Memorandum

MIAMI-DADE COUNTY

Date: February 7, 2011

RTC
Agenda Item No. 2(G)

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

From: George M. Burgess
County Manager

Subject: American Medical Transportation, LLC d/b/a Priority Medical Transportation application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 30075

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier (PMC) Certificate of Transportation No. 30075 from Great Transportation, Corp. to American Medical Transportation, LLC d/b/a Priority Medical Transportation

SCOPE

This PMC Certificate of Transportation is countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County.

FISCAL IMPACT/FUNDING SOURCE

There is minimal fiscal impact to the County. Licensing, operating permit and inspection fees are collected by the Consumer Services Department (CSD) to support regulatory activities. There is an annual regulatory fee of $625 per certificate. Vehicle inspections are $38 per vehicle.

TRACK RECORD/MONITOR

Applicant is a new service provider. There is no enforcement history. The Consumer Services Department (CSD) will be responsible for monitoring this company.

BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the Board. In considering the proposed transfer of ownership or control of the certificate, the Board shall determine whether or not said transfer is contrary to the public interest, upon evidence submitted at the public hearing. The Board may approve or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer if in the public's interest.

Great Transportation, Corp. has filed an application to transfer PMC Certificate of Transportation No. 30075 to American Medical Transportation, LLC d/b/a Priority Medical Transportation. Transferred on January 24, 2006, via Resolution R-29-06 (Attachment A), to Great Transportation, Corp., PMC No. 30075 authorizes contract carrier service. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transport persons for compensation under written contracts with one or more persons.

The company is required to adhere to the terms of the resolution, which approved the certificate. American Medical Transportation, LLC d/b/a Priority Medical Transportation, located at 25 NW 10 Ave, Bay 2, Miami, Florida 33130, seeks to continue providing this class of service by transporting resident groups to various hospitals, clinics and doctors' offices within Miami-Dade County, 24-hours a day, seven days a week. Transportation is required to be pre-arranged at least 24-hours prior to service, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are $14 per person, one-way, anywhere within Miami-Dade County.

The management plan submitted by Mr. Abelardo Rivera, Manager of American Medical Transportation, LLC d/b/a Priority Medical Transportation, includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement (Attachment B) between American Medical Transportation, LLC d/b/a Priority Medical Transportation and Great Transportation, Corp. establishes the acquisition by American Medical Transportation, LLC d/b/a Priority Medical Transportation of PMC Certificate of Transportation No. 30075 for a total price of $100.00.

Assistant County Manager

Approved _____ _____ Mayor

Veto _____

Override _____

Agenda Item No. 8(C)(1)(A)

01-24-06 **ATTACHMENT A**

OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA

RESOLUTION NO. R-29-06

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 075 FROM MTC TRANSPORTATION, INC. TO GREAT TRANSPORTATION, CORP. TO PROVIDE CONTRACT SERVICE AS A PASSENGER MOTOR CARRIER

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 075 from MTC Transportation, Inc., to Great Transportation, Corp. to provide contract passenger motor carrier service to various points in Miami-Dade County is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transport persons for compensation under written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of January, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: KAY SULLIVAN
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Gerald K. Sanchez

Memorandum

MIAMI-DADE COUNTY

Date: January 24, 2006

Agenda Item No. 8(C)(1)(A)

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

From: George M. Burgess
County Manager

Subject: Great Transportation, Corp. application for a transfer of Passenger Motor Carrier Certificate of Transportation No. 075

RECOMMENDATION

It is recommended that the Board approve the transfer of Passenger Motor Carrier Certificate of Transportation No. 075 from MTC Transportation, Inc. to Great Transportation, Corp.

BACKGROUND

On February 17, 1981, the Board of County Commissioners adopted Ordinance 81-17, subsequently amended by Ordinance 85-20 on April 16, 1985, which regulates the passenger motor carrier industry in Miami-Dade County under Chapter 31 of the Code of Miami-Dade County.

