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

Memorandum

MIAMI-DADE COUNTY

Amended
Agenda Item No. 9(A)(3)

Resolution No. R-704-10

Date: July 8, 2010

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

From: George M. Burgess
County Manager

Subject: Resolution Extending Time Duration of Contracts Awarded Under the Safe Neighborhood Parks Bond Program

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Recommendation
It is recommended that the Board of County Commissioners (Board) adopt the attached resolution extending the time duration of contracts related to certain projects awarded under the Safe Neighborhood Parks (SNP) Program. These projects have either not fully expended the awarded funds, are currently under construction or have been completed and are not fully reimbursed. These time extensions through November 30, 2010, will allow for the completion of some park improvements projects, maximize the use of previously approved funds, allow for reimbursement of invoices for completed work and the finalization of the close-out process of the SNP program.

Scope
This scope of this agenda item impacts Commission Districts 1, 2, 3, 4, 5, 7, 8, 9 and 11.

Fiscal Impact/Funding
Funding of the $200 million of SNP bonds was approved as part of a referendum and authorized under County Ordinance No. 96-115. There is no additional fiscal impact related to this item.

Tracking/Monitor
The individual grantees implement their park improvement projects. The Office of Capital Improvements (OCI), George Navarrete, Assistant Director, will continue to monitor the SNP Program through the Program's close-out.

Delegation of Authority
No additional delegation of authority has been sought within the body of this proposed resolution.

Background
On July 16, 1996, the Board approved Ordinance No. 96-115 which authorized the issuance, subject to approval by special election, of $200 million in general obligation bonds for park projects, established a Citizens' Oversight Committee (COC or Committee), empowered it to administer the Bond Program, and recommend entities and projects eligible for bond funding to the Board. The SNP Program specifically relates to park improvement projects where funding has been reviewed and approved by the Board. As of January 29, 2010, all bond funds have been allocated, and the Program is beginning the close-out phase.

However, several projects have not fully expended the awarded funds, are currently under construction or have been completed and require reimbursement. All of the City of Miami park projects listed on Exhibit A have been completed but cannot be reimbursed because their contracts have expired. For those projects, the retroactive time extensions are needed to finalize the close-out and reimbursement process. Exhibit A also lists several Park and Recreation Department (MDPR) projects which have been completed, and a few that have experienced delays which require extensions in order to be finalized. For those projects, the time extensions are needed to complete the projects, reimburse invoices and finalize the close-out process.

The COC had previously approved extensions to these contracts through June 5, 2010, the maximum available contract extension which the Committee is authorized to grant per Section 25B-23 of the Code. The attached resolution requests that the Board extend the time duration of the agreements further to allow the grantees to complete certain park projects which require additional time and to finalize the reimbursement and close-out process. The extensions are being sought through November 30, 2010. The Oversight Committee met on May 19, 2010 and voted favorably to allow the extensions.

Therefore, it is respectfully recommended that the Board adopt the attached resolution granting time extensions for the projects cited in Exhibit A.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: July 8, 2010

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

SUBJECT: Amended Agenda Item No. 9(A)(3)

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**

Amended

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 9(A)(3)

7-8-10

RESOLUTION NO. R-704-10

RESOLUTION EXTENDING TIME DURATION OF CONTRACTS AWARDED UNDER THE SAFE NEIGHBORHOOD PARKS BOND PROGRAM

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 this Board adopt the attached resolution extending the time duration of contracts through November 30, 2010 related to certain projects awarded under the Safe Neighborhood Parks (SNP) Bond Program as listed on Exhibit "A" attached hereto and made a part hereof.

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

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

Bruno A. Barreiro	absent	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Barbara J. Jordan	absent	Joe A. Martinez	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 8th 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. MR

