MEMORANDUM
Harvey Ruvin
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TIR
Agenda Item No:
6(A)

TO: Honorable Chairman Barbara J. Jordan and Members, Transit, Infrastructure & Roads Committee

DATE: May 12, 2010

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

SUBJECT: Approval of Commission Committee Minutes

Diane Collins

The following Clerk's Summary of Minutes for the meeting of April 14, 2010 is being submitted for placement on the upcoming Transit, Infrastructure & Roads Committee agenda for approval:

April 14, 2010

DC/as
Attachment

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

CLERK'S SUMMARY OF

Meeting Minutes

Transit, Infrastructure & Roads Committee

Barbara J. Jordan (1) Chair; Carlos A. Gimenez (7) Vice Chair; Commissioners Audrey M. Edmonson (3), Dorrin D. Rolle (2), Natacha Seijas (13) and Katy Sorenson (8)

Wednesday, April 14, 2010 **4:02 AM** **COMMISSION CHAMBERS, SPCC**

Members Present: Audrey M. Edmonson, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle.

Members Absent: Natacha Seijas, Katy Sorenson.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:
MINUTES PREPARED BY:

Report: *Alicia Stephenson, Commission Reporter, (305) 375-1475.*

1A INVOCATION

Report: *The Committee convened in a moment of silence, followed by the Pledge of Allegiance.*

1B PLEDGE OF ALLEGIANCE

1C ROLL CALL

Report: *The following staff members were present: Assistant County Manager Ysela Llort; Assistant County Attorney Bruce Libhaber; and Deputy Clerks Doris Dickens and Alicia Stephenson.*

Assistant County Attorney Libhaber requested the following changes be made to today's (4/14) agenda pursuant to the changes listed in the April 14, 2010 County Manager's memorandum: that Agenda Items 3E and 3E Supplement be deferred to no date certain; and that the title of Item 3C be corrected to insert the following language: "funds as a match for the Joint Participation Agreement and the SJPA" into the title, immediately after the phrase "...the use of Charter County Transit System Surtax." He advised that pursuant to the County Manager's memorandum, a correction to a scrivener's error in Item 3M would be read into the record when the item was considered, and that a scrivener's error in the title of Item 3N was corrected and reflected in the Final Agenda.

It was moved by Vice Chairman Gimenez that the Committee approve the foregoing changes to the April 14, 2010 Transit, Infrastructure & Roads Committee Agenda as requested by the Assistant County Attorney. This motion was seconded by Commissioner Rolle and upon being put to a vote, passed by a vote of 4-0 (Commissioners Seijas and Sorenson were absent).

1D DISCUSSION ITEM(S)

1D1

100466 **Discussion Item** **Dennis C. Moss**

DISCUSSION/ADOPTION OF FY 2010 - 2011 BUDGET PRIORITIES PURSUANT TO SEC. 2-1795 OF THE CODE [SEE AGENDA ITEM NO. 7(C)]

Accepted
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing discussion item into the record, and noted Agenda Item 7C was an accompanying report related to this item.*

Chairwoman Jordan noted the Commission Auditor's Office provided Committee members with a handout of the budget priority recommendations submitted by each Committee member. She called for a motion to accept the recommendations in order to forward them to the Chair of the Board of County Commissioners.

It was moved by Vice Chairman Gimenez that the Committee accept the budget priority recommendations as submitted. This motion was seconded by Commissioner Edmonson and upon being put to a vote, passed by a vote of 4-0 (Commissioners Seijas and Sorenson were absent).

2 COUNTY COMMISSION

2A

100474 **Ordinance** **Barbara J. Jordan**

Amended

ORDINANCE AMENDING CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (TRUST) AND THE PEOPLE'S TRANSPORTATION PLAN; ESTABLISHING GREATER INDEPENDENCE FOR THE TRUST; REQUIRING THE ESTABLISHMENT OF A FIVE YEAR IMPLEMENTATION PLAN; ESTABLISHING PROCEDURES FOR MODIFICATIONS TO THE FIVE YEAR IMPLEMENTATION PLAN; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO AWARD CERTAIN CONTRACTS SUBJECT TO COUNTY COMMISSION RATIFICATION; PROVIDING THAT THE TRUST SUBMIT A RECOMMENDATION TO THE COUNTY COMMISSION PRIOR TO COUNTY COMMISSION AWARDING OF CERTAIN CONTRACTS; MODIFYING THE NOMINATING PROCESS FOR MEMBERSHIP ON THE TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Report: *See Agenda Item 2A Amended (Legislative File No. 101069).*