Section 31-103 (m) of the Code provides the procedures to be followed by Miami-Dade County in processing transfer applications. No certificate may be sold, assigned or transferred to another until the proposed sale, assignment, or transfer has been approved by the County Commission. The Community Empowerment and Economic Revitalization Committee and Board of County Commissioners, in considering the proposed transfer of ownership or control of the certificate, shall determine, upon evidence submitted by the parties or any other party or person affected by the proposed transfer, whether or not said transfer is contrary to the public interest. The Commission may approve said transfer or refuse to approve said transfer upon such terms and conditions or may reasonably alter, restrict or modify the terms and provisions of such transfer where the same may best serve the public interest.

ANALYSIS

MTC Transportation, Inc. has filed an application to transfer Passenger Motor Carrier (PMC) Certificate of Transportation No. 075 to Great Transportation, Corp. The Code requires that such transfers be approved by the Board. PMC No. 075, originally issued on July 23, 1991, to Medi-Wheels Systems, Inc. then transferred to MTC Transportation, Inc. on May 23, 2000, authorizes contract carrier service. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transport persons for compensation under written contract with one (1) or more persons. Great Transportation, Corp. located at 1490 NW 79 Avenue, Miami, Florida, 33126, seeks to continue providing this class of service.

The company is required to adhere to the terms of the resolution, which approved the initial certificate (R-807-91, attached). Great Transportation Corp. seeks to continue transporting residents to various hospitals, clinics and doctors offices within Miami-Dade County.

Transportation will be pre-arranged on a 24-hour minimum basis. These services will be provided seven days a week, 24 hours a day, using chauffeur driven vehicles with a seating capacity of nine or more, but less than 28 passengers, excluding the driver. The proposed rates are listed on the attached rate schedule.

The management plan submitted by Mr. Rogelio Rodriguez, President of Great Transportation, Corp., includes maintenance, communication, and record keeping systems and meets the requirements of the Code. All required financial statements and credit references have been submitted and the proposed service standards adequately meet passenger transportation and comfort needs. A background investigation reveals no criminal conviction for the applicant or any corporate officers within five years of the date of the application. There is no enforcement history.

As required by the Code, the applicant has provided disclosure of the terms and conditions regarding the transfer of the certificate. A Sales Agreement between MTC Transportation, Inc. and Great Transportation, Corp. establishes the acquisition by Great Transportation, Corp. of all of the assets of MTC Transportation, Inc. including PMC Certificate of Transportation No. 075 for a total price of twenty five thousand dollars ($25,000.00).

In accordance with Section 31-103 (e) of the Code, a 20-day notice of application was provided to all affected municipalities within Miami-Dade County, all passenger motor carrier certificate holders and interested parties. No protests were filed.

Attachments

Joseph A. Ruiz, Jr.
Assistant County Manager

ATTACHMENT B

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, Great Transportation, Corp., a **FLORIDA** corporation, whose principal post office address is **10935 SW 55 Street, Miami, FL 33165**, hereinafter referred to as Seller, for and in consideration of the sum of **One Hundred Dollar ($100.00)** and good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, convey, sell and transfer to **America Medical Transportation LLC** and its **DBA** Affiliates: **Great America Response**, a (**Florida Limited Liability Company**), and its partner whom hold the shares as follows: Abelardo Rivera with a total ownership of: 100%. Such partner herein mentioned shall not be liable for any pending liabilities related to **Great Transportation, Corp.** or any of its successors and assigns. **America Medical Transportation LLC** whose post office address is: **3460 NW 7 Street, Miami FL 33125.** hereinafter referred to as Buyer, its successors and assigns:

that all assets will be included in the sales price of One Hundred Dollars ($100.00). Such items are as follow:

PMC CERTIFICATE NO.: 30075

IN WITNESS WHEREOF, the Seller hereto has caused this Notice to be executed in its name and, by its appropriate officers thereunto duly authorized, this 7 day of May , 2010 .

