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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Agenda Item No. 9(A)(4)

Resolution No. R-26-11

Date: January 20, 2011

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Ratifying the County Mayor's or County Mayor's Designee Action in Authorizing Capital Improvement Contracts Pursuant to Section 2-8.2.7 of the Code of Miami-Dade County relating to the Economic Stimulus Plan

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RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the attached resolution ratifying the County Mayor's or County Mayor's designee's actions taken from August 1, 2010 through November 30, 2010 in expediting the capital improvement projects identified on the attached schedules (Exhibits A and B) as authorized by Ordinance No. 09-60 extending the "Economic Stimulus Plan" (ESP). During this period, five projects totaling $20,764,636.67 were awarded directly via the ESP (see Exhibit A). In addition, it is recommended that the Board ratify the following six ESP projects awarded during the second and third quarters of FY 2009-2010, but were not included as part of previous ratification reports:

- Community Asphalt Corp. in the amount of $7,869,167.93 for the Public Works Department (PWD); Project Name: Venetian Causeway Streetscape Improvements (Project part of the original July 2008 ESP list)
- Merkury Development in the amount of $4,587,910.13 for the Miami-Dade Park and Recreation Department; Project Name: Miami Metro Zoo Amphitheater Building, Canopy and Seating (Project part of the February 2010 ESP list)
- JCON Group, Corp. in the amount of $2,094,819.30 for the Miami-Dade Fire Rescue Department; Project Name: Homestead Fire Rescue Station No. 16 (Project part of the February 2010 ESP list)
- JCON Group, Corp. in the amount of $2,281,740.30 for the Miami-Dade Fire Rescue Department; Project Name: Doral North Fire Rescue Station No. 69 (Project part of the original July 2008 ESP list)
- Gomez Construction Co. in the amount of $3,930,999.01 for Miami-Dade Transit ; Project Name: Design Build Services for Existing Metrorail Stations – Graphics and Signage Retrofit [Project part of the American Recovery and Reinvestment Act (ARRA)]

SCOPE

The five contract awards detailed in Exhibit A involve the need to provide construction services for capital improvement projects that are located within Commission Districts 3, 4, 9 and 12. The Miami-Dade Transit project is Countywide in nature and affects various Commission Districts.

FISCAL IMPACT/FUNDING SOURCE

The contract awards are funded by a variety of funding sources as described in the adopted capital plan for FY 2009-10 and the proposed capital plan for FY 2010-11 for the specific projects and listed on the attached Exhibit A. Each project's on-going current and future operations and maintenance impact have been budgeted by the departments and are shown on Exhibit A attached.

TRACK RECORD / MONITOR

The Office of Capital Improvements (OCI) database, the Capital Improvements Information System (CIIS), contains seven evaluations for Merkury Development showing a satisfactory rating. There are four evaluations in CIIS for Community Asphalt Corp. showing guarded performance for the vendor. JCON Group, Corp. has not previously been awarded any contracts with Miami-Dade County. As such, a review of CIIS reveals no performance evaluations for JCON Group, Corp. However, Miami-Dade Fire Rescue Department (MDFRD) staff contacted the references listed in JCON Group Corp.'s bid packages for a comparison of projects completed in similar size and complexity by the vendor. These references provided a satisfactory review for both the vendor and their experience. MDFRD states that JCON Group, Corp. has indicated 25 years of experience as a general contractor in construction work comparable to the work to be performed on the two MDFRD fire stations. Lastly, the CIIS database does not reveal any contractor performance evaluations for Gomez Construction Co., the recommended vendor for the Miami-Dade Transit (MDT) contract. However, Gomez Construction Co. has previously worked on projects for the General Services Administration and Miami-Dade Water and Sewer Department in 1994, 1995 and 2001, but has not worked on any County projects within the past five years. As part of its due diligence, MDT staff contacted Gomez Construction Co.'s principal who has indicated 36 years of experience as a general contractor in construction work similar to the work for this contract. Additionally, MDT contacted the references listed in the contractor's bid package for projects completed in similar size and complexity. These references provided a satisfactory review for both the company and their experience. The staff assigned to the day-to-day operations of these contracts is listed in the contract award memorandum for the project. The ESP is being coordinated and monitored by the Office of Capital Improvements.

