



MEMORANDUM
Harvey Ruvin
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ATC
Agenda Item No: 6(A)
September 11, 2008

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Airport and Tourism Committee

DATE: September 11, 2008

FROM: Kay M. Sullivan
Director, Clerk of the Board, Division

SUBJECT: Approval of Commission
Committee Minutes

A handwritten signature in black ink, appearing to read "Kay M. Sullivan".

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Airport and Tourism Committee:

June 12, 2008

Attachment
KMS/jm



Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

CLERK'S SUMMARY OF Meeting Minutes Airport and Tourism Committee

Jose "Pepe" Diaz (12) Chair; Sally A. Heyman (4) Vice Chair; Commissioners Carlos A. Gimenez (7), Joe A. Martinez (11), Dorrin D. Rolle (2), and Rebeca Sosa (6)

Thursday, June 12, 2008

11:00 AM

MIA, CONCOURSE 'A' 4TH FLOOR
AUDITORIUM

Members Present: Jose "Pepe" Diaz, Carlos A. Gimenez, Joe A. Martinez, Dorrin Rolle, Rebeca Sosa.

Members Absent: Sally A. Heyman.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Judy Marsh, Commission Reporter,
(305) 375-1967*

1A INVOCATION

Report: *A Moment of Silence was observed followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: County Manager George Burgess; Assistant County Manager Ysela Llori; Assistant County Attorneys David Murray; and Deputy Clerk Judy Marsh.*

Also present were County Commission Chairman Bruno Barreiro; and Commissioners Dennis C. Moss and Javier D. Souto.

It was moved by Commissioner Martinez that the Committee approve the June 12, 2008 Airport and Tourism Committee agenda. This motion was seconded by Chairman Diaz, and upon being put to a vote, passed by a vote of 5-0, (Commissioner Heyman was absent).

1D **SPECIAL PRESENTATION(S)**

1D1

081796 Special Presentation
MIA PERFORMANCE

Presented

Report: *Mr. Max Fajardo, Deputy Aviation Director, Miami-Dade Aviation Department (MDAD), gave a Power Point Presentation on the South Terminal Project. He discussed the status of the Project, and noted the South Terminal Project officially opened on September 24, 2007 and was the first Terminal and Concourse expansion since the late 1950's. Mr. Fajardo said some areas of the Terminal were pending completion of the "punch list" items; 18 of 19 airlines had relocated into the South Terminal; more than 20 restaurants and retail stores had opened since September with more planned for summer 2008; and Gate H-4 was back in service. Mr. Fajardo pointed out ongoing work was being performed by MDAD staff and contractors to better utilize the building by the Federal agencies. He advised the conveyor system, though fully operational, was undergoing some improvements to enhance its performance as requested by the airlines, and the central checkpoint was being upgraded with new technology from the Transportation Security Administration (TSA). Mr. Fajardo said it was staff's intent to conclude all work by Parsons/Odebrecht Joint Venture (POJV) by July 2008 if the contractor and their subcontractors cooperated. He noted Phase 2 was in progress and due to be completed in early 2009.*

Concerning the claim resolution regarding the South Terminal, Mr. Fajardo said POJV initially submitted a claim of \$125 million which they later revised to approximately \$73 million. He noted POJV initially certified approximately \$42.50 million in claims; and staff's evaluation of the \$42.50 million submission resulted in a value of approximately \$18 million. Mr. Fajardo said POJV resubmitted certified claims of approximately \$65 million and staff was in the process of evaluating this submission. He noted ongoing meetings were being held with the contractor to reach a resolution.

In response to Commissioner Sosa's inquiry, Mr. Fajardo said POJV submitted up to \$100 million in claims; however, they certified \$65 million which was currently being reviewed by staff.