2A Amended

101069 **Ordinance** **Barbara J. Jordan**

ORDINANCE AMENDING CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (TRUST) AND THE PEOPLE'S TRANSPORTATION PLAN; ESTABLISHING GREATER INDEPENDENCE FOR THE TRUST; REQUIRING THE ESTABLISHMENT OF A FIVE YEAR IMPLEMENTATION PLAN; ESTABLISHING PROCEDURES FOR MODIFICATIONS TO THE FIVE YEAR IMPLEMENTATION PLAN; AUTHORIZING THE COUNTY MAYOR OR HIS DESIGNEE TO AWARD CERTAIN CONTRACTS SUBJECT TO COUNTY COMMISSION RATIFICATION; PROVIDING THAT THE TRUST SUBMIT A RECOMMENDATION TO THE COUNTY COMMISSION PRIOR TO COUNTY COMMISSION AWARDING OF CERTAIN CONTRACTS; MODIFYING THE NOMINATING PROCESS FOR MEMBERSHIP ON THE TRUST; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 100474]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Jordan
Seconder: Rolle
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing ordinance into the record.*

Chairwoman Jordan opened the public hearing.

The following persons appeared before the Committee in support of the foregoing ordinance:

-Ms. Linda Zilber, Citizens' Independent Transportation Trust (CITT) Chair
-Mr. Paul Schwapp, CITT Vice Chair
-Dr. Anna Ward, CITT member

Hearing no one else wishing to speak in connection with the foregoing ordinance, Chairwoman Jordan closed the public hearing and relinquished the Chair to Vice-Chairman Gimenez.

Chairwoman Jordan offered a friendly amendment to add the Chair of the Citizens' Transportation Advisory Committee to the Nominating Committee.

Assistant County Attorney Libhaber read into the record the following amendments to this ordinance:

-change paragraph d) on handwritten page 8 to reflect Chairwoman Jordan's amendment; and

-add on handwritten page 15, the words "Notwithstanding any provision to the contrary" to the beginning of the sentence reading 'The County Mayor or his designee shall be authorized to award contracts... Code of Miami-Dade County'.

Chairwoman Jordan commended the members of the CITT and CITT Executive Director Charles Scurr for their roles in the creation of the foregoing ordinance. She indicated that language contained in this ordinance regarding contracting was found objectionable to the CITT upon submittal to the full County Commission, and was subsequently removed.

In response to Vice-Chairman Gimenez' inquiry regarding the difference between the nominating process being proposed and the current nominating process, Assistant County Attorney Libhaber explained that the current nominating committee was composed of representatives from 19 organizations in the community, which would convene and forward a slate of up to four candidates to the district commissioner or the Mayor. He explained that the commissioner or Mayor had the option to choose one of the four candidates, or reject that slate and request another slate of four. Mr. Libhaber noted that if the amendment he read into the record was passed, the number of representatives would be reduced from 19 to 6, including a representative from the Citizens' Transportation Advisory Committee (CTAC), and the six would forward a slate of three candidates to the commissioner or Mayor. He also explained that the commissioner or Mayor could choose from the slate or reject it and request another slate of three.

In response to Vice-Chairman Gimenez' inquiries regarding whether the slate could be rejected indefinitely, Assistant County Attorney Libhaber noted if the commissioner or Mayor did not appoint someone from the first or second slate, the position would remain vacant until the end of 30 days, at which time, the County Commission would be able to fill the position. He also noted that this process was currently in place.

In response to Vice-Chairman Gimenez' inquiry regarding whether the Mayor was required to choose from a slate, Assistant County Attorney Libhaber noted that currently the Mayor had to choose from a slate, but with the proposed provision, the Mayor would be authorized to make

a direct appointment.