Monica Rizo

Exhibit A

Safe Neighborhood Parks Bond Program
Summary of Time Extensions

Ordinance No. 96-115 Exhibit	Commission District	Grantee / Sub grantee	Project Name	Proposed Agreement Completion Date	Comments
A	8	City of Homestead	William F. "Bill" Dickinson Senior Center	November 30, 2010	William F. "Bill" Dickinson Senior Center: City has not started project pending approval of transfer of $198,000 from Wittkop Park to William F. "Bill" Dickinson Senior Center (which is scheduled to be presented to BCC as a separate item). Additional funding provides for completion of the Center's expansion.
A	7	City of Miami	Virginia Key Beach Park	November 30, 2010	Virginia Key Beach Park: Project completed in December 2009. Extension needed for project close-out and reimbursement efforts.
A	5	City of Miami	Lummus Park Historical and Cultural Village	November 30, 2010	Lummus Park Historical and Cultural Village: Project completed in December 2009. Extension needed for project close-out and reimbursement efforts.
A	5	City of Miami	Curtis Park	November 30, 2010	Curtis Park: Project completed in December 2009. Extension needed for project close-out and reimbursement efforts.
A	3	City of Miami	African Square Splash Park	November 30, 2010	African Square Park: The project provides for construction and installation of new playground, new tot lot, new flooring for the existing recreation center and site furnishings. Project will be completed in June 2010. Extension needed for project close-out and reimbursement efforts.
A	1	Park and Recreation Department / City of Miami Gardens	Norwood Park - Pool	November 30, 2010	Norwood Pool Renovation (City of Miami Gardens): The project provides a major capital renovation of the municipal pool. The project was delayed as the original MDPR project scope for the pool was revised, and further delayed due to discovered conditions of deterioration and design and permitting of improvements through the Department of Health. Major replacement of piping is in progress, and painting and deck resurfacing will follow.
A	2	Park and Recreation Department	Gwen Cherry Pool Renovations	November 30, 2010	Gwen Cherry Park – Family Aquatic Center: The project develops a new splash play area and renovates the existing bathhouse. The project was permitted and prepared to bid for construction in 2006; however a funding shortfall was identified due to market conditions. The additional funding was ultimately secured from a QNIP 5 allocation in late 2007, after the project had been on-hold for greater than 22 months. Upon restarting the project, the plans were submitted for re-permitting; however, design changes were required due to two issues at the park, construction of other park improvements that encountered landfill debris that raised concerns regarding the character of the waste column in the footprint of the splash pad, and the requirement to construct a sanitary sewer connection for the park and abandon septic systems. Testing, redesign and permitting resulted in a delay of 15 months. Finally, the project was delayed by 7 months during the bidding of the project, due to a high volume of plan-holder Requests for Information during advertisement, and for issuance of the permit during certification of the sewer system.
A	8	Park and Recreation Department/ Town of Cutler Bay	Cutler Ridge Pool Renovations	November 30, 2010	Cutler Ridge Pool Renovation (Town of Cutler Bay): Project completed in March 2010. Extension needed for project close-out and reimbursement efforts. Project to be held open to take charges from Norwood Pool (Norwood bore Cutler Ridge expenses from an earlier SNP series).
A	8	Park and Recreation Department	South Dade Pool	November 30, 2010	South Dade Pool Renovation: Project completed in May 2008. Extension needed for project close-out and reimbursement efforts. Project to be held open to take charges from Norwood Pool (Norwood bore South Dade expenses from an earlier SNP series).
A	6	Park and Recreation Department	A.D. Barnes Pool	November 30, 2010	A.D. Barnes Pool Renovation: Project completed in April 2009. Extension needed for project close-out and reimbursement efforts. Project to be held open to take charges from Norwood Pool (Norwood bore A.D. Barnes expenses from an earlier SNP series).
A	11	Park and Recreation Department	Tamiami Pool Renovations	November 30, 2010	Tamiami Pool Renovation: Project completed in May 2007. Extension needed for project close-out and reimbursement efforts. Project to be held open to take charges from Norwood Pool (Norwood bore Tamiami expenses from an earlier SNP series).
A	11	Park and Recreation Department	West Kendall District Park	November 30, 2010	West Kendall District Park: The project develops the supporting infrastructure for the 164-acre park and the first recreational element, a 6.5-acre Dog Park. Already completed is the major infrastructure project that developed two bridges over the Black Creek Canal (at SW 120th Street and SW 157th Avenue), roadway extensions and water and sewer utilities. Now under development is the Dog Park; which is pending award. The Dog Park project was delayed by 6 months during platting due to the requirement to vacate a Right-of-Way easement and obtain deed to that portion of the vacated easement which reverted to the South Florida Water Management District.

