Memorandum

MIAMI-DADE COUNTY

Date: February 20, 2007

Agenda Item No. 12(A)(1)

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

From: George M. Burgess
County Manager

Subject: Resolution Ratifying the County Manager's Action in Authorizing Capital Improvement Contracts Pursuant to Section 2-8.2.7 of the Code of Miami-Dade County (the "Expedite Ordinance")

RECOMMENDATION

It is recommended that the Board adopt the attached resolution ratifying the County Manager's actions taken through December 18, 2006 in expediting the capital improvement projects identified on the attached schedules (Exhibits "A" and "B").

BACKGROUND

Section 2-8.2.7 of the Code of Miami-Dade County, known as the "Expedite Ordinance", provides for expeditious treatment of professional service agreements and construction contracts associated with funded capital improvement projects identified in the approved annual capital budget (Proposed Capital Budget and Multi-Year Capital Plan) or projects subsequently included by a Board of County Commissioners resolution.

The Office of Capital Improvements (OCI) processed the 5 qualifying capital improvement project awards, amendment and change orders of construction and professional service agreements listed in Exhibits "A" and "B". Exhibit "C" is a summary of the Community Small Business Enterprise (CSBE), Community Business Enterprise (CBE), Disadvantaged Business Enterprise (DBE) and Community Workforce Program (CWF) participation for Exhibit "A" projects. Exhibit "D" is a listing of descriptions for the abbreviations utilized on Exhibits "A" and "B". The expedite process has greatly reduced the timeline to advertise solicitations and competitive bids, award qualifying projects, design and construction contracts, and process change orders and amendments/modifications to professional service agreements, resulting in significant efficiencies in the implementation of those projects.

Assistant County Manager

1/9/07
Date

MEMORANDUM
(Revised)

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

DATE: February 20, 2007

FROM: Murray A. Greenberg County Attorney

SUBJECT: Agenda Item No. 12(A)(1)

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 _____

Agenda Item No. 12(A)(1)
02-20-07

RESOLUTION NO. _____

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTIONS, AS AUTHORIZED BY SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULES FOR CAPITAL IMPROVEMENT PROJECTS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board ratifies the actions of the County Manager, as authorized by Section 2-8.2.7 of the Code of Miami-Dade County, in approving the recommendations listed on Exhibits "A" and "B" attached hereto and made a part hereof.

The foregoing resolution was 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
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 20th 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.

Hugo Benitez

Capital Improvement Projects
Contract Award Ratification List
As of 12/18/2006

Exhibit A

Cultural Affairs

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
A05-CUA-01 A05-CUA-01R	South Miami-Dade Cultural Center	District 8 10900 SW 211 Street, Cutler Bay, FL	$781,550.00	0%	10%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2005-06** Book Pages: **134**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
PSA	Contract Award	8/23/2005	Arquitectonica International Corporation	$770,000.00	1095	12/15/2006	12/19/2006

Comments:

Architectural and Engineering services related to the construction of a new 71,000 sq. ft. cultural center featuring a state of the art 966 seat theater and construction of the adjacent activities building, a 7,500 sq. ft. building housing rehearsal, classroom and small-scale performance spaces.

Chronological History appears on Attachment 2.

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Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Award Ratification List
As of 12/18/2006

Exhibit A

Public Works Department

Project / Contract	Project Name	Commission District / Location	Original Estimate	CSBE / CBE / DBE / CWF Measures			
E05-PW-12 662519	Venetian Causeway Streetscape Improvements	Various Districts From Alton Road to the western boundary of City of Miami Beach city limits and from Bayshore Drive to the eastern boundary of City of Miami city limits	$780,000.00	0%	20%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **FY 2005-06** Book Page: **49**

Contract Type	Activity	RTA Approval Date	Awarded To	Award Amount	Contract Duration (Days)	County Manager Approval	Clerk Date
PSA	Contract Award	1/9/2006	Kimley-Horn and Associates, Inc.	$760,220.32	1095	11/16/2006	11/16/2006

Comments:

The Miami-Dade County Public Works Department has the need to establish one (1) Non-exclusive Professional Services Agreement (PSA) to provide professional engineering services in the preparation of Master Plan and complete construction plans to include roadway beautification enhancements and improvements to Venetian Causeway such as: expanded sidewalks, curb and gutter, raised landscaped median, continuous bike lanes, parallel parking, drainage improvements, pavement markings and signing, traffic mast arms, decorative roadway lighting, tree planting, entrance features and decorative paver crosswalks.

Chronological History appears on Attachment 1.

Total Number of Items this Ratification Period for: Contract Award 2

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Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 12/18/2006

Exhibit B

Amendment

Cultural Affairs

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / CBE / DBE / CWF Measures			
A05-CUA-01 A05-CUA-01R	South Miami-Dade Cultural Center	District 8 10900 SW 211 Street, Cutler Bay, FL	Arquitectonica International Corporation	0%	10%	0%	0%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: **2005-06** Book Pages: **134**

Contract Type	Activity		Award Approval Date	County Manager Approval	Clerk Date
PSA	Amendment	1	12/19/2006	9/18/2006	9/20/2006

	Original	All Previous	This Adjustment	Total
Amount:	$770,000.00	$0.00	($88,450.00)	$681,550
Time:	1095	0	0	1095

Comments:

Amendment # 1 - This amendment reduces the contract award by a net of $88,450 by eliminating the dedicated account for Additional Services ($100,000) and including Art in Public Places ($11,550), as established in Administrative Order 3-11 and Section 2-11.15 of the Code of Miami-Dade County.

Total Number of Items this Ratification Period for: Amendment 1

Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 12/18/2006

Exhibit B

Change Order
Environmental Resources Management

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / Measures	CBE / Measures	DBE / Measures	CWF Measures
20030041A	South Miami-Dade Stormwater Treatment and Distribution Area (STDA)	District 9	Central Florida Equipment Rentals Inc.	0%	0%	12%	0%
20030041A		SW 107th Avenue to SW 97th Avenue from Military Canal to SW 296th Street					

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: 2005-06

Book Page: 230

Book Page: 232 (see updated Funded Projects Detail Report F-5 Page 28 of 32)

Book Page: Book Page: Not Applicable - Funding from the Department of the Air Force Real Property Agency

Contract Type	Activity		Award Approval Date	County Manager Approval	Clerk Date		Original	All Previous	This Adjustment	Total
Construction	Change Order	1	1/12/2006	11/14/2006	11/15/2006	Amount:	$2,954,272.45	$0.00	$0.00	$2,954,272.45
Comments:						Time:	180	0	80	260

C/O # 1 - Extend the contract by 80 calendar days. This extension was based on careful review of the project schedule and the contractor's production rate. Given the remote location of this project, culminated with inclement weather, the aforementioned delays affected the critical path of the approved contract schedule by which a request for extension was warranted for the project's total completion.

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Prepared by: Office of Capital Improvements

Capital Improvement Projects
Contract Adjustment Ratification List
As of 12/18/2006

Exhibit B

Change Order
Public Works Department

Project / Contract	Project Name	Commission District / Location	Awarded To	CSBE / CBE / DBE / CWF Measures
20030256 (Formerly 651007) 20030256	NE 1st Avenue and NE 2nd Avenue from NE 5th Street to NE 11th Street (Phase 1)	District 3 NE 1st Avenue and NE 2nd Avenue from NE 5th Street to NE 11th Street	H & R Paving, Inc.	27% 0% 0% 20%

Capital Budget and Multi-Year Capital Plan Information: Capital Budget Fiscal Year: 2004-05 Book Page: 65

Contract Type	Activity		Award Approval Date	County Manager Approval	Clerk Date
Construction	Change Order	1 and Final	10/18/2004	10/31/2006	11/15/2006

	Original	All Previous	This Adjustment	Total
Amount:	$903,030.34	$0.00	$0.00	$903,030.34
Time:	210	0	130	340

Comments:

CO # 1 - This Change Order extends contract time by 130 non-compensable calendar days as a result of the following:

The contractor lost 24 calendar days of work during the months of August, September and October 2005, in preparation for the arrival of Hurricanes Katrina, Rita and Wilma and post-storm activities to resume construction work.

The contractor was not able to effectively perform construction work for 40 calendar days due to conditions imposed by the City of Miami during their Holiday Construction Moratorium, in effect from November 24, 2005, to January 2, 2006.

The project was delayed by 30 calendar days as a result of research, consultation and design conducted to correct unforeseen conflicts between the drainage and sidewalk designs in the project plans and field conditions.

As a result of the conditions imposed by the City of Miami through their required Special Events Permit(s), the project was delayed 30 calendar days. The contractor was not able to effectively schedule and perform work that was required to be completed at night. Specifically, the roadways involved in this project are the ingress and egress routes to the American Airlines Arena and the planned work was not allowed to conflict with several evening events at this venue (Ringling Brothers Circus, Miami Heat Games, high profile concerts, etc.) during the months of January and February 2006.

