

# Memorandum



**Date:** January 23, 2013

**To:** Honorable Chairwoman Rebeca Sosa and  
Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Resolution Waiving Competitive Bids for the Repairs of the Bear Cut Bridge and  
the West Bridge on the Rickenbacker Causeway

Agenda Item No. 8(L)(5)

## Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing the Mayor or Mayor's designee to contract for the emergency repair of the bridges on the Rickenbacker Causeway providing access to Key Biscayne, specifically the Bear Cut Bridge and the West Bridge (collectively the 'Bridges') by: 1) waiving competitive bids pursuant to Section 5.03(D) of the Charter, Section 2-8.1 of the Code of Miami-Dade County, and Section 287.055(9)(c)(6) of the Florida Statutes, in order to negotiate and contract with the best qualified design-build firm that can be identified as available to perform the subject work; 2) waiving Miami-Dade County's procedures for the acquisition of professional engineering services pursuant to Section 2-10.4(8)(b)(i) of the Miami-Dade County Code and Section 287.055(3)(a)(1) of the Florida Statutes, authorizing the retaining of an engineering consultant as necessary to address the emergency condition of the Bridges, including the preparation of plans and specifications, and the performing of inspections and testing; and 3) waiving Section 2-8.4 of the Code of Miami-Dade County regarding protest procedures; and 4) authorizing funding for the work set forth above in an amount not to exceed \$25 million.

## Scope

The Bridges are located within Commission District 7.

## Fiscal Impact/Funding Source

The total estimated cost for the design and construction of the Bridges is \$25 million. The work is to be funded using a combination of Causeway Toll Revenues and financing proceeds backed by Causeway Toll Revenues. A companion item amending Implementing Order 4-57 relating to the schedule of fees and tolls for the Rickenbacker Causeway is included on this agenda for Board consideration to support this financing.

## Track Record/Monitor

The implementing agency is the Public Works and Waste Management Department (PWWM) and the Project Manager responsible for monitoring this project is Marcos Redondo, P.E., Section Head, Highway Division Bridge Section.

## Background

The original Bridges were built in 1944 and consisted of a concrete substructure, steel girders, and a concrete deck superstructure. The Bridges were widened in the mid to early 1980's with concrete substructures, pre-stressed concrete girders and a concrete deck superstructure, and have undergone various maintenance and repair actions through the years in order to extend their life expectancy. The Florida Department of Transportation (FDOT) conducts recurring bridge inspections, with those performed in 2006, 2007, and 2010 not disclosing any critical findings.

In March 2012, PWWM was informally notified via email by FDOT that the bridge inspection performed on January 7, 2012, found deterioration of a number of the steel beams on the West Bridge, and that PWWM was "to correct such deficiencies before they become a critical deficiency". As a result, PWWM immediately proceeded to restrict truck traffic to the right outside lane of the West Bridge for the inbound (Eastbound) direction, and as a further precaution moved to effectuate similar restrictions on the Bear Cut Bridge. This action placed truck loads on the concrete beam segment, not on the steel beams found to be in a deteriorated condition.

Additionally, between the months of August to September, PWWM initiated detailed field inspections of the Bridge's 584 steel beams through the services of an engineering consultant. This effort also found previously undetected deterioration of the steel beams on the Bear Cut Bridge. This information was transmitted to FDOT, along with the request for a Load Rating in order to determine the load carrying capacity of the Bridges in their current condition. On October 19, 2012, based on the provided information, FDOT notified PWWM that the right outbound (westbound) lane on the Bear Cut Bridge had to be closed to traffic. PWWM immediately closed the lane upon being notified. However, in close coordination with FDOT, PWWM had its consultant re-analyze the Load Rating for the Bridges. This led to FDOT's subsequent concurrence to open the closed lane by restricting traffic to cars on the outside lane, limiting heavier vehicles to the inside lane. FDOT's formal letter of concurrence was received on November 1, 2012. PWWM implemented these restrictions through the installation of signs and pavement markings. PWWM continues to work closely with FDOT in monitoring and inspecting the Bridges monthly.

The receipt of the most recent Load Rating for the Bridges does not provide the time required for the typical County processes to design, bid, and build a project of this magnitude. PWWM has performed a series of actions in an effort to maintain the safety and operability of the Bridges in their current condition. A delay to commence the necessary construction activities can further delay the existing restrictions to the use of the Bridges, placing a significant and prolonged impact on its users (e.g., Sony Open Tennis Tournament, Miami Seaquarium, Rickenbacker Marina, residents, and visitors). In the public's best interest I recommend that the County waive competitive bids for both the selection of the best qualified design-build firm and for the retaining of an engineering consultant as necessary. The selection of the firms would be made to those most technically qualified based on an informal process to be managed by PWWM and the Internal Services Department, with input on small business participation from the Regulatory and Economic Resources Department. I also recommend a waiver of the bid protest procedures in connection with any competitive process used. In order to allow for this expedited procurement to occur, as required by State and County law, I hereby certify that a public emergency exists with respect to the condition of the Bridges.

The results of this process will be submitted for ratification by the BCC as soon as completed.

  
Alina T. Hudak  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** January 23, 2013

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

**SUBJECT:** Agenda Item No. 8(L)(5)

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 Mayor'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  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(L)(5)  
1-23-13

RESOLUTION NO. \_\_\_\_\_

RESOLUTION WAIVING COMPETITIVE BIDS AND  
AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO  
CONTRACT FOR THE REPAIRS OF THE BEAR CUT  
BRIDGE AND THE WEST BRIDGE BY TWO-THIRDS VOTE  
OF THE MEMBERS PRESENT

**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 this Board 1) approves the waiver of competitive bids pursuant to Section 5.03(D) of the Charter, Section 2-8.1 of the Code of Miami-Dade County, and Section 287.055(9)(c)(6) of the Florida Statutes, in order to negotiate and contract with the best qualified design-build firm that can be identified as available to perform the subject work and redress the public emergency; 2) approves the waiver of Miami-Dade County's procedures for the acquisition of professional engineering services pursuant to Section 2-10.4(8)(b)(i) of the Miami-Dade County Code and Section 287.055(3)(a)(1) of the Florida Statutes, authorizing the retaining of an engineering consultant as necessary to address the emergency condition of the Bridges, including the preparation of plans and specifications, and the performing of inspections and testing; 3) waives Section 2-8.4 of the Code of Miami-Dade County regarding protest procedures; and 4) authorizes funding for the work set forth above in an amount not to exceed \$25 million by two-thirds vote of the members present. The Mayor shall submit all contracts entered into to give effect to this resolution for ratification by this Board not later than 60 days following the effective date of this resolution.

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:

Rebeca Sosa, Chairwoman  
Lynda Bell, Vice Chair

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jean Monestime  
Sen. Javier D. Souto  
Juan C. Zapata

Esteban L. Bovo, Jr.  
Audrey M. Edmonson  
Barbara J. Jordan  
Dennis C. Moss  
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 23<sup>rd</sup> day of January, 2013. 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.

Hugo Benitez