BACKGROUND

Section 2-8.2.7 of the Code of Miami-Dade County, known as the "Economic Stimulus Plan" (ESP), adopted by the Board on July 17, 2008 through Ordinance No. 08-92, provides for expeditious treatment of professional service agreements and construction contracts associated with funded capital improvement projects identified in the approved annual capital budget (Proposed Capital Budget and Multi-Year Capital Plan) and included by the Board in Resolution No. R-851-08 or subsequently added by the Board via resolution. The Board also adopted Ordinance No. 09-60 amending the ESP Ordinance to include in the list of projects capital projects funded through the ARRA and extending the sunset provision until July 2011. On February 2, 2010, the Board adopted Resolution No. R-133-10 adding more capital projects to the ESP in order to maintain Miami-Dade County's continuous support of the local construction industry.

The ESP is an effective way to stimulate the local economy and accelerate the County's capital program by moving funded projects through the contracting process at a quicker pace thereby providing an opportunity for our government to lessen the negative impact of the current economic conditions on the building professions and trades. The ESP reduces the timeline, about 90-120 days on each procurement cycle, to advertise solicitations and competitive bids and award qualifying projects, design and construction contracts, resulting in significant efficiencies in the implementation of those projects.

During this reporting period, OCI processed five qualifying awards as listed in Exhibit A. Exhibit A also includes a summary of the Community Small Business Enterprise (CSBE), Community Business Enterprise (CBE), Disadvantaged Business Enterprise (DBE), Community Workforce Program (CWF) participation, the Solicitation Method used, and the Number of Jobs Generated as calculated by the Office of Economic Development and International Trade, for ESP projects. Exhibit B details six contracts that were awarded prior to August 1, 2010 and require ratification at this time because these awards were not reflected in OCI's database at the time previous ratification reports covering the respective time periods were approved by the Board.

The Department of Small Business Development (SBD) is supporting the ESP by accelerating the project review and goal analysis process to ensure participation of small businesses on County contracts. All ESP projects are reviewed by SBD for the application of program measures in the areas of construction, architecture and engineering services. Between August 1, 2010 and November 30, 2010, SBD reviewed three projects under the Economic Stimulus Plan, recommending small business participation of $1,026,276 or 8%. Small Business participation measures approved under the ESP over the last 2 year implementation period totals $118,683,805 or 19%, representing a 7% increase over the 12% average participation for the 2 year period prior to implementation of the stimulus plan. The average turnaround time for expedited project review and goal analysis during this period was two days, which is six days less than the average processing time for the period.

In total, 37 projects have been awarded under the authority granted through Section 2-8.2.7 of the Code of Miami-Dade County. However, there are other projects that are part of the ESP which have been expedited utilizing alternative contracting mechanisms. Alternative contracting mechanisms includes contracts advertised, awarded or underway using the Miscellaneous Construction Contracts (MCC) 7040 and 7360, Department of Procurement Management and other existing departmental contracts, in-house forces and grant agreements. For the period ending November 30, 2010, projects awarded using Alternate Methods of Contracting, totaled $5.35 million as detailed on Exhibit B. The funding sources and fiscal impact for these projects are also listed on Exhibit B. To date, ESP projects awarded using alternative contracting mechanisms total $337 million.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: January 20, 2011

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

SUBJECT: Agenda Item No. 9(A)(4)

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. 9(A)(4)
1-20-11

RESOLUTION NO. R-26-11

RESOLUTION RATIFYING THE COUNTY MAYOR'S OR COUNTY MAYOR'S DESIGNEE ACTIONS, AS AUTHORIZED BY SECTION 2-8.2.7 OF THE CODE OF MIAMI-DADE COUNTY, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULE FOR CAPITAL IMPROVEMENT PROJECTS

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 ratifies the actions of the County Mayor or County Mayor's designee, as authorized by Section 2-8.2.7 of the Code of Miami-Dade County, in approving the recommendations listed on Exhibit "A" attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner **Rebeca Sosa** , who moved its adoption. The motion was seconded by Commissioner **Jean Monestime** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2011. 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

Approved by County Attorney as
to form and legal sufficiency.

