



MEMORANDUM
Harvey Ruvin
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ASC
Agenda Item No. 6(A)

TO: Honorable Chairman Dorrin D. Rolle
and Members, Airport and Seaport
Committee

DATE:

March 11, 2010

FROM: Diane Collins, Acting Division Chief
Clerk of the Board Division

SUBJECT:

Approval of Commission
Committee Minutes

Diane Collins

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for placement on the upcoming Airport and Seaport Committee agenda for approval:

January 14, 2010

Attachment
DC/ae



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

CLERK'S SUMMARY OF Meeting Minutes Airport and Seaport Committee

Dorrin D. Rolle (2) Chair: Jose "Pepe" Diaz (12) Vice Chair: Commissioners Bruno A. Barreiro (5), Carlos A. Gimenez (7), Javier D. Souto (10) and Rebeca Sosa (6)

Thursday, January 14, 2010

9:30 AM

COMMISSION CHAMBERS

Members Present: Bruno A. Barreiro, Carlos A. Gimenez, Dorrin D. Rolle, Rebeca Sosa, Javier D. Souto.

Members Absent: Jose "Pepe" Diaz.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY

Report: *Alan Eisenberg, Commission Reporter
305-375-2510*

1A INVOCATION

1B PLEDGE OF ALLEGIANCE

Report: *Chairman Rolle asked the Committee to convene in a moment of silent prayer for the island nation of Haiti in the aftermath of the earthquake, followed by the Pledge of Allegiance.*

1C **ROLL CALL**

Report: *The following staff members were present:
Assistant County Manager Ysela Llort; Assistant
County Attorney(s) David Murray and Cynji Lee;
and Deputy Clerks Doris Dickens and Alan
Eisenberg.*

*Chairman Rolle called the meeting to order at
10:00 a.m.*

*The Committee proceeded to consider the reports
on today's agenda, pending the arrival of a
quorum.*

*It was moved by Commissioner Sosa that the
Committee approve the agenda as presented. This
motion was seconded by Chairman Rolle and upon
being put to a vote, passed by a vote of 4-0
(Commissioners Diaz and Souto were absent).*

*Chairman Rolle requested that the Seaport related
items be heard at the beginning of today's agenda.*

2 **COUNTY COMMISSION**

3 **DEPARTMENTS**

3A

093378 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR THE RETAIL CONCESSION PROGRAM 2009 PACKAGE 1, PROJECT NO. MDAD-04-09, BETWEEN HOST INTERNATIONAL, INC. AND MIAMI-DADE COUNTY, WITH A MINIMUM ANNUAL GUARANTEE OF \$2,458,000, AND FOR A TERM OF EIGHT (8) YEARS, WITH A TWO (2) YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sosa

Vote: 4-0

Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3B

093377 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR THE RETAIL CONCESSION PROGRAM 2009 PACKAGE 2, PROJECT NO. MDAD-04-09, BETWEEN NEWSLINK OF SOUTH FLORIDA, LLC AND MIAMI-DADE COUNTY, WITH A MINIMUM ANNUAL GUARANTEE OF \$2,300,000, AND FOR A TERM OF EIGHT (8) YEARS, WITH A TWO (2) YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sosa

Vote: 4-0

Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3C

093375 Resolution

RESOLUTION REJECTING THE SOLE PROPOSAL RECEIVED PURSUANT TO RETAIL CONCESSIONS PROGRAM 2009 AT MIAMI INTERNATIONAL AIRPORT, RFP NO. MDAD-04-09, PACKAGE 3 AND AUTHORIZING RE-ADVERTISEMENT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Rolle

Vote: 5-0

Absent: Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

Commissioner Gimenez requested clarification about the bid process, noting that it was his understanding that Request for Proposal (RFP) packages were distributed with instructions that applicants could bid on all packages; however, they could only receive one award.

Mr. Miguel Southwell, Aviation Deputy Director, advised that the RFP consisted of six packages and in order to promote competition, a company could only receive one award. He said that NewsLink of South Florida, LLC (NewsLink) had bid on both Packages #2 and #3 and was the only company to bid on Package #3. Mr. Southwell noted the Selection Committee recommended Package #2 be awarded to NewsLink and that Package #3 be reissued. He noted that it would be possible in a new RFP for NewsLink to win that award since there would not be a prohibition on the award with only one package up for bid.