must be made available for inspection and copying within one (1) business day of such request by the CSD or any police agency during regular business hours and shall be retained for one (1) year;

(5) Shall maintain a log of all customer complaints;

(6) Shall maintain quarterly vehicle accident records for all vehicles operated in the prior quarter;

(7) Shall not refuse to dispatch or neglect to dispatch a request to transport to or from any place in the county, any orderly person requesting service;

(8) Shall hold any personal property deposited in the lost and found facility for a period of six (6) months, at the end of which time the personal property shall become the property of the finder. A record of personal property reported to or deposited at the lost and found facility shall be kept for at least one (1) year; and

(9) Shall comply with all applicable obligations of the for-hire license holder when acting as his, her or its agent.

(l) *Responsibility for violations of chapter.* The holder of a passenger service company registration or any person providing passenger services directly shall be responsible for any violation of this chapter involving passenger services and shall be subject to the penalties provided for in this chapter for any such violation. In addition, the registration shall be subject to suspension or revocation for any such violation. Charges against or penalties imposed on a for-hire license holder or for-hire chauffeur for the same or related offense shall not relieve the passenger service company of its responsibilities or liabilities under this chapter. Violations shall be punishable as provided in this chapter.

(Ord. No. 98-105, § 1, 7-9-98; Ord. No. 01-178, § 1, 11-6-01; Ord. No. 03-45, § 1, 3-11-03)

ARTICLE III. PASSENGER MOTOR CARRIERS*

Sec. 31-101. Transportation policy.

To assure the development and maintenance of a safe, healthy and efficient passenger transportation system for Miami-Dade County, the Commission, County Manager and County staff, in carrying out the duties and responsibilities prescribed in this article, shall consider the following as being in the public interest:

(1) Reliance on market forces and on actual and potential competition among all transportation modes, so as to provide transportation services at competitive prices.

(2) Coordination of regulatory decision-making with the transportation improvement plan, and the orderly development of an integrated transportation/transit system for Miami-Dade County so as to ensure the development and maintenance of a transportation/transit system responsive to the needs of the public, in which regulatory decisions are reached fairly and expeditiously, and with consideration of their costs and benefits.

(3) Improvement of motor vehicle safety.

(4) Achievement of County, national and State energy conservation goals.

(5) Reduced concentration of market power, and prevention of unfair, deceptive, predatory or anticompetitive practices.

(6) Reduction of restrictive regulatory barriers to entry into the industry and promotion of equal opportunities.

(7) Promotion of the safety and welfare of the residents and visitors of Miami-Dade County who use the services of passenger motor carriers to meet their transportation needs.

*Editor's note—Ord. No. 81-17, adopted Feb. 17, 1981, did not specify manner of codification; therefore, inclusion of §§ 2—16 as Art. III, §§ 31-101—31-115, has been at the editor's discretion.

MEMORANDUM
(Revised)

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

DATE: March 1, 2011

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No.

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor Agenda Item No.
Veto _____
Override _____

RESOLUTION NO. _____

RESOLUTION APPROVING TRANSFER OF CERTIFICATE OF TRANSPORTATION NO. 30075 FROM GREAT TRANSPORTATION, CORP. TO AMERICAN MEDICAL TRANSPORTATION, LLC D/B/A PRIORITY MEDICAL TRANSPORTATION TO PROVIDE CONTRACT CARRIER SERVICE AS A PASSENGER MOTOR CARRIER

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that in accordance with Chapter 31 of the Code, the transfer of Certificate of Transportation No. 30075 to American Medical Transportation, LLC d/b/a Priority Medical Transportation to provide contract carrier passenger motor carrier services is approved. This class of service is defined as any passenger motor carrier who is not a common carrier and who repeatedly or continuously transports persons for compensation under a written contract with one (1) or more persons.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Natacha Seijas	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2011. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. GKS

Gerald K. Sanchez