In response to Vice-Chairman Gimenez' inquiry concerning why the County Commission would be required to choose from a slate while the Mayor would be allowed to make a direct appointment, Chairwoman Jordan noted she fashioned the language in this way to allow the Mayor, whose work reached countywide, to appoint someone residing in any area of the County. She contrasted this with the work of a commissioner, whose district was much more specific to an area of the County rather than the entire County.

In response to Vice-Chairman Gimenez' inquiry pertaining to whether the individuals on any slate submitted to a commissioner would be required to live within the boundary of the commissioner's district, Mr. Libhaber noted this was correct.

Vice-Chairman Gimenez expressed concern that the aforementioned Mayoral and commission appointment language was different.

In response to Vice-Chairman Gimenez' inquiry as to whether the Mayor's appointee could be from any place in the County, Mr. Libhaber noted this was correct.

Vice-Chairman Gimenez offered an amendment to require the Mayor to choose from a slate of candidates instead of allowing him to make a direct appointment.

Chairwoman Jordan accepted the amendment.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing ordinance as amended.

3 DEPARTMENT

3A

100904 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A LEASE AGREEMENT/OPTION TO PURCHASE AT SW 168 STREET AND SW 97 AVENUE, MIAMI WITH ROYAL GROUP INVESTMENTS, INC., FOR PREMISES TO BE UTILIZED BY MIAMI-DADE TRANSIT AS A BUSWAY PARK AND RIDE LOT, WITH A TOTAL FISCAL IMPACT TO MIAMI-DADE COUNTY NOT TO EXCEED $185,280 FOR THE ONE-YEAR TERM OF THE LEASE; AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE THE PURCHASE OPTION IN THE AMOUNT OF $1,100,000; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (General Services Administration)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Edmonson
Seconder: Rolle
Vote: 3-1
No: Gimenez
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

Chairwoman Jordan asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing resolution to be heard at the April 20, 2010 County Commission meeting.

3B

100846 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE STATE FUNDING IN THE AMOUNT OF $700,000 FOR THE PURCHASE AND MINOR IMPROVEMENTS OF A PARK AND RIDE FACILITY LOCATED AT SW 168TH STREET AND SW 97TH AVENUE ALONG THE SOUTH MIAMI-DADE BUSWAY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE JPA; AUTHORIZING THE RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (Miami-Dade Transit Agency)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Edmonson
Seconder: Rolle
Vote: 3-1
No: Gimenez
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

Chairwoman Jordan asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing resolution to be heard at the April 20, 2010 County Commission meeting.

3C

100848 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF $379,900 FOR A PARK AND RIDE FACILITY AT THE FLORIDA POWER & LIGHT SITE (FP&L) ON SW 127TH AVENUE NEAR KENDALL DRIVE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE SJPA; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX (Miami-Dade Transit Agency)

Amended

Report: *See Agenda Item No. 3C Amended (Legislative File No. 100994).*

3C Amended

100994 **Resolution**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF $379,900 FOR A PARK AND RIDE FACILITY AT THE FLORIDA POWER & LIGHT SITE (FP&L) ON SW 127TH AVENUE NEAR KENDALL DRIVE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE SJPA; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS AS A MATCH FOR THE JOINT PARTICIPATION AGREEMENT (JPA) AND THE SJPA [SEE ORIGINAL ITEM UNDER FILE NO. 100848] (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Edmonson
Seconder: Gimenez
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber noted during consideration of the changes to today's (4/14) agenda, the title of this resolution was amended to insert the language, "funds as a match for the Joint Participation Agreement and the SJPA" immediately after the phrase "...the use of Charter County Transit System Surtax."*

Mr. Libhaber read into the record the title as amended.

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as amended.