Commissioner Gimenez requested clarification on how limiting an award to a single firm would increase competition.

Mr. Southwell responded that the smaller packages would generate greater interest in participation. He said that many smaller firms did not have the capability to bid on large scale concession packages.

Commissioner Gimenez noted he was not opposed to promoting competition; however, he was not comfortable with the rationale that limiting the number of awards received by each bidder to one would increase competition.

Mr. Jose Abreu, Director, Miami-Dade Aviation Department, said the objective was to increase diversity, not competition.

Commissioner Barreiro noted that in the long-term, there might not be competition of service subsequent to the contract award when all stores were owned by the same person.

Mr. Abreu said that larger established businesses at the Airport had an advantage to be awarded all contract packages due to economies of scale. He noted that packages were broken down into smaller components which provided opportunities for everybody to compete for awards. Mr. Abreu noted this award needed to be rejected and re-bid in accordance with established procedures.

Commissioner Gimenez noted once the contract amount was publicized, it could place the only company that bid at a disadvantage and this could also open the door to a better deal for the County.

Mr. Southwell responded to Chairman Rolle's inquiry whether there was sufficient time for a new bid process and to select a "business ready" provider. He said a new bid would not be finalized prior to the July 1, 2010 opening of Concourse A. Mr. Southwell said that it normally took 90 days for a retail contract to be awarded.

Commissioner Sosa questioned the feasibility of re-bidding this contract and incurring additional costs when the same company would respond, and the Manager's recommendation would likely be to award to the same company that was initially rejected.

Mr. Abreu said that the County would probably lose a bid protest because the RFP was advertised in a manner that a company could be awarded only one package.

Commissioner Sosa noted she was opposed to altering existing procurement rules and was concerned about unnecessary spending. She noted she agreed with the recommendation to uphold an established rule, noting that a company could have more than one concession if the bid was awarded for the right reasons; with the right proposal.

Mr. Southwell requested that this proposed resolution be waived to the County Commission meeting scheduled for January 21, 2010 in order to facilitate the process, otherwise the award would be delayed until April 2010.

There being no further questions or comments, the

Committee proceeded to vote.

Chairman Rolle asked that staff prepare the appropriate memorandum to request the BCC Chairman Dennis Moss to waive the Committee's Rules and Procedures to allow the foregoing proposed resolution to be heard at the County Commission meeting scheduled for January 21, 2010.

3D

093381 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR THE RETAIL CONCESSION PROGRAM 2009 PACKAGE 5, PROJECT NO. MDAD-04-09, BETWEEN PROJECT HORIZON, INC. DBA IN MOTION ENTERTAINMENT AND MIAMI-DADE COUNTY, WITH A MINIMUM ANNUAL GUARANTEE OF \$100,000, AND FOR A TERM OF EIGHT (8) YEARS, WITH A TWO (2) YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

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

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3E

093372 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; APPROVING AWARD OF A LEASE AND CONCESSION AGREEMENT FOR THE RETAIL CONCESSION PROGRAM 2009 PACKAGE 6, PROJECT NO. MDAD-04-09, BETWEEN ICE BOX CAFÉ AT MIA, LLC AND MIAMI-DADE COUNTY, WITH A MINIMUM ANNUAL GUARANTEE OF \$247,500, AND FOR A TERM OF EIGHT (8) YEARS, WITH A TWO (2) YEAR OPTION TO RENEW; AUTHORIZING COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME, AND TO EXERCISE RENEWAL AND TERMINATION PROVISIONS THEREOF (Aviation Department)

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

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3F

093374 Resolution

RESOLUTION APPROVING CONTRACT FOR THE TMB RUNWAY 9R-27L EXTENSION, PROJECT NO.: L141A, TO H&R PAVING, INC., IN AN AMOUNT NOT TO EXCEED \$4,452,919.58; AUTHORIZING COUNTY MAYOR OR HIS DESIGNEE TO EXECUTE SAME, AND TO EXERCISE TERMINATION PROVISIONS THEREOF (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sosa

