

**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Transit, Infrastructure and Roads Committee
(TIRC)**

Board of County Commissioners
Stephen P. Clark Government Center
Commission Chambers
111 N.W. First Street
Miami, Florida 33128

June 10, 2009
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Diane Collins, Acting Division Chief
Clerk of the Board Division

Jill Thornton, Commission Reporter
(305) 375-2505





Stephen P. Clark
Government Center
111 N.W. 1st Street
Miami, FL 33128

FINAL OFFICIAL

Meeting Minutes

Transit, Infrastructure & Roads Committee

Barbara J. Jordan (1) Chair; Carlos A. Gimenez (7) Vice Chair; Commissioners Audrey M. Edmonson (3), Dorrin D. Rolle (2), Natacha Seijas (13) and Katy Sorenson (8)

Wednesday, June 10, 2009

2:00 PM

COMMISSION CHAMBERS

Members Present: Audrey M. Edmonson, Carlos A. Gimenez, Barbara J. Jordan, Dorrin D. Rolle, Natacha Seijas, Katy Sorenson.

Members Absent: None.

Members Late: None.

Members Excused: None.

Members Absent County Business: None.

1 MINUTES PREPARED BY:

Report: *Jill Thornton, Commission Reporter
(305) 375-2505*

INVOCATION

1A PLEDGE OF ALLEGIANCE

1B ROLL CALL

Report: *The following staff members were present:
Assistant County Manager Ysela Llort; Assistant
County Attorney Bruce Libhaber; and Deputy
Clerks Judy Marsh and Jill Thornton.*

*The Committee convened in a moment of silence,
followed by the Pledge of Allegiance.*

*Assistant County Attorney Bruce Libhaber noted
no changes had been requested to today's (06/10)
agenda.*

*It was moved by Commissioner Gimenez that the
June 10, 2009, Transit, Infrastructure and Roads
Committee agenda be approved. This motion was
seconded by Commissioner Rolle and upon being
put to a vote, passed 5-0. (Commissioner Seijas
was absent).*

1C **DICUSSION ITEM(S)**

1C1

091758 Discussion Item

Carlos A. Gimenez

STATUS OF SPECIAL TRANSPORTATION SERVICES
(STS) REQUEST FOR PROPOSALS (RFP)*Presented*

Report: *Commissioner Gimenez asked Mr. Harpal Kapoor, Director, Miami-Dade Transit Agency, to explain the status of the Request for Proposals (RFP) for Special Transportation Services (STS).*

Mr. Kapoor advised that Transit was currently working with the STS Oversight Task Force, chaired by Commissioner Jordan, to determine a timeline for issuing the RFP. He noted the RFP should be advertised by July 1, 2009, and proposals should be received by July 30, 2009.

In response to Commissioner Gimenez' question whether staff conducted research to determine how these services were provided in other major cities, Mr. Kapoor noted staff looked at other jurisdictions which provided this service by zones or by distance-based fares for routes exceeding the Federal Transit Administration's (FTA) ¼ mile requirement, and presented a study of this at a Board of County Commissioner meeting. Staff also looked at fixed-route services for 1,500 customers and other areas such as Washington Metro where STS riders were certified, Mr. Kapoor noted. He explained that Transit had done much to reduce the STS operating costs internally, and currently, Miami-Dade was the second largest county in the country with heavy usage of STS, at about 6,000 boardings per day.

In response to Commissioner Gimenez' question regarding how much it cost the County annually to operate the STS program, Mr. Kapoor noted the cost to operate the STS program was approximately \$43 million per year. He also noted that the Transit Agency received an approximate \$6 million subsidy for the program from the Florida Transport Disadvantaged (TD) program, and that the Transit Agency collected about \$3 million in fares.

In response to Commissioner Gimenez' question of whether the \$43 million cost was subsidized by the General Fund, Mr. Kapoor noted the General Fund, the People's Transportation Plan (PTP) funds and federal funds were combined to provide the \$43 million.

Commissioner Gimenez asked Mr. Kapoor to provide him with a report highlighting the Federal Transit Administration (FTA) regulations and the Americans with Disabilities Act (ADA) standards for the STS program and the differences between the federal regulations and the County's existing STS policies, as well as any cost differences. He also asked Mr. Kapoor to identify in the report the other ways in which STS was being provided around the County, the cost per trip, and the ways the County could reduce its cost per trip without significantly impacting this service. Commissioner Gimenez stated he felt these transportation services were being abused in some circumstances, and he wanted to determine if an issue existed with zones or if the cost of these services could be reduced.