Hugo Benitez

By: **DIANE COLLINS**
Deputy Clerk

Exhibit A

Economic Stimulus Plan
Project Ratification List for Contract Awards
For the Period Ending November 30, 2010

Dept.	Type of Solicitation	Contract Type	Contract No. / Project No.	Project Name	Awarded To	District	Contract Amount	Funding Source	Fiscal Impact - Operations and Maintenance Costs	Est. Start Date / Est. End Date	Contract Measures CSBE	CBE	DBE	CWF	No. of Jobs Generated *	Description
Public Works	County Bidding	C	20100522 20100522 ESP	Venetian Causeway Streetscape Improvements	Community Asphalt Corp.	3 and 4	$7,869,167.93	Road Impact Fees, Causeway Toll Revenue, City of Miami Beach State Grant, City of Miami Contribution, FDOT Funds	Operations costs for the project are approx. $25,149 per year. Maintenance costs are approx. $35,967 per year. These costs will be funded through the Venetian Causeway Fund and Stormwater Utility Fund.	1/10/2011 1/10/2012	0%	0%	22%	0.0%	134	Furnish all supervision, labor, required materials, equipment and tools to perform all operations necessary to provide roadway beautification enhancements and improvements to the Venetian Causeway.
Fire Rescue	County Bidding	C	MDFRD-T-23 374240-CON ESP	Homestead Fire Rescue Station No. 16	JCON Group, Corp.	9	$2,094,819.30	Sunshine State Financing	Operations costs are approx. $4,150,000 per year. Maintenance costs are approx. $167,800 per year. These costs will be funded through Fire District ad valorem revenues.	9/17/2010 11/11/2011	24%	0%	0%	11.8%	31	Construction of a one-story fire rescue station of approximately 12,038 square feet in size, to be constructed on approximately 1.03 acre parcel. This project will replace the existing station on the same site.
Fire Rescue	County Bidding	C	MDFRD-T-29 3724431-CON ESP	Doral North Fire Rescue Station No. 69	JCON Group, Corp.	12	$2,281,740.30	Capital Asset Acquisition Bond 2002 Proceeds, Capital Asset Acquisition 2004A Proceeds	Operations costs are approx. $1,800,000 per year. Maintenance costs are approx. $167,800 per year. These costs will be funded through Fire District ad valorem revenues.	9/28/2010 11/23/2011	24%	0%	0%	0.0%	32	Construction of a one-story fire rescue station of approximately 12,038 square feet in size, to be constructed on approximately 1.63 acre parcel.
Park and Recreation	County Bidding	C	592500-05-002 592500-05-002 ESP	Miami Metro Zoo Amphitheater Building, Canopy and Seating	Merkury Development	9	$4,587,910.13	Metro Zoo Sami Trust Fund, FEMA Reimbursements	The incremental operations and maintenance costs are $0. The estimated operating cost is the same as for the current facility at $220,000 per year funded by the Miami Metro Zoo's operating budget. The maintenance costs are currently not segregated by facility but are funded by the Miami Metro Zoo's operating budget.	9/16/2010 9/11/2011	17%	0%	0%	0.0%	80	Replace and renovate a 3,700 sq foot stage area and install a 19,800 sq. ft tensioned fabric canopy roof. The first floor will include bird & reptile rooms, animal food storage & preparation rooms, sound room, stage preparation, cage staging, staff office, locker room, staff restroom, new stadium seating and handicap access / seating, new landscaping and irrigation system.
Transit	Design Build Services	DB	CIP031-CT1-TR09 DB09-MOT-02 ARRA	Design Build Services for Existing Metrorail Stations - Graphics and Signage Retrofit	Gomez Construction Co.	Various	$3,930,999.01	FTA Section 5307/5309 Formula Grant	This type of service does not affect the operations or maintenance costs upon completion of the capital project.	11/24/2010 04/9/2012	0%	0%	13%	0%	50	Furnish and install a complete Signage and Graphic Wayfinding System capable of providing effective and reliable transit information. This signage system will interface with the 22 existing Metrorail stations, the Miami Intermodal Center (MIC) Station, and any future Metrorail station.