3D

100866 **Resolution**

RESOLUTION AUTHORIZING THE FIRST AMENDMENT AND THE REVISED ESTIMATE TO THE EXISTING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND CSX TRANSPORTATION, INC. (CSXT), IN AN AMOUNT NOT TO EXCEED $834,192 FOR CONSTRUCTION OF THE MIAMI INTERMODAL CENTER-EARLINGTON HEIGHTS CONNECTOR (MIC-EHC) PROJECT ADJACENT TO THE SOUTH FLORIDA RAIL CORRIDOR TRACKS, SOUTH OF NW 25TH STREET AND ALONG THE CSXT TRACKS; AND AUTHORIZING USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit Agency)

Forwarded to the BCC by the BCC Chairperson with a favorable recommendation
Mover: Rolle
Seconder: Edmonson
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Commissioner Edmonson referred to information under the heading "Fiscal Impact/Funding Source" on page one of the County Manager's memorandum pertaining to this resolution. She asked where the 50% of the $334,192 balance for construction of the Miami Intermodal Center-Earlington Heights Connector Project (MIC-EH) would come from if the Florida Department of Transportation (FDOT) did not agree to contribute it, and if it would come from the County, was it part of the County's budget.

Mr. Albert Hernandez, Deputy Director, Miami-Dade Transit Agency (Transit) noted the money would come from surtax funds and was part of the County's budget.

Assistant County Manager Ysela Llort noted the issue with MIC-EH funding never was whether the County had it, but how the County could stretch it out. She noted that to this end, the County spoke with FDOT regarding the South Florida Regional Transportation Authority (SFRTA) moving one of its Tri Rail train stops, in order to reduce the County's need to provide flagging services during MIC-EH construction, and in turn to reduce the County's expenses. She noted moving the stop would also give Tri Rail a better guarantee of service. Ms. Llort noted it was at this insistence that Transit worked with FDOT to arrive at the foregoing resolution.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing resolution.

Chairwoman Jordan asked staff to prepare the appropriate memorandum requesting that the County Commission's Chairman waive the Committee's rules and allow the foregoing resolution to be heard at the April 20, 2010 County Commission meeting.

3E

092662 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $1,155,000.00 BETWEEN BUDGET CONSTRUCTION CO., INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERSECTION IMPROVEMENT CONTRACT (PROJECT – CICC 7360-0/08 REQUEST FOR PRICE QUOTATION (RPQ) NO. 20090106) (Public Works Department)

Deferred to no date certain
Mover: Gimenez
Seconder: Rolle
Vote: 4-0
Absent: Sorenson, Seijas

Report: *The foregoing proposed resolution was deferred to no date certain during condideration of changes to today's (4/14) agenda.*

3E SUPPLEMENT

100826 **Resolution**

SUPPLEMENTAL TO CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $1,155,000.00 BETWEEN BUDGET CONSTRUCTION CO., INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERSECTION IMPROVEMENT CONTRACT (PROJECT - CICC 7360-0/08 REQUEST FOR PRICE QUOTATION (RPQ) NO. 20090106)

Deferred to no date certain
Mover: Gimenez
Seconder: Rolle
Vote: 4-0
Absent: Sorenson, Seijas

Report: *The foregoing proposed supplement was deferred to no date certain during condideration of changes to today's (4/14) agenda.*

3F

100708 **Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 AND FINAL OF A CONTRACT BETWEEN MIAMI-DADE COUNTY AND ACOSTA TRACTORS, INC., FOR PUBLIC WORKS DEPARTMENT PROJECT ENTITLED PTP TRAFFIC OPERATIONAL IMPROVEMENTS ALONG SW 180 STREET FROM SW 147 AVENUE TO SW 137 AVENUE, LOCATED WITHIN COMMISSION DISTRICT 9 (PROJECT NO. 20070735), EXTENDING THE CONTRACT TIME BY 60 CALENDAR DAYS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

3G

100720 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $1,155,000.00 BETWEEN SOLUTION CONSTRUCTION, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERSECTION IMPROVEMENT CONTRACT (PROJECT CICC 7360-0/08 REQUEST FOR PRICE QUOTATION (RPQ) NO. 20090313) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Jordan
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

3H

100725 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $971,538.71 BETWEEN A & A FONTE, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED OLD CUTLER ROAD BIKE PATH PHASE I (PROJECT – CICC 7040-0/07 REQUEST FOR PRICE QUOTATION (RPQ) NO. 20090238) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

31

100727 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $1,155,000.00 BETWEEN SOLUTION CONSTRUCTION, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED INTERSECTION IMPROVEMENT CONTRACT (PROJECT - CICC 7360-0/08 REQUEST FOR PRICE QUOTATION (RPQ) NO. 20090314) AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Rolle
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Chairwoman Jordan's requests for information on Solution Construction Inc.'s open violation and whether the company would make up for the violation in the foregoing resolution, Ms. Penny Townsley, Small Business Department Director, noted the violation, dated 2006, was issued to this firm because it used a Non-Certified Small Business Enterprise (CSBE) firm to perform CSBE/Set Aside Work, which resulted in a deficit of $175,935.10. She further noted this deficit was proposed to be made up through the foregoing resolution, and through Agenda Item 3G, and a Joint Participation Agreement (JPA) project with the City of Coral Gables that was awarded on a date unknown to her. Ms. Townsley noted that execution of the three make-up plans would yield a value in excess of the deficit.

In response to Chairwoman Jordan's inquiry regarding the value of the make-ups, Ms. Townsley noted the value of the make-up plan for the JPA project was $57,000, and the total value of the three make-up plans was $240,000, the aforementioned value in excess of the deficit.

Chairwoman Jordan asked Ms. Townsley to submit to her information regarding the principal companies related to this resolution.

In response to Chairwoman Jordan's question concerning whether Solution Construction Inc. would be automatically suspended for six months if it did not meet all requirements of the make-up plans, Ms. Townsley noted this was correct.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing

resolution.

Commissioner Rolle asked Ms. Esther Calas, Public Works Department (PWD) Director, to provide him with a status report on lighting improvements (repair of damaged street lights) made on NW 17th and 22 Avenues between NW 62nd and 79th Streets.

Ms. Calas agreed to provide the status report, explaining that a lot of copper wire was stolen from the street lights in the aforementioned area.

In response to Chairwoman Jordan's inquiry regarding protection of the wiring, Ms. Calas noted that PWD staff designed a lock box, which would be installed on the lighting poles in the areas of theft.

3J

100789 **Resolution**

RESOLUTION APPROVING EXECUTION OF A LOCAL AGENCY PROGRAM (LAP) AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE $212,040 IN FEDERAL FUNDS FOR THE CONSTRUCTION OF THE COMMODORE TRAIL BICYCLE FACILITY IMPROVEMENTS PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing resolution.

3K

100794 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $5,000,000.00 FOR MISCELLANEOUS PROFESSIONAL SERVICES AGREEMENTS WITH TEN (10) CONSULTING FIRMS TO PROVIDE MATERIALS TESTING, CONSULTING AND TRAINING SERVICES (PROJECT NO. E09-PW-03; CONTRACT NO. 20090201) AND AUTHORIZING THE USE OF VARIOUS FUNDING SOURCES INCLUDING CHARTER COUNTY TRANSIT SURTAX AND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Rolle
Seconder: Gimenez
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Vice Chairman Gimenez' inquiry regarding the amount of the last contract awarded for provision of the services identified in this proposed resolution, Ms. Calas explained that originally, the materials testing and training services identified in this resolution were combined with other services into one contract; however, materials testing and training services were subsequently separated from the other services and put into the foregoing resolution. She noted the single contract was valued at $25,000; the contract represented by the foregoing resolution was valued at $5,000; and the contract represented by Agenda Item 3L, which contained all services except materials testing and training, was valued at $35,000.

In response to Vice Chairman Gimenez' inquiry concerning the contracts, Ms. Calas noted the term of the $25,000 contract was three years. She also noted the allocation for the services to be provided in this resolution was increased from the $25,000 for the single contract to the $35,000 in item 3L, plus the $5,000 for this resolution, because more money was needed for People's Transportation Plan (PTP) projects that were under construction.

Vice Chairman Gimenez asked Ms. Calas to submit to him a comparative analysis of the hourly rates and multipliers used in this proposed contract versus the hourly rates and multipliers used in the previous contract. He asked that this information be submitted to him before this resolution was considered by the full County

Commission.

Ms. Calas reported that every set category was decreased by 3% in the proposed resolution, and that for principals and professional and senior engineers, a decrease of 7%, 18%, and 15%, respectively, occurred. She noted that she would submit this information to Vice Chairman Gimenez.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing resolution as presented.