Commissioner Seijas requested the Committee be allowed to review the RFP before it was advertised so that all concerns could be addressed and that some of the service could possibly be restructured.

Commissioner Rolle concurred with Commissioner Seijas' request that the Committee be allowed to review the RFP before it was issued.

Chairwoman Jordan noted, as the Chair of the STS Oversight Task Force (TF), she understood the TF was initially created to review the RFP that was prepared several years ago and address the concerns of the industry and the customers that were involved in the process. She noted the TF, which consisted of providers and riders, held two meetings over the past month during which staff presented proposed changes to the existing STS operations and submitted about sixteen (16) recommendations to be incorporated into the new RFP. The Police Department and the Public Corruption Unit also provided input and submitted a list of recommendations for monitoring and accountability purposes based on investigations conducted, and a public hearing was held to facilitate the community's input, she added. Chairwoman Jordan noted this process resulted in eight (8) of the sixteen (16) recommendations being integrated into the new RFP. The Chairwoman expressed concern that the use of federal funds prevented local preference from being included in the RFP process.

Assistant County Attorney Bruce Libhaber affirmed that local preference could not be included in the RFP process if the County was

pursuing federal dollars.

Chairwoman Jordan expressed concern with the Committee selectively reviewing one RFP, and noted the Committee should review all RFPs if it was to review one of them. She pointed out the TF was established by the Board of County Commissioners (BCC) for a purpose, which she felt was fulfilled, and she would not support the RFP going before the full Commission.

Commissioner Seijas pointed out the County Commission would be held responsible for answering to the public's concerns regarding the STS, and they would have no other way to address this process unless they were engaged in it. She noted her intention was not to undermine the TF's efforts, but felt the RFP fell into a special category because of the population served by the STS, and it should be reviewed by the Committee. She strongly requested the Chair consider having the RFP come before the Committee for review.

Commissioner Gimenez agreed with Commissioner Seijas' comments. He noted he also chaired the TF when he was Chairman of the Transportation Committee. He noted the importance of balancing the customers' needs and wants with the providers' and taxpayers' needs. He said he would like to see the RFP and the cost of the county's STS policies to determine whether added services were needed, which should be decided by the Committee as a whole. Commissioner Gimenez noted that any RFP with policy directions that could be changed to save the County some money, without significantly impacting services, should be considered before the RFP was advertised. He pointed out that any deficit in the STS program would be made up with funds from the General Fund, and felt the Committee needed to discuss the RFP as a policy issue.

Chairwoman Jordan asked if a process was established to review the RFP when Commissioners Rolle and Gimenez chaired the TF, to which Commissioner Gimenez responded that no RFP was in process at those times.

Commissioner Rolle expressed concern with local preference excluded from any major RFP that could affect an industry or impact the County's economy. He noted his primary objective was to keep people employed. Commissioner Rolle asked whether local preference was excluded from this

RFP process because the Transit Agency received federal dollars or because this particular project received federal dollars.

Assistant County Attorney Libhaber noted Transit received federal dollars to operate the STS program and the federal government was helping to subsidize this contract, which meant that local preference would not apply based on the federal provisions.

Commissioner Rolle asked Assistant County Attorney Bruce Libhaber to meet with him to provide him with further clarification regarding the federal regulations pertaining to the STS program and local preference.

Commissioner Sorenson agreed with Chairwoman Jordan's comments regarding the Committee selectively reviewing RFPs, and said she felt the Commission should have a policy in place for reviewing all RFPs, perhaps those with a certain dollar amount. She noted the time factor and cost to review RFPs would need to be discussed as well. Commissioner Sorenson pointed out that the County's budget was policy and if the millage rate was not increased next year then adjustments would need to be made, and the Board needed to look at this RFP in that context.

Commissioner Edmonson agreed with the comments of Commissioners Seijas and Gimenez regarding their desire to review the RFP before it was advertised. She noted by reviewing the RFP, the Board could avoid having to send staff back to renegotiate the contract. Commissioner Edmonson said she preferred that local preference be included in the RFP process, but since it was excluded by federal guidelines, she suggested the Commission try to ensure that the firm which received the contract award would hire local workers.