Vote: 5-0

Absent: Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3G

093403 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; WAIVING COMPETITIVE BIDDING FOR MAINTENANCE, OPERATIONAL SERVICES, FUEL SYSTEM, AND CONSOLIDATED BUSING OPERATIONS AGREEMENT WITH THE PARTICIPATING CAR RENTAL COMPANIES AT THE PROPOSED RENTAL CAR FACILITY AT THE AIRPORT FOR THEIR COLLECTIVE ASSUMPTION OF DESIGNATED SERVICES AT SUCH RENTAL CAR FACILITY AND APPROVING SUCH AGREEMENT; WAIVING REQUIREMENT OF RENTAL CAR COMPANIES TO FORM CONSORTIUMS THROUGH WHICH TO PROVIDE SUCH SERVICES; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SUCH AGREEMENT, REQUIRE CREATION OF CONSORTIUMS IN THE FUTURE, AND EXERCISE THE RIGHTS AND TERMINATION PROVISIONS THEREIN (Aviation Department)

Amended

Report: *(See Agenda Item 3G Amended, Legislative File No. 100149).*

3G AMENDED

100149 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; WAIVING COMPETITIVE BIDDING FOR MAINTENANCE, OPERATIONAL SERVICES, FUEL SYSTEM, AND CONSOLIDATED BUSING OPERATIONS AGREEMENT WITH THE PARTICIPATING CAR RENTAL COMPANIES AT THE PROPOSED RENTAL CAR FACILITY AT THE AIRPORT FOR THEIR COLLECTIVE ASSUMPTION OF DESIGNATED SERVICES AT SUCH RENTAL CAR FACILITY AND APPROVING SUCH AGREEMENT; WAIVING REQUIREMENT OF RENTAL CAR COMPANIES TO FORM CONSORTIUMS THROUGH WHICH TO PROVIDE SUCH SERVICES; AUTHORIZING MAYOR OR DESIGNEE TO EXECUTE SUCH AGREEMENT, REQUIRE CREATION OF CONSORTIUMS IN THE FUTURE, AND EXERCISE THE RIGHTS AND TERMINATION PROVISIONS THEREIN (SEE ORIGINAL ITEM UNDER FILE NO. 093403) (Aviation Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)

Mover: Gimenez

Seconder: Sosa

Vote: 5-0

Absent: Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

Chairman Rolle noted that this was not a public hearing; however, he recognized Mr. Brian May, Barreto Group, at the request of Commissioners Gimenez and Sosa.

Mr. Brian May, representing Cabana Coaches (Cabana) said that the item allowed for a waiver of competitive bidding and the Rental Car Selection Committee (Committee) to select vendors for busing operations at the Rental Car Center (RCC). He suggested that the County's vendor selection process be evaluated prior to approval of any contract. Mr. May said Cabana was almost \$1.3 million lower than other bidders and was never notified they were excluded from the December 4, 2009 final selection. He noted that the process was conducted through AvAirPros under the direction of Mr. Dick Wilson, who issued the Request for Proposals (RFP), received proposals, communicated with vendors and performed evaluations. Mr. May expressed concern that the process was mishandled, and his client was arbitrarily eliminated by Mr. Wilson and not by a Committee vote.

Mr. May pointed out that Mr. Wilson only presented two firms rather than three to the Committee for consideration, despite Cabana being on the short list of three finalists. He noted

he subsequently learned that Cabana was eliminated as a result of not providing "on-demand service," yet they had offered to provide this service as well as interval service. Mr. May also noted that Cabana communicated that all costs with the exception of fuel would be capped; absorbed by Cabana; and not passed on to the RCC. He said the only recourse was to appear before the Committee, pursuant to Section 4.4 of the Agreement for Maintenance, Operations Services, Fuel System, and Consolidated Busing Operations for the RCC at Miami International Airport. Mr. May noted a public records request was submitted to Mr. Wilson and the Committee requesting copies of proposals and related correspondence. Mr. May asked members of the Board to instruct the Administration to reevaluate the process and to assist him and his client in obtaining public records.

Commissioner Sosa asked Mr. Jose Abreu, Aviation Department Director, to provide her with a verbatim transcript of the Selection Committee process along with all support documentation. She also asked Mr. Abreu to address the claim made by Mr. May that staff did not respond to his client's public records request.

Mr. Abreu responded to Chairman Rolle's request to provide an explanation of this situation. He noted that the selection was made by a consortium of private rental car companies, not by the Aviation Department. Mr. Abreu further noted that the Master Agreement specified that a government entity shall oversee the process.

