OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Amended

MEMORANDUM Agenda Item No. 11(A)(4)

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

DATE: February 7, 2012

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

SUBJECT: Resolution authorizing the rejection of all remaining proposals submitted in response to request for proposals No. 794 for Development on Miami-Dade County-Owned Land for Miami-Dade Public Housing Agency

Resolution No. R-152-12

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Joe A. Martinez.

R. A. Cuevas, Jr.
County Attorney

RAC/up

MEMORANDUM

(Revised)

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

DATE: February 7, 2012

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

SUBJECT: Amended
Agenda Item No. 11(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 _____

Amended
Agenda Item No. 11(A)(4)
2-7-12

RESOLUTION NO. R-152-12

RESOLUTION AUTHORIZING THE REJECTION OF ALL REMAINING PROPOSALS SUBMITTED IN RESPONSE TO REQUEST FOR PROPOSALS NO. 794 FOR DEVELOPMENT ON MIAMI-DADE COUNTY-OWNED LAND FOR MIAMI-DADE PUBLIC HOUSING AGENCY (CURRENTLY KNOWN AS MIAMI-DADE PUBLIC HOUSING AND COMMUNITY DEVELOPMENT); DIRECTING DEPUTY MAYOR/COUNTY MANAGER TO PROVIDE COPIES OF RFP NO. 794 TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR REVIEW AND EVALUATION; AND DIRECTING THE CHAIR OF THE ECONOMIC DEVELOPMENT AND SOCIAL SERVICES COMMITTEE TO CONVENE A SPECIAL MEETING OF THE NEXT SCHEDULED COMMITTEE REGARDING RFP NO. 794

WHEREAS, on July 14, 2011, the County advertised Request for Proposals No. 794 (RFP No. 794) to solicit offers from developers to maximize and expedite the development potential of 104 existing public housing sites administered by Miami-Dade Public Housing Agency, which is currently known as Miami-Dade Public Housing and Community Development; and

WHEREAS, RFP No. 794 seeks to establish partnerships with qualified entities to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on underutilized sites, and develop vacant land owned by the County; and

WHEREAS, RFP No. 794 also seeks developers interested in including commercial and other special purpose uses where appropriate; and

WHEREAS, RFP No. 794 also seeks developers interested in replacing the County's older public housing units with new designs that resemble market-rate units (regardless of whether these are public housing, affordable or market-rate units) and who will incorporate creative and sustainable design solutions; and

WHEREAS, the County received 215 proposals from twenty-six (26) developers in response to the RFP No. 794 for the development of the County's public housing sites; and

WHEREAS, although RFP No. 794 sought proposals from developers who proposed different types of financing options/strategies, the RFP indicated that the County would initially review proposals for public housing sites that included the nine percent (9%) Low Income Housing Tax Credits (LIHTC) through the Florida Housing Finance Corporation (FHFC) as part of their financing strategy in an effort to ensure that these developers met the December 6, 2011 deadline set by FHFC; and

WHEREAS, the County administration, upon the request of the evaluation/selection committee, recommended to the Board of County Commissioners (Board) that it award ground leases to six (6) proposers for fifty-two (52) public housing sites in order to provide these proposers with site control; and

WHEREAS, evidence of site control through a ground lease is one of FHFC's minimum requirements to apply for LIHTC; and

WHEREAS, on November 23, 2011, the Board adopted Resolution No. R-1026-11 awarding ground leases to Biscayne Housing Group, LLC, Carlisle Development Group, LLC, Gatehouse Development Corp., Gorman & Company, Inc., The Michaels Development Company, LLP, and RUDG, LLC (the "Developers"); and

WHEREAS, in addition to the County administration's recommendation for award to the before-mentioned developers, the selection committee also evaluated and scored proposals for four (4) other public housing developments known as Lincoln Gardens, Ward Towers, Victory Homes and Harry Cain Towers; and

WHEREAS, the County administration initially presented to the Board for its consideration a recommendation for award for the Lincoln Gardens, Victory Homes and Harry Cain Towers public housing sites, but later withdrew its recommendation because the proposals did not include a plan for obtaining the 9% LIHTC; and

WHEREAS, the County administration did not present to the Board a recommendation for the Ward Towers public housing site, but like the other three projects, did not do so because the proposals did not include a plan for obtaining 9% LIHTC; and

WHEREAS, the Board believes that since the selection committee has already evaluated and scored the proposals for Lincoln Gardens, Victory Homes, Ward Tower, and Harry Cain Towers, it would be in the County's best interest to proceed with consideration of the award of these contracts or other agreements subject to approval by the United States Department of Housing and Urban Development and the Florida Housing Finance Corporation; and

WHEREAS, excluding the award of the ground leases to the Developers and the future consideration of the evaluation and scoring of the proposals for Lincoln Gardens, Victory Homes, Ward Tower, and Harry Cain Towers, the Board desires to reject the remaining proposals which did not seek to apply for 9% LIHTC; and

WHEREAS, the Board finds that it is in the best interest of the County to reject the remaining proposals in order to give the Board an opportunity to review RFP No. 794 and

collectively provide the County's administration with guidance regarding improvements to the RFP and the evaluation/selection process,

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

Section 1. The foregoing recitals are incorporated in this resolution and are approved are incorporated by reference.

Section 2. Other than as set forth herein, This Board authorizes rejection of all remaining proposals in response to Request for Proposals No. 794 for the Development of Miami-Dade County-Owned Land for Miami-Dade Public Housing Agency, which is currently known as Miami-Dade Public Housing and Community Development.

Section 3. The Deputy Mayor/County Manager is directed to provide copies of RFP 794 to each County Commissioner for their review and evaluation of said RFP within ten (10) days of the effective date of this resolution.

Section 4. The Board directs the Chair of the Economic Development and Social Services Committee to convene a special meeting at the committee's next scheduled meeting to review RFP No. 794 and to make recommendations regarding said RFP to the Board for its consideration.

Section 5. The Board directs the Deputy Mayor/County Manager to submit for the Board's consideration, following negotiation of applicable agreements, contracts or leases with the recommended developers, a recommendation for award of such agreements, contracts, or leases for the Lincoln Gardens, Victory Homes, Ward Tower, and Harry Cain Towers public housing sites.

The Prime Sponsor of the foregoing resolution is Chairman Joe A. Martinez. It was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Joe A. Martinez** 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**
Esteban L. Bovo, Jr.	**aye**	Jose "Pepe" Diaz	**absent**
Sally A. Heyman	**aye**	Barbara J. Jordan	**nay**
Jean Monestime	**nay**	Dennis C. Moss	**aye**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**absent**
Xavier L. Suarez	**nay**		

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of February, 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: **Christopher Agrippa**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Terrence A. Smith