

# MEMORANDUM

Agenda Item No. 8(F) (1)

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

**DATE:** December 2, 2014

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

**SUBJECT:** Resolution authorizing  
modification of competitive  
contract for time and expenditure  
authority totaling \$495,218.00  
for purchase of goods and  
services related to Metrorail  
Control Center Upgrade, and  
authorizing the use of Charter  
County Transportation Surtax  
funds such purposes

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The accompanying resolution was prepared by the Internal Services Department and placed on the agenda at the request of Transportation and Aviation Committee.



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R. A. Cuevas, Jr. *for*  
County Attorney


RAC/cp

# Memorandum



**Date:** December 2, 2014

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

**From:** Alina T. Hudak  
Deputy Mayor 

**Subject:** Resolution Authorizing Competitive Contract Modification and Use of Charter County Transportation Surtax Funds for Such Purposes

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the attached competitive contract modification. The item is described below and in more detail in the accompanying attachment:

**Item 1 – Metrorail Control Center Upgrade:** Approves a supplemental agreement to modify this Metrorail Control Center modernization project contract for an additional three months and \$495,218 in spending authority.

This contract award and modifications package is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). These contract modification recommendations may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item. The contracts in this package are scheduled for the November 2014 CITT meeting.

## **Scope**

The impact of the item is countywide in nature.

## **Fiscal Impact/Funding Source**

The allocation and funding source is listed in the attached item. The item included in this package utilizes Charter County Transportation Surtax funding.

## **Track Record/Monitor**

There are no known performance/compliance issues with the vendor in this package. Miami-Dade Transit's contract manager is Daniel Mondesir.

## **Delegated Authority**

If the item in this package is approved, the County Mayor or County Mayor's designee will have the authority to extend, in their discretion, contracts for purchase of goods and services in accordance with the terms and conditions of each contract. The County Mayor or County Mayor's designee will also have the authority to exercise at their discretion, options to renew, cancellation provisions, and other rights set forth in the contract.

## **Due Diligence**

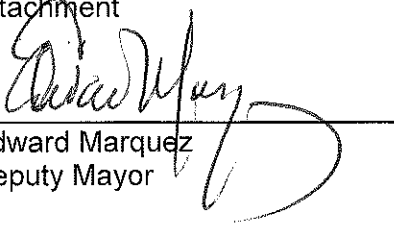
If this item is approved, the County Mayor or County Mayor's designee will have the authority to exercise all provisions of the contract, pursuant to Section 2-8.1 of the County Code and Implementing Order 3-38 as well as the authority to execute any lease documents.

Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners  
Page 2

**Background**

Additional background information is attached.

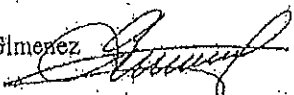
Attachment

A handwritten signature in cursive script, appearing to read "Edward Marquez", is written over a horizontal line. The signature is fluid and somewhat stylized, with a large loop at the end.

Edward Marquez  
Deputy Mayor

# Memorandum



Date: October 20, 2011  
To: Alina T. Hudak  
Deputy Mayor / County Manager  
From: Mayor Carlos A. Gimenez   
Subject: Contract No. 725 - Metrorail Control Center Upgrade

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In accordance with the letter opinion issued by Robert Meyers, Executive Director, Miami-Dade Commission on Ethics and Public Trust dated August 31, 2011 ("Ethics Opinion"), I hereby delegate to you all delegable authority relating to the administration of Contract No. 725 - Metrorail Control Center Upgrade including, but not limited to, the authority to recommend to the Board of County Commissioners the award of the solicitation to a vendor. As I will not be sponsoring any award recommendation of this solicitation under the authority of the County Mayor, you should request that any recommended disposition of this solicitation which you deem to be in the best interest of Miami-Dade County be sponsored by a County Commissioner in accordance with the Commission's Rules of Procedure. I further delegate to you all delegable authority to administer any contract awarded as a result of Contract No. 725 - Metrorail Control Center Upgrade. You should exercise this authority and utilize your own judgment and should take all actions which are in the best interest of Miami-Dade County and consistent with the County Code, regulations, rules and the solicitation documents. Consistent with the Ethics Opinion I will not be participating in any decisions made regarding this solicitation.

c: Robert A. Cuevas, Jr., County Attorney

**Item 1**

<b>Contract No.:</b> 725	<b>Title:</b> Metrorail Control Center Upgrade
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<b>Type of Change:</b>	
<input checked="" type="checkbox"/> Additional Time	<input checked="" type="checkbox"/> Authorization to use Charter County Transportation Surtax Funds as a Component of MDT Operating Funds
<input checked="" type="checkbox"/> Additional Expenditure Authority	

**Contract Description and Reason for Change:**  
 The base agreement was awarded to modernize the Metrorail Control Center at the Stephen P. Clark Government Center and includes the development of existing office space to accommodate the modernization of the Metrorail Central Control facility and systems, new hardware and software, and design and construction of necessary equipment. The Metrorail Control Center is being renovated by B&C Transit, Inc. Supplemental Agreement No. 1 was issued to provide for a Data Transmission System Switch Upgrade, the Lehman Yard Historical Data Project and Fifth Floor Architectural Layout Modification at the Metrorail Control Center. This Supplemental Agreement No. 2, for a total not to exceed amount of \$495,218, requests additional spending authority to allow Miami Dade Transit to modify the existing scope as follows:

- Addition of Controls at the Lehman Yard Tower, which will replace the current hard wire push button console which is outdated and does not allow for a computer based solution. The new equipment, hardware, software modifications, and database updates provide the ability to control switches and the routing of trains at the Lehman Yard from both the Metrorail Control Center and the Lehman Yard. Additionally, contractor shall perform acceptance testing, safety certification and as-build documentation. As a result of negotiations, this Supplemental Agreement is \$73,000 less from the originally proposed rates in the base agreement.

