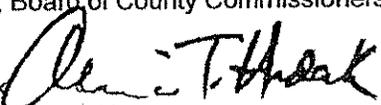


# Memorandum



**Date:** November 22, 2011  
**To:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners  
**From:** Alina T. Hudak   
Deputy Mayor/County Manager  
**Subject:** Supplement to Recommendation for Approval to Award Ground Leases (RFP No. 794)  
and Waive the Bid Protest Procedures Pursuant to Sections 2-8.3 and 2-8.4 of the Code  
of Miami-Dade County

Supplement to  
Agenda Item No. 14A5  
November 23, 2011

This serves to amend the County Manager's recommendation filed with the Clerk of the Board on November 14, 2011 to award ground leases pursuant to Request for Proposals (RFP) No. 794 and Waive the Bid Protest Procedures Pursuant to Sections 2-8.3 and 2-8.4 of the Code of Miami-Dade County. This supplement is issued to:

- Remove Item 20 on handwritten page 3 of the original award recommendation, under *Developers Recommended for a Ground Lease*, which awards The Michaels Development Company I, LP (Michaels) a lease for a site located at 1160 NW 11 Street;
- Amend the award of Item 23 on handwritten page 3 of the original award recommendation, under *Developers Recommended for a Ground Lease*, to The Michaels Development Company I, LP (Michaels) a lease for a site located at 1165 NW 11 Street;
- Remove Items 16, 18, and 24 (Victory Homes, Lincoln Gardens, and Harry Cain Tower, respectively) on handwritten page 3 due to 9% tax credits not being part of the proposed financing; and
- Amend for all Ground Leases, the definition of "Improvements", Article I, Section 1.1(p) by substituting the last period for a comma, and adding the following thereafter: "substantially in accordance with the terms of the Tenant's proposal submitted to the County, and the terms and conditions of a master development agreement to be negotiated between the parties which may include, but is not limited to, the design and construction of those improvements."

The removal of Item 20 is due to Michaels submitting a proposal reflecting a correct folio number for a County-owned property, but an incorrect site address (1160 NW 11 Street). The incorrect address was not identified at the time of review by the Evaluation/Selection Committee, and the Michael's proposal was not evaluated in comparison to others received for the correct address (which appeared as Item 23 in the original award recommendation). Carlisle Development Group, LLC (Carlisle) submitted a proposal with the same folio number and no street address. The Evaluation/Selection Committee conducted an evaluation of these two proposers for the 1160 NW 11 Street site, which is not owned by the County, and ranked Michaels the highest.

Four proposals (including the one submitted by Carlisle) were evaluated for 1165 NW 11 Street, Item 23 of the original award, the correct address for the folio number (01-3135-000-0162) included in the solicitation. The Evaluation/Selection Committee had evaluated these four proposals and ranked the proposal of Biscayne Housing Group, LLC the highest. Thus, the Evaluation/Selection Committee had not evaluated Michael's proposal for the 1165 NW 11 Street property in comparison to the other proposals received for the correct folio number. In consultation with the County Attorney, it was determined that the five proposals (inclusive of Michael's) received for 1165 NW 11 Street should be re-evaluated. On November 21, 2011, the Evaluation/Selection Committee reconvened and ranked Michaels Development Company I, LP the highest.

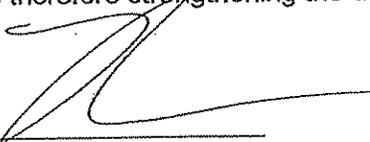
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Based on additional research at my request, staff was directed to review all of the proposals to ensure that the properties recommended to the Board are in fact pursuing the 9% credit. Upon the conclusion of this review, staff determined that three sites are not fully pursuing the 9% credit and therefore, we are removing sites 16, 18 and 24 in the original memorandum. These three leases will be forwarded for Board consideration at a future meeting.

A total of 28 sites are now recommended for award of a ground lease for the 9% tax credit application.

This supplement also corrects scrivener's errors in the subject award recommendation. On handwritten page 5, under Developers Not Recommended for A Ground Lease, items 14, 15 and 16 are duplicates of items 11, 12, and 13. Therefore, items 14, 15, and 16 are removed, and the balance of the items should be re-numbered.

This process has been expedited to facilitate the 9% tax credit. While staff has worked tirelessly to complete the development of the RFP and evaluation process, I'm not pleased with the manner in which the item was finalized for Board consideration. Nonetheless, we have attempted to address many of the concerns raised by the proposers and the issues identified by staff since the November 15, 2011 meeting of the Board. Our ultimate responsibility is to ensure the fairness and integrity of the selection process and are therefore strengthening the award recommendation through this supplement.



Deputy Mayor