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OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

MEMORANDUM

Agenda Item No. 11(A)(17)

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

DATE: May 3, 2011

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

SUBJECT: Resolution directing the County Mayor to provide a report regarding the County or its contractor's compliance with the U.S. Department of HUD's Section 3 Procurement Requirements for the Scott-Carver Hope VI revitalization project

Resolution No. R-372-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: May 3, 2011

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

SUBJECT: Agenda Item No. 11(A)(17)

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**

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Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(17)
5-3-11

RESOLUTION NO. R-372-11

RESOLUTION DIRECTING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO PROVIDE A REPORT TO THE BOARD OF COUNTY COMMISSION REGARDING THE COUNTY OR ITS CONTRACTOR'S COMPLIANCE WITH THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S SECTION 3 AND PROCUREMENT REQUIREMENTS FOR THE SCOTT-CARVER HOPE VI REVITALIZATION PROJECT

WHEREAS, in 1999, the Miami-Dade County ("County") submitted a HOPE VI application to the United States Department of Housing and Urban Development ("HUD") to seek funding to demolish and revitalize the James E. Scott Homes and Carver Homes Public Housing Development ("Scott-Carver"); and

WHEREAS, HUD awarded a HOPE VI implementation grant in the amount of $35 million (the "Grant") for the purpose of demolishing and revitalizing Scott-Carver Homes; and

WHEREAS, the County, through the developer, McCormack Baron Salazar ("MBS"), is in the process of rebuilding the new community to re-house the former residents of Scott-Carver and other eligible families; and

WHEREAS, one of the mandates of the Grant is that the County must comply with Section 3 of the Housing and Urban Development Act of 1968 and 24 CFR Part 135 (collectively "Section 3 Requirements"); and

WHEREAS, the Section 3 Requirements represent HUD's policy for providing preference to low- and very low-income residents of the community where the funds are spent (regardless of race or gender), and the businesses that substantially employ these persons for new

employment, training, and contracting opportunities created from the usage of covered HUD funds; and

WHEREAS, the Section 3 Requirements apply to all Public Housing Authorities (PHAs) and all contractors that receive awards from PHAs, regardless of the dollar amount of the contract; and

WHEREAS, each PHA (and their contractors, subcontractors, or subrecipients) is required to comply with the requirements of Section 3 for employment, training, or contracting opportunities resulting from the expenditure of covered funding; and

WHEREAS, in addition to the Section 3 Requirements, the Grant requires the County to comply with HUD's procurement regulations ("Procurement Requirements"); and

WHEREAS, the Procurement Requirements, which require PHAs, like the County, to "take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible"; and

WHEREAS, it is essential that the County, MBS and any other contractors o subcontractors take all necessary steps to comply with the Section 3 Requirements and Procurement Requirements throughout all phases of the development and construction of the Scott-Carver HOPE VI project; and

WHEREAS, the Board desires a report regarding the County's compliance with the Section 3 Requirements and Procurement Requirements,

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

Section 1. The matters contained in the foregoing recitals are incorporated in this resolution by reference.

Section 2. The Board directs the County Mayor or County Mayor's designee to provide a report within ninety (90) days from the effective date of this resolution concerning the County, MBS, any other contractors or subcontractors' compliance with the Section 3 Requirements and Procurement Requirements. Said report, at a minimum, shall contain, but is not limited to the following information:

a. The total workforce on the Scott-Carver HOPE VI project broken down by phases (site prep phase and construction phase) and by job category (general laborer, mason, etc.);

b. The total number and names of Section 3 residents and Section 3 businesses concerns hired, including but not limited to (1) former Scott-Carver residents; (2) other public housing residents, (3) other HOPE VI area residents; and (4) other low-income residents.

c. The total number and names of minority firms, women's business enterprises, and labor surplus area firms employed by the County, MBS, any other contractors or subcontractors to work on the Scott-Carver HOPE VI project.

d. The implementing procedures utilized by the County, MBS, any other contractors or subcontractors to notify Section 3 residents and Section 3 business concerns about training, employment, and contracting opportunities generated by the Scott-carver HOPE VI project.

e. The implementing procedures utilized by the County, MBS, any other contractors or subcontractors to notify minority firms, women's business enterprises, and labor surplus area firms about employment opportunities related to the Scott-Carver HOPE VI Project.

f. The implementing procedures utilized by the County or its contractors to notifying potential contractors working on Section 3 covered projects of their responsibilities.

g. Any information, reports or other documentation submitted by the County to HUD concerning the County, MBS, any other contractors or subcontractors' compliance with the

Section 3 Requirements and Procurement Requirements as it relates to the Scott-Carver HOPE VI project.

The Prime Sponsor of the foregoing resolution is Commissioner Jean Monestime. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of May, 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

By: **DIANE COLLINS**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith