



MEMORANDUM
Harvey Ruvin
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Clerk of the Board of County Commissioners
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EDPC
Agenda Item No. 6A

TO: Honorable Chair Lynda Bell
and Members, Economic Development and
PortMiami Committee

DATE: January 13, 2014

FROM: Christopher Agrippa
Director, Clerk of the Board Division

SUBJECT: Approval of Commission
Committee Minutes

The Clerk of the Board's office is submitting the following Clerk's Summary of Minutes for approval by the Economic Development and PortMiami Committee:

November 14, 2013

CA/js
Attachment



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

CLERK'S SUMMARY OF Meeting Minutes

Economic Development & Port Miami Committee

Lynda Bell (8) Chair; Javier D. Souto (10) Vice Chair; Commissioners Jose "Pepe" Diaz (12), Barbara J. Jordan (1), and Juan C. Zapata (11)

Thursday, November 14, 2013

2:00 PM

Commission Chambers

Members Present: Lynda Bell, Jose "Pepe" Diaz, Barbara J. Jordan.

Members Absent: Javier D. Souto, Juan C. Zapata.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Zorana Gainer, Commission Reporter*
305-375-3570

1A INVOCATION AS PROVIDED IN RULE 5.05 (H)

1B ROLL CALL

Report: *The following staff members were present:*

*~Deputy Mayor Jack Osterholt
~Assistant County Attorney Monica Maldonado
~Assistant County Attorney Alex Boker
~Deputy Clerk Jovel Shaw
~Deputy Clerk Zorana Gainer*

Assistant County Attorney Monica Maldonado noted the only changes to today's (11/14) agenda were those noted in the Board of County Commissioners' Chairwoman Rebeca Sosa's memorandum entitled, "Requested Changes to the Economic Development & Port Miami Committee Agenda."

It was moved by Commissioner Jordan to accept the changes to the agenda. This motion was seconded by Commissioner Diaz and upon being put to a vote passed by a vote of 3-0 (Commissioners Souto and Zapata were absent).

1F1

131965 Ordinance

Audrey M. Edmonson,

Barbara J. Jordan, Dennis C. Moss

ORDINANCE RELATING TO ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AMENDING CHAPTER 2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PERMIT THE MAYOR OR MAYOR'S DESIGNEE TO CHANGE THE NATIONAL OBJECTIVE UPON DETERMINATION THAT THE PROJECT HAS MET ANOTHER NATIONAL OBJECTIVE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Diaz

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed ordinance into the record.*

Chair Bell opened the public hearing; the following persons came forward in connection with the foregoing proposed ordinance:

~Sam Gilmore 2230 NW 193rd Terrace Miami, Florida

~Madame Renita Holmes, on behalf of the Women's Association

Seeing no one else come forward, Chair Bell closed the public hearing.

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

1F1 SUPPL

132282 Supplement

FISCAL IMPACT STATEMENT TO ORDINANCE RELATING TO ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS; AMENDING CHAPTER 2 OF THE CODE, TO PERMIT THE MAYOR TO CHANGE THE NATIONAL OBJECTIVE UPON DETERMINATION THAT THE PROJECT HAS MET ANOTHER NATIONAL OBJECTIVE

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Diaz

Vote: 3-0

Absent: Zapata, Souto

2 COUNTY COMMISSION

2A

132038 Resolution

Barbara J. Jordan

RESOLUTION DIRECTING THE COUNTY MAYOR OR
MAYOR'S DESIGNEE TO PROVIDE A QUARTERLY
REPORT TO THE BOARD ON THE STATUS OF
COMPLIANCE WITH COMMUNITY WORKFORCE AND
SMALL BUSINESS DEVELOPMENT PROJECT GOALS
AT THE 50 PERCENT THROUGH 100 PERCENT
COMPLETION LEVELS FOR ELIGIBLE CONTRACTS
AND WORK ORDERS VALUED AT \$500,000 OR MORE

Amended

Report: *See Agenda Item 2A Amended; Legislative File
No. 132326.*

2A Amended

132326 Resolution

Barbara J. Jordan,

Audrey M. Edmonson

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO PROVIDE A SEMI-ANNUAL REPORT TO THE BOARD ON THE STATUS OF COMPLIANCE WITH COMMUNITY WORKFORCE AND SMALL BUSINESS DEVELOPMENT PROJECT GOALS AT THE 50 PERCENT THROUGH 100 PERCENT COMPLETION LEVELS FOR ELIGIBLE CONTRACTS AND WORK ORDERS VALUED AT \$500,000 OR MORE [SEE ORIGINAL ITEM UNDER FILE 132038]

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

Mover: Jordan

Seconder: Diaz

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed resolution into the record.*

Mr. Lester Sola, Director, Internal Services Department (ISD) noted that upon reading the resolution he was concerned about the requirement of a quarterly report, he noted that a semi-annual report would be more appropriate. He explained the ISD's ultimate goal was to update the report on a nightly basis once the report was more developed and able to be placed online. He pointed out the information would be readily available rather than having to generate quarterly reports to the Commission. Mr. Sola suggested that ISD start out with a semi-annual report and shortly thereafter post nightly reports via the internet.