Mr. Fajardo discussed the status of the punch list

for the South Terminal Project. He noted approximately 3,500 items were in dispute which meant the contractor felt it was not their responsibility to complete. Mr. Fajardo pointed out most of the items on the punch list were cosmetic in nature and would not prevent the Terminal from being used or completing the Project. He referred to five items (the "Big Five") which he noted was corrective work which the contractor needed to perform at their expense, and these items were also cosmetic in nature. Mr. Fajardo noted a concerted effort had occurred within the last 15-20 days to complete the punch list.

Mr. Fajardo discussed commissioning of the South Terminal Project which he noted comprised of testing and bringing all of the equipment on line. He noted approximately 1,500 pieces of equipment needed to be tested and staff needed to be trained. Mr. Fajardo advised approximately 90% of the testing was completed.

Mr. Fajardo discussed the percentage of the scope of work (annex) needed to complete the South Terminal Project, including a final Certificate of Occupancy; and the demobilization of Dade Aviation Consultants (DAC). He noted his intent to terminate the DAC contract as quickly as possible.

In response to Commissioner Sosa's inquiry, Mr. Fajardo said annex 6, 19 and 20 were part of the minor close-out documentation. He noted the infrastructure was completed.

1D2

081797 Special Presentation

MIA CAPITAL IMPROVEMENTS PROGRAM

Presented

Report: *Prior to the presentation by Mr. Paul McKnight, Mr. Jose Abreu, Director, Miami-Dade Aviation Department (MDAD), provided an overview of Miami International Airport's (MIA) traffic.*

Mr. Abreu advised passenger traffic had increased approximately 4% in 2007 over 2006, while 2008 year-to-date numbers remained at 2% of the same time last year. He noted, however, the unofficial gate numbers showed a downturn trend since Memorial Day. Mr. Abreu said last year, national traffic grew more than 5% and accounted for 46% of passengers, making Miami International Airport one of only two U.S. airports with such a high ratio. He noted Miami was the third most visited destination within the United States, with a 19% percent increase in 2007. He noted cargo traffic surpassed 2.1 million ton, exceeding last year's previous record by 5%, and continued to grow through the beginning of 2008.

Mr. Abreu noted MDAD was advised in April, that Cathay Pacific Airways, the top cargo carrier in Asia would begin freight air service between MIA and Hong Kong in September 2008. He noted MDAD's 2007 economic impact report indicated that Miami-Dade Aviation's system generates more than 272,000 jobs and more than \$25 billion in revenue. Mr. Abreu said concession sales for 2007 improved 12% to \$546 million and MIA ranked no. 6 among North American airports in sales per passenger. He noted all three bond rating agencies had retained "A" ratings for the Airport with the same stable outlook.

Mr. Paul McKnight, Traffic Engineer, summarized Miami International Airport's (MIA) traffic forecast, via a Power Point presentation. He noted MIA's South Florida domestic market share had been stable over the past few years and discussed the trends in domestic passengers and airline fares at Miami and Fort Lauderdale International Airports.

Mr. McKnight discussed American Airlines' (American) commitment to MIA. He noted American's commitment to MIA's domestic market remained strong and since 2005, American added 6% domestic seats to its capacity at MIA. Mr.

Le

McKnight also noted American's capacity to Latin America/Caribbean increased at MIA and since 2005; American added 20% to its international departing seats leaving Miami.

Mr. McKnight discussed MIA's share of total departing passengers on all carriers from the U.S. to Latin American and Caribbean destinations, and noted MIA had up to one-third of the U.S. Latin American/Caribbean market.

Mr. McKnight summarized the projected traffic forecast at MIA from 2008 onward. He noted the aviation market was dynamic and very volatile with a lot depending on energy prices. Mr. McKnight said he was optimistic that Miami would fare well, particularly with international traffic; however, there could be potential obstacles in 2009 because all the airlines, including American, were forecasting reduction in capacity which might result in increased fares.

Mr. McKnight discussed the cost per enplaned passenger. He noted up until 2011, the cost per passenger at MIA on average would be under \$25, and would increase in each subsequent year until 2016 when it would reach \$34 and then \$35.

Commissioner Souto directed questions to Mr. McKnight regarding the impact of oil prices on fares.

