

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(B)

07-24-07

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

RESOLUTION NO R-879-07

RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT (PWD) TO TERMINATE FOR CONVENIENCE A CONTRACT WITH BUDGET CONSTRUCTION CO., INC., TITLED NW 87 AVENUE, FROM NW 162 STREET TO NW 170 STREET (PWD PROJECT NO. 20060084), AND AUTHORIZING PWD TO NEGOTIATE AND SETTLE ANY CLAIMS RESULTING FROM THIS ACTION

WHEREAS, the five year Transportation Plan adopted by the Metropolitan Planning Organization provides for improvements to NW 87 Avenue between Miami Gardens Drive and NW 154 Street; and

WHEREAS, in accordance to Resolution R-595-07 approved on May 8, 2007, by the Board of County Commissioners (BCC) to improve NW 87 Avenue between Miami Gardens Drive and NW 154 Street, will be sequenced and commence with the northern section and proceed south in order to insure its efficient completion, cause the least disruption to the residents, maintain traffic flow, and accommodate existing commercial plans; and

WHEREAS, PWD Project No. 20060084, awarded by the County Manager on January 17, 2007, to Budget Construction Co., Inc. to perform road improvements for NW 87 Avenue from NW 162 Street to NW 170 Street, is in conflict with the sequencing plan called for in Resolution R-595-07,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board finds in the best interest of the County to terminate for convenience the contract with Budget Construction, Inc., titled NW 87 Avenue, from NW 162 Street to NW 170 Street (PWD Project No. 20060084) and authorizes the PWD to terminate said contract and negotiate and settle any claims resulting from this action.

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz who moved its adoption. The motion was seconded by Commissioner Carlos A. Gimenez and upon being put to a vote, the vote was as follows:

	Bruno A. Barreiro, Chairman	aye		
	Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye	
Carlos A. Gimenez	aye	Sally A. Heyman	aye	
Joe A. Martinez	absent	Dennis C. Moss	aye	
Dorrin D. Rolle	aye	Natacha Seijas	aye	
Katy Sorenson	aye	Rebeca Sosa	aye	
Sen. Javier D. Souto	aye			

The Chairperson thereupon declared the resolution duly passed and adopted this 24th day of July, 2007. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Thomas Goldstein

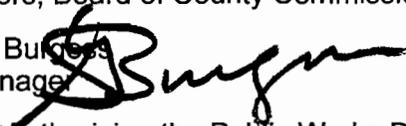
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Memorandum



Date: July 24, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager 

Subject: Resolution Authorizing the Public Works Department (PWD) to Terminate for Convenience a Contract with Budget Construction Co., Inc., Titled NW 87 Avenue, from NW 162 Street to NW 170 Street (PWD Project No. 20060084), and Authorizing PWD to Negotiate and Settle any Claims Resulting from this Action

Agenda Item No. 8(P)(1)(B)

Recommendation

It is recommended that the Board of County Commissioners (BCC) approves the attached Resolution authorizing the Public Works Department (PWD) to terminate for convenience a contract with Budget Construction Co., Inc., titled NW 87 Avenue, from NW 162 Street to NW 170 Street (PWD Project No. 20060084), and authorizing PWD to negotiate and settle any claims from the Contractor resulting from this action.

Scope

The road improvement work under this contract lies within the boundaries of Commission District 13.

Fiscal Impact/Funding Source

Monies encumbered under this contract will revert to the Road Impact Fees District 3 fund.

Track Record/Monitor

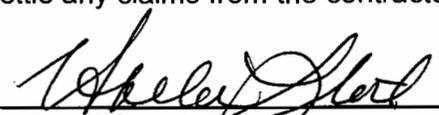
Not Applicable.

Background

On January 17, 2007, the County Manager awarded a road improvements contract for NW 87 Avenue, from NW 162 Street to NW 170 Street, to Budget Construction Co., Inc. under the Expedite Ordinance No. 00-104 (Miami-Dade County Code Sections 2-8.2.6 and 2-8.2.7). This contract would later be presented to the full Commission for ratification. At the April 10, 2007, Governmental Operations and Environment Committee, this project was deleted as part of the ratification item, in order to allow the Department to develop a plan to construct the NW 87 Avenue corridor from NW 154 Street to NW 183 Street as depicted in the People's Transportation Plan.

Subsequently, on May 8, 2007, the BCC approved Resolution R-595-07 sponsored by Commissioner Seijas, directing the County Manager to develop a sequencing plan to improve NW 87 Avenue, between Miami Gardens Drive and NW 154 Street. This resolution also required the improvements to begin in the northern portion of the corridor. In effect, the intent of the resolution was for PWD to develop a plan to improve the entire corridor with the least disruption to area residents, maintaining traffic flow, and accommodating all aspects of construction.

Therefore, PWD is seeking BCC approval to terminate the contract for convenience and settle any claims from the contractor that may arise.


Assistant County Manager

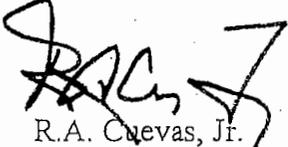


MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: July 24, 2007

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

SUBJECT: Agenda Item No. 8(P)(1)(B)

Please note any items checked.

_____ "4-Day Rule" ("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

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review