The project was delayed 4 calendar days due to inclement weather and 2 calendar days due to temperatures that were colder than the minimum allowed by contract specifications for the placement of asphaltic concrete friction course.

Total Number of Items this Ratification Period for: Change Order 2

Capital Improvement Projects
Contract Measures Summary Report
As of 12/18/2006

Exhibit C

PSA

Department	Contract No.	Measure	Measure (%)	Award Value	Contract Goal	CWF
PWD	662519	CBE	20%	$760,220.32	$152,044.06	N/A
CUA	A05-CUA-01R	CBE	10%	$770,000.00	$77,000.00	N/A

* Community Workforce Program If a work order issued under this project is determined to be located within a Designated Target Area (DTA), it is subject to Community Workforce Program goals. As such, the work order will be required to be presented to the Review Committee for the application of a CWP goal recommendation.

Prepared by: Office of Capital Improvements

Abbreviation	Description
A	Architecture
CBE	Community Business Enterprise
C/O	Change Order
CSBE	Community Small Business Enterprise
CUA	Cultural Affairs
CWF	Community Workforce Program
DBE	Disadvantaged Business Enterprise
E	Engineering
FY	Fiscal Year
INC or Inc.	Incorporated
N/A	Not Applicable
No. or #	Number
PSA	Professional Service Agreement
PW	Public Works
R	Re-bid
RTA	Request to Advertise

Note: Vendor certification information is available from the Department of Business Development.

Attachment 1

Public Works Department
Venetian Causeway Streetscape Improvements
Contract No. 662519; Project No. E05-PW-12
Chronological History

Activity	Date	Comment
Request to Advertise Approved by Department		Memo not dated
Request to Advertise Approved by County Manager	1/6/2006	
Request to Advertise Clerk Date	1/9/2006	
Advertisement Date	1/24/2006	
Addendum #1	2/6/2006	
Bids/Submittal Received	2/17/2006	
DBD Review Requested	3/20/2006	
DBD Review Results Received	3/22/2006	
First-Tier Selection Meeting	3/17/2006	
Second-Tier Selection Meeting	4/20/2006	
Approval to Negotiate	5/8/2006	
Negotiation Session #1	5/31/2006	
Fee Proposal received	6/9/2006	
Negotiation Session #2	6/15/2006	Consultant requested to reschedule meeting on or after 7/7/2006.
Negotiation Session #3	7/11/2006	
Negotiation Session #4	7/24/2006	
PSA to Consultant	8/2/2006	
Receipt of PSA from Consultant	8/9/2006	
PSA Award Recommendation Memo Date by Department	9/22/2006	
PSA Award Recommendation Memo Date by County Manager	11/16/2006	
PSA Award Recommendation Memo Clerk Date	11/16/2006	

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Attachment 2

Department of Cultural Affairs
South Dade Cultural Center
Contract No. A05-CUA-01R
Chronological History

Activity	Date	Comment
Request to Advertise Approved by Department	8/9/2005	
Request to Advertise Approved by County Manager	8/23/2005	
Request to Advertise Clerk Date	8/23/2005	
Advertisement Date	8/30/2005	
Addendum #1	9/6/2005	
Bids/Submittal Received	9/30/2005	
First-Tier Selection Meeting	11/17/2005	
DBD Review Requested	11/29/2005	
DBD Review Results Received	12/5/2005	
Negotiation Authorization Memo Sent to County Manager	12/6/2005	
Negotiation Authorization Memo Received from County Manager	12/13/2005	
PSA agreement sent to OCI by Cultural Affairs	2/14/2006	
Negotiation Session #1	2/28/2006	
Negotiation Session #2	3/22/2006	
Conditions of PSA Accepted by All Firms	3/22/2006	
PSA Award Recommendation Memo Date by Department	7/6/2006	The Department of Cultural Affairs inadvertently filed the PSA agreements with the Clerk of the Board prior to obtaining the County Manager approval to award this project.
PSA Award Recommendation Memo Date by OSBM	7/18/2006	
PSA Award Recommendation Memo Date by County Attorney's Office	7/20/2006	
OCI Requests Meeting with Cultural Affairs to Review and Amend PSA terms regarding the Contingency	8/3/2006	
Draft PSA Amendment Prepared by OCI and Sent to Cultural Affairs	8/11/2006	
Executed PSA Amendment Sent by Cultural Affairs to OCI	9/12/2006	
PSA Amendment filed with the Clerk of the Board	9/20/2006	
PSA Award Recommendation Memo Date by County Manager	12/15/2006	
PSA Award Recommendation Memo Clerk Date	12/19/2006	

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