<b>Current Term Length:</b>		<b>Additional Time Requested:</b>
33 months		3 months
<b>Current Term Start Date:</b>	<b>Current Term Expiration Date:</b>	<b>Proposed Expiration Date:</b>
December 2, 2011	December 21, 2014	March 20, 2015

Department	Existing Allocation	Additional Allocation Requested	Modified Allocation	Funding Source	Contract Manager
Transit	\$16,834,000	\$495,218	\$17,329,218	Federal Department of Transportation Grant / PTP Funds	Daniel Mondesir
<b>TOTAL</b>	<b>\$16,834,000</b>	<b>\$495,218</b>	<b>\$17,329,218</b>		

<b>Contract Measures:</b>	<input type="checkbox"/> Small Business Enterprise	<input type="checkbox"/> Set-Aside	<input type="checkbox"/> Bid Preference
	<input type="checkbox"/> Selection Factor	<input checked="" type="checkbox"/> Other <u>Disadvantaged Business Enterprise Goal</u>	
<b>Local Preference Ordinance:</b>	<input checked="" type="checkbox"/> Applies <input type="checkbox"/> Does not apply		
<b>Living Wage Ordinance:</b>	<input type="checkbox"/> Applies <input checked="" type="checkbox"/> Does not apply		
<b>User Access Program:</b>	<input checked="" type="checkbox"/> Applies where permitted by funding source <input type="checkbox"/> Does not apply		
<b>Procurement Contracting Officer:</b>	Andrew Zawoyski, CPPO		

<b>Contractor</b>	<b>Address</b>	<b>Principal</b>
B&C Transit, Inc.	2300 East Oakland Boulevard Ste. 203 Ft. Lauderdale, FL	Alberto Fernandez



**MEMORANDUM**  
(Revised)

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

**DATE:** December 2, 2014

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

**SUBJECT:** Agenda Item No. 8(F)(1)

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(F)(1)  
12-2-14

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

RESOLUTION AUTHORIZING MODIFICATION OF COMPETITIVE CONTRACT FOR TIME AND EXPENDITURE AUTHORITY TOTALING \$495,218.00 FOR PURCHASE OF GOODS AND SERVICES RELATED TO METRORAIL CONTROL CENTER UPGRADE; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE CONTRACT MODIFICATIONS, OPTIONS-TO-RENEW, CANCELLATION PROVISIONS, AND ANY RIGHTS CONTAINED IN SUCH CONTRACT; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

**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 authorizes modification of a competitive contract as set forth in item 1 of the incorporated memorandum for time and expenditure authority totaling \$495,218.00 for the purchase of goods and services related to the Metrorail Control Center Upgrade. The Board authorizes the use of Charter County Transportation Surtax Funds for such purpose. The Board further authorizes the County Mayor or County Mayor's designee to exercise, at their discretion, contract modifications, options-to-renew, any cancellation provisions, and any other rights contained therein in accordance with the terms and conditions of the contract.

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

Bruno A. Barreiro	Esteban L. Bovo, Jr.
Daniella Levine Cava	Jose "Pepe" Diaz
Audrey M. Edmonson	Sally A. Heyman
Barbara J. Jordan	Jean Monestime
Dennis C. Moss	Sen. Javier D. Souto
Xavier L. Suarez	Juan C. Zapata

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of December, 2014. 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

HB





## Memorandum



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

**From:** Charles Scurr, Executive Director *Charles Scurr*

**Date:** November 13, 2014

**Re:** **CITT AGENDA ITEM 5F:**  
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST  
(CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC)  
AUTHORIZE MODIFICATION OF A COMPETITIVE CONTRACT (METRORAIL  
CONTROL CENTER UPGRADE) TOTALING **\$495,218.00** FOR PURCHASE OF  
GOODS AND SERVICES, AND AUTHORIZING THE USE OF CHARTER COUNTY  
TRANSPORTATION SURTAX FUNDS (**MDT – BCC Legislative File No. 142334**)

On November 13, 2014, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 14-082. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye  
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Absent  
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Absent  
Alfred J. Holzman – Absent  
Jonathan Martinez – Aye  
Miles E. Moss, P.E. – Aye  
Marilyn Smith – Aye

Peter L. Forrest – Aye  
Prakash Kumar – Aye  
Alicia Menardy, Esq. – Absent  
Hon. James A. Reeder – Aye  
Hon. Linda Zilber – Aye

**cc:** Alina Hudak, Deputy Mayor/Director Public Works & Waste Management Department  
Bruce Libhaber, Assistant County Attorney