In response to Chairwoman Jordan's question as to whether this Committee could conduct a workshop on the RFP, Assistant County Attorney Libhaber advised that the Committee could conduct said workshop.

Chairwoman Jordan noted she was aware that Commissioner Martinez had submitted a memorandum requesting that the BCC Chair allow the RFP to go before the full BCC; however, a workshop to discuss the RFP would be appropriate since this Committee had jurisdiction

over the Transit Agency, and the TF had been responsive to the concerns of the industry and the customers who were involved in the process. She suggested a workshop be scheduled within the next two weeks.

Commissioner Seijas suggested the workshop be held on June 16, 2009.

Chairwoman Jordan asked staff to schedule a Workshop of the Transit, Infrastructure and Roads Committee for June 16, 2009 at 2:00 p.m. to discuss the Request for Proposals (RFP) for Special Transportation Services (STS).

Commissioner Gimenez asked Mr. Kapoor to provide each Committee member with a copy of the RFP before the June 16th workshop of this Committee.

1D PUBLIC HEARING(S)

1D1

090907 Ordinance

ORDINANCE EXTENDING THE ECONOMIC STIMULUS ORDINANCE FOR AN ADDITIONAL PERIOD, ADDING TO THE SCOPE OF THE ORDINANCE CAPITAL PROJECTS AND THE PURCHASE OF GOODS AND SERVICES FUNDED THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA); AMENDING SECTION 2-8.2.7 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AN EFFECTIVE DATE AND A SUNSET (Office of Capital Improvements)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconded: Seijas

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed ordinance into the record.*

Chairwoman Jordan opened the public hearing on this proposed ordinance. Hearing no one wishing to speak, she closed the public hearing.

It was moved by Commissioner Rolle that this proposed ordinance be forwarded to the County Commission with a favorable recommendation. This motion was seconded by Commissioner Seijas, followed by discussion.

Commissioner Gimenez asked how the process described on handwritten page 4 of this proposed ordinance applied to contracts for the purchase of goods and services funded in whole or part through the American Recovery and Reinvestment Act (ARRA).

Mr. Johnny Martinez, Director, Office of Capital Improvements (OCI), noted the process was applicable under ARRA, and due to strict federal timelines, staff did not want to jeopardize any federal funding.

In response to Commissioner Gimenez' questions regarding the process the Mayor or his designee would follow, and the meaning of the language in Section (5) on handwritten page 6 of this ordinance regarding authority delegated to the Mayor or his designee, which shall be in addition to and not in derogation to other delegations of authority set forth elsewhere in this Code, Mr. Martinez noted the Mayor or his designee would follow the County's procurement guidelines administratively, and the language meant the delegated authority set forth in this ordinance could not conflict with other parts of the County's code which delegated authority administratively

for awarding contracts of up to a limited amount.

In response to Commissioner Gimenez' question regarding whether this delegation would be bound by a certain dollar amount, Mr. Martinez noted that no dollar amount was determined for this ordinance and that all awards would be subject to Board ratification at a subsequent available Board of County Commissioners meeting.

Responding to Commissioner Edmonson's question regarding whether the goals for job creation were met under the ARRA, Mr. Martinez noted he did not have an answer at this time.

Commissioner Edmonson asked the Office of Capital Improvements Director to provide her with a report identifying the total number of local jobs created under the American Recovery and Reinvestment Act (ARRA).

Responding to Chairwoman Jordan's request for a statement regarding how the streamlined process for review of projects had worked for the review committee since the expedited process was implemented, Ms. Penny Townsley, Director, Department of Small Business Development (SBD), responded that the SBD had experienced a five-day reduction in the timeframe for review of projects since implementing the expedited process. She explained that this process used to take eight days, but now took three days or less.

Mr. Martinez noted the biggest time savings was the time saved in moving projects through the committee process and to the Board of County Commissioners for approval.

Commissioner Rolle asked Mr. Martinez to determine if the permitting process could be included as part of the expedited process for projects under the Economic Stimulus Plan (ESP) Program.

Hearing no further comments or questions, the Committee proceeded to vote on this proposed ordinance as presented.