In response to Commissioner Moss' inquiry regarding the impact of potential airline mergers on Miami's air traffic, Mr. McKnight noted he felt the potential merger of Northwest and Delta would be relatively minimal.

Mr. Peter Dolara, Senior Vice-President, American Airlines, provided a Power Point presentation on American Airlines' (American) commitment to Miami International Airport (MIA). He noted American would be reducing seats and flights system-wide; however, Miami would not experience any reduction. Mr. Dolara stated Miami used to be American's third hub; however, currently American's largest hubs were Dallas and Miami due to the size of American's aircrafts and commitment to the cities. He noted MIA was an international hub and was doing better than hubs in Atlanta, Houston, Dallas and Chicago because of the Latin American market trends.

Mr. Dolara discussed American's performance

within the past six years, the last five months, and the last ten days. He stated that while American had reduced its seats over the last ten days, Miami had a larger percentage of seats. Mr. Dolara noted American's commitment to Miami for new destinations.

Mr. Dolara noted as a result of the increased fuel prices, carriers, including American had announced reductions in flights and in personnel. He stated routes in Miami would not be reduced because Miami was an international hub.

Mr. Dolara noted Miami was a destination hub that offered various attractions and events. He discussed American's involvement with real estate, education, healthcare, and the Seaport, and noted next year, American would offer a special discount for businesses visiting the Seaport.

Mr. Dolara discussed American's need for the North Terminal and noted American's competition were other hubs which had a full facility that could provide service to passengers. He stated currently sufficient gates were not available to support American's growth; however, upon completion of the North Terminal, Passengers would be encouraged to fly with American, and American would have over 300 flights.

Chairman Diaz expressed appreciation to Mr. Dolara for his presentation. He stated that American's involvement with every facet of Miami-Dade County was important to the county commissioners. Chairman Diaz noted his commitment as Chairman of this Committee and the Committee members' to ensure the North Terminal was completed as quickly as possible. He noted it was a pleasure working with Mr. Dolara and American in ensuring a future partnership.

Mr. Dolara reassured Chairman Diaz and the Committee members of American's commitment to Miami International Airport.

Mr. John Cospers, Deputy Aviation Director, Capital Improvement Program (CIP), Miami-Dade Aviation Department (MDAD), provided a Power Point presentation on the CIP budget. He noted MDAD was holding the line on the \$6.2 billion budget; however, a few changes had occurred among some of the line items. Mr. Cospers said the vast majority of the CIP was either constructed or under construction and the

gist of the construction contracts were lump sum contracts. He discussed the CIP cash flow and noted large cash flows would be seen within the next couple of years, and the projects were moving ahead.

Mr. Juan Carlos Arteaga, North Terminal Development Program Director, Miami-Dade Aviation Department, provided an overview of the North Terminal Development (NTD) Program. He noted in spite of its magnitude, the NTD Program was being managed on a daily basis. Mr. Arteaga said the new North Terminal schedule was developed approximately one year and six months ago and gates were being opened on schedule. He noted the following accomplishments that had occurred regarding the NTD Program since March 2007:

*Program was on schedule as of April 2008;
 Baggage Handling System & Automated People Mover contracts had been approved;
 Construction workforce increased to over 1,100 workers;
 Monthly construction payouts increased to over \$40 million;
 American Airlines currently operating Ramp Control Tower;
 Regional Commuter Facility being constructed for American Eagle redesigned to conform estimate to budget;
 Three new international gates opened on schedule in 2008;
 Substantial progress on incomplete work assumed from previous contractor;
 344 claims from previous era totaling \$210 million settled for \$56 million;
 North Terminal Improvement Project negotiated and awarded within budget;
 Life Safety Master Plan approved; and
 Closure of Concourse "A" accomplished on schedule.*

Mr. Arteaga showed photographs of Concourse "A" and the airside fence which would be used as a parking area for the contractors; and photographs indicating the status of the North Terminal's B-C Infill, C-D Infill, A-B Infill and Gates 37/38.