Commissioner Sosa said the item required a Board waiver of the company's collective obligation to create a separate legally identified consortium. She questioned the necessity of the Committee's involvement in the procurement process of an independent consortium. Commissioner Sosa noted today's options would be to either proceed with no recommendation or to defer until additional information was obtained. She expressed concern over the process where a recommendation was made by an individual and not by committee vote from a pool of only two firms. Commissioner Sosa noted that the item was before the Committee today to uphold the Aviation Department's procurement process.

In response to Commissioner Sosa's concern, Mr. Abreu noted the costs were being paid by the private industry consortium and therefore

recommended the Committee members waive their decision on the item so that the consortium could make an independent selection.

Commissioner Sosa said that the request for a waiver initiates County involvement, which should be unnecessary if a private entity was utilizing its own selection process.

Chairman Rolle inquired whether the County would be liable for decisions made by the consortium.

Assistant County Attorney Tim Abbott responded the County would not be liable. He noted the agreement required that the 16 car rental companies comply with competitive bidding requirements. Mr. Abbott suggested the issue was the extent to which the Aviation Department had overseen the competitive bidding process. He said that the Aviation Department could be directed to assure that appropriate oversight was provided and that suitable bidding procedures were followed.

Commissioner Sosa said the integrity of the process needed to be protected as it pertained to the Aviation Department's involvement. She noted the County would become involved by the County Commissioners voting on the waiver, which was a necessary action for the consortium to proceed. Commissioner Sosa said that although the potential for legal liability was non-existent, that voting came with responsibility.

Mr. Miguel Southwell, Aviation Department Deputy Director, noted Commissioner Sosa's concerns were well founded, and asked for an approval of this item. He said the characterization of the process was not accurate. Mr. Southwell noted that staff was monitoring and reporting on the process and that no irregularities were identified.

Commissioner Sosa said that she would not vote for approval until she had the opportunity to review the verbatim transcript.

Commissioner Gimenez spoke about the one billion dollar public investment in the Miami Intermodal Center and the need to be extremely vigilant about private contracts in public facilities. He said the oversight was ultimately the responsibility of the County and recommended the Inspector General (IG) provide oversight and

review contracts to determine whether the process was performed correctly.

In response to Commissioner Gimenez' inquiry whether this would be a permanent contract, Mr. Abreu advised that it would only be in effect until the MIA Mover was operational.

Commissioner Gimenez recommended a friendly amendment for the IG to review the current selection process and to supervise any pending contract awards.

Commissioner Souto noted that legality and impressions were equally important. He said that this situation required additional examination to ensure compliance and no irregularities.

Mr. Abbott responded to Chairman Rolle's request for clarification regarding Commissioners Sosa and Gimenez concerns. He said their concerns could be resolved by adding language to Section 4.5 of the Agreement, in the paragraph which required competitive selection process, as follows: "to acknowledge that the IG has the right to inspect both this contract and all contracts awarded by the consortium's competitive bidding process."

In response to Chairman Rolle's inquiry about specific actions to be taken on the current contract for the shuttle bus services, Assistant County Attorney Cynji Lee noted it was her understanding that some Commissioners were requesting the item be amended to include oversight by the IG of all contracts that were included in this resolution as well as the bussing operations agreement. She said it would be acceptable to vote on the resolution as amended to include this recommended language.

It was moved by Commissioner Gimenez that the foregoing proposed resolution be forwarded to the BCC with a favorable recommendation with Committee amendment(s) to add language to Section 4.5 of the Maintenance, Operations Services, Fuel System, and Consolidated Busing Operations Agreement to state that the Inspector General shall provide oversight of the Agreement and all contracts between the Companies and service providers thereunder, and of the companies' competitive and procurement processes involving this Agreement to ensure proper execution of the selection processes. This motion was seconded by Commissioner Sosa, and

Airport and Seaport Committee

Meeting Minutes

Thursday, January 14, 2010

CLERK'S SUMMARY OF

*upon being put to a vote, passed by a vote of 5-0
(Commissioner Diaz was absent).*

3H

093422 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF JOINT PARTICIPATION AGREEMENT NO. 42043419401 BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PROVIDING FOR FDOT'S INITIAL PARTICIPATION FUNDING IN THE AMOUNT OF \$897,000 FOR THE MODIFICATION OF GATE J-17 AT SUCH AIRPORT SO AS TO ACCOMMODATE THE AIRBUS 380 AIRCRAFT (Aviation Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 5-0

Absent: Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

Commissioner Sosa inquired whether the funding required for the Aviation Department's Capital Improvement Plan modifications would exceed the costs of the County's responsibility.