2 COUNTY COMMISSION

2A

091603 Resolution

Barbara J. Jordan,

Audrey M. Edmonson

RESOLUTION REQUESTING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO STUDY FEASIBILITY OF MIAMI-DADE TRANSIT DEPARTMENT OPERATING THE AUTOMATED PEOPLE MOVER THAT CONNECTS MIAMI INTERNATIONAL AIRPORT TO THE MIAMI INTERMODAL CENTER *Amended*

Report: *(See Agenda Item 2A Amended; Legislative File No. 091821 for the amended version)*

2A AMENDED

091821 Resolution

Barbara J. Jordan,

Audrey M. Edmonson, Dorrin D. Rolle
RESOLUTION REQUESTING THE COUNTY MAYOR OR
MAYOR'S DESIGNEE TO STUDY FEASIBILITY OF
MIAMI-DADE TRANSIT DEPARTMENT OPERATING
THE AUTOMATED PEOPLE MOVER THAT CONNECTS
MIAMI INTERNATIONAL AIRPORT TO THE MIAMI
INTERMODAL CENTER [SEE ORIGINAL ITEM UNDER
FILE NO. 091603]

*Forwarded to BCC with a favorable
recommendation with committee
amendment(s)*

Mover: Jordan

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read
the foregoing proposed resolution into the record.*

*Chairwoman Jordan relinquished the Chair to
Vice-Chairman Gimenez.*

*Commissioner Edmonson asked that she be listed
as a co-sponsor to this resolution.*

*Commissioner Rolle questioned whether a cost
savings could be achieved if the Miami-Dade
Transit Agency (Transit) replaced the Miami-Dade
Aviation Department as the operator and
maintainer of the Automated People Mover that
connects Miami International Airport (MIA) with
the Miami Intermodel Center (MIC).*

*Mr. Kapoor, Director, Transit, noted Transit was
reviewing the existing contract and working with
the Aviation Department Director to determine if a
cost savings could be achieved by Transit
providing this service in-house. He also noted
Transit would need sixty (60) days to complete this
feasibility study.*

*Commissioner Rolle stated he supported this
proposal if Transit could do the task more
efficiently than the Aviation Department.*

*In response to Vice-Chairman Gimenez' question
whether this was a Design, Build, Operate and
Maintain (DBOM) contract, Assistant County
Manager Ysela Llort affirmed this was a DBOM
contract and her office would need to review its
framework for legal sufficiency.*

*Vice-Chairman Gimenez noted his concern with
this contract being a DBOM contract. He noted
that if the contract was legally possible and
Transit was determined to be cheaper, he wanted
to ensure that Transit would be held accountable
for providing the service at its lesser price.*

Commissioner Jordan noted all of these concerns would be considered in the feasibility study. She pointed out that Transit currently maintained the Automated People Mover operation for the City of Miami, and that it was unfortunate the County contracted out the maintenance of this operation when it could have been handled in-house. She noted she felt that Transit should be given the opportunity to do this task if this contract was determined to be legal.

Hearing no further comments or questions, the Committee forwarded the foregoing proposed resolution to the County Commission with a favorable recommendation with committee amendment(s) to require this feasibility study be provided to this Committee within 60 days in lieu of 30 days.

3 DEPARTMENTS

3A

091699 Resolution

RESOLUTION RATIFYING THE COUNTY MAYOR'S OR COUNTY MAYOR'S DESIGNEE ACTIONS, AS AUTHORIZED BY SECTION 2-10.4 OF THE CODE OF MIAMI-DADE COUNTY IN APPROVING AGREEMENTS FOR CONTINUING SERVICES UNDER THE COUNTY'S EQUITABLE DISTRIBUTION PROGRAM (Office of Capital Improvements)

*Forwarded to BCC with a favorable recommendation
Mover: Sorenson
Secunder: Edmonson
Vote: 6-0*