Chairman Diaz expressed appreciation to Mr. Arteaga for his presentation.

Commissioner Moss commended Chairman Diaz and the committee members; the County Manger,

the Aviation Director and his staff; and the County's partners for the team work regarding the North Terminal.

Chairman Diaz expressed appreciation to Commissioner Moss for his comments. He concurred that this was a true partnership.

Mr. Abreu provided an overview of the CIP contingency and exposures. He advised the total CIP contingency was \$166.2 million, with 8.2% of construction as of June 1, 2008. Mr. Abreu noted 6.2% of the 8.2% related to allowance accounts and budget line items and 2.0% related to uncommitted funds. He discussed the program exposures related to the North Terminal which included the following:

POJV Allowance Account

Estimated in 2006 that \$100 million would be needed as the contingency for this account and \$49.2 million budgeted and contracted. \$51.8 million anticipated from Transportation Security Administration (TSA) grant.

North Terminal Improvements

Notice to Proceed delayed by two months; potential exposure could vary between \$0 and \$125,000 per day.

Builders Risk Insurance

Exposures being evaluated and would be addressed by negotiating and revising coverage terms. Policy would expire on December 31, 2009; potential cost of \$4 million per year.

Regional Commuter Facility

Walkway being redesigned and transferred to apron project which was in final design; potential cost of \$6 million.

Multiple Contractor Interface

Construction and schedule coordination among various parties remained challenging; potential cost of \$125,000 per day. County owns schedule.

Mr. Abreu noted he could not predict exposures relating to future (partially or totally) unfunded federal mandates

Mr. Abreu noted all parties involved in the North Terminal Development Program were working hard to keep the Program on schedule.

In response to Chairman Diaz' inquiry, Ms. Sonia

Bridges, Chief, Risk Management and Support Services, noted MDAD was not mandated by federal guidelines to obtain builders risk insurance coverage only through national companies.

Responding to Commissioner Moss inquiry, Ms. Bridges noted at the time MDAD obtained builders risk insurance coverage, the estimated completion time for the North Terminal was 2009. She noted now that completion was estimated for 2011, staff was reviewing the projects that were completed in order to remove those items from the builders risk insurance.

Commissioner Moss suggested the Regional Commuter Facility be a walled facility.

With regard to the South Terminal exposure, Mr. Abreu noted any settlement amount over \$20 million was considered an exposure.

Mr. Abreu discussed the Program-wide Carryover Deficit. He noted a carryover deficit existed since 1992, and originally \$56 million of carry over deficit had been mitigated down to \$41 million for CY 2009-2011.

Mr. Abreu noted another potential exposure consisted of potentially high bids that the Department could receive on pending projects. He pointed out that additional projects were needed for the Airport which exceeded the amount covered by the \$6.2 billion amount for the CIP. Mr. Abreu stated the \$6.2 billion comprised funds from the Florida Department of Transportation, Transportation Security Administration, Federal Aviation Administration, American Airlines and \$5.3 billion of bond monies. He noted it was harder to reduce the \$5.3 billion.

In response to Chairman Diaz' inquiry regarding the frequency which bonds were reviewed, Mr. Abreu said the bonds were reviewed each time a bond issue was requested. He noted an exposure would occur if the bond rating were to change.

In response to Commissioner Moss' inquiry, Mr. Abreu confirmed that by adding \$30 million to the budget, sufficient funds would be available for the MIA Mover Automated People Mover System to be bid and constructed.

Pursuant to Commissioner Moss' request, Mr. Abreu explained how American Airlines'

Airport and Tourism Committee

Meeting Minutes

CLERK'S SUMMARY OF

Thursday, June 12, 2008

acquisition of new gates would translate into more passengers. He noted approximately 30% of the Airport's traffic involved connectivity and the market would be dictated by the connections, international traffic and destination.

Commissioner Moss noted during his tenure as Chairman of the Transportation Committee, Mr. Dolara made a commitment on behalf of American Airlines that American would grow its passengers in Miami. He noted American had kept its commitment. Commissioner Moss expressed appreciation to Chairman Diaz for the progress being made on the North Terminal.

