

MEMORANDUM

Amended
Agenda Item No. 11(A)(6)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

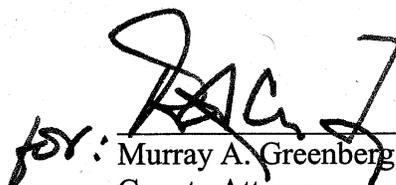
DATE: December 19, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution relating to the
Opa-locka Triangle Area
and Liberty City
Beautification Demonstration
Programs

R#1438-06

The accompanying resolution was prepared and placed on the agenda at the request of
Commissioner Dorrin D. Rolle and Commissioner Barbara J. Jordan.

for: 
Murray A. Greenberg
County Attorney

MAG/jls



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(Revised)

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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
Veto _____
Override _____

Amended
Agenda Item No. 11(A)(6)
12-19-06

RESOLUTION NO. 1438-06

RESOLUTION AMENDING RESOLUTIONS NOS. R-1354-05 AND R-88-06 PERTAINING TO THE OPA-LOCKA TRIANGLE AREA AND LIBERTY CITY BEAUTIFICATION DEMONSTRATION PROGRAMS; RESCINDING AUTHORIZATION TO NEGOTIATE CONTRACTS WITH H. J. RUSSELL CONSTRUCTION COMPANY; WAIVING FORMAL BID PROCEDURES AND THE REQUIREMENTS OF ADMINISTRATIVE ORDER NO. 3-39 FOR THE PURCHASE OF GOODS AND SERVICES ASSOCIATED WITH IMPLEMENTING THE PROGRAMS; AND AUTHORIZING COUNTY MANAGER TO NEGOTIATE AND EXECUTE AMENDMENTS AND WORK ORDERS UNDER CERTAIN EXISTING CONTRACTS TO EFFECTUATE THE PROGRAMS IN AN EXPEDITIOUS MANNER

WHEREAS, this Board allocated \$1,972,000 on December 6, 2005 under Resolution No. R 1354-05 for the Opa-locka Triangle Beautification Demonstration Program; and

WHEREAS, this Board allocated \$1,972,000 on January 24, 2006 under Resolution No. R-88-06 for the Liberty City Beautification Demonstration Programs; and

WHEREAS, these programs are intended to provide assistance for owner occupied single family homes for landscaping, exterior painting, and/or façade improvements; and

WHEREAS, this Board, in such foregoing resolutions also authorized the County Manager to undertake negotiations with H. J. Russell Construction Company ("H. J. Russell") for contracts for such Programs; and

WHEREAS, H.J. Russell has expressed a desire not to continue doing business in Miami-Dade County, and no longer has a local office in Miami Dade County; and

WHEREAS, this Board desires to proceed with the Liberty City and Opa-locka Beautification Programs; and

WHEREAS, the County has an existing agreement authorized under Resolution No. R-733-01 with the Florida Nursery Growers Association, Inc, Dade County Chapter; and

WHEREAS, the County has an existing agreement authorized under Resolution No. R-1176-06 with Greater Miami Services Corp; and

WHEREAS, by Resolution No. R-299-02 this Board waived competitive bidding and set aside a specified dollar amount of County construction work to be awarded to CSBE certified firms; and

WHEREAS, the Contractors Resource Center, Inc., is a not-for-profit organization founded in 1993, and is an integral part of the construction community with a track record of providing various assistance and services to contractors; and

WHEREAS, while the Contractors Resource Center, Inc., is open to all small businesses, the center of their focus is on African American firms and offers consulting activities that include, but are not limited to, community outreach, technical assistance and contract review; and

WHEREAS, this Board desires to utilize the existing contracts authorized pursuant to Resolution Nos. R-299-02, R-733-01, and R-1176-06 and further desires to award a contract to Contractors Resource Center, Inc.; and

WHEREAS, this Board desires to promote creative approaches to water conserving landscapes by helping people improve their landscapes and to reduce the need for water, maintenance and other resources through the xeriscape method,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Amends Resolution Nos. R-1354-05 and R-88-06 to rescind the authorization to negotiate contracts for the Programs with H. J. Russell Construction Company.

Section 2. Approves the reallocation of the Documentary Surtax and/or SHIP funds, not to exceed \$1,972,000 for the beautification program for each target area, to be utilized under an existing county contract that will best effectuate the work expeditiously.

Section 3. Establishes a maximum of \$5,900 per residential household as a 5-year forgivable loan to be expended for the beautification program.

Section 4. Finds, pursuant to Section 4.03(D) of the Home Rule Charter and of the County Code by a two-thirds (2/3s) vote of the Board members present, that it is in the best interests of the County to waive formal bid procedures and requirements of Administrative Order No. 3-39 in connection with the purchase of goods and services associated with implementing the Programs in amount not to exceed \$200,000.00 per vendor and is further conditioned on receipt from the affected property owners of a right to entry and waiver of liability.

Section 5. Authorizes the County Manager to negotiate and execute an agreement with Contractors Resource Center, and further authorizes the County Manager to execute amendments and issue work orders under the foregoing contracts and resolutions to members of the Florida Nursery Growers Association, Inc, Dade County Chapter, to the Greater Miami Service Corp., and to CSBE firms, in order to effectuate the Programs in an expeditious manner, after review and approval by the County Attorney's Office.

Section 6. Authorizes the County Manager, in the event Contractor Resources Center, Florida Nursery Growers Association, Inc, Dade County Chapter, to the Greater Miami Service Corp. are unable to perform the services indicated in this Resolution, access the CSBE pool of consultants from the Office of Capital Improvement; and further authorizes the County Manager to execute amendments and issue work orders under their contracts in order to effectuate the Programs in an expeditious manner, after review and approval by the County Attorney's Office.

Section 7. Directs the County Manager to promote xeriscape, which promotes creative approaches to water conserving landscapes to help the assisted households to improve their landscapes and to reduce the need for water, maintenance and other resources.

The foregoing resolution was sponsored by Commissioner Dorrin D. Rolle and Commissioner Barbara J. Jordan 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 19th day of December, 2006. 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. TSAS

Terrence A. Smith