

Memorandum



Date: November 1, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez". The signature is written in a cursive style with a large, sweeping "C" at the beginning.

Subject: Sun Swift Corp. Application for Five Certificates of Public Convenience and Necessity to Operate Five Non-Emergency Vehicles

Agenda Item No. 8(N)(35)

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the application of Sun Swift Corp. for five (5) Certificates of Public Convenience and Necessity to operate five (5) non-emergency vehicles.

Scope

These Certificates of Public Convenience and Necessity are countywide, allowing the certificate holder to operate in unincorporated and incorporated areas of Miami-Dade County (County).

Fiscal Impact/Funding Source

Licensing, operating, permit, and inspection fees are collected by the Miami-Dade County Department of Transportation and Public Works (DTPW) to support regulatory activities. There is an annual regulatory fee of \$625.00 per certificate that will yield \$3,125.00 in revenue annually for these new certificates. The County also collects \$38.00 per vehicle inspection; with inspection frequency varying with the vehicle age from one (1) to four (4) per year.

Track Record/Monitor

This is a new applicant, which is in compliance with all requirements of the Code of Miami-Dade County. DTPW will be responsible for monitoring this company.

Background

On December 18, 1980, the Board adopted Ordinance 80-145, later codified in Chapter 4, Article III of the County Code, providing for the regulation of non-emergency medical transportation. Section 4-44 of the County Code provides the procedures to be followed by the County in processing certificate applications. Based upon those requirements, the Board may issue or refuse to issue the certificate as applied for, or may issue the certificate with modifications or upon such terms and conditions as in its judgment the public interest may require. In reaching a determination, the Board shall consider the application, the Mayor's recommendation, all matters presented during the public hearing, and among others, the following criteria:

- (1) The ability of the applicant to provide the proposed service;
- (2) The adequacy of the management plan of the applicant; and
- (3) The benefits that will accrue to the public interest from the proposed service.

Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
Page 2

Sun Swift Corp., located at 12150 SW 128 Court #201, Miami, Florida, 33186, seeks to obtain four (4) Certificates of Public Convenience and Necessity to provide wheelchair non-emergency medical transportation service and one (1) Certificate of Public Convenience and Necessity to provide combination wheelchair and stretcher non-emergency medical transportation services to individuals requiring these types of transportations.

The applicant seeks to transport patients to and from various medical facilities throughout the County Monday through Friday from 8:00 a.m. to 5:00 p.m. and Saturday from 6.00 a.m. to 6.00 p.m. Non-emergency transportation rates are not regulated by the County. However, under the Code, the Certificate Holder must file their rates with DTPW and post them within the passenger compartment section of each vehicle. The proposed rate schedule is attached. The vehicles operated under these certificates will have to meet the requirements of Section 4-49 of the County Code establishing vehicle inspection frequencies.

The management plan submitted by Ms. Yamilet Reyes, Manager of Sun Swift Corp., includes maintenance, communication, and recordkeeping systems which meet the requirements of the County Code. All required financial statements and credit references have been submitted. The proposed service standards meet all requirements of the County Code, and adequately meet transportation and comfort needs. A background investigation revealed that all officers of the corporation meet the criteria of the County Code.

The proposed services to be provided under this certificate will increase the availability of licensed non-emergency medical transportation in the County, thus increasing competition and high service standards to the public.



Alina T. Hudak
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(35)

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
- Statement of social equity 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(N)(35)
11-1-16

RESOLUTION NO. _____

RESOLUTION APPROVING APPLICATION FOR FIVE
CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO SUN SWIFT CORP. TO PROVIDE
WHEELCHAIR AND COMBINATION WHEELCHAIR
AND STRETCHER NON-EMERGENCY MEDICAL
TRANSPORTATION SERVICES

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 approves the application by Sun Swift Corp. for five Certificates of Public Convenience and Necessity to operate four non-emergency vehicles to provide wheelchair non-emergency transportation service and one non-emergency vehicle to provide combination wheelchair and stretcher non-emergency medical transportation service in Miami-Dade County.

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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of November, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

GWS

Gerald K. Sanchez



SUN SWIFT

Excellence. Every Day in Every Way.

Non-Emergency Medical Transportation

Rate Sheet

Wheelchair Van \$50 for the first 10 miles, then \$2.00 per each mile

Stretcher Van \$80 for the first 10 miles, then \$2.75 per each mile

PRICE IS SUBJECT TO CHANGE