Chairman Diaz expressed appreciation to Commissioner Moss and County Commission Chairman Bruno Barreiro for remaining for the entire meeting. He expressed confidence in Miami-Dade County Mayor Carlos Alvarez, the County Administration and Airport staff in moving forward to ensure that the North Terminal would become a reality. Chairman Diaz noted the intent was to make everyone aware of the issues involving the North Terminal and commissioners had heard from American which renewed its commitment to be MDAD's partner.

1D3

081835 Report

ORAL REPORT: GREATER MIAMI CONVENTION &
VISITORS BUREAU**Presented**

Report: *Mr. Bill Talbert, President and Chief Executive Officer, Greater Miami Convention & Visitors Bureau (GMCVB), provided an oral report on the activities of the GMCVB. He noted Miami ranked No. 1 for hotel occupancy within the first four months of 2008 in the top 25 destinations. Mr. Talbert pointed out that while hotel occupancy within the State of Florida had decreased, hotel occupancy within Miami-Dade County had increased. He noted hotel occupancy and rates had increased for May 2008.*

Mr. Talbert stated the GMCVB was launching a new Summer Festival Season initiative for visitors and residents, and would celebrate its first annual Miami Spa Month during the month of July 2008. He noted Miami Spice would be held August and September, 2008, with a preview June 16 – 30, 2008. Mr. Talbert commented on the Vacation in Your Own Backyard Program which was launched a few years ago to promote year-round tourism; and the Shoulder Program, an initiative with American Airlines to encourage people to come to Miami-Dade County to live, work and play.

Mr. Talbert said upcoming events included the U.S. Conference of Mayors which would be held this month (June) at which City of Miami Mayor Manny Diaz would be elected President; La Cumbre, a Latin American version of Pow Wow, which would be held in September; and the International Association of Events and Expositions which would be held in December, 2008. He noted Pow Wow, the number one tourism show within the United States, would be held in Miami-Dade County in May 2009 and approximately \$4 billion of travel would be transacted within the United States. Mr. Talbert extended an invitation to all commissioners to attend the La Cumbre event.

Regarding the Miami Beach Convention Center, Mr. Talbert noted consultants would be making recommendations on enhancing the Center so that it would be competitive in the meeting and convention industry.

Chairman Diaz expressed appreciation to Mr.

Talbert for an outstanding job.

2 COUNTY COMMISSION

2A

080974 Ordinance **Jose "Pepe" Diaz** *Amended*
ORDINANCE RELATING TO THE NORTH TERMINAL DEVELOPMENT AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING COUNTY MAYOR AND THE AIRPORT DIRECTOR TO EXECUTE CHANGE ORDERS, EXTEND CONTRACT TIME, WAIVE LIQUIDATED DAMAGES, AND MODIFY CONTRACT TERMS FOR CONTRACTS RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT WITHOUT THE NEED FOR PRIOR COMMISSION APPROVAL; ESTABLISHING CONDITIONS FOR EXERCISE OF DELEGATED AUTHORITY; WAIVING COMMITTEE REVIEW OF NEW NORTH TERMINAL CONTRACTS AUTHORIZING TIME EXTENSIONS BEFORE AND AFTER EXPIRATION OF CONTRACT TIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *(See Agenda Item 2A Amended, Legislative File Number 081969)*