Mr. Sunil Harman, Aviation Department Division Director, responded that the cost represented a 50/50 participation for up to a \$2.6 billion in capital expenditures, and the contracts were in-place.

In response to Commissioner Gimenez' inquiry whether the Airbus A380 was already in production, Mr. Harman responded that airplanes were now being delivered to operators after a two and a half year delay. He noted that in these difficult economic times, airlines were now making difficult business decisions over whether to immediately accept airplanes or to allow leasing companies to execute delivery options.

Commissioner Gimenez inquired whether any accommodations needed to be made to accommodate the Boeing 787.

Mr. Harman responded that the Boeing 787-8 was initially being delivered as a freighter; therefore, it would not affect the terminal area. He noted accommodations were being made for the airplane in the airport's cargo city. Mr. Harman said currently five carriers had expressed interest in operating the airplane and noted the modifications to standards were submitted to the Federal Aviation Administration. He also noted the passenger version of the airplane was not expected to be available for another four to five years and the cargo version would be available in

approximately three years.

In response to Commissioner Barreiro's understanding that the terminal was being constructed to accommodate the Airbus, Mr. Harman commented that a position at Gate J-17 was currently being retrofitted to accept the airplane. He noted that only two loading bridges were installed at the main deck, and that electrical and air conditioning requirements were deferred pending the airplane's delivery schedule.

There being no further questions or comments, the Committee proceeded to vote.

31

093430 Resolution

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF JOINT PARTICIPATION AGREEMENT NO. 42048319401 BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$1,262,776 TO FUND THE RUNWAY 8 RIGHT/ 26 LEFT PAVEMENT REHABILITATION PROJECT AND THE TAXIWAY N PAVEMENT, LIGHTING, AND UTILITY MODIFICATIONS PROJECT (Aviation Department)

***Forwarded to BCC with a favorable recommendation
Mover: Sosa
Seconder: Gimenez
Vote: 5-0
Absent: Diaz***

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3J

093416 Resolution

RESOLUTION RETROACTIVELY APPROVING A U.S. GOVERNMENT LEASE FOR REAL PROPERTY BETWEEN MIAMI-DADE COUNTY AND U.S. CUSTOMS AND BORDER PROTECTION FOR OFFICE SPACE LOCATED AT TERMINAL H; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

Commissioner Sosa questioned whether the fiscal impact of this proposal could be determined.

Mr. Bill Johnson, Seaport Director, responded that the U.S. Customs and Border Protection (CBP) did not pay rents through 1999 and alternative forms of remuneration existed. Mr. Johnson said today's proposal was developed with the cooperation of Audit and Management Services to address collection methods. He indicated the fiscal impact would be \$600,000 - \$700,000 for all three resolutions (Items 3J, 3K & 3L) under consideration today.

Commissioner Sosa noted this would be another unfunded federal mandate.

Mr. Johnson said that the CBP was an important partner and necessary for port operations. He indicated that for security reasons, certain facilities were restricted to the general public, which prevents open market rentals. Mr. Johnson noted the proposals were developed in cooperation with the County Attorney and were retroactive due to the lengthy negotiation process with the federal government. Mr. Johnson said that all payments owed to the County by the CBP had been satisfied.

There being no further questions or comments, the Committee proceeded to vote.

3K

093417 Resolution

RESOLUTION RETROACTIVELY APPROVING A U.S. GOVERNMENT LEASE FOR REAL PROPERTY BETWEEN MIAMI-DADE COUNTY AND U.S. CUSTOMS AND BORDER PROTECTION FOR OFFICE SPACE LOCATED AT 1500 PORT BOULEVARD; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3L

093420 Resolution

RESOLUTION RETROACTIVELY APPROVING A U.S. GOVERNMENT LEASE FOR REAL PROPERTY BETWEEN MIAMI-DADE COUNTY AND U.S. CUSTOMS AND BORDER PROTECTION FOR OFFICE AND WAREHOUSE SPACE LOCATED AT TRANSIT SHED E; AND AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY, AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 4-0

Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

There being no questions or comments, the Committee proceeded to vote.

