

# MEMORANDUM

Agenda Item No. 11(A)(8)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

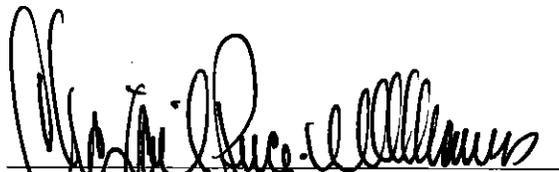
**DATE:** March 8, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution directing the County Mayor to negotiate Change Order No. 2 to Miscellaneous Construction Contract MCC-8-10 with Munilla Construction Management, LLC, extending the contract time for one year and increasing the contract amount by no more than \$10,000,000.00; authorizing the County Mayor to execute such Change Order and to exercise delegated authority described therein

Resolution No. R-228-16

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

  
Abigail Price-Williams  
County Attorney

APW/lmp

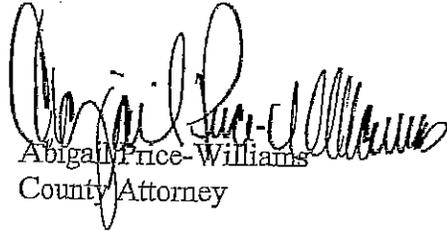


# MEMORANDUM

(Revised)

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and Members, Board of County Commissioners

**DATE:** March 8, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(8)

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
- Statement of social equity 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. 11(A)(8)

Veto \_\_\_\_\_

3-8-16

Override \_\_\_\_\_

RESOLUTION NO. R-228-16

RESOLUTION DIRECTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO NEGOTIATE CHANGE ORDER NO. 2 TO MISCELLANEOUS CONSTRUCTION CONTRACT NO. MCC-8-10 WITH MUNILLA CONSTRUCTION MANAGEMENT, LLC, EXTENDING THE CONTRACT TIME FOR ONE YEAR AND INCREASING THE CONTRACT AMOUNT BY NO MORE THAN \$10,000,000.00; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SUCH CHANGE ORDER AND TO EXERCISE DELEGATED AUTHORITY DESCRIBED THEREIN

**WHEREAS**, the Miscellaneous Construction Contract No. MCC-8 (the MCC) has proven to be an efficient and effective way of accomplishing needed repairs and construction at Miami International Airport (the Airport) while also maximizing small business participation in such repairs or construction; and

**WHEREAS**, the ability to issue new work orders under the MCC expires on February 29, 2016, although the contractor continues to perform work on previously issued work orders; and

**WHEREAS**, \$2,500,000.00 in unallocated funds remain in the MCC, but this amount is insufficient to cover the planned needs of the Airport; and

**WHEREAS**, the County has begun the process of procuring a replacement contract, MCC-9; and

**WHEREAS**, this replacement contract will not be awarded until later this year, at the earliest; and

**WHEREAS**, the MCC provides greater ability for the small business community to perform work at the Airport than available procurement vehicles; 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 continued growth of passenger traffic at the Airport, as well as the entry of new airlines, has required the Miami-Dade Aviation Department to engage in numerous unexpected alterations, repairs, and modifications to the Airport facility, many of which cannot be timely accomplished except through the MCC; and

**WHEREAS**, much of the original work expected to be performed under the MCC has been delayed or has yet to be performed, as MCC capacity has been allocated to dealing with the unexpected construction driven by airline growth at the Airport; and

**WHEREAS**, airlines and passengers may choose to utilize other airports in the event the Airport facility cannot meet their needs; 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 awarded; and

**WHEREAS**, the mark-up charged by the Contractor on subcontractor work on the MCC is substantially lower than in prior contracts, and will likely rise in the replacement contract, making future work more expensive to the County; 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-9; and

**WHEREAS**, the MCC provides significant opportunities for small business participation in the Airport construction program, and small businesses have received nearly \$17,000,000.00 in work under MCC-8; and

**WHEREAS**, MDAD believes that approximately \$10,000,000.00 of construction work will need to be performed through the MCC over the next year to accommodate existing needs; and

**WHEREAS**, a significant portion of this work can and will be performed by small business subcontractors,

**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 County Mayor's designee to negotiate Change Order No. 2 to Miscellaneous Construction Contract No. MCC-8-10 with Munilla Construction Management, LLC, which Change Order shall increase the contract duration for a year from the effective date of this Resolution, and which increases the contract amount by no more than \$10,000,000.00 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, and to exercise the provisions therein.

The Prime Sponsor of the foregoing resolution is Commissioner Audrey M. Edmonson. It was offered by Commissioner **Audrey M. Edmonson** , who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

	Jean Monestime, Chairman	<b>aye</b>
	Esteban L. Bovo, Jr., Vice Chairman	<b>aye</b>
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava <b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson <b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan <b>aye</b>
Dennis C. Moss	<b>aye</b>	Rebeca Sosa <b>aye</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez <b>aye</b>
Juan C. Zapata	<b>nay</b>	

The Chairperson thereupon declared the resolution duly passed and adopted this 8<sup>th</sup> day of March, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.

GKS For Dmm

David M. Murray