Commissioner Jordan expressed her concerns, pointing out that an semi-annual report would be too late to make any changes or make up; She pointed out changing the scope of the project, may not give the business the opportunity to complete the goal. She noted that making quarterly reports would allow an opportunity to address goal issues. Commissioner Jordan asked the Director of the Information Technology Department to provide a status report and explanation of the Enterprise Resource Planning (ERP) system and the ERP process.

Mr. Angel Petisco, Director, Information Technology Department (ITD) explained that the ERP system would replace countywide procurement, financial, payroll, human resources as well as the countywide budgeting system. He further explained how the ERP system had begun and how it would be implemented; noting that the Board had approved bond funding for the ERP system and his staff had put out a solicitation for a

company to help implement this project. Mr. Petisco pointed out that currently due to solicitations the department was under the Cone of Silence; the proposals were due by November 26, 2013. He noted that he and staff would work with the ISD to incorporate them into the ERP. Mr. Petisco also noted that the discussion of possibly enhancing the website in an effort to provide an enhanced more timely report on a daily basis rather than a quarterly report, and go semi-annual until the process was put into place. He noted the entire ERP system implementation was a 42 to 48 month process, this would include replacement of all legacy systems with the new ERP system. Mr. Petisco noted that he and Mr. Sola had discussed working together to include the requirements for Small Business Development (SBD) to be incorporated into the ERP implementation; he further noted that he and Mr. Sola had also discussed the possibility of enhancing the current website to provide information in a timely manner.

Commissioner Jordan inquired what the time frame was to complete the incorporation of SBD requirements into the ERP system.

Mr. Sola responded to Commissioner Jordan's inquiry, with regards to the design of the website, noting he was unsure of when SBD requirements would be incorporated into the ERP system, but it would be accomplished. He pointed out that currently several reports were available online and the goal was to incorporate those reports so that staff or the public could view current reports, goals and the history of a particular company and update these reports daily. Mr. Sola clarified that while he was asking for a modification to report on a semi-annual basis, compliance was an ongoing activity, the projects were continuously monitored and when any agenda items came to the Board the level of participation was disclosed, whether the firm was meeting it or not.

Commissioner Jordan requested to amend the foregoing proposed resolution to change the frequency of the Mayor or the Mayor's designee's to provide semi-annual reports to the Board instead of on a quarterly basis on the status of compliance with Community Workforce and Small Business Development project goals.

Hearing no further comments or concerns the Committee proceeded to vote.

2B

132090 Resolution**Rebeca Sosa**

RESOLUTION REQUESTING THAT THE MAYOR OR DESIGNEE PROVIDE COMMENTS AND INPUT ON BILLS, AMENDMENTS AND OTHER LEGISLATIVE PROPOSALS AT THE FEDERAL AND STATE LEVELS AS SOON AS POSSIBLE BUT NO LATER THAN 48 HOURS AFTER A REQUEST FOR SUCH COMMENTS AND INPUT IS MADE

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Bell

Vote: 2-1

No: Jordan

Absent: Zapata, Souto

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed resolution into the record.*

Commissioner Diaz inquired about the intent of the foregoing proposed resolution and asked for clarification regarding who the requests would be made to and how the information would be disseminated to the commissioners, he also inquired whether this resolution included legislation that had already been endorsed and supported.

Assistant County Attorney Maldonado explained that the resolution was requesting that the Mayor or his designee provide comments and input on bills, amendments and other legislative proposals at the federal and state level no later than 48 hours after a request for such comments and input has been made. She noted this resolution included not only endorsed legislation but all legislative proposals at the federal and state level; she noted that when a request was made the comments are sent to County Departments for review and comments, and the Mayor or his designee will provide the comments in writing to the Board of County Commissioners (BCC).

Commissioner Jordan noted that previously discussions had been held regarding county staff that had legislative issues on the federal and state level. She inquired whether responding to legislative items which impacted the county if that included things that the BCC directed staff to respond to or anything the BCC perceived as threatening.