3M

093437 Resolution

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND URS CORPORATION SOUTHERN FOR BOND ENGINEERING SERVICES IN THE NOT TO EXCEED AMOUNT OF \$1,650,000, CONTRACT NO. E09-SEA-02; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY TERMINATION AND RENEWAL PROVISIONS THEREIN (Seaport Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa

Seconder: Gimenez

Vote: 5-0

Absent: Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed resolution into the record.*

Commissioner Gimenez asked Mr. Bill Johnson, Seaport Director, to provide Committee members with a report reflecting the amount of the previous contract for bond engineering services versus this contract; the hourly rate and multiplier in this contract versus the previous contract; and a plan to reduce the overall costs of this contract award.

He asked that this report be provided before the February 2, 2010 County Commission Meeting.

Mr. Johnson noted the hourly rate pursuant to the contract was negotiated at \$140 per hour. He said the previous contract was for three-years with a one-year extension at an average annual cost of \$325,000. Mr. Johnson noted the new contract was for \$1.650 million which included a 10-percent contingency should any additional engineering work be necessary.

Commissioner Sosa inquired about the bid process and whether any other companies had bid on this contract.

Mr. Johnson responded that an open competitive process was conducted in accordance to Florida Statute 287 and that the Office of Capital Improvements had participated in the process. He noted the solicitation was distributed to over 90 firms; three responses were received; one firm was deemed non-responsive; and two firms were evaluated by the Selection Committee. Mr. Johnson said that the present vendor, URS Corporation Southern had obtained the highest score by the Committee.

Commissioner Sosa concurred with Commissioner

Airport and Seaport Committee

Meeting Minutes

Thursday, January 14, 2010

CLERK'S SUMMARY OF

Gimenez that the County reduce fees paid for service contracts in order to obtain costs savings.

There being no further questions or comments, the Committee proceeded to vote.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

093411 Report

APPROVAL OF COMMISSION SPECIAL MEETING COMMITTEE MINUTES FOR THE DECEMBER 4, 2009 AIRPORT AND SEAPORT COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Gimenez
Seconder: Sosa
Vote: 5-0
Absent: Diaz*

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

There being no questions or comments, the Committee proceeded to vote.

6B

093412 Report

APPROVAL OF COMMISSION COMMITTEE MINUTES FOR THE DECEMBER 4, 2009 AIRPORT AND SEAPORT COMMITTEE MEETING (Clerk of the Board)

*Approved
Mover: Gimenez
Seconder: Sosa
Vote: 5-0
Absent: Diaz*

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

There being no questions or comments, the Committee proceeded to vote.

7 REPORTS

7A

100006 Report

MONTHLY REPORT FROM THE DEPARTMENT OF
TRANSPORTATION ON THE PORT OF MIAMI
TUNNEL - DECEMBER 2009 (County Manager)

Report accepted
Mover: Barreiro
Seconder: Sosa
Vote: 4-0
Absent: Souto, Diaz

Report: *Assistant County Attorney Cynji Lee read the foregoing proposed report into the record.*

Mr. Gary Donn, Director of Transportation Support, State of Florida Department of Transportation, noted the Port of Miami Tunnel (Tunnel) construction project was scheduled to begin later in the year. He said the concessionaire had submitted schedules, project management and plans in accordance with their contractual agreement and discussions were underway with suppliers.

Assistant County Manager Ysela Llord responded to Chairman Rolle's question as to a more specific timeframe. She noted the items detailed in this report were minor preconstruction activities including mobilization and assured Chairman Rolle that the Tunnel project was proceeding.

7B

100007 Report

MONTHLY REPORT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION ON THE MIAMI INTERMODAL CENTER - DECEMBER 2009 (County Manager)

*Report accepted
Mover: Barreiro
Seconder: Sosa
Vote: 4-0
Absent: Souto, Diaz*

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

Mr. Gary Donn, Director of Transportation Support, State of Florida Department of Transportation (FDOT), indicated that the Rental Car Center (RCC) was 99.5% complete and the final punch list items were being finalized. He noted the scheduled opening of the Center would be either May 11 or 12, 2010. Mr. Donn said a property manager's office and security barriers which were not included in the original plan would also be completed prior to the Center's opening.

Mr. Donn indicated that the completion of the MIA Mover (MIA) Station by FDOT was anticipated for September 2010. He said that FDOT would turn over the building shell to the Miami Dade Aviation Department contractor for final build-out. He noted roadway and landscaping projects had been completed and the focus would now be on transit components of the Miami Intermodal Center (MIC) Station. Mr. Donn said the Guaranteed Maximum Price Proposal No. 6 from Turner Construction was being evaluated and it was anticipated that a contract would be executed by April 2010. He noted that construction could not begin until October 2010, pending Hertz and Avis relocation to the RCC and the demolition of their current facilities. Mr. Donn said the MIC would be completed prior to end of 2012.