Exhibit A

Safe Neighborhood Parks Bond Program
Summary of Time Extensions

Ordinance No. 96-115 Exhibit	Commission District	Grantee / Sub grantee	Project Name	Proposed Agreement Completion Date	Comments
B	4	Park and Recreation Department	East Greynolds Park and Highland Oaks Park (formerly Oleta River)	November 30, 2010	East Greynolds Park and Highland Oaks Park: Project completed in May 2009. Extension needed for project close-out and reimbursement efforts.
B	7	Park and Recreation Department	Chapman Field Park - Phase I	November 30, 2010	Chapman Field Park – Land and Sea Trails: The project develops trails, parking, a canoe launch and a bridge, and required significant environmental permitting through DERM, the South Florida Water Management District and the Army Corps of Engineers due to impacts upon coastal wetlands, the requirement to mitigate for those impacts, and to address contamination resulting from historic landfill operations in the wetlands. Environmental permitting and building permitting through the City of Coral Gables took greater than three years, 18 months longer than originally scheduled. Additionally, the project was delayed by a bid protest; though the bid protest was ultimately adjudicated to the benefit of the County, the award was delayed by greater than 3 months.
B	9	Park and Recreation Department	Homestead Bayfront Park - Phase I	November 30, 2010	Homestead Bayfront Park: The project develops a new bathhouse/lifeguard/concession building and recreational amenities in the coastal environment, and required significant environmental permitting. Additionally, a concurrent project to develop the sewage treatment system for the building to replace the septic system supporting the existing buildings required approval through the Environmental Quality Control Board. The extended design and permitting for the project resulted in a delay of 19 months.
B	1	Park and Recreation Department / City of Miami Gardens	Carol City Park Complex	November 30, 2010	Carol City Complex / Recreation Center (City of Miami Gardens): The project develops a 6,000 sq. ft. Recreation Center to replace an outdated structure. The project was delayed as the City of Miami Gardens assessed its recreational needs and developed the program for the park, ultimately increasing the allocation of funds by transferring *per capita* awards between its parks. Construction of the Recreation Center commenced in November 2009.
A	8	Park and Recreation Department / Town of Cutler Bay	Lakes by the Bay Park	November 30, 2010	Lakes by the Bay Park (Town of Cutler Bay): The project develops the active areas of the municipal park, transferred to the Town in 2010. The project was delayed by environmental permitting required following the determination that the property had historically been used as a construction and demolition debris landfill. MDPR was prepared to have site work constructed by a developer for Impact Fee credits, when the development entity entered bankruptcy proceedings following the slowdown in the real estate market, resulting in additional delay. Ultimately, MDPR sub granted the SNP funding and transferred Impact Fee funding to the Town, and the Town has now executed a construction contract against those funds.
A	9	Park and Recreation Department	Southridge Community and Aquatics Center	November 30, 2010	Southridge Community & Aquatic: The project develops a major new aquatic facility at a district park. The project was ready to advertise for construction bids in March 2008; however, issues regarding the capacity of the Department's operating budget to support its high operating and maintenance costs (approximately $1 million annually) resulted in the plans being shelved. A proposed alternate program for the funding was approved by the SNP COC in January 2009 to fund the construction of splash playground at the existing aquatic facilities of three local parks in the same Commission District (Sgt. Joseph Delancy, Goulds and Naranja Parks). The schedule for those projects, whose design was funded with Building Better Communities General Obligation Bond (BBC GOB) funding, were accelerated by up to 21 months so that the SNP funding is now encumbered for a purpose consistent with the intention of the original SNP scope.
B	7	Park and Recreation Department	Hispanic Heritage Cultural Arts Facility	November 30, 2010	Miami-Dade County Auditorium: Project completed in January 2010. Extension needed for project close-out and reimbursement efforts.
N/A	8	Park and Recreation Department / Town of Cutler Bay	Cutler Ridge Park	November 30, 2010	Cutler Ridge Park (Town of Cutler Bay): This project is not a Specified Project in either Exhibit A or B. This project was awarded as a Unincorporated Municipal Service Area (UMSA), Per Capita Project. Project completed in January 2010. Extension needed for project close-out and reimbursement efforts.

Legend:
COC - Citizens' Oversight Committee
MDPR - Miami-Dade Park and Recreation Department
QNIP - Quality Neighborhoods Improvement Program
SNP - Safe Neighborhood Parks
UMSA - Unincorporated Municipal Service Area