21,000,000 was used for loans and \$5,000,000 was used for debt service). The County has an outstanding financial obligation in the amount of \$11,385,000.00 to HUD.

Loans allocated for Project B-99-UC-12-0006:

1. 7900 NW 27 Avenue
2. Bargain Town Phase I
3. Bargain Town Phase II
4. LEASA New Markets
5. Peninsula Edison Plaza
6. Town Center
7. Parrot Jungle - \$1 million
8. Parrot Jungle - \$1.5 million

The County has foreclosed on a defaulted loan, sold the leasehold mortgage rights, and received \$7,160,000.00 from the foreclosed property.

- Explain how funding available through the formula grant programs can be deployed to leverage opportunity zone financing; **Applicant projects have been evaluated to determine how clients can benefit from meeting HUD National Objectives for CDBG, HOME, and ESG program. The agenda item does not pertain to opportunity zone financing.**
- Identify previously awarded agencies, including the Commission District where they are located, that have not been recommended for funding under the FY 2019 Action Plan; **Review Exhibit 1 which summarizes all applicants in the FY 2019 RFA process. Note, some agencies that are not funded in this agenda item could potentially receive funding in future agenda items, i.e. CDF funding from Commissioner allocations. Attached is FY 2018 Exhibit 1 for your review.**
- Explain how agency applicants are scored (i.e., criteria applied); PHCD's due diligence review identified an unsatisfied judgement for J.L. Brown Development Corporation, one of the agencies recommended for funding; summarize the nature of the judgment, including the unpaid sum due, and explain how the judgment factors into the funding recommendation process; **Applicants scored by selection committees utilizing scoring criteria provided in FY 2019 RFA for all applicants. Per R-630-13, a Due Diligence process must be conducted for all applicants with criteria established by the BCC. JL Brown Development Corporation has not been recommended for funding. Exhibit 2 summarizes the J.L. Brown Development Corporation lawsuit with unsatisfied judgement. Attached is the JL Brown Development Corporation judgement for review.**

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- The FY 2019 Action Plan shows that no proposals were submitted for the HOME Single-Family Homeownership Rehabilitation category; was money slated for this category; what are the consequences of this;
RFA funds were slated for the category. No applicant applied for category. Unutilized funds were reallocated for other HOME categories.

- Summarize the basis of the CDBG voluntary grant reduction of \$1,947,751 for FY 2019. **Miami-Dade is financially obligated to repay funds to HUD for non-compliance with meeting program objectives for various activities previously funded.**

APPLICABLE LEGISLATION/POLICY

Ordinance 99-94, adopted on July 27, 1999, authorized the County Mayor to apply to HUD for a Section 108 Program Loan in the amount of \$40,000,000 for the purpose of creating a revolving loan fund for designated targeted urban areas.

<http://intra/gia/matter.asp?matter=992012&file=false&yearFolder=Y1999>

Resolution No. R-630-13, adopted by the Board on July 16, 2013, requires a detailed project budget, sources and uses statement, certifications as to past defaults on agreements with non-County funding sources and due diligence check prior to the County Mayor recommending a commitment of County funds to social services, economic development, community development and affordable housing agencies and providers.

<http://intra/gia/matter.asp?matter=131512&file=false&yearFolder=Y2013>

CDBG funding must meet one or more of the national objectives set by HUD and benefit the low- and moderate-income persons of the County. CDBG projects are classified in four categories – public facilities and capital improvements, economic development, public services and housing.

<https://www8.miamidade.gov/global/housing/block-grant.page>

HOME is designed to (1) expand the supply of decent and affordable housing, particularly rental housing, for low- and very-low income individuals, (2) strengthen the abilities of state and local governments to design and implement strategies for achieving adequate supplies of decent, affordable housing, (3) provide both financial and technical assistance to participating jurisdictions including the development of model programs of affordable housing for very-low and low-income families, and (4) expand and strengthen partnerships among all levels of government and the private sector.

<https://www8.miamidade.gov/global/housing/home-program.page>

The HEARTH Act revised the Emergency Shelter Grants Program to create the ESG. ESG recipients and subrecipients use Emergency Shelter Grants Program funds to rehabilitate and operate emergency shelters and transitional shelters, provide essential social services, and prevent homelessness.

<https://www8.miamidade.gov/global/housing/emergency-solutions-grants-program.page>

