

MEMORANDUM

Amended
Agenda Item No. 7(G)
(Second Reading 7-1-08)
April 8, 2008

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

DATE:

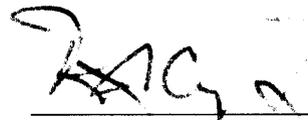
FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT:

Ordinance relating to
waiving all County
procurement policies
and procedures for the
planning, design and
construction of a multi-
purpose facility by the
City of Hialeah

Ordinance No. 08-84

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Rebeca Sosa.



R. A. Cuevas, Jr.
County Attorney

RAC/cp

Memorandum



Date: July 1, 2008

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

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", written over the printed name of the sender.

Subject: Ordinance relating to waiving all County procurement policies and procedures for the planning, design and construction of a multi-purpose facility by the City of Hialeah

The ordinance waiving all County procurement policies and procedures for the planning, design and construction of a multi-purpose facility by the City of Hialeah with not have a fiscal impact to Miami-Dade County.

A handwritten signature in black ink, appearing to read "Susanne M. Torriente", written over a horizontal line.

Susanne M. Torriente
Chief Assistant County Manager

fis04708



MEMORANDUM
(Revised)

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

DATE: July 1, 2008

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

SUBJECT: Amended
Agenda Item No. 7(G)

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
Veto _____
Override _____

Amended
Agenda Item No. 7(G)
7-1-08

ORDINANCE NO. 08-84

ORDINANCE WAIVING ALL COUNTY PROCUREMENT POLICIES AND PROCEDURES, EXCEPT APPLICATION OF PROVISIONS OF SECTIONS 9-71 THROUGH 9-75 OF THE CODE OF MIAMI-DADE COUNTY, FOR THE PLANNING, DESIGN AND CONSTRUCTION OF MULTI-PURPOSE FACILITY BY CITY OF HIALEAH ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING CITY OF HIALEAH TO USE ITS MUNICIPAL PROCUREMENT POLICIES AND PROCEDURES FOR PLANNING, DESIGN AND CONSTRUCTION OF SUCH MULTI-PURPOSE FACILITY; AND PROVIDING SEVERABILITY, EXCLUSION FROM THE CODE AND AN EFFECTIVE DATE

WHEREAS, the City of Hialeah (the “City”) owns land on the corner of Palm Avenue and Okeechobee Road which the City and the County wish to use to develop a multi-purpose facility that would be developed by the City on behalf of the County and would include a health care center, affordable housing units and parking for such facility (“Project”); and

WHEREAS, on March 18, 2008 this Board adopted Resolution No. R-303-08 approving the allocation of \$14 million from the Building Better Communities General Obligation Bond Program (the “BBC GOB Program”) to fund the development of the Project; and

WHEREAS, at a later date a long term lease and an Interlocal Cooperation Agreement by and between the County and the City setting forth the details of the development of the Project will be presented to this Board for its consideration and approval; and

WHEREAS, the Interlocal Cooperation Agreement will provide that the City will be responsible for the planning, design and construction of the Project on behalf of the County; and

WHEREAS, it is in the County's interest to waive all County procurement policies and procedures for the planning, design and construction of the Project, other than the County's Sustainable Building Program, and to authorize the City to use its own municipal procurement policies and procedures instead,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, 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 Project, all County procurement policies and procedures are hereby deemed waived and the City shall use its own procurement policies and procedures. The foregoing notwithstanding, the provisions of Sections 9-71 through 9-75 of the Code of Miami-Dade County, Florida, shall continue to apply to any planning, design and/or construction contracts for the Project.

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.

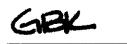
Section 3. This ordinance shall become effective 10 days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: July 1, 2008

Approved by County Attorney as to form and legal sufficiency:



Prepared by:



Geri Bonzon-Keenan

Prime Sponsor: Commissioner Rebeca Sosa