

MEMORANDUM

Agenda Item No. 11(A)(5)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

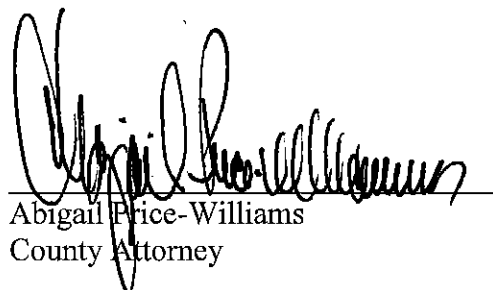
DATE: April 4, 2017

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution directing the County Mayor to negotiate Change Order No. 3 to Miscellaneous Construction Contract No. MCC-8-10 with Munilla Construction Management, LLC, extending the contract time on a month to month basis, but not to exceed one year and increasing the contract amount by no more than \$6,000,000.00; and authorizing the County Mayor to execute such Change Order without need for subsequent Board action and to exercise delegated authority described therein

This item was amended at the 3-16-17 Economic Development & Tourism Committee; this item changes the extension of the MCC-8 contract from a one year extension to a month to month extension, not to exceed one year.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairwoman Audrey M. Edmonson.


Abigail Price-Williams
County Attorney

APW/cp




MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

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County Attorney

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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. 11(A)(5)
4-4-17

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE CHANGE ORDER NO.3 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-8-10 WITH MUNILLA CONSTRUCTION MANAGEMENT, LLC, EXTENDING THE CONTRACT TIME ON A MONTH TO MONTH BASIS, BUT NOT TO EXCEED ONE YEAR AND INCREASING THE CONTRACT AMOUNT BY NO MORE THAN \$6,000,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH CHANGE ORDER WITHOUT NEED FOR SUBSEQUENT BOARD ACTION AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN

WHEREAS, the Miscellaneous Construction Contract No. MCC-8 (the MCC) has proven to be an efficient and effective way of accomplishing needed repairs and construction at Miami International Airport (the Airport) while also maximizing small business participation in such repairs or construction; and

WHEREAS, the ability to issue new work orders under the MCC expires on February 28, 2017, although the contractor will continue to perform work under the MCC on previously issued work orders until such work is complete; and

WHEREAS, a replacement contract has not been presented to the Board of County Commissioners for approval; and

WHEREAS, the MCC provides greater ability for the small business community to perform work at the Airport than other available procurement vehicles; and

WHEREAS, the expiration of the MCC's contracting authority and the absence of such a contract would negatively impact both the Airport and the small business community; and

WHEREAS, the continued growth of passenger traffic at the Airport, as well as the entry of new airlines, has required the Miami-Dade Aviation Department (MDAD) to engage in numerous unexpected alterations, repairs, and modifications to the Airport facility, many of which cannot be timely accomplished except through the MCC; and

WHEREAS, much of the original work expected to be performed under the MCC has been delayed or has yet to be performed, as MCC capacity has been allocated to dealing with the unexpected construction driven by substantial airline growth at the Airport; and

WHEREAS, MDAD has begun renovations of portions of E-Satellite, and a refurbishment of the E Federal Inspection Services (EFIS) under the MCC-8 contract, and will not be able to complete these projects in a timely fashion without MCC contractibility; and

WHEREAS, because no replacement contract has been approved, work on projects such as the EFIS and E-Satellite begun under MCC-8 may remain incomplete unless the MCC contract is amended to provide for additional contracting authority; and

WHEREAS, airlines and passengers may choose to utilize other airports in the event the Airport facility cannot meet their needs; and

WHEREAS, the contractor is currently on site at Miami International Airport, is performing work, is appropriately licensed, and is uniquely qualified to perform work until a successor contract is awarded; and

WHEREAS, the mark-up charged by the Contractor on subcontractor work on the MCC is substantially lower than in prior contracts; and

WHEREAS, work is issued under the MCC on an as-needed basis, so in the event construction work under the MCC is not needed prior to end of the contract, that money will be returned to the County and used to fund the successor contract, MCC-9; and

WHEREAS, the MCC provides significant opportunities for small business participation in the Airport construction program, and small businesses have received tens of millions of dollars of work under MCC-8; and

WHEREAS, the Miami-Dade Aviation Department believes that approximately \$6,000,000.00 of construction work will need to be performed through the MCC over the next year to complete the EFIS and E-Satellite work; and

WHEREAS, a significant portion of this work can and will be performed by small business subcontractors,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or the County Mayor's designee to negotiate Change Order No. 3 to Miscellaneous Construction Contract No. MCC-8-10 with Munilla Construction Management, LLC, which Change Order shall increase the contract duration >>on a month to month basis, but not to exceed<<¹ [~~for~~] a year from the effective date of this Resolution, and which increases the contract amount by no more than \$6,000,000.00 and which provides for a termination for convenience clause; and authorizes the County Mayor or County Mayor's designee to execute such change order without need for subsequent Board action, and to exercise the provisions therein.

¹ Committee amendments are indicated as follows: Words stricken through and/or [[double bracketed]] are deleted, words underscored and/or >>double arrowed<< are added.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Audrey M. Edmonson. It 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:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of April, 2017. 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.



David M. Murray