3L

100798 **Resolution**

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF $35,000,000 FOR MISCELLANEOUS PROFESSIONAL SERVICES AGREEMENTS WITH TWENTY-SIX (26) CONSULTING FIRMS TO PROVIDE SOILS, FOUNDATIONS AND GEOTECHNICAL TESTING SERVICES (PROJECT NO. E09-PW-02; CONTRACT NO. 20090103) AND AUTHORIZING THE USE OF VARIOUS FUNDING SOURCES INCLUDING CHARTER COUNTY TRANSIT SURTAX AND BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Rolle
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Ms. Esther Calas, Public Works Department Director, responded to Commissioner Edmonson's inquiries regarding the size of the pool of firms in the previous contract and the amount spent annually on the previous contract. She noted that the pool in the previous contract consisted of 26 firms, while the pools in the foregoing resolution and Agenda Item 3K consisted of 27 and 10 firms, respectively. Ms. Calas also noted that each firm was allocated an equal share of the previous contract amount, but not every firm used all of its allocation, and the remaining contract capacity could not be exhausted because of rotation issues; therefore, in the current contracts, the amount allocated to each firm was based on the firm's historical use of allocations. She offered to submit the historical usage data to Commissioner Edmonson.

3M

100799 **Resolution**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NOS. 126 - "MIAMI RIVER GREENWAY" AND 127 - "IMPROVE AND EXTEND THE COMMODORE BIKE TRAIL," EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-914-04 - AFTER A PUBLIC HEARING (Public Works Department)

Amended

Report: *See Agenda Item No. 3M Amended (Legislative File No. 101034).*

3M Amended

101034 **Resolution**

RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NOS. 126 - "MIAMI RIVER GREENWAY" AND 127 - "IMPROVE AND EXTEND THE COMMODORE BIKE TRAIL," EACH IDENTIFIED IN APPENDIX A TO RESOLUTION NO. R-914-04 - AFTER A PUBLIC HEARING [SEE ORIGINAL ITEM UNDER FILE NO. 100799] (Public Works Department)

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Chairwoman Jordan's inquiry regarding the cost of the proposed project, Mr. George Navarette, Office of Capital Improvements Assistant Director, noted a proposed amendment would address the cost. He noted the amendment was to change the amount shown on handwritten page two, at the end of the second paragraph, to reflect "approximately $4.5 million" instead of "$6,650,000"; to strike the words "the remaining" from the second line of the third paragraph on handwritten page two; and to add the language 'and amend the municipal project location from Coral Gables to Coral Gables and Miami' following "$1,850,000" in Section 2., in the third line from the bottom on handwritten page four.

Mr. Brett Bibeau, Miami River Commission (MRC) Managing Director, 1407 NW 7 Street, after being recognized by Chairwoman Jordan, spoke in opposition to the foregoing resolution and read from a letter from MRC Chair Eric Buermann in opposition to the foregoing resolution. While speaking, Mr. Bibeau noted that if, after construction of the currently designed six County owned sites, the General Obligation Bond's (GOB's) "Miami River Greenway" line item #126 had remaining funding, the MRC was respectfully recommending that the County create engineering documents and construct the Miami River Greenway on two additional County-owned sites which were part of the currently adopted Miami River Greenway Action Plan.

In response to Chairwoman Jordan's inquiry regarding how a surplus of funds could be allocated from Project No. 126 "Miami River Greenway" to Project No. 127 "Improve and

Extend the Commodore Bike Trail," when Project No. 126 had not been put out to bid yet, Ms. Ester Calas, Public Works Department Director noted the original estimate included in the General Obligation Bond (GOB) for the Miami River Greenway was not based on plans, while the PWD's current estimates for the project was based on 90% complete plans and on DERM's specifications.

In response to Vice-Chairman Gimenez' inquiries regarding whether PWD could complete the Commodore project with $1,000,000 and the Miami River Greenway with currently available funds, Ms. Calas noted if the Commodore project had only $1 million in funding, all appurtenances would have to be excluded from the project, and that the Greenway could be completed with available funds.

In response to Vice-Chairman Gimenez' request for information pertaining to two Greenway project sites for which engineering documents were not created, also known as Phase II of the Greenway project, Ms. Calas identified the sites as the Tamiami Swing Bridge and Palmer Bridge sites, and noted that before Greenway work could be started at these sites, full reconstruction of the applicable road was required at an approximate estimated cost of $8 million.