2A Amended

081969 Ordinance **Jose "Pepe" Diaz**

ORDINANCE RELATING TO THE NORTH TERMINAL DEVELOPMENT AT MIAMI INTERNATIONAL AIRPORT; AUTHORIZING COUNTY MAYOR OR, IF AUTHORIZED BY THE COUNTY MAYOR, THE AIRPORT DIRECTOR, TO EXECUTE CHANGE ORDERS, EXTEND CONTRACT TIME, WAIVE LIQUIDATED DAMAGES, AND MODIFY CONTRACT TERMS FOR CONTRACTS RELATING TO NORTH TERMINAL DEVELOPMENT PROJECT WITHOUT THE NEED FOR PRIOR COMMISSION APPROVAL; ESTABLISHING CONDITIONS FOR EXERCISE OF DELEGATED AUTHORITY; WAIVING COMMITTEE REVIEW OF NEW NORTH TERMINAL CONTRACTS AUTHORIZING TIME EXTENSIONS BEFORE AND AFTER EXPIRATION OF CONTRACT TIME; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 080974]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Gimenez
Seconder: Sosa
Vote: 4-1
No: Rolle
Absent: Heyman

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record.*

Chairman Diaz announced that the foregoing proposed ordinance was open for public participation, and there being no one to appear before the Committee, the public hearing was closed.

Assistant County Attorney Murray advised that Section 2-285.1(1) of the foregoing proposed ordinance was amended to read as follows: "With respect to contracts assigned to Miami-Dade County pursuant to Resolution R-735-05, or other contracts previously procured by American Airlines and previously assumed by Miami-Dade County via action of the Board of County Commissioners, or contracts to finish work begun but left incomplete as of August 1, 2005, or contracts related to the construction, design, or construction management of the North Terminal Development which were awarded by the Board of County Commissioners prior to May 1, 2008--." He noted this language was repeated in Subsection (g) of the proposed ordinance.

Commissioner Martinez noted he would vote in support of the foregoing proposed ordinance, however, he pointed out that the ordinance requested waiving Committee review of new North Terminal contracts. He referenced Agenda Item 3A on today's (6/12) agenda which included a shortfall of \$30 million, resulting from a reverse

negative change order that was done without the County Commission's approval. Commissioner Martinez noted the Committee would be removing itself from the review process.

Commissioner Sosa spoke in support of the foregoing proposed ordinance. She noted she felt this ordinance would expedite finalizing construction at Miami International Airport, while keeping the County Commission and County Administration apprised of the steps being taken regarding the North Terminal.

Chairman Diaz noted a substantial amount of money would be saved in the future as a result of this proposed ordinance.

Hearing no further comments or questions, the Committee by motion duly made, seconded and carried, voted on the foregoing proposed ordinance with the amendment noted by Assistant County Attorney Murray.

2A SUPPLEMENT

081868 Supplement

FISCAL IMPACT TO ORDINANCE RELATING TO
NORTH TERMINAL DEVELOPMENT AT MIAMI
INTERNATIONAL AIRPORT

Presented

2B

081285 Ordinance

Dennis C. Moss

ORDINANCE AMENDING SECTIONS 2-2011, ET. SEQ.
CODE OF THE MIAMI-DADE COUNTY, CONCERNING
THE COMMUNITY PERIODICAL ADVERTISING
PROGRAM; PROVIDING SEVERABILITY, INCLUSION
IN THE CODE, AND AN EFFECTIVE DATE

Withdrawn

Report: (See Agenda Item 2B Substitute, Legislative File
No. 081795)

2B SUBSTITUTE

081795 Ordinance **Dennis C. Moss**

ORDINANCE AMENDING SECTIONS 2-2011, ET. SEQ. CODE OF THE MIAMI-DADE COUNTY, CONCERNING THE COMMUNITY PERIODICAL ADVERTISING PROGRAM; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 081285]

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Gimenez
Vote: 5-0
Absent: Heyman

Report: *Assistant County Attorney David Murray read the foregoing proposed ordinance into the record.*

Chairman Diaz announced that the foregoing proposed ordinance was open for public participation, and there being no one to appear before the Committee, the public hearing was closed.

It was moved by Commissioner Martinez that the foregoing proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Gimenez.

In response to Commissioner Sosa's inquiry, Commissioner Moss, sponsor of the foregoing proposed ordinance, noted the proposed legislation allowed people who had been printing outside Miami-Dade County in the past, to qualify; however, the printing of a community periodical must occur within Miami-Dade County.