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3B

091712 Resolution

RESOLUTION APPROVING RETROACTIVE CHANGE ORDER NO. 01 (FINAL) TO CONTRACT BETWEEN C.G. CHASE CONSTRUCTION MANAGEMENT, INC. AND MIAMI-DADE COUNTY FOR PROJECT NO: TR06-BF13 PTP; CONTRACT NO: TR06-BF13, CORAL WAY BUS WASH FACILITY CONSTRUCTION; INCREASING THE CONTRACT TIME BY 49 CALENDAR DAYS AND DECREASING THE CONTRACT AMOUNT BY \$129,990.88; AND AUTHORIZING THE COUNTY MAYOR, OR COUNTY MAYOR'S DESIGNEE, TO EXECUTE SAME (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Rolle
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3C

091715 Resolution

RESOLUTION AUTHORIZING THE FILING AND EXECUTION OF A TRANSPORTATION DISADVANTAGED TRUST FUND TRIP AND EQUIPMENT GRANT APPLICATION AND AGREEMENT WITH THE FLORIDA COMMISSION FOR THE TRANSPORTATION DISADVANTAGED IN THE AMOUNT OF \$6,712,961; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS; AUTHORIZING THE FILING AND EXECUTION OF ANY ADDITIONAL AGREEMENTS, REVISIONS OR AMENDMENTS AS REQUIRED TO CARRY OUT THE PROJECTS FOR AND ON BEHALF OF MIAMI-DADE COUNTY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS (Miami-Dade Transit Agency)

Forwarded to BCC with a favorable recommendation
Mover: Gimenez
Seconder: Sorenson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3D

091731 Resolution

RESOLUTION GRANTING PETITION TO CLOSE THE ALLEY SOUTH OF NW 54 STREET, FROM NW 24 COURT TO NW 24 PLACE (ROAD CLOSING PETITION NO. P-871) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Edmonson

Second: Rolle

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3E

091732 Resolution

RESOLUTION GRANTING PETITION TO CLOSE NW 29 COURT, FROM NW 99 STREET TO NW 100 STREET (ROAD CLOSING PETITION NO. P-873) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Second: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3F

091713 Resolution

RESOLUTION ACCEPTING A QUIT CLAIM DEED FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR NW 38 COURT, FROM NW 22 STREET TO NW 25 STREET; NW 39 AVENUE, FROM COUNTY CLOVERLEAF RIGHT-OF-WAY TO NW 25 STREET; NW 41 ROAD, FROM NW 22 STREET TO NW 24 STREET; NW 22 STREET, FROM NW 38 COURT TO NW 41 ROAD; NW 24 STREET, FROM NW 39 AVENUE TO NW 42 AVENUE; AND THE ALLEYWAY EAST OF NW 42 AVENUE (LEJEUNE ROAD), FROM NW 24 STREET TO NW 25 STREET IN SECTION 29, TOWNSHIP 53 SOUTH, RANGE 41 EAST (SEE AGENDA ITEM NO. 50) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3G

091716 Resolution

RESOLUTION GRANTING PETITION TO CLOSE NW 38 COURT, FROM NW 22 STREET TO NW 25 STREET; NW 39 AVENUE, FROM COUNTY CLOVERLEAF RIGHT OF WAY TO NW 25 STREET; NW 41 ROAD, FROM NW 22 STREET TO NW 24 STREET; NW 22 STREET, FROM NW 38 COURT TO NW 41 ROAD; NW 24 STREET, FROM NW 39 AVENUE TO NW 42 AVENUE; AND THE ALLEYWAY EAST OF NW 42 AVENUE (LEJEUNE ROAD), FROM NW 24 STREET TO NW 25 STREET (ROAD CLOSING PETITION NO. P-875) (SEE AGENDA ITEM NO. 8P1L) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3H

091604 Resolution

RESOLUTION ACCEPTING CONVEYANCES OF VARIOUS PROPERTY INTERESTS FOR ROAD PURPOSES TO MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3I

091605 Resolution

RESOLUTION APPROVING EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF HIALEAH IN THE AMOUNT OF \$14,400,000 TO FUND THE CONSTRUCTION OF IMPROVEMENTS ALONG NW 138 STREET, FROM NW 107 AVENUE TO FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY AT I-75; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Seijas

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3J

091617 Resolution

RESOLUTION DESIGNATING A PORTION OF MIAMI-DADE COUNTY OWNED PROPERTY FOR SW 89 STREET AS ROAD RIGHT-OF-WAY BETWEEN SW 97 AVENUE AND SW 96 AVENUE, IN SECTION 5, TOWNSHIP 55 SOUTH, RANGE 40 EAST (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3K

