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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: July 20, 2010

Agenda Item No. 14(A)(25)

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Resolution No. R-840-10

From: Carlos Alvarez
Mayor

George M. Burgess
County Manager

Subject: Resolution Approving the Selection of the Developer for the Building Better Communities General Obligation Bond (GOB) Invitation to Negotiate for the Northside Station and Waiving the Requirements of Section 2-8.4, of the Miami-Dade County Code, Pertaining to Bid Protest Procedures and Section 5.03 (D) of the Home Rule Charter and Section 2-8.1 of the Miami-Dade County Code Pertaining to Competitive Bid Procedures

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This recommendation to award in this item was bifurcated from the original item at the July 8, 2010 meeting of the Board of County Commissioners. The recommendation under this item only pertains to the Northside Metrorail Station site.

Recommendation

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution approving the selection of the developer for the Building Better Communities General Obligation Bond (GOB) Northside Metrorail Station (Northside) site and waive Sections 2-8.1 and 2-8.4 of the Miami-Dade County Code and Section 5.03 (D) of the Home Rule Charter pertaining to competitive bid procedures and bid protest procedures, by a two-thirds vote of the Board members present. This resolution authorizes the County Mayor and or the Mayor's designee to develop a contract, lease and other necessary agreements for the approved GOB allocation with the selected developer, Carlisle Development Group, LLC, to build multi-family, mixed income and mixed use affordable rental housing on the County-owned Northside Station site.

Scope

The Northside site, located in Commission District 2, is on the south side of NW 79 Street, between NW 32 and NW 31 Avenue, in the north central area of Miami-Dade County. This parcel is part of the Miami-Dade County Metro-Rail rapid transit system consisting of a station, train guide-way, parking lot, and bus bays.

Fiscal Impact / Funding Source

There is no fiscal impact as a result of this item, which selects the developer pursuant to Resolution R-745-09, sponsored by Commissioner Dorrin D. Rolle and adopted by the Board on June 2, 2009, $2.5 million from the Building Better Communities GOB Program Project No. 249 – "Preservation of Affordable Housing Units and Expansion of Homeownership" was allocated for the housing component of the Northside site.

Any allocation of GOB funds is subject to funding availability; more specifically, the issuance of bonds to generate the proceeds for this affordable housing project. The awarded GOB funds will only be used as "gap" financing and wherein the project will be subject to formal underwriting conducted by an independent underwriter on behalf of the County. The selected developer will be responsible for securing Low Income

Housing Tax Credits, (LIHTC), housing bonds equity and any/all other financing required for the project. The County will maintain title to the grant site; however, the selected developer will be awarded site control through a 55-year lease, plus two (2) fifteen (15) year options to renew or such other term, sufficient to satisfy Florida Housing Finance Corporation (FHFC) LIHTC and any other County program requirements.

Monitoring

Upon Board approval of this resolution, the County will contract with the selected developer for their GOB award. Final negotiations on all agreements, including the grant agreement and lease, as well as all monitoring, compliance and evaluation will be performed by Miami-Dade County General Services Administration (GSA). The final, negotiated agreements will be brought back to the BCC for approval prior to execution.

Background

On January 15, 2008, the Department of Housing and Community Development (DHCD), formerly the Office of Community and Economic Development, advertised the Miami-Dade County GOB Multi-Family Affordable Housing Development Program Request for Proposals (RFP) for Housing Development on two County-owned sites (Northside and Caribbean Boulevard) pursuant to Resolution R-872-08. On July 8, 2010 recommendation for award for both developments was forwarded to the Board. The item was bifurcated and as such, this item pertains to the Northside portion of the project.

Eight proposals were received on February 15, 2008, pursuant to RFP #249. A Selection Committee was appointed by the County Manager to evaluate and rank the proposals received based on the scope and criteria set forth in the solicitation. The results of the final evaluations could not be supported or depicted as a true open competitive solicitation due to inconsistencies in the criteria with the required scope of services. Due to these circumstances, on June 2, 2009, the Board adopted Resolution R-678-09 that authorized the Board to: 1) reject all proposals received in response to RFP #249 for the Building Better Communities GOB Project for the Construction of Multi-Family Housing on Caribbean Boulevard and Northside Metrorail Station Sites; 2) waive the competitive bidding and bid protest processes as required in Sections 2-8.1 and 2-8.4, respectively, of the Miami-Dade County Code; and 3) authorize the County Mayor or the Mayor's designee to conduct competitive negotiations with all of the responsible bidders for construction of two multi-family developments utilizing GOB funds as "gap" funding only, subject to terms, including but not limited to, scope of work, schedule and price.