Hearing no further comments or questions, the Committee voted on the foregoing proposed ordinance as presented.

2C

081520 Resolution **Dorrian D. Rolle**

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE TO REPORT WITHIN THIRTY DAYS ON THE FEASIBILITY OF MIAMI DADE COUNTY DESIGNING AND BUILDING A KIDPORT IN THE MIAMI INTERNATIONAL AIRPORT OR ALTERNATIVELY PARTNERING WITH THE CHILDREN'S TRUST OR ANOTHER SIMILARLY ORIENTED CHILD ADVOCACY GROUP TO DO SAME

Deferred to next committee meeting
Mover: Rolle
Seconder: Sosa
Vote: 5-0
Absent: Heyman

Report: *Pursuant to Commissioner Rolle's request, the Committee by motion duly made, seconded and carried, voted to defer the foregoing proposed resolution to the Airport and Tourism Committee meeting scheduled for July 10, 2008, at 9:30 a.m.*

3 DEPARTMENT

3A

081751 Resolution

RESOLUTION APPROVING MIA MOVER APM SYSTEM, MDAD PROJECT NO. J104 AT MIAMI INTERNATIONAL AIRPORT WITH PARSONS-ODERBRECHT JOINT VENTURE; IN THE MAXIMUM AMOUNT OF \$ 342,278,032.15; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SAME AND TO EXERCISE TERMINATION PROVISIONS THEREOF AND THOSE DELEGATIONS OF AUTHORITY IDENTIFIED IN THE ATTACHED MEMORANDUM; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO PROCURE VARIOUS COMPONENT ITEMS AND TO EXECUTE ALL NECESSARY DOCUMENTS THERETO SUBJECT TO THE APPROVAL OF THE COUNTY ATTORNEY AS TO LEGAL SUFFICIENCY, AND WAIVING COMPETITIVE BIDDING WITH RESPECT TO SUCH PROCUREMENT PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE AND SECTION 5.03(D) OF THE MIAMI-DADE COUNTY CHARTER; AND FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF MIAMI-DADE COUNTY; AND WAIVING BID PROTEST PROCEDURES (Aviation Department)

*Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Sosa
Vote: 4-1
No: Rolle
Absent: Heyman*

Report: *Assistant County Attorney David Murray read the foregoing proposed resolution into the record.*

It was moved by Commissioner Gimenez that the foregoing proposed resolution be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 5-0, (Commissioner Heyman was absent).

Commissioner Sosa recognized Mr. Peter Dolara, Senior Vice-President, American Airlines, who was present at today's meeting.

It was moved by Commissioner Martinez that the foregoing proposed resolution be reconsidered. This motion was seconded by Commissioner Rolle, and upon being put to a vote, passed by a majority vote of the members present.

Commissioners Sosa and Martinez indicated it was their understanding the Committee was voting on Agenda Item 2C, a proposed resolution regarding designing and building a kidport in Miami International Airport (MIA); not Agenda Item 3A.

Chairman Diaz noted the Committee had voted on

Agenda Item 3A.

The Committee proceeded to consider the foregoing proposed resolution.

Discussion ensued between Commissioner Martinez and Miami-Dade Aviation Director (MDAD) Jose Abreu regarding the shortfall of approximately \$30 million in the capital cost associated with the MIA Mover Automated People Mover (APM) System. Commissioner Martinez noted this was a \$30 million negative change order that was done under the previous Aviation Director's tenure.

Responding to questions from Commissioner Martinez, Mr. Abreu said he was proposing that the \$30 million shortfall be addressed with \$15 million from Airport grants to be received from the Florida Department of Transportation (FDOT), and \$15 million from the rental car surcharge. He noted the rental car industry was aware of this situation. Mr. Abreu referenced the December 2003 agreement between FDOT and Miami-Dade County in which FDOT allocated funds to MDAD for the APM System.

Commissioner Martinez asked Assistant County Attorney David Murray to provide all members of the County Commission with a report indicating when the County accepted the \$30 million grant from FDOT; the original intent of the funds and what the funds were used for; and whether the previous Airport Director had the authority to change the Commission's actions regarding the \$30 million.