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District A Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
CDBG - ECONOMIC DEVELOPMENT (BUSINESS INCUBATOR ASSISTANCE PROGRAM)															
18-20	Neighbors and Neighbors Association, Inc.	Accelerate South Dade - Business Incubator	Provide cost-effective business support services and resources to new and growing microenterprise businesses. Create 7 jobs, total includes CDF allocation.	Economic Development	10700 Caribbean Boulevard, Suite 301, Cutler Bay, Florida 33189	8	CW	N/A	Serves all NRSA's	\$ 115,000.00	89.6	\$ 115,000.00	\$ 108,102.24	11	\$ 223,102.24
18-19	Neighbors and Neighbors Association, Inc.	ESBDH Business Incubator / Goulds Business Resource Center	Provide cost-effective business support services and resources to new and growing microenterprise businesses. ESBDH - Edmonson Small Business Development Hub. BRC - Business Resource Center. Create 11 jobs.	Economic Development	5120 NW 24 Avenue, Miami, FL 33142, 22121 South Dixie Highway, Miami, FL 33170	3,9	CW	Model City / Goulds	Serves all NRSA's	\$ 378,094.40	88.9	\$ 378,094.40			\$ 378,094.40
CDBG - ECONOMIC DEVELOPMENT (BUSINESS INCUBATOR ASSISTANCE PROGRAM) SUB-TOTAL:										\$ 493,094.40		\$ 493,094.40	\$ 108,102.24		\$ 601,196.64
CDBG - ECONOMIC DEVELOPMENT (MICROENTERPRISE LENDING)															
18-14	Partners for Self-Employment, Inc.	Micro-Lending & Technical Assistance	Provide micro-loans to low-income business entrepreneurs. Create 11 jobs.	Economic Development	3000 Biscayne Blvd. Ste. 215, Miami, FL 33137, 12550 Biscayne Blvd. Ste. 800, 490 Opa-Locka Blvd.	1,2,3	CW	Opa-Locka	Opa-Locka	\$ 375,000.00	113.4	\$ 375,000.00			\$ 375,000.00
18-22	Hispanic Business Initiative Fund of Florida, Inc. dba Prospera	Micro-Lending	Provide micro-loans to small low-income businesses. Create 6 jobs.	Economic Development	2305 NW 107 Avenue, Suite 1M17 Doral, FL 33172	12	CW	N/A	CW	\$ 200,000.00	107.4	\$ 200,000.00			\$ 200,000.00
18-30	Black Economic Development Coalition, Inc.	Micro-Enterprise Program	Agency will provide micro enterprise loans to small businesses throughout Miami-Dade County. Create 11 jobs.	Economic Development	5120 NW 24th Ave Miami, FL 33142	3	CW	Model City	Opa-Locka, South Miami, Goulds, Leisure City, Naranja	\$ 377,695.00	103	\$ 377,695.00			\$ 377,695.00
18-56	Miami Dade Chamber of Commerce, Inc.	Micro Enterprise Lending to Businesses	Provide below market rate secured and unsecured short term loans to small businesses located within Biscayne North, Model City and Opa-locka. NRSA's. Create 9 jobs.	Economic Development	100 South Biscayne Boulevard #300 Miami, FL 33131	5	1,2,3	N/A	Biscayne North, Model City and Opa-locka	\$ 300,000.00	101.2	\$ 300,000.00			\$ 300,000.00
18-2	OUR Microlending, LLC.	Micro-Lending	Provide micro-loans to lower-income micro entrepreneurs countywide. Create 6 jobs.	Economic Development	3191 Coral Way, Suite 109, Miami, FL 33145	7	CW	N/A	Biscayne North, Goulds, Opa-Locka, Cutler, South Miami	\$ 200,000.00	98.6	\$ 200,000.00			\$ 200,000.00
CDBG - ECONOMIC DEVELOPMENT (MICROENTERPRISE LENDING) SUB-TOTAL:										\$ 1,452,695.00		\$ 1,452,695.00	\$ -		\$ 1,452,695.00
CDBG - HOUSING															
18-36	Assistance to the Elderly, Inc.	Low Income Rental Unit Rehab 2018	Remodel 24 rental units for low-income elderly/disabled/HIV individuals in need of housing with supportive services. The 24 units will provide permanent housing to 48 low income individuals.	Housing	5617 NW 7th Street Miami, FL 33126	6	6,7,9	NA	Model City, Perrine, South Miami, West Little River	\$ 90,000.00	140	\$ 90,000.00		5	\$ 90,000.00
CDBG - HOUSING SUB-TOTAL:										\$ 90,000.00		\$ 90,000.00	\$ -		\$ 90,000.00
CDBG - PUBLIC FACILITIES & CAPITAL IMPROVEMENTS (PFCI)															
18-53	Historic Hampton House Community Trust, Inc.	Historic Hampton House Build-Out Phase IV	Construction of a music practice, recording studio and a dance studio/flex space, in the Historic Hampton House Cultural Center.	Public Facilities and Capital Improvements	4240 NW 27 Avenue Miami, FL 33142	3	3	Model City	Model City	\$ 535,000.00	98.6	\$ 535,000.00			\$ 535,000.00
18-64	Opa-Locka Community Development Corporation, Inc.	Hurt Building Historic Renovation Phase III	The third phase of renovations to the historic Hurt Building to house a regional Wellness Center and non-profit offices at 490/432 Opa-Locka Boulevard to serve up to 2,300 low-to-moderate individuals annually.	Public Facilities and Capital Improvements	490 Opa-Locka Blvd., Opa-Locka, FL 33054	1	1	Opa-Locka	Opa-Locka	\$ 360,000.00	92.8	\$ 360,000.00			\$ 360,000.00

18-65	Opa-Locka Community Development Corporation, Inc.	Town Center Community Space Development and ARC Renovation Addition	Development of community space for visual art displays, community gatherings, educational programming, business development and co-working activities for low-to-moderate income individuals at 780 Fisherman Street, Opa-Locka, FL 33054 and 675 Ali Baba Avenue, Opa-Locka, FL 33054.	Public Facilities and Capital Improvements	780 Fisherman Street, Opa-Locka, FL 33054 and 675 Ali Baba Ave., Opa-Locka, FL 33054	1	1	Opa-Locka	Opa-Locka	\$ 360,000.00	91.4	\$ 360,000.00			\$ 360,000.00
18-12	Sunrise Community, Inc.	Emergency Power Plan	Rehabilitation of the Eureka Adult Day Training Center to include but not limited to, the installation of a permanent back-up power generator.	Public Facilities and Capital Improvements	11241 SW 184th Street Miami, FL. 33157	9	8,9	Perrine	Perrine, Cutler Ridge, Leisure City, Naranja	\$ 360,000.00	90	\$ 360,000.00			\$ 360,000.00
18-63	Opa-Locka Train Station, LLC	Historic Train Station Renovation	Renovation of the Historic Opa-Locka Train Station to use as a public facility for workforce development and training as well as entrepreneurial assistance to low-to-moderate income individuals.	Public Facilities and Capital Improvements	490 Ali Baba Avenue, Opa-Locka, FL 33054	1	1	Opa-Locka	Opa-Locka	\$ 149,300.00	89.4	\$ 149,300.00			\$ 149,300.00