Assistant County Attorney Maldonado noted the item was silent with regards to whether the commission had requested Legislative Lobbyists to support items perceived as threatening, but rather to support any item that affected the county.

Commissioner Jordan pointed out that she felt this resolution was very vague regarding which items Legislative Lobbyists were to support and requested that the foregoing resolution be moved without a recommendation to the BCC in an effort to allow the sponsor of the resolution to expand on the details.

Chair Bell noted that she interpreted the foregoing proposed resolution to indicate that anytime anyone requested comments regarding new legislation or anything directly impacting the county legislatively, a response had to be issued within 48 hours due to that direct impact. She noted that she felt this resolution was a good one because bills moved very quickly.

Commissioner Diaz noted that he was in support of the foregoing proposed legislation however, he had questions as well regarding what information, which legislation and how the information would be disseminated.

Chair Bell noted that she preferred to move the foregoing proposed resolution with a recommendation to the BCC.

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

20

132192 Resolution**Juan C. Zapata**

RESOLUTION DIRECTING COUNTY MAYOR OR
COUNTY MAYOR'S DESIGNEE TO UPDATE COUNTY
LOGO AND COUNTY SLOGAN

*Forwarded to BCC without a
recommendation*

Mover: Diaz

Second: Bell

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado
read the foregoing proposed resolution into the
record.*

*Commissioner Diaz noted that the logo had been
updated approximately five years ago and lots of
money had been spent to do so. He noted that if
someone could do this in-kind to save money. He
requested to move the foregoing proposed
resolution without recommendation to the Board
of County Commissioners (BCC).*

*Chair Bell pointed out that the President of the
Greater Miami Convention and Visitor's Bureau
(GMCVB) would update the logo at no cost to the
County.*

*Mr. Bill Talbert, President, GMCVB noted that the
GMCVB had a local advertisement agency and
could update the County logo at no cost.*

*Commissioner Diaz expressed appreciation to Mr.
Talbert for his ongoing support of the BCC.*

*Commissioner Jordan noted that she would
support forwarding the foregoing proposed
resolution to the BCC without a recommendation.
She pointed out that she would also like the
information to include a cost analysis of changing
the design of the County's logo as well as
changing all of the existing stationary and letter
heads that are currently in use.*

*Mr. Talbert reiterated that the GMCVB had its
own advertisement agency and would update the
County's logo at no cost, he pointed out that the
last time the County changed its name and
updated its logo the letterheads were not all
changed at once.*

*Hearing no further comments or questions the
Committee proceeded to vote.*

2D

132280 Resolution

Rebeca Sosa,

Lynda Bell

RESOLUTION URGING THE FLORIDA LEGISLATURE TO PROVIDE FUNDING TO OFFSET THE ADDITIONAL COSTS ASSOCIATED WITH THE LEGISLATURE'S ENACTMENT OF CHAPTER 2013-227, LAWS OF FLORIDA, RE: PUBLIC TESTIMONY; DIRECTING THE MAYOR OR DESIGNEE TO PROVIDE A REPORT TO THE BOARD ESTIMATING THE ADDITIONAL ANNUAL COSTS ASSOCIATED WITH CHAPTER 2013-227

Forwarded to BCC with a favorable recommendation

Mover: Jordan

Seconder: Diaz

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed resolution into the record.*

Hearing no questions or comments the Committee proceeded to vote.

3 DEPARTMENT

3A

132082 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH INTERCRUISES SHORESIDE & PORT SERVICES, INC.; SMS INTERNATIONAL SHORE OPERATIONS US, INC.; AMERICAN GUARD SERVICES, INC. D/B/A WORLDWIDE SOURCING SOLUTIONS, LLC; AND AMERICA'S GATEWAY TRANSPORTATION, INC., TO ESTABLISH A POOL OF CONTRACTS TO OBTAIN PIER CHECK-IN SERVICES FOR VARIOUS CRUISE LINES AT PORTMIAMI ON AN AS NEEDED BASIS FOR A TOTAL ESTIMATED COST OF \$21,000,000.00 IF THE OPTION PERIODS ARE EXERCISED, SUCH COST TO BE PAID TO THE COUNTY BY THE CRUISE LINES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONTRACTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE ANY CANCELLATION AND RENEWAL PROVISIONS, AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN CONTRACT NOS. RFQ879A; RFQ879B; RFQ879C; AND RFQ879D (Internal Services)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Jordan

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed resolution into the record.*

Hearing no questions or comments the Committee proceeded to vote.

