



MEMORANDUM

Amended
Agenda Item No. 11(A)(2)

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


DATE: November 3, 2011

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

SUBJECT: Resolution directing the County Mayor
to negotiate Change Order No. 4
to MCC-7-05 with Mike Gomez
Construction Consulting, Inc.,
extending the contract time through
January 30, 2012

Resolution No. R-932-11

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor
Vice Chairwoman Audrey M. Edmonson.



R. A. Cuevas, Jr.
County Attorney

RAC/jls

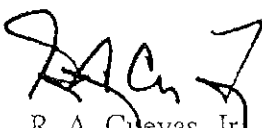


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(Revised)

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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 _____

Amended
Agenda Item No. 11(A)(2)
11-3-11

RESOLUTION NO. R-932-11

RESOLUTION DIRECTING THE COUNTY MAYOR TO NEGOTIATE CHANGE ORDER NO. 4 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-7-05 WITH MIKE GOMEZ CONSTRUCTION CONSULTING, INC., EXTENDING THE CONTRACT TIME THROUGH JANUARY 30, 2012; AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN, AND WAIVING FORMAL BID PROCEDURES AND PROVISIONS PURSUANT TO SECTION 2-8.1 MIAMI-DADE COUNTY CODE AND SECTION 5.03(D) OF THE MIAMI-DADE HOME RULE CHARTER, AND SECTION 255.20 FLORIDA STATUTES

WHEREAS, the current economic downturn has severely impacted small construction contractors in Miami-Dade County, along with other businesses; and

WHEREAS, the Miscellaneous Construction Contract No. MCC-7 (the MCC) has proven to be an efficient and effective way of accomplishing needed repairs and construction at Miami International Airport while also maximizing small business participation in such repairs or construction; and

WHEREAS, the ability to issue new work orders under the MCC expired on September 30, 2011, although the contractor continues to perform work on previously issued work orders; and

WHEREAS, a replacement contract will not be awarded until later this year; and

WHEREAS, the expiration of the MCC and the absence of such a contract would negatively impact both the Airport and the small business community; and

WHEREAS, the contractor is currently on site at Miami International Airport, is performing work, is appropriately licensed, and is uniquely qualified to perform work until a successor contract is let and awarded; and

WHEREAS, work is issued under the MCC on an as-needed basis, so in the event construction work under the MCC is not needed prior to end of the contract, that money will be returned to the County and used to fund the successor contract, MCC-8; and

WHEREAS, the County Mayor has recommended that a waiver of competitive bids to allow execution of this change order is in the best interests of Miami Dade County, such recommendation being attached hereto and incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby directs the County Mayor or the Mayor's designee to negotiate Change Order No. 4 to Miscellaneous Construction Contract No. MCC-7-05 with Mike Gomez Construction Consulting, Inc., which Change Order shall increase the contract duration until no later than January 30, 2012, and which provides for a termination for convenience clause; and authorizes the County Mayor or Mayor's designee to execute such change order without need for subsequent Board action; finds it to be in the best interest of the County to waive formal bid procedures pursuant to Section 2-8.1, Miami-Dade County and Section 5.03 (D) of the Miami-Dade Home Rule Charter, and Section 255.20 Florida Statutes, by a two-thirds (2/3) vote of members of the Board of County Commission.

The Prime Sponsor of the foregoing resolution is Vice Chairwoman Audrey M. Edmonson. It was offered by Commissioner **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Barbara J. Jordan** and upon being put to a vote, the vote was as follows:

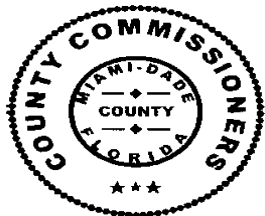
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|-------------------------------------|---------------|----------------------|------------|
| Joe A. Martinez, Chairman | aye | | |
| Audrey M. Edmonson, Vice Chairwoman | aye | | |
| Bruno A. Barreiro | aye | Lynda Bell | aye |
| Esteban L. Bovo,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

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

David M. Murray