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
18-38	City of South Miami	Gibson-Bethel Community Center Renovation Project	Renovate the Gibson-Bethel Community Center, including the basketball gymnasium and kitchen areas of the center.	Public Facilities and Capital Improvements	5800 SW 66 Street South Miami, FL 33143	7	7	South Miami	South Miami	\$ 150,000.00	84.8	\$ 150,000.00		7	\$ 150,000.00
18-69	City of Sweetwater	Phase 8 Storm water Improvements Project	Installation of pumps, catch basins, and other drainage improvements from NW 107th Avenue to NW 109th Avenue and NW 14th Street to NW 25th Street.	Public Facilities and Capital Improvements	NW 107th Avenue to NW 109th Avenue and NW 14th Street to NW 25th Street	12	12	N/A	N/A	\$ 500,000.00	80.4	\$ 500,000.00			\$ 500,000.00
18-45	Easter Seals South Florida, Inc.	Easter Seals SF-Kendall	Building Improvements of an elderly center, (located at 11025 SW 84th Street) to include energy efficiency upgrades and security enhancements for 15 low mod income/disabled clients.	Public Facilities and Capital Improvements	11025 SW 84th Street Kendall FL 33173	10	3	N/A	CW	\$ 150,000.00	77	\$ 150,000.00			\$ 150,000.00
18-46	Easter Seals South Florida, Inc.	Easter Seals- SF Miami Gardens	Building Improvements of a child care center, (located at 16425 NW 25 Ave, Miami Gardens) to include energy efficiency upgrades and security enhancements for 15 low mod income/disabled clients.	Public Facilities and Capital Improvements	16425 NW 25 Ave, Miami Gardens FL 33054	1	3	N/A	Opa-locka	\$ 76,000.00	77	\$ 76,000.00	\$ 17,857.96	10,11	\$ 93,857.96
18-47	Easter Seals South Florida, Inc.	Easter Seals SF-Civic Center	Replacement of an Air Conditioning System, (located at 1475 NW 14th Ave) for 40 low mod income/disabled clients.	Public Facilities and Capital Improvements	1475 NW 14th Ave Miami, FL 33125	3	3	N/A	N/A	\$ 250,000.00	77	\$ 250,000.00			\$ 250,000.00
18-41	Association For Development Of The Exceptional Incorporated, The	ADE South Construction	Provide support for the new construction of a 2,000 sq. ft. building for an Adult Day Training Program.	Public Facilities and Capital Improvements	12700 SW 216th Street Goulds, FL 33170	8	8,9,10,11	N/A	Goulds, Naranja, Perrine, Cutler	\$ 470,000.00	75.8	\$ 470,000.00			\$ 470,000.00
18-34	Assistance to the Elderly, Inc.	Senior Dining Facility	Rehabilitation and expansion of a dining facility to serve seniors and low income individuals in the community.	Public Facilities and Capital Improvements	5617 NW 7th Street Miami, FL 33126	6	6	NA	South Miami	\$ 255,000.00	71.6	\$ 255,000.00		5	\$ 255,000.00
18-39	City of South Miami	Marshall Williamson Park CPTED Project	Park infrastructure improvements for the city's Marshall Williamson park using Crime Prevention Through Environmental Design criteria to reduce crime in the area.	Public Facilities and Capital Improvements	6100 SW 67th Ave South Miami, FL 33143	7	7	N/A	South Miami	\$ 150,000.00	66.2	\$ 83,372.34	\$ 63,102.24	1,7,9,11	\$ 146,474.58
18-44	Abundant Life Christian Learning Center	Playground Rehabilitation	Rehabilitation of a playground located at 777 NW 85 Street Miami, FL 33150 West Little River.	Public Facilities and Capital Improvements	777 NW 85 Street Miami, FL 33150	2	2	West Little River	West Little River	\$ 60,000.00	64.8	\$ 40,000.00	\$ 20,000.00	1,7,11	\$ 60,000.00
18-6	Community Coalition of South Dade, Inc.	Seniors and Family Empowerment	Installation of ramp, rail and other structural changes to make facility ADA compliant.	Public Facilities and Capital Improvements	890 SW 4 St. Homestead, FL. 33030	9	8,9	N/A	Naranja	\$ 50,000.00	57.8	\$ -		1	\$ -