3B

132137 Resolution

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 01 TO THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMI-DADE COUNTY AND HDR ENGINEERING, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR CONTRACT NO. E09-SEA-01, WHARVES STRENGTHENING PROGRAM, WHICH INCREASES THE CONTRACT BY A MAXIMUM AMOUNT OF \$250,000; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AMENDMENT FOR AND ON BEHALF OF MIAMI-DADE COUNTY AND TO EXERCISE THE PROVISIONS CONTAINED THEREIN (Port of Miami)

Forwarded to BCC with a favorable recommendation

Mover: Diaz

Seconder: Bell

Vote: 3-0

Absent: Souto, Zapata

Report: *Assistant County Attorney Monica Maldonado read the foregoing proposed resolution into the record.*

Commissioner Jordan inquired about how often the goals changed on County projects due to changes of the scope on these projects.

Mr. Lester Sola, Director, Internal Services Department (ISD) noted this was a unique situation where the scope of services changed and it did not happen often where the scope of services change may impact a particular sub consultant fulfilling the goal; however he noted it happened more often in construction due to unforeseen conditions. He pointed out that while this one was unique it was excusable because it was through no fault of the firm or the sub-consultant that the goal will not be filled to the 20% level but rather to approximately 15%. He noted the current goal of the project was 15.51%.

Commissioner Jordan noted that she was concerned that when a firm was selected, the firm paid expenses based on the initial contract's initial goal; once the county changes the scope of the project that would reduce the amount for the small business and increases the work for the prime. She pointed out the small business may not have factored in the 20% which may be a part of their profit margin which has been taken away, and the prime's profit margin has been increased. She inquired how this issue could be reconciled. Responding to Commissioner Jordan's inquiry Mr. Sola noted that unlike in construction, the fees are based on multipliers, a consultant that's either offered a lump sum price for the services being

offered or the consultants are being paid for the inclusion of stock in delivery of services. He noted it was unlikely that a construction consultant would have those expenses; while there is a reduction in the scope of work being done it would be rare that they would be impacted. Mr. Sola pointed out the SBD concerns with regards to construction noting that there were mobilization costs by subcontractors as well as supplies and materials that are purchased by the contractors. He further noted that while Commissioner Jordan's concerns were valid, there was less of an impact on architectural and engineering than there is in construction.

Further discussion ensued between Commissioner Jordan and Mr. Sola regarding architectural consultants versus construction consultants' scopes of services and goals.

Commissioner Jordan inquired whether other opportunities in this contract with the expanded scope of services that could have been identified to make up for that goal reduction.

Responding to Commissioner Jordan's inquiry, Elizabeth Ogden, Chief of Construction Management, Port of Miami explained that the goals were taken very serious and that she and staff had been working diligently with the prime HDR and the subs regarding any additional opportunities that would be available for CBE's. She pointed out that under the current circumstances no additional scope of services would be found for the CBE. She noted this was a unique project with unique circumstances, unfortunately there was only one CBE on this contract and the type of work was very specific; noting the Marine Engineering work was specific under category 5.08 was very specific and could not be shifted to what ADA Engineering provided under category 17.

Commissioner Jordan inquired about why the scope of the project had changed.

Ms. Ogden explained and reiterated this project had very unique circumstance and during the construction portion of this project, the design was modified. She noted the design changes were made to expedite the schedule; the construction contract was delayed by 60 days due to a bid protest, and ways were found to make up the time. She noted redesigning a portion of the wharves' system, the king piles were redesigned from the

socketed type to the hammered down straight drill system. She noted the other changes that required more Marine Engineering design work which also required less site observation.

Commissioner Jordan expressed her concern regarding how changing the scope impacted the CBE. She noted that the small business had planned and prepared their staffing based on a 20% goal. She noted that staff needed to make sure if the scope changed and it harmed the CBE that we research ways to mitigate with other opportunities or projects.

Ms. Ogden noted that she and her staff shared Commissioner Jordan's concerns and she continued to communicate with all of the industry to get the word out about future work and the fair amount of Civil Engineering projects coming up shortly.

Hearing no further questions or comments the Committee proceeded to vote.

4 COUNTY MAYOR

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

132124 Report

APPROVAL OF CLERK'S MEETING MINUTES FOR THE ECONOMIC DEVELOPEMENT AND PORTMIAMI COMMITTEE: OCTOBER 10, 2013 (Clerk of the Board)

*Approved
Mover: Diaz
Seconder: Jordan
Vote: 3-0
Absent: Souto, Zapata*

Report: *Assistant County Attorney Monica Maldonado read the foregoing report into the record.*

Hearing no comments the Committee proceeded to vote.

7 REPORTS

Report: *Hearing no further business to come before the
Committee the meeting adjourned at 3:02 p.m.*

8 ADJOURNMENT