

MEMORANDUM

Amended
Agenda Item No. 7(A)

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

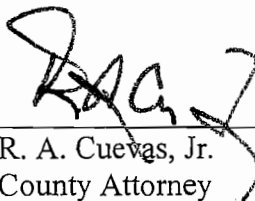
(Second Reading 12-04-07)
DATE: October 16, 2007

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

SUBJECT: Ordinance relating to the
planning, design and
construction of the Reverse
Osmosis Water Treatment
Plant

O#07-174

The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Natacha Seijas and Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

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Memorandum



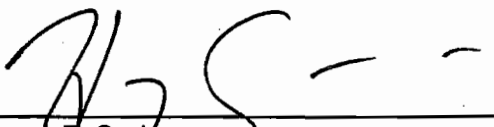
Date: December 4, 2007

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

From: George M. Burge
County Manager

Subject: Ordinance relating to the planning, design and construction of the Reverse Osmosis Water Treatment Plant

The fiscal impact of the ordinance relating to the planning, design and construction of the Reverse Osmosis Water Treatment Plant is difficult to quantify. It is expected that the delegation to the City of Hialeah will streamline the procurement process.


Henry F. Sori
Executive Assistant

fis00208

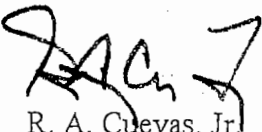


MEMORANDUM

(Revised)

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

DATE: December 4, 2007

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

SUBJECT: Amended
Agenda Item No. 7(A)

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

Approved _____ Mayor

Amended

Veto _____

Agenda Item No. 7(A)

Override _____

12-4-07

ORDINANCE NO. 07-174

ORDINANCE WAIVING ALL COUNTY PROCUREMENT POLICIES AND PROCEDURES OTHER THAN LIVING WAGE, RESPONSIBLE WAGE AND INSPECTOR GENERAL REQUIREMENTS FOR PLANNING, DESIGN AND CONSTRUCTION OF REVERSE OSMOSIS WATER TREATMENT PLANT JOINTLY OWNED BY COUNTY AND CITY OF HIALEAH AND LOCATED IN CITY OF HIALEAH; AUTHORIZING CITY OF HIALEAH TO USE ITS MUNICIPAL PROCUREMENT POLICIES AND PROCEDURES IN ACCORDANCE WITH JOINT PARTICIPATION AGREEMENT FOR PLANNING, DESIGN AND CONSTRUCTION OF SUCH REVERSE OSMOSIS WATER TREATMENT PLANT; PROVIDING SEVERABILITY; EXCLUSION FROM THE CODE, AND AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. R-918-07, Miami-Dade County (“County”) approved a Joint Participation Agreement (“JPA”) with the City of Hialeah for a Reverse Osmosis Water Treatment Plant to be located in the City of Hialeah (“City”); and

WHEREAS, the JPA provides for both parties to jointly fund the planning, design and construction of the Reverse Osmosis Water Treatment Plant which will be jointly owned by the City and County; and

WHEREAS, the Reverse Osmosis Water Treatment Plant will benefit both the City and County; and

WHEREAS, the City is responsible for the planning, design and construction of the Reverse Osmosis Water Treatment Plant; and

WHEREAS, it is in the County's interest to waive certain County procurement policies and procedures for the planning, design and construction of the Reverse Osmosis Water Treatment Plant,

NOW THEREFORE, BE IT ORDAINED BY THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS that:

Section 1. Notwithstanding and prevailing over any other provision of the Code of Miami-Dade County, Florida to the contrary, as to any planning, design and/or construction contracts related to the reverse osmosis water treatment plant in the City of Hialeah ("City") to be jointly funded and owned by Miami-Dade County and the City pursuant to the Joint Participation Agreement ("JPA") as approved by Resolution No. R-918-07, the City shall use its own procurement policies and procedures in accordance with the JPA. Except for the County's Inspector General provisions and living wage and responsible wage requirements as provided in Sections 2-1076, 2-8.9 and 2-11.16 of the Code of Miami-Dade County, Florida respectively, all County procurement policies and procedures are hereby deemed waived as to any planning, design and/or construction contracts for the reverse osmosis water treatment plant in the City of Hialeah.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Amended
Agenda Item No. 7(A)
Page 3

Section 3. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: December 4, 2007

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "J. Garcia", is written over a horizontal line. Below this line, another horizontal line is present, with a second handwritten signature, possibly "H. Gillman", written below it.

Prepared by:

Henry N. Gillman

Sponsored by Commissioner Natacha Seijas
and Commissioner Jose "Pepe" Diaz