Mr. Bibeau noted that after the County voters approved eight Miami River Greenway project sites, MRC got engineering design plans for only six of the sites because it was unsure whether money would be available to construct on all eight sites. She added that designs for bikeway facilities were included in PWD's designs for the Tamiami Swing Bridge.

Vice-Chairman Gimenez advised that he would investigate whether a portion of funding being reallocated from an overpass project in his Commission District (Dist. 7) to Quail Roost Drive could be used for the Commodore bridge project and in turn some of the bridge funding could be returned to the Miami River project; however, he would rather fund the Commodore bridge in order to address safety issues than fund a project that may not materialize. Vice-Chairman Gimenez further noted that he would try to find funding for completion of the Miami River project.

Mr. Bibeau offered to author an application on behalf of the County for a Federal/State Grant

intended for projects such as the Miami River project if the County did not have staff available to author it. He added that if the Miami River project was not completed, the County and the MRC would have wasted their time and efforts.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing proposed resolution as amended.

3N

100854 **Resolution**

RESOLUTION APPROVING CHANGE ORDER NO. 1 OF A CONTRACT BETWEEN MIAMI-DADE COUNTY AND HORSEPOWER ELECTRIC, INC., FOR PUBLIC WORKS DEPARTMENT PROJECT ENTITLED STREET LIGHTING REPAIR AND MAINTENANCE CONTRACT - COUNTYWIDE, (PROJECT NO. 20070656), INCREASING THE CONTRACT AMOUNT BY $500,000.00 AND EXTENDING THE CONTRACT TIME BY 150 CALENDAR DAYS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Edmonson
Seconder: Gimenez
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

In response to Commissioner Edmonson's inquiries regarding what measures were being taken to address vandalization of street lights, Ms. Esther Calas, Public Works Department (PWD) Director, noted that PWD staff designed a lock box, 300 of which were being manufactured for PWD, which would be ready soon and placed in the areas where the vandalization was taking place.

In response to Commissioner Edmonson's inquiry regarding whether cameras or police officers could be used to monitor the areas subject to vandalism until the lock boxes were installed, Ms. Calas explained that vandals stole copper from the lighting system in October and November 2009, and that no such vandalism had occurred since.

In response to Chairwoman Jordan's inquiry concerning whether PWD had explored patenting the lock box design, Ms. Calas noted the Miami-Dade Expressway Authority (MDX) had commended the PWD on the design and expressed interest in using it.

Chairwoman Jordan encouraged Ms. Calas to get the design patented so that the County could market it.

Hearing no further discussion, the Committee proceeded to vote on the foregoing proposed resolution.

3O

100867 **Resolution**

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE NATIONAL RESOURCES CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE AND MIAMI-DADE COUNTY PROVIDING $2,700,000 IN FEDERAL FUNDING FOR THE CORAL GABLES LOOP CANAL, SW 67 AVENUE TO SW 75 AVENUE BANK STABILIZATION PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Edmonson
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing resolution into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed resolution.

4 COUNTY MANAGER

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

100809 **Report**

SUMMARY OF MINUTES FOR THE TRANSIT, INFRASTRUCTURE & ROAD COMMITTEE FOR THE MARCH 10, 2010 MEETING (Clerk of the Board)

Approved
Mover: Gimenez
Seconder: Rolle
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed report.

7 REPORTS

7A

100728 **Report**

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT 1ST QUARTER FISCAL YEAR 2009-2010 (County Manager)

Report Received
Mover: Jordan
Seconder: Edmonson
Vote: 4-0
Absent: Seijas, Sorenson

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed report.

7B

100784 **Report**

QUARTERLY MIAMI INTERMODAL CENTER-EARLINGTON HEIGHTS (MIC-EH) UPDATE (County Manager)

Report Received
Mover: Edmonson
Seconder: Jordan
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Hearing no questions or comments, the Committee proceeded to vote on the foregoing proposed report.