091711 Resolution

RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT DIRECTOR TO EXECUTE RAILROAD PRELIMINARY ENGINEERING AGREEMENTS FOR THE NECESSARY ENGINEERING DESIGN PHASE FOR PROPOSED IMPROVEMENTS TO NEW OR EXISTING RAILROAD CROSSINGS NOT TO EXCEED AN AMOUNT OF \$25,000.00; TO BE FUNDED THROUGH SECONDARY GAS TAX OR THE RELEVANT ROADWAY IMPROVEMENT PROJECT FUNDING SOURCE INCLUDING ROAD IMPACT FEE (RIF), PEOPLE'S TRANSPORTATION PLAN (PTP) OR BUILDING BETTER COMMUNITIES (BBC) GENERAL OBLIGATION BOND (GOB) FUNDS (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Ms. Esther Calas, Director, Public Works Department (PWD), provided information regarding the amount of railroad crossing improvements that had been done. She noted four (4) railroad crossings had been improved in the past three years and each was designed by the Railroad Company at a cost between \$8,000 and \$11,000. She also noted that the Railroad Company was now using consultants, as opposed to designing in-house, which was why they requested the monies upfront.

Chairwoman Jordan questioned how many railroad crossings would be done since this proposed resolution seemed open-ended and each rail road crossing could cost up to \$25,000.

Ms. Calas advised that PWD performed an analysis and determined that seven or eight railroad crossings would be improved over the next five years, all with People Transportation Plan (PTP) funds.

Hearing no further comments or questions, the Committee proceeded to vote on the foregoing proposed resolution as presented.

3L

091718 Resolution

RESOLUTION AUTHORIZING AN INTERDEPARTMENTAL AGREEMENT, BY AND BETWEEN MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT AND THE MIAMI-DADE COMMUNITY ACTION AGENCY/GREATER MIAMI SERVICE CORPS (CAA/GMSC), AND ALLOWING COUNTY FUNDS, NOT TO EXCEED \$1,000,000.00 AND TO BE ISSUED IN INCREMENTS OF UP TO \$200,000.00, FOR THE CONSTRUCTION OF NEW SIDEWALKS (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Commissioner Edmonson questioned whether the \$1 million Quality Neighborhood Improvement Program (QNIP) funds came from a countywide source or from individual Commission Districts.

Ms. Esther Calas, Director, Public Works Department (PWD), noted those funds were from the individual Commission Districts.

In response to Commissioner Edmonson's question whether the use of the QNIP funds had already been approved, Ms. Calas noted these funds were already allocated by the Commission Districts and each Commissioner had the choice to use the contract with the Miami-Dade Community Action Agency/Greater Miami Service Corps (CAA/GMSC) or other available contracts. She noted this program was available to all Commission Districts.

Commissioner Seijas expressed concern that this program was made available to only a few Commission Districts. She noted, like all Commission Districts, her district had unemployed youth.

Ms. Calas clarified this was a countywide program that could be used by any Commission District, and she would research to determine why Commissioner Seijas was not offered this program. She noted only \$200,000 in work orders could be issued at one time and the work must be completed within one year.

Commissioner Seijas asked Ms. Calas to meet with her to further explain why the option to use this program was not offered to all District

Commissioners.

Assistant County Manager Ysela Llord noted staff could remedy this problem by ensuring the availability and cost of this program was communicated to each Commission District Office.

Chairwoman Jordan referenced an item she and Commissioner Rolle co-sponsored for use of resources on a beautification program in collaboration with the Greater Miami Service Corp and the Workers Resource Center and noted organizations were identified that could work on projects in specific areas. She asked the Executive Director of the Greater Miami Services Corp to reach out to all Commission Districts.

Ms. Calas clarified that the sites listed in this proposed resolution were sites already identified in Commission Districts 1, 2, 4 and 9, but the program was available to all Commission Districts countywide.

Ms. Debbie Dorsett, Executive Director, Greater Miami Service Corp, added that even though certain Districts were identified in this proposed resolution, the Greater Miami Service Corp served all youth countywide, and youth from various Commission Districts had participated on projects in this program.

Hearing no further comments or questions, the Committee proceeded to vote on this proposed resolution as presented.

3M

091729 