N/A	Miami Dade County Transportation & Public Works	Sidewalk Improvements	Sidewalk improvements within the boundaries of District 6. (CDF)	Public Facilities and Capital Improvements	701 NW 1st Court Suite 1700 Miami, FL 33136	6	6	N/A	N/A	\$ -	N/A	\$ -	\$ 73,102.24	11	\$ 73,102.24
CDBG - PUBLIC FACILITIES & CAPITAL IMPROVEMENTS (PFCI) SUB-TOTAL:										\$ 3,875,300.00	\$ 3,738,672.34	\$ 174,062.44	\$ 3,912,734.78		
CDBG - PUBLIC SERVICE (DISASTER-RELATED)															
18-33	Assistance to the Elderly, Inc.	Assistance for Elderly Affected by Disaster	Assistance to 30 low-income elderly residents affected by Hurricane Irma. Services will include meals, utility assistance and supply vouchers.	Public Service-Disaster Related	5617 NW 7th Street Miami, FL 33126	6	1,2,3,6,9	NA	Model City, Perrine, South Miami, West Little River	\$ 15,000.00	105	\$ 15,000.00		5	\$ 15,000.00
CDBG - PUBLIC SERVICE (DISASTER-RELATED) SUB-TOTAL:										\$ 15,000.00	\$ 15,000.00	\$ -	\$ 15,000.00		
CDBG - PUBLIC SERVICE TECHNICAL ASSISTANCE TO SMALL BUSINESSES															
18-28	South Florida Puerto Rican Chamber of Commerce	Economic Development Technical Assistance 2018	Provide business technical assistance to 36 low- and moderate-income businesses. Serves clients countywide.	Technical Assistance to Businesses	3550 Biscayne Blvd., Suite 306, Miami, FL 33137	3	CW	NA	CW	\$ 90,778.00	106.8	\$ 90,778.00		7	\$ 90,778.00
18-23	Branches, Inc.	ASSETS Miami	ASSETS Miami provides business technical assistance/coaching, business training, networking and related support, including referrals to business financing as appropriate, to 100 unduplicated low-to-moderate income businesses in Miami-Dade County.	Technical Assistance to Businesses	11500 NW 12 Avenue, Miami, FL 33168, 129 SW 5 Avenue, Florida City, FL, 6316 SW 59 Place, South Miami, FL	2,7,9	CW	South Miami and West Little River NRSAs, Florida City Entitlement City	South Miami and West Little River NRSAs, Florida City	\$ 100,000.00	106	\$ 100,000.00			\$ 100,000.00
18-27	Dynamic Community Development Corporation	Technical Assistance Program	Provide business technical assistance to 36 low- and moderate-income businesses. Serves clients countywide.	Technical Assistance to Businesses	3550 Biscayne Blvd., Suite 304, Miami, FL 33137	3	CW	NA	CW	\$ 86,755.00	105.6	\$ 86,755.00		7	\$ 86,755.00
18-24	79th Street Corridor Neighborhood Initiative, Inc.	Small Business Technical Assistance and Training	Provide training and technical assistance for 50 low-to-moderate-income business owners located within the 79th Street Community Redevelopment Area district.	Technical Assistance to Businesses	7900 NW 27 Avenue, Suite 236, Miami, FL 33147	2	2,3	West Little River	Model City and West Little River	\$ 90,825.00	94.8	\$ 90,825.00			\$ 90,825.00
18-18	Neighbors and Neighbors Association, Inc.	Technical Assistance to Businesses	Provide technical assistance to 124 businesses countywide. NANA will provide direct TA to Mom and Pop business entrepreneurs and other types of small businesses located throughout Miami-Dade County.	Technical Assistance to Businesses	5120 NW 24 Avenue Miami, FL 33142	3	CW	Model City	Serves all NRSAs	\$ 80,000.00	90.6	\$ 80,000.00	\$ 30,081.43	12	\$ 110,081.43
CDBG - PUBLIC SERVICE TECHNICAL ASSISTANCE TO SMALL BUSINESSES SUB-TOTAL:										\$ 448,358.00	\$ 448,358.00	\$ 30,081.43	\$ 478,439.43		
Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
CDBG - NON-PUBLIC SERVICE TECHNICAL ASSISTANCE TO SMALL BUSINESSES															
18-13	Partners for Self-Employment, Inc.	Entrepreneurial Institute	Technical Assistance to businesses - multiple locations County-wide. Create 3 jobs.	Technical Assistance to Businesses (Economic Development)	3000 Biscayne Blvd. Ste. 215, Miami, FL 33137, 12550 Biscayne Blvd. Ste. 800 Miami, FL, 490 Opa-Locka Blvd.	1,2,3	CW	Opa-Locka	Opa-Locka	\$ 80,000.00	113.8	\$ 80,000.00			\$ 80,000.00
18-21	Hispanic Business Initiative Fund of Florida, Inc. dba Prospera	Public Service Technical Assistance	Prospera will provide direct technical assistance to microenterprises, small business owners and aspiring business owners including training, one-on-one consulting and grants. Located in Commission District 12, but serves clients countywide. Create 2 jobs.	Technical Assistance to Businesses (Economic Development)	2305 NW 107 Avenue, Suite 1M17 Doral, FL 33172	12	CW	N/A	South Miami, Opa-Locka, Naranja and West Little River, Sweet Water	\$ 50,000.00	109.6	\$ 50,000.00			\$ 50,000.00
18-57	Miami Dade Chamber of Commerce, Inc.	Tech Assistance to Businesses-2018	Provide technical assistance to small businesses located within Biscayne North, Model City and Opa-locka, NRSA's. Create 3 jobs.	Technical Assistance to Businesses (Economic Development)	100 South Biscayne Boulevard #300 Miami, FL 33131	5	1,2,3	N/A	Biscayne North, Model City and Opa-locka	\$ 80,000.00	107.8	\$ 80,000.00			\$ 80,000.00
18-31	Black Economic Development Coalition, Inc.	Technical Assistance to Small Businesses 2018	Provide technical assistance to 60 small businesses. Create 3 jobs.	Technical Assistance to Businesses (Economic Development)	5120 NW 24th Ave Miami, FL 33142	3	CW	Model City	Serving All NRSA's	\$ 80,000.00	104.6	\$ 80,000.00			\$ 80,000.00
CDBG - NON-PUBLIC SERVICE TECHNICAL ASSISTANCE TO SMALL BUSINESSES SUB-TOTAL:										\$ 290,000.00	\$ 290,000.00	\$ -	\$ 290,000.00		

CDBG - PUBLIC SERVICE & COUNTY ALLOCATIONS (APPLICATIONS NOT SUBJECT TO SELECTION COMMITTEE SCORING)