7C

100929 **Report**

DEPARTMENTAL BUDGET INFORMATION [SEE AGENDA ITEM NO. 1(D)1] (County Manager)

Deferred to next committee meeting
Mover: Edmonson
Seconder: Gimenez
Vote: 4-0
Absent: Sorenson, Seijas

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record and noted it was the accompanying report to Agenda Item 1D1.*

Chairwoman Jordan noted that Item 7C would be deferred to the next Committee meeting for consideration.

Hearing no further questions or comments, the Committee proceeded to vote on a motion to defer.

The foregoing proposed report was deferred to the Transit, Infrastructure & Roads Committee meeting scheduled for May 12, 2010 at 2:00 p.m.

7D

100899 **Report**

(ORAL) MONTHLY SPECIAL TRANSPORTATION SERVICES (STS) REPORT (County Manager)

Report Received

Report: *Assistant County Attorney Bruce Libhaber read the foregoing report into the record.*

Commissioner Edmonson acknowledged Mr. Miguel De Grandy.

Mr. De Grandy noted that the issue of buying hardware from a sole source was unresolved and noted the Committee may want to hear from staff regarding this issue.

In response to Vice Chairman Gimenez' request for a brief description of the issue, Mr. De Grandy noted an amendment had removed a requirement that the company, Cubic Transportation Systems, Inc., submit certification to the County that its systems were compatible with the County's systems; however, Cubic's protocol was to provide its source code to only one vendor, which meant Cubic still had to buy from a sole source vendor. He further noted that the sole source would not give his client a quote until his client signed a non-disclosure agreement prohibiting his client from knowing the prices that the sole source was offering to other vendors, and prohibiting other vendors from knowing what price the sole source was offering his client. He noted that his client lodged a protest against these stipulations. Mr. De Grandy further noted the money that passengers paid to Advanced Transportation Solutions, Inc. (ATS) did not go to the County; therefore the County's fare collection system did not need to be integrated with Cubic's systems. He added that the County had other hardware solutions that could be integrated with Trapeze Software Group, Inc.'s software and give the County the accountability it wanted, including information regarding location, date, and time.

In response to Chairwoman Jordan's and Commissioner Edmonson's inquiries regarding whether this issue was under the Cone of Silence, Ms. Miriam Singer, Department of Procurement Management (DPM) Director, noted this issue was under the cone of silence. She explained the intent of the foregoing proposed report was to provide this Committee with the status of the issue. Ms. Singer noted that the question and answer process

was currently taking place online, and that DPM had responded and was currently responding to many questions.

Chairwoman Jordan noted she expected this report about Special Transportation Services (STS) to be general, and not to be about the Request for Proposal (RFP) aspect. She further noted that if the title of this report had included the "RFP," she would have had the report removed from this agenda. Chairwoman Jordan noted that other vendors who may be proposing on this contract were absent from today's (4/14) meeting because the report title did not indicate the RFP would be discussed. She noted she was discontinuing the current discussion.

Vice-Chairman Gimenez noted he believed the Cone of Silence should be amended because the Committee could deal with issues that arose regarding the RFP only after the fact. He added that the discussion at this meeting was public record, therefore not hidden.

In response to Vice-Chairman Gimenez' inquiry as to whether the STS issue was under the Cone of Silence, Assistant County Attorney Libhaber advised that the Cone of Silence was in place. He also noted the exception to discussing issues under the Cone of Silence was at publicly noticed meetings, of which this meeting was one. Mr. Libhaber further noted that discussing anything significantly beyond the title of this report was problematic, since the report was not noticed for going into too much detail regarding the RFP. Mr. Libhaber noted he believed the Committee could hold a discussion on STS services, including comments or complaints about the services, and general terms such as due dates and other logistical information.

Vice-Chairman Gimenez suggested that next month's Committee meeting agenda reflect that the RFP would be open for discussion at the meeting.

Mr. De Grandy stated for the record that although he respected Chairwoman Jordan's ruling, his position was that the title of the foregoing report was broad enough to incorporate the RFP. He added he believed those County Charter provisions which gave the Commission an unfettered right to address the government in a public hearing trumped the Cone of Silence ordinance; therefore the RFP could have been

discussed. Mr. De Grandy noted that at no time did his client ATS intend to violate the Cone of Silence.

8 ADJOURNMENT

Report: *Hearing no further business to come before it, the Committee adjourned the meeting at 3:19 p.m.*