Pursuant to Resolution R-678-09, on July 31, 2009, DHCD advertised the GOB Invitation To Negotiate (ITN) for both the Northside and Caribbean Boulevard sites. The GOB ITN was only open to the original developers that responded to GOB Project RFP #249 and the submission deadline date was August 31, 2009. GOB ITN respondents for the Northside Site were as follows:

- The Phoenix at Northside Station, Ltd. – Joint Venture between Pinnacle Housing Group and the South Miami Heights, CDC
- Northside Green I, LLC – Joint Venture between Biscayne Housing Group and the 79th Street Corridor Initiative
- Carlisle Development Group, LLC – Joint Venture between Carlisle Development Group and the Carrie P. Meek Foundation

In accordance with Resolution R-678-09 to reject RFP #249 and to commence negotiations with the GOB ITN responsive proposers, the County Manager appointed the Negotiation Committee.

The Negotiation Committee subsequently met with all responsible proposers to conduct competitive negotiations, including but not limited to, scope of work, design, not-for-profit partnership, scheduling, unit

mix and financing. After completing competitive negotiations with all developers, the Negotiation Committee ranked all proposals. The Negotiation Committee produced the final evaluation/rankings of all the proposals for both the Northside and Caribbean Boulevard sites. The final evaluation/rankings for the Northside Site are as follows:

1. Carlisle Development Group, LLC (Carlisle Development Group) 1
2. (tie) The Phoenix at Northside Station, Ltd (Pinnacle Housing Group)
2. (tie) Northside Green I, LLC (Biscayne Housing Group)

The selected development at the Northside Station site is a four phase development with two family and two senior developments consisting of approximately 438 total units of 1, 2, 3 and 4 bedroom units and approximately 20,000 square feet of retail/commercial space for a total development cost of $88,150,000. Twenty percent of the units will house residents at 33 percent and below of area median income (AMI) and the remaining 80 percent of the units will house residents at 60 percent AMI and below. A total of 848 parking spaces will be available on site, 250 parking spaces for transit daily riders and 598 parking spaces for residents.

Irene Taylor-Wooten
Special Assistant for Social Services

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: July 20, 2010

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

SUBJECT: Agenda Item No. 14(A)(25)

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**

_____ **Ordinance creating a new board requires detailed County Manager'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. 14(A)(25)
7-20-10

RESOLUTION NO. R-840-10

RESOLUTION APPROVING THE SELECTION OF DEVELOPER FOR THE NORTHSIDE STATION GENERAL OBLIGATION BOND (GOB) AFFORDABLE HOUSING PROJECT; WAIVING FORMAL COMPETITIVE BID AND BID PROTEST PROCEDURES; AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO NEGOTIATE ALL NECESSARY AGREEMENTS, IN CONSULTATION WITH COUNTY ATTORNEY'S OFFICE

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 that this Board approves: 1) subject to funding availability, the Carlisle Development Group, LLC., or their wholly owned subsidiaries, as the developers for the Northside Station affordable housing project, subject to a determination of the development and the developer's financial viability following underwriting and subsidy layering review; the Board authorizes the County Mayor or his designee, in consultation with the County Attorney's Office, to negotiate agreements, contracts, leases and amendments on behalf of Miami-Dade County to accomplish the purposes of this resolution and to bring such negotiated agreements and leases to this Board for final approval; and 2) waiving by a two-thirds vote of the majority of members present the requirements of Section 5.03 (D) of the Home Rule Charter and Sections 2-8.1 and 2-8.4 of the Miami-Dade County Code pertaining to formal bid procedures and bid protest procedures.

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The foregoing resolution was offered by Commissioner **Katy Sorenson**, who moved its adoption. The motion was seconded by Commissioner **Dennis C. Moss** and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman **aye**
Jose "Pepe" Diaz, Vice-Chairman **absent**

Bruno A. Barreiro	**aye**	Audrey M. Edmonson	**aye**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**absent**
Barbara J. Jordan	**aye**	Joe A. Martinez	**aye**
Dorrin D. Rolle	**aye**	Natacha Seijas	**aye**
Katy Sorenson	**aye**	Rebeca Sosa	**absent**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of July, 2010. 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: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Brenda Kuhns Neuman