18-1	The Optimist Foundation of Greater Goulds, Florida, Inc.	After School Program 2018	After school program for 120 neighborhood youth.	Public Service	21805 SW 114 Avenue. Goulds, FL 33170	9	8,9	Goulds	Goulds	\$ 59,998.00	N/A		7	\$ -
18-3	Florida Venture Foundation, Inc.	Elderly Services 2018	Provision of a variety of services to 60 senior citizens including companionship and social activities.	Public Service	13501 NW 107 Ave. Hialeah Gardens, FL 33018	12	CW	NA	NA	\$ 63,000.00	N/A	\$ 15,000.00	7,11	\$ 15,000.00
18-4	Josefa Perez de Castano Kidney Foundation, INC	Nutrition for Elderly Dialysis Patients 2018	Nutrition for 50 elderly disabled dialysis patients.	Public Service	2141 SW 1 St. Ste.101-102 Miami, FL 33135	5	CW	NA	CW	\$ 35,000.00	N/A		7	\$ -
18-5	Community Coalition of South Dade, Inc.	Seniors and Family Empowerment (SAFE)2018	Provide services for senior and for family empowerment activities. Serving a 125 clients.	Public Service	890 SW 4 St. Homestead, FL. 33030	9	8,9	N/A	Naranja	\$ 75,000.00	N/A		7	\$ -
18-25	Flowers Consulting, LLC	Business Consultant 2018	Provide community outreach services, event planning and mail out services within the Opa-Locka NRSA and Miami Gardens area.	Public Service	111 NW 183rd Street, Miami Gardens, FL 33169	1	CW	NA	Opa-Locka	\$ 70,000.00	N/A		7	\$ -
18-26	Housing Opportunity Project For Excellence, Inc.	Fair Housing 2018	Provide fair housing counseling, information and referrals, educational workshops and fair housing assistance for 300 people. Serves clients countywide.	Public Service	11501 NW 2 Avenue, Miami, FL 33168	3	CW	NA	CW	\$ 35,000.00	N/A			\$ -
18-35	Assistance to the Elderly, Inc.	Transportation Service - Special Service 2018	Free transportation services will be provided to 100 low-income and special needs residents in South Miami, Perrine, Model City and West Little River.	Public Service	5617 NW 7th Street Miami, FL 33126	6	1,2,3,6,9	NA	Model City, Perrine, South Miami, West Little River	\$ 10,000.00	N/A		5	\$ -
18-37	City of South Miami	Senior Meals Program 2018	Administer a senior meals program for 64 residents in South Miami.	Public Service	6701 SW 62nd Ave South Miami, FL 33143	7	7	South Miami	South Miami	\$ 25,000.00	N/A	\$ 25,000.00	7,11	\$ 25,000.00
18-40	Association For Development Of The Exceptional Incorporated, The	ADE/Services for Developmental Disabled Adults 2018	Provide academic, vocational and employment training to 30 low to moderate income special needs clients.	Public Service	25 East 4th Street Hialeah, FL 33010, 51 NE 79 St Miami, FL. 33138, 7330 NW 12 St Miami, FL. 33126 & 12700 SW 216 St Miami, FL 33170	3,6,8	CW	N/A	CW	\$ 50,000.00	N/A	\$ 35,081.42	4	\$ 35,081.42
18-42	Suited for Success, Inc.	Employment Skills Training Program 2018	Expand the reach of their Employment Skills Training Program. Agency will provide workshops on employment skills to 350 low-income individuals.	Public Service	1600 NW 3rd Ave Miami, FL 33136	3	CW	N/A	Model City	\$ 185,000.00	N/A		7	\$ -
18-43	Latinos United in Action Center, Inc.	Educational Program 2018	An educational youth after school development program for 60 students (11 to 14 years old) attending middle schools in Allapattah, Melrose, Model City and Liberty City.	Public Service	3323 NW 17th Ave Miami, 33142	3	CW	N/A	Model City and West Little River	\$ 80,000.00	N/A		7	\$ -
18-48	LirrafO, Inc.	School Readiness-2018	Free Child Care Services to improve School Readiness for 250 low-mod income children.	Public Service	6741 SW 24th Street, Suite 31, Miami, FL 33155	6	6,7,8,9	N/A	Perrine, Goulds, Cutler, South Miami	\$ 164,250.00	N/A	\$ 30,000.00	11	\$ 30,000.00
18-54	Curley House of Style, Inc.	Elderly Meals Program - 2018	Elderly Meals program; providing increased bulk meals and a healthy eating workshops for 100 low/mod income elderly clients.	Public Service	6025 NW 6 CT Miami, FL 33127	3	CW	Model City	Opa-Locka, Model City, West Little River, Cutler	\$ 100,000.00	N/A		5	\$ -
18-55	Greater Miami Service Corps	Youth/ Education, Employment and Training-2018	Provide 18 low/mod income youth with Education, Employment and Training at two locations; 810 NW 28th Street Miami, 33127 and 15355 Harding Lane, Leisure City, FL 33030.	Public Service	810 NW 28th Street Miami, 33127, and 15355 Harding Lane, Leisure City, FL , 33030	3, 8	CW	Leisure City/Naranja	Opa-Locka, Goulds, Model City, South Miami, West Little River, Leisure City	\$ 100,000.00	N/A	\$ 45,122.14	13	\$ 45,122.14

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
18-58	Heritage Yacht Tours and Marine Academy	Heritage Yacht Tour and Academy 2018	Commercial water tours and academic training facility for tourism and maritime certification with the provision of technical assistance to 24 low and moderate individuals, while targeting NRSA's, to learn multi-cultural tourism at 5150 NW 2nd Avenue, Miami, FL 33127.	Public Service	5150 NW 2nd Avenue Miami, FL 33127	3	3	N/A	Model City	\$ 185,000.00	N/A			7	\$ -