Total No. of Awards 5

Total Dollar Value of Awards $20,764,636.67

Total No. of Jobs Generated 327

Contract Type Legend:

C - Construction
DB - Design Build

* Includes both full-time and part-time employment positions. Estimate prepared by the Office of Economic Development and International Trade.

Exhibit B

Economic Stimulus Plan (ESP)
Alternate Methods of Contracting
Status Report
For the Period Ending November 30, 2010

Department	Type of Solicitation	Contract Type	Project Name/Description	Award Mechanism	Awarded To	Award Date	Funding Source	Fiscal Impact - Operations and Maintenance Costs	Contract Measures				No. of Jobs Generated *	Estimated Start Date	Contract Amount
									CSBE	CBE	DBE	CWF			
Park and Recreation	County Bidding Process	C	Oak Grove Park Modular Building **MCC 7040 RPQ 76130**	MCC RPQ for Construction	GC Construction and Consulting Services LLC	07/30/10	Capital Outlay Reserve	Project does not create any additional impact on current budget nor does it impact future budgets.	100%	0%	0%	0%	17	08/09/10	$41,500.00
Park and Recreation	County Bidding Process	C	Goulds Park Aquatic Center & Facility Renovation **MCC 7040 RPQ 62327**	MCC RPQ for Construction	Di Obra Construction Corp.	04/07/10	Safe Neighborhood Park Proceeds; General Obligation Bonds Series F - Building Better Communities GOB Program	The combined Operations and Maintenance costs are approximately $90,000.00 per year. These costs will be funded through General Funds Subsidy.	100%	0%	0%	0%	24	05/19/10	$1,052,000.00
Park and Recreation	County Bidding Process	C	Homestead Bayfront Park Atoll Pool & Picnic Area **MCC 7360 RPQ 701601/04/004**	MCC RPQ for Construction	TC & F Builders, Corp.	04/08/10	Safe Neighborhood Parks Proceeds; GOB Series D - Building Better Communities GOB Program	Project does not create any additional impact on current budget nor does it impact future budgets.	28%	0%	0%	0%	28	06/21/10	$1,634,978.00
Park and Recreation	County Bidding Process	C	Naranja Park Aquatic Center **MCC 7040 RPQ 64001**	MCC RPQ for Construction	J.R.T. Construction Co.	05/26/10	Safe Neighborhood Parks Proceeds; GOB Series D, GOB Series F - Building Better Communities GOB Program	The combined Operations and Maintenance costs are approximately $7,000.00 per year. These costs will be funded through General Funds Subsidy.	100%	0%	0%	0%	37	08/02/10	$1,621,608.00
Park and Recreation	County Bidding Process	C	West Kendall District Dog Park **MCC 7040 RPQ 590802/08/001**	MCC RPQ for Construction	Salani Engineers & General Contractors Corp	06/17/10	Safe Neighborhood Parks Proceeds; Park Impact Fees	The combined Operations and Maintenance costs are approximately $33,709.00 per year. These costs will be funded through General Funds Subsidy.	100%	0%	0%	0%	17	08/02/10	$685,408.00
Police	County Bidding Process	C	MDPD Station #1 Panelboard Replacement **MCC 7040 RPQ W90163**	MCC RPQ for Construction	All-Tech Electric, Inc.	06/22/10	Capital Outlay Reserve	Project does not create any additional impact on current budget nor does it impact future budgets.	100%	0%	0%	0%	2	08/09/10	$76,819.00
Transit	County Bidding Process	C	ARRA Municipalities- City of South Miami, Aventura & Village of Virginia Gardens. **MCC 7360 RPQ 172357**	MCC RPQ for Construction	Zurqui Construction Service, Inc.	11/03/10	FTA Section 5307/5309 Formula Grant	Project does not create any additional impact on current budget nor does it impact future budgets.	0%	0%	20%	0%	8	11/09/10	$242,411.00
									Total No. of Jobs Generated				**133**	**Total**	**$5,354,724.00**

Legend:

C - Construction
MCC - Miscellaneous Construction Contract
RPQ - Request for Price Quotation
* - Includes both full-time and part-time employment positions. Estimate prepared by the Office of Economic Development and International Trade.

8