

MEMORANDUM

Agenda Item No. 11(A)(2)

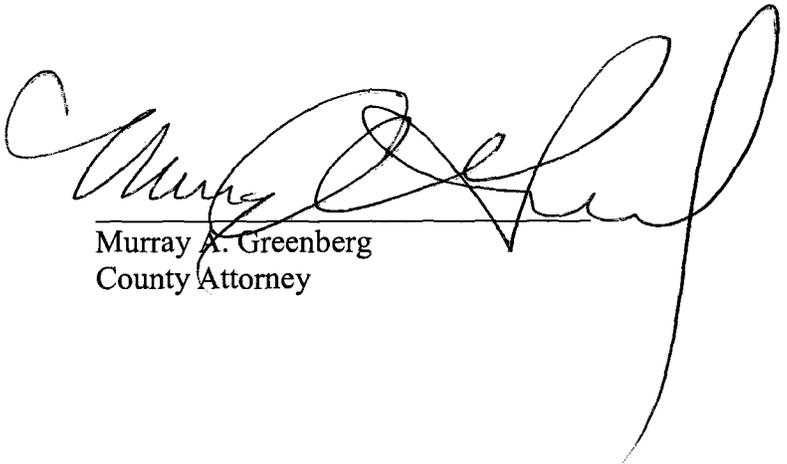
TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution directing County
Manager to include labor
peace requirement in all
RFPs for concession
opportunities at Miami
International Airport

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Carlos A. Gimenez.



Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: February 6, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A)(2)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(2)

Veto _____

02-06-07

Override _____

RESOLUTION NO. _____

**RESOLUTION DIRECTING COUNTY MANAGER
TO INCLUDE LABOR PEACE REQUIREMENT IN
ALL REQUESTS FOR PROPOSALS, REQUESTS
FOR QUALIFICATIONS, BIDS AND CONTRACTS
FOR CONCESSION OPPORTUNITIES AT MIAMI
INTERNATIONAL AIRPORT**

WHEREAS, Miami International Airport is the major gateway to Miami-Dade County; and

WHEREAS, concessionaires lease property from the Airport and base their lease payments to the Airport in part on the revenue they generate; and

WHEREAS, Miami-Dade County has a financial and proprietary interest in the success of the concessionaires doing business at Miami International Airport; and

WHEREAS, passengers and others using the Airport need and deserve uninterrupted access to concessions at the Airport; and

WHEREAS, work disruptions at the Airport can lead to unnecessary and costly delays for the traveling public and a loss of revenue to the County; and

WHEREAS, the County finds that the efficient and uninterrupted operation of concession operations at the Airport may be threatened by labor disputes; and

WHEREAS, the County wishes to shield itself, its citizens and visitors from any impact that labor disputes may have to the extent legally permissible; and

WHEREAS, the County finds that provisions protecting the County from labor disruptions at the Airport should be included in all future contracts with Airport concessionaires,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that all Requests for Proposals, Requests for Qualifications and bids for food/beverage, retail/news/gifts and hotel services at Miami International Airport (“MIA”) shall require the proposer to sign a labor peace agreement with the labor organization(s) that seeks to represent the proposer’s employees and submit such agreement as part of its proposal to assure that no labor dispute or unrest will disrupt their operations at MIA; and further requiring that all contracts for such concessions at MIA shall include a provision giving the County the right, in the event of a labor disruption, to suspend the County’s obligations under the contract while the labor disruption is ongoing and to use alternative means to provide the service that is affected by the labor disruption. In the event a proposer is unable to reach an agreement with a labor organization regarding the terms of a labor peace agreement, the dispute between the proposer and the labor organization shall be resolved by expedited binding arbitration in which the decision shall be rendered within ten (10) days of the request for arbitration but no later than five days prior to the date the proposal is due. The proposer and the labor organization shall equally share the costs of arbitration. The proposer shall ensure that all sub-tenants also sign a labor peace agreement.

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The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of February, 2007. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Henry H. Gillman