Chairman Diaz noted he asked Assistant County Attorney Murray to study the contract and provide the Committee and Commission members with a comprehensive report. He noted he also instructed the Inspector General to conduct a comprehensive review of the actions taken regarding the \$30 million.

In response to Commissioner Sosa's inquiry, Assistant County Attorney Murray noted the County Manager was responsible for tracking legislative actions taken by the County Commission in 2003.

Responding to Commissioner Sosa's inquiry regarding the status of the pending punch list of items that must be addressed by POJV, Mr. Abreu noted he felt POJV would complete the work on

the South Terminal whether or not the County Commission proceeded with the APM System. He clarified the claims were not necessarily associated with the punch list items.

Commissioner Sosa noted she was in support of the foregoing proposed resolution and urged staff and the contractor to proceed with finalizing construction at Miami International Airport.

Concerning Commissioner Martinez' inquiry regarding the \$30 million allocation from FDOT, Assistant County Manager Ysela Llorca noted the work that was done was approved by the County Commission with a grant. She noted after the grant was originally allocated, there was a broadening of the eligibility of the money to place it on the APM System project; however, that broad eligibility was not exercised.

In response to Commissioner Gimenez' request, Mr. Abreu explained why he felt the proposed AMP System was the most cost-effective way of transporting passengers between MIA and the Miami Intermodal Center. He noted the County made a commitment to build the APM System from the perspective of utilization and operations and maintenance (O&M). Mr. Abreu further noted the APM System was more advantageous than buses, as buses did not address the environmental issues resulting from the fumes.

Responding further to Commissioner Gimenez, Mr. Abreu noted he did not obtain the cost for heavy rail; however, he received the cost for the people mover to buses from Miami-Dade Transit. He noted the cost per boarding for the bus was \$3.74 and the cost per boarding for the mover was \$2.52. Mr. Abreu said the rental car firms were mostly interested in the O&M because they did not pay for the capital improvement.

In response to Commissioner Gimenez' inquiry regarding the Airport's projected cost per enplaned passenger for this year, Mr. Abreu noted 2003 projections indicated the Airport should be at approximately \$22.00 for cost per enplanement; however, the Airport was at \$17.39.

In response to Commissioner Rolle's inquiry regarding the pending claims for the South Terminal, Mr. Abreu noted currently, the contractor had certified \$65 million in claims, and MDAD had a reserve of \$23 million, under Change Order No. 8, to address the \$65 million.

Commissioner Rolle noted numerous vendors had contracts delayed or deferred because of pending issues and he expressed concern regarding different information being communicated to some committees.

Chairman Diaz noted MDAD had to proceed with the APM System project because the APM trains were delivered to the Airport.

Upon concluding their discussion, the Committee voted on the foregoing proposed resolution as presented.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

081735 Report

CLERK'S SUMMARY MINUTES FOR THE MAY 15, 2008
AIRPORT AND TOURISM COMMITTEE MEETING
(Clerk of the Board)

Approved
Mover: Martinez
Secunder: Gimenez
Vote: 5-0
Absent: Heyman

Report: *Assistant County Attorney David Murray read the foregoing proposed report into the record.*

Hearing no comments or questions, the Committee voted on the foregoing proposed report as presented.

7 REPORTS

7A

081725 Resolution

MONTHLY REPORT FROM THE DEPARTMENT OF
TRANSPORTATION ON THE MIAMI INTERMODAL
CENTER (County Manager)

Report Received
Mover: Martinez
Seconder: Sosa
Vote: 5-0
Absent: Heyman

Report: *Assistant County Attorney David Murray read the
foregoing proposed report into the record.*

*Hearing no comments or questions, the Committee
voted on the foregoing proposed report as
presented.*

8 ADJOURNMENT

Report: *There being no further business to come before the
Committee, the Airport and Tourism Committee
meeting was adjourned at 2:31 p.m.*