

MEMORANDUM

Agenda Item No. 14(A)(3)


TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: April 16, 2013

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

SUBJECT: Resolution directing the Mayor
to enter into an Interlocal
Agreement with the Village of
Key Biscayne to allow the
Village to perform testing of the
substructure of the Bear Cut
Bridge
Resolution No. R-300-13

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez and Co-Sponsor Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/smm



MEMORANDUM
(Revised)

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and Members, Board of County Commissioners

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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 Mayor'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

Agenda Item No. 14(A)(3)

Veto _____

4-16-13

Override _____

RESOLUTION NO. R-300-13

RESOLUTION DIRECTING THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE VILLAGE OF KEY BISCAYNE TO ALLOW THE VILLAGE TO PERFORM TESTING OF THE SUBSTRUCTURE OF THE BEAR CUT BRIDGE

WHEREAS this Board has identified the need to perform emergency repairs to the Bear Cut Bridge; and

WHEREAS to perform those emergency repairs, this Board adopted resolution R-32-13 authorizing the Mayor or the Mayor's designee to contract for the repairs of the Bear Cut Bridge and the West Bridge in an amount not to exceed \$31 million; and

WHEREAS pursuant to that Resolution the Mayor has selected a design-build firm for the design and construction of repairs to the Bear Cut Bridge, and

WHEREAS the work contemplated by the County to repair the Bridge relies substantially on the continued use of the existing foundations and pilings; and

WHEREAS the construction of a new support and roadbed construction on existing pilings and foundations poses difficult engineering and economic issues in identifying the safest, most durable and most cost effective solution to the current problem; and

WHEREAS the Bear Cut Bridge provides continuity to the Rickenbacker Causeway, the only vehicular artery serving the Village of Key Biscayne and as such its very lifeline; and

WHEREAS the Village of Key Biscayne recently adopted Resolution No. 2013-8, providing among other things for an alternative to the County's proposed repair plan for the Bear Cut Bridge consisting of reducing the scope and costs of the County's proposed plan followed by the planning, design and construction of a new bridge; and

WHEREAS because of the importance of these issues to its community, the Village of Key Biscayne has requested the opportunity to perform an engineering analysis of the Bear Cut Bridge,

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

Section 1. The Mayor is hereby authorized and directed to enter into an interlocal agreement with the Village of Key Biscayne to perform an engineering analysis of the Bear Cut Bridge (the "Interlocal Agreement") within ten days of the effective date of this resolution.

Section 2. The Interlocal Agreement shall be at no cost to Miami-Dade County. The Interlocal Agreement shall provide that the Village of Key Biscayne shall be responsible for all costs relating to the study, including but not limited to the cost of engineering, testing, and design. All inspection, testing, and work under the Interlocal Agreement shall be done without interference to the flow of traffic and operations of the Bridge and without interference to any and all site access and control required by the County's design build-contractor under contract to perform the repairs. Any destructive testing shall be performed without additional compromise to the safety of the bridge, and the bridge shall be restored to its pretest condition.

Section 3. The Interlocal Agreement shall also require that the Village's contract with its engineering consultant selected to perform the analysis and study shall provide the County, through its designated representatives, opportunity to consult at any time with the consultant at rates not exceeding those charged by the Village of Key Biscayne and under the same terms and conditions. All consultations with the County not initiated by the County shall be at the sole cost and expense of the Village of Key Biscayne.

Section 4. The Interlocal Agreement shall require the study and analysis to be completed within 60 days following the effective date of this resolution. The results of the study and analysis shall be made available to the County.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez and the Co-Prime Sponsor is Commissioner Juan C. Zapata. It was offered by

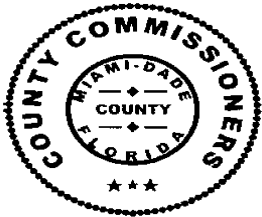
Commissioner **Xavier L. Suarez**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

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

The Chairperson thereupon declared the resolution duly passed and adopted this 16th day of April, 2013. 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.

Hugo Benitez