18-60	Shear, Inc.	Community Outreach 2018	SHEAR proposes to target 50 indigent individual, groups, and families with countywide services.	Public Service	5120 NW 24th Avenue Miami, FL 33142	3	CW	Model City	CW	\$ 14,000.00	N/A			7	\$ -
18-61	Luther James Cox CDC	Public Services Vets 2018	Wrap around services for 50 veterans and their families in Districts 1 through 3.	Public Service	7145 NE Miami Court #B14, Miami, FL 33138	3	1,2,3	N/A	Opa-Locka, West Little River, Model City	\$ 185,000.00	N/A			7	\$ -
18-66	The House of Refuge Empowerment Center, Inc.	S.H.E. (Self-Confidence, Healthy and Educated)	Program to benefit women released from prison, recovering from substance abuse, and domestic violence victims for 150 clients.	Public Service	6600 NW 27th Avenue #A9, Miami, FL 33147	2	1,2,3	Model City	Opa-Locka & Model City	\$ 53,000.00	N/A			7	\$ -
18-67	Goulds Coalition of Ministers & Lay People, Inc.	Decreasing The Symptoms Of Poverty	Decreasing symptoms of poverty with case management services, parenting and family counseling, resume preparation, job interview readiness, employment referrals, and other services for 55 clients.	Public Service	11500 SW 220th Street Goulds, FL 33170	9	8,9	Goulds	Perrine, Goulds, Leisure City & Cutler	\$ 95,644.80	N/A			7	\$ -
18-70	New Hope Development Center, Inc.	Quality Afterschool Care	After school care program for 25 youth reinforcing reading, math, writing skills, and homework assistance.	Public Service	1881 NW 103rd Street, Miami FL 33147	2	CW	N/A	N/A	\$ 64,000.00	N/A	\$ 40,000.00		11	\$ 40,000.00
18-71	Center For Social Change, Inc.	Superhero Leadership Academy/Knowledge of Careers Club Launch	County-wide club for 200 at-risk youth with monthly workshops for skill-set development with college partner campuses, UM and FIU.	Public Service	Multiple locations at middle schools and high schools in 8 County Districts	1, 2, 3, 4, 5, 8, 9, 13	CW	CW	CW	\$ 100,000.00	N/A				\$ -
18-72	Miami-Dade Urban Debate League, Inc.	Miami-Dade Urban Debate League	Public service program to teach 100 urban youth to think, collaborate, and enjoy learning through policy based academic debate.	Public Service	2525 Ponce de Leon Blvd. Suite 700, Coral Gables, FL 33134	6	CW	N/A	N/A	\$ 100,000.00	N/A			7	\$ -
N/A	The Thelma Gibson Health Initiative	Elderly Care	Provide structured case management/care coordination to 36 elderly residents.	Public Service	3634 Grand Avenue Miami, FL 33133	7	7	N/A	South Miami	N/A	N/A	\$ 20,000.00		11	\$ 20,000.00
N/A	Teen Upward Bound	Enrichment Camp	Tutoring and afterschool activities for youth 5-18	Public Service	215 Perviz Avenue Opa-Locka, FL 33054	1	1	Opa-Locka	Opa-Locka	N/A	N/A	\$ 45,122.14		11	\$ 45,122.14
N/A	Urban Initiatives Foundation, Inc.	After School Program	Provides afterschool care for 30 young girls in district 2.	Public Service	1590 NE 123rd Street, North Miami, FL 33161	2	2	N/A	N/A	N/A	N/A	\$ 15,000.00		11	\$ 15,000.00
N/A	Chapman Partnership	Family Resource Center	Serving 400 children annually providing afterschool academic enrichment, summer programming and year-round family engagement activities.	Public Service	1550 N. Miami Ave, Miami, FL 33136	3	CW	N/A	N/A	N/A	N/A	\$ 30,081.43		12	\$ 30,081.43
N/A	Hispanic Business Initiative Fund of Florida, Inc. dba Prospera	Public Service Technical Assistance	Provide assistance in developing local export/import businesses in District 12.	Technical Assistance to Businesses (Economic Development)	2305 NW 107 Avenue, Suite 1M17 Doral, FL 33172	12	CW	N/A	South Miami, Opa-Locka, Naranja and West Little River, Sweet Water	\$ -	N/A	\$ -	\$ 12,500.00	14	\$ 12,500.00
CDBG - PUBLIC SERVICE & COUNTY ALLOCATIONS SUB-TOTAL:										\$ 1,848,892.80	\$ -	\$ 312,907.13			\$ 312,907.13

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
CDBG - VOLUNTARY GRANT REDUCTION (VGR)															
	Department of Public Housing & Community Development (PHCD)	2018 VGR	Repayment to the U.S. Housing and Urban Development (HUD) Department for activities deemed by HUD to not have met national objective.	Various	701 NW 1 Ct, 16th Floor, Miami, FL 33136	CW	CW	No	Serves all NRSA's	\$ 1,947,751.39	N/A	\$ 1,947,751.39			\$ 1,947,751.39
CDBG - VOLUNTARY GRANT REDUCTION SUB-TOTAL:										\$ 1,947,751.39		\$ 1,947,751.39	\$ -		\$ 1,947,751.39
CDBG - HOUSING COUNTY DEPARTMENTAL ALLOCATION and CDF															
	Community Action and Human Services Department (CAHSD)	District 12 Beautification Program	Painting & Landscaping for Low- to Moderate-Income District 12 residents. (CDF Allocation)	Housing	701 NW 1 Ct, 10th Floor, Miami, FL 33136	12	12	No	Sweetwater		N/A		\$ 80,602.24	11	\$ 80,602.24
CDBG - HOUSING COUNTY DEPARTMENTAL ALLOCATION and CDF SUB-TOTAL:										\$ -		\$ -	\$ 80,602.24		\$ 80,602.24
CDBG - HOUSING PHCD															
	Department of Public Housing & Community Development (PHCD)	Public Housing Modernization	Funding will make needed improvements to outdated structural, electrical and mechanical systems in Public Housing Units.	Housing	Various Locations	CW	CW	No	Serves all NRSA's	\$ 699,573.64	N/A	\$ 699,573.64			\$ 699,573.64
	Department of Public Housing & Community Development (PHCD)	Public Housing Rehabilitation	Funding for rehabilitation of Public Housing Units.	Housing	Various Locations	CW	CW	No	Serves all NRSA's	\$ 715,029.95	N/A	\$ 715,029.95			\$ 715,029.95
CDBG - HOUSING PHCD SUB-TOTAL:										\$ 1,414,603.59		\$ 1,414,603.59	\$ -		\$ 1,414,603.59
CDBG - ADMINISTRATION															
	Department of Public Housing & Community Development (PHCD)	2018 CDBG Administrative Cost Allowance	2018 CDBG 20% Administrative Cost Allowance.	Administration	701 NW 1st Court, 16th Floor, Miami, FL 33136	N/A	N/A	N/A	N/A	\$ 2,162,044.80	N/A	\$ 2,162,044.80			\$ 2,162,044.80
CDBG - ADMINISTRATION SUB-TOTAL:										\$ 2,162,044.80		\$ 2,162,044.80	\$ -		\$ 2,162,044.80