Commissioner Sosa inquired whether the MIC completion could be expedited to alleviate residents' complaints about excessive traffic and dust.

Mr. Donn responded that the proposal from Turner Construction already reflected an accelerated schedule. He noted the MIC delay was related to the opening of the RCC. Mr. Donn reiterated that Hertz and Avis needed to relocate from their present facilities to the RCC so that demolition of these facilities and environmental

remediation could begin on the future MIC site.

Commissioner Sosa asked Mr. Jose Abreu, Aviation Department Director, to coordinate a meeting with the State Department of Transportation and all other parties involved in the MIC to evaluate opportunities to expedite project completion and to address community concerns.

Mr. Donn said that monthly coordination meetings were held with both the Aviation Department and Transit Department contractors on all projects, including those being completed by FDOT. He noted that FDOT's goal was to expedite the project completion and to minimize any potential impacts.

Commissioner Barreiro inquired whether the noise and fans issues were being addressed.

Mr. Donn responded to Commissioner Barreiro that the fans were operating at full speed due to permit requirements. He noted that the architect had developed a plan to reduce noise levels by installing a noise damper and that these devices would be added to all 30 fans if the tests proved effective.

7C

100304 Report

SPECIAL REPORT ON THE HAITI EARTHQUAKE

Accepted

Report: *Mr. Bill Johnson, Seaport Director, presented photographs depicting the devastation to maritime infrastructure in Haiti and said that it did not appear the port could sustain maritime business at the present time. He noted that tariffs could be waived to assist in emergency relief efforts upon County Commission authorization. Mr. Johnson said that Seaboard Marine was evaluating alternative options to bring emergency relief into Haiti.*

Chairman Rolle requested that the Seaport be represented at the Special Board of County Commissioners Meeting that would be held later today (1/14).

Commissioner Sosa noted that businesses currently providing services to Haiti needed to return as soon as possible to assist in their recovery and not divert their attention elsewhere.

Mr. Johnson responded to Commissioner Gimenez' questions regarding importing supplies into Haiti. He guesstimated that a substantial portion of imports arrived by ship due to the island's water dependency. Mr. Johnson said operations from the Port of Miami to Haiti had been suspended.

Mr. Juan Kuryla, Deputy Port Director, noted it would be several weeks until vessels would be able to enter the Port-au-Prince terminal; however, it might be possible to deliver cargo by using the Dominican Republic as an entry point or alternative ports in Haiti with smaller vessels.

Chairman Rolle recommended Mr. Kuryla's reserve additional comments regarding Haiti until the Special Meeting scheduled later today.

Commissioner Gimenez expressed concern that the infrastructure and distribution channels in Haiti were insufficient and supplies may go to waste because there was no way to distribute them to the people. He recommended the County focus its relief efforts on logistical issues first.

Mr. Johnson said that this would be a logistical nightmare that would require extensive

coordination with the Haitian Government. He noted that arriving at the port and movement within the Country were major issues needing to be addressed.

Commissioner Gimenez noted the City of Miami's Task Force was transported to Haiti by military planes along with their equipment and transportation assets. He said even though the County's Task Force arrived earlier, they may not be operational since their equipment arrived separately and noted concern about the ability to deliver heavy equipment once it arrived in Haiti. Commissioner Gimenez suggested the Aviation Director provide an update on the condition of the airport facilities in Haiti.

Commissioner Barreiro said he would communicate with the members of the Miami River Marine Group to discuss the possibility of using their smaller ships with self-contained cranes that could load and unload equipment and supplies without the assistance of land based cranes. He said he would ask a representative from the Group to attend the Special Meeting later today (1/14).

Chairman Rolle requested Mr. Johnson and/or Staff attend the Special Meeting and to ask local shipping providers to be available to participate in the Meeting as well.

Commissioner Souto asked Mr. Johnson to move swiftly and precisely to ensure the Port of Miami remained competitive and that the County did not lose businesses to other ports.

8 ADJOURNMENT

Report: *There being no further business to come before the Airport and Seaport Committee, the meeting was adjourned at 11:29 a.m.*