CDBG TOTAL: \$ 12,757,975.00

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
EMERGENCY SOLUTIONS GRANT (ESG) - HOMELESS PREVENTION & RAPID REHOUSING															
18-9	Citrus Health Network, Inc.	HAND 2018	ESG - TBRA	ESG	150 East 1 Ave. Hialeah, FL-33010	6	CW	NA	CW	\$ 319,032.00	80	\$ 369,611.98		6	\$ 369,611.98
18-16	Sundari Foundation Inc. d/b/a/ Lotus House Women's Shelter	ESG Rapid Rehousing Rental Assistance for Homeless Single Women and Women With Children 2018	22 homeless women and 24 children will receive rental assistance and utility/rent deposits and case management (46 individuals) annually. Located within District 3, but serves clients countywide.	Housing	217 NW 15 Street Miami, FL 33136	3	CW	NA	Serves all NRSA's	\$ 319,032.00	66.3	\$ -		1	\$ -
EMERGENCY SOLUTIONS GRANT (ESG)- HOMELESS PREVENTION & RAPID REHOUSING SUB-TOTAL:										\$ 638,064.00		\$ 369,611.98	\$ -		\$ 369,611.98
EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) - SHELTER AND OUTREACH															
18-11	Camillus House, Inc.	ESG Emergency Shelter	Provision of emergency services and shelter to homeless persons. Serves 256 persons.	Housing	1603 NW 7 Avenue Miami, FL. 33136	3	3	NA	CW	\$ 592,487.00	100	\$ 592,487.00		7	\$ 592,487.00
EMERGENCY SOLUTIONS GRANT PROGRAM (ESG) - SHELTER AND OUTREACH SUB-TOTAL:										\$ 592,487.00		\$ 592,487.00	\$ -		\$ 592,487.00
ESG - ADMINISTRATION															
	Department of Public Housing & Community Development (PHCD)	2018 ESG Administrative Cost Allowance	2018 ESG 7.5% Administrative Cost Allowance.	Administration	701 NW 1st Court, 16th Floor, Miami, FL 33136	N/A	N/A	N/A	N/A	\$ 78,008.02	N/A	\$ 78,008.02			\$ 78,008.02
ESG - ADMINISTRATION SUB-TOTAL:										\$ 78,008.02		\$ 78,008.02	\$ -		\$ 78,008.02

ESG TOTAL: \$ 1,040,107.00

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District A Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Average Score	Staff Recommendation	Commission District Fund (CDF)	Legend	Total Recommendation
HOME - ACQUISITION, NEW CONSTRUCTION OR REHABILITATION OF AFFORDABLE RENTAL HOUSING, PRE-DEVELOPMENT OR SINGLE FAMILY HOMEOWNERSHIP															
18-51	Carrfour Supportive Housing, Inc.	Barcelona Condo-2018	Rehabilitation of a rental development of 18 units located at 2217 NW 7 Street Miami, FL 33125, to include but not limited to, the Remediation of Chinese Dry wall.	Housing	2217 NW 7 Street Miami, FL 33125	5	5	N/A	CW	\$ 385,000.00	105	\$ 385,000.00		5	\$ 385,000.00
18-10	Centerra Associates, Ltd.	Centerra Affordable Housing	104 units of new construction rental townhouses.	Housing	18000 SW 107th Avenue, Miami, FL 33157	9	CW	Perrine	CW	\$ 1,040,000.00	100	\$ 70,332.00		15	\$ 70,332.00
18-52	Centro Campesino Farmworker Center, Inc.	Palm Villa Apartments-2018	Rehabilitation that includes the Re-Roofting of 16 buildings and HVAC replacement, pool improvements and other improvements.	Housing	50 SW and 726 W Palm , Florida City, Miami, FL 33034	9	8,9	N/A	CW	\$ 1,000,000.00	95	\$ 1,000,000.00			\$ 1,000,000.00
18-7	La Joya Estates, Ltd.	La Joya Estates	New construction of 106 rental apartments.	Housing	NE corner of SW 142nd Avenue and 267th Street, Miami, FL	9	CW	Naranja	Naranja	\$ 1,306,790.00	88	\$ 344,069.00		15	\$ 344,069.00
18-29	Opa-Locka Community Development Corp	The 128 Street Development	Design and construction of a 2 Story Garden Style apartment complex that will consist of 6 one bedroom and one bathroom units, that range from 763 to 783 sq. ft. The units will be occupied by elderly and/or disabled individuals.	Housing	1046 NE 128th Street, North Miami, FL 33161	2	2	N/A	N/A	\$ 270,000.00	87	\$ -		5	\$ -
18-59	St. John Village Homes II, LLC	St. John Village Homes II, LLC	Construction of 6 for sale townhouses to families at 80% or below AMI.	Housing	1613-1643 NW 1st Court, Miami, FL 33136	3	3	N/A	N/A	\$ 270,000.00	57	\$ -		1,7	\$ -
	Public Housing and Community Development (PHCD)	Rehabilitation of PHCD-owned rental housing	Rehabilitation of PHCD-owned affordable rental housing.	Housing	701 NW 1st Ct, 16th Floor, Miami, FL 33136	Various	CW	N/A	N/A	\$ 1,286,769.30	N/A	\$ 1,286,769.30			\$ 1,286,769.30
HOME - ACQUISITION, NEW CONSTRUCTION OR REHABILITATION OF AFFORDABLE RENTAL HOUSING, PRE-DEVELOPMENT OR SINGLE FAMILY HOMEOWNERSHIP SUB-TOTAL:										\$ 5,558,559.30		\$ 3,086,170.30	\$ -		\$ 3,086,170.30
HOME - HOMELESS SET-ASIDE (TBRA/REHABILITATION)															
18-17	Sundari Foundation, Inc. DBA Lotus House Women's Shelter	Homeless TBRA	Tenant-Based Rental Assistance for 217 Homeless Single Women & Women with Children.	Housing	217 NW 15 Street Miami, FL. 33136	3	CW	N/A	Serves all NRSA's	\$ 445,922.00	86.2	\$ 445,922.00			\$ 445,922.00
18-8	Citrus Health Network, Inc.	HAND	Homeless Tenant-Based Rental Assistance to 50 households or 200 individuals.	Housing	150 East 1 Ave. Hialeah, FL 33015, Ste. 105	6	CW	N/A	CW	\$ 328,000.00	78	\$ 328,000.00			\$ 328,000.00
HOME - HOMELESS SET-ASIDE (TBRA/REHABILITATION) SUB-TOTAL:										\$ 773,922.00		\$ 773,922.00	\$ -		\$ 773,922.00
HOME - TENANT-BASED RENTAL ASSISTANCE (TBRA)															
18-15	Sundari Foundation Inc. d/b/a/ Lotus House Women's Shelter	HOME TBRA for Homeless Single Women and Women With Children 2018	28 homeless women and 33 children will receive rental assistance and utility/rent deposits and case management (61 individuals) annually. Located in District 3, but serves clients countywide.	Housing	217 NW 15 Street Miami, FL. 33136	3	CW	NA	Serves all NRSA's	\$ 300,000.00	94	\$ 300,000.00			\$ 300,000.00
18-32	Assistance to the Elderly, Inc.	Tenant Based Rental Assistance 2018	Tenant-based rental assistance to 65 elderly clients.	Housing	5617 NW 7th Street Miami, FL 33126	6	6	NA	South Miami	\$ 200,000.00	73	\$ 200,000.00		5	\$ 200,000.00
HOME - TENANT-BASED RENTAL ASSISTANCE (TBRA) SUB-TOTAL:										\$ 500,000.00		\$ 500,000.00	\$ -		\$ 500,000.00
HOME - ADMINISTRATION															
	Department of Public Housing & Community Development (PHCD)	2018 HOME Administrative Cost Allowance	2018 HOME 10% Administrative Cost Allowance.	Administration	701 NW 1st Court, 16th Floor, Miami, FL 33136	N/A	N/A	N/A	N/A	\$ 484,454.70	N/A	\$ 484,454.70			\$ 484,454.70
HOME - ADMINISTRATION SUB-TOTAL:										\$ 484,454.70		\$ 484,454.70	\$ -		\$ 484,454.70
HOME TOTAL:												\$ 4,844,547.00			

NON-SCORING APPLICATIONS

Binder #	Agency Name	Activity Title	Activity Description	Activity Category	Activity Address	District Activity Located	District Serving	NRSA Located	NRSA (s) Serving	Funding Amount Requested	Legend
18-62	Lincoln Memorial	Remembering Our Past	Historic preservation of a cemetery with the creation of 10 jobs.	Economic Development	No activity address information provided	No information provided	No information provided	No information provided	No information provided	\$ 85,000.00	3
18-49	Model City Advisory Board Community Development Corporation, Inc.	SPED/Poinciana Industrial Park-2018	The applicant submitted an application under a category that was not offered through this FY 2018 RFA cycle; Special Economic Development (SPED) . The activity is the SPED/Poinciana Industrial Park, the applicant is requesting \$183,000.	Special Economic Development	79 street to the railroad tracks track south from 27 Ave to 23/24 Ave, Model City, FL 33147	3	3	Model City	CW	\$ 25,000,000.00	2
18-50	American Workforce Network Community Development Corporation, Inc.	SPED/Poinciana Industrial Park-2018	The applicant submitted an application under a category that was not offered through this FY 2018 RFA cycle; Special Economic Development. The activity is the SPED/Poinciana Industrial Park, the applicant is requesting 25 million dollars.	Special Economic Development	79 street to the railroad tracks track south from 27 Ave to 23/24 Ave, Model City, FL 33147	3	3	Model City	CW	\$ 183,000.00	2
18-68	Inn Da House, Inc.	Saving Our Children/Saving Our Families	Non-profit organization providing services that benefit the whole man through restoring their humanity, respect, and dignity through prevention, education, and training while going from transitional situation to permanent solution.	Public Service	1221 NW 179th Street, Miami Gardens, FL 33169	1	1, 2, 3	N/A	Opa-Locka, West Little River, Model City	\$ 549,000.00	3
18-N/A	City of Opa Locka	Opa-locka Human Resource Center	Replacement of Roof and Renovation of Opa-locka Former Human Recourse Building.	Public Facilities and Capital Improvements	777 Sharazad Avenue Opa-Locka, FL 33054	N/A	N/A	N/A	N/A	\$ 350,000.00	8

LEGEND

- 1 Did not meet 70 point score requirement
- 2 Applied for a category that was not solicited in this RFA
- 3 Did not submit missing document(s) during "Cure" period
- 4 District 13 CDF= \$30,081.42, District 6 CDF = \$5,000.00
- 5 Due diligence concerns
- 6 Additional funds were available in the category and applicant agreed to accept the additional funding
- 7 Missing prior year's audited financial statement
- 8 No formal application received. applicant emailed a scope of services after intake deadline. limited information was provided
- 9 District 7 2016 carryover funds used and reflected in Exhibit 4 (\$3,525.42) Marshall Williamson Park
- 10 District 1 2016 carryover funds used and reflected in Exhibit 4 (\$6,339.30) Easter Seals Miami Gardens
- 11 Commission District allocation is from the District the activity is located in
- 12 Commission District allocation is from District 13
- 13 Commission District allocation is from District 1
- 14 Commission District allocation is from District 12
- 15 Funding recommendation will be based on final credit underwriting report

JL BROWN DEVELOPMENT CORP

Judgments

Judgment award 26,799

Status Unsatisfied

CASE NO. 10008789CA02

Judgment type Judgment

Against J.L. BROWN DEVELOPMENT CORP.

In favor of MODULAR SPACE CORP.

Where filed DADE COUNTY RECORDERS OFFICE, MIAMI, FL

Date status attained 10/12/10

Date entered 10/12/10

Latest Info Received 12/03/10

19-34

1600007

2nd check 3/11/19
NO. 10008789CA02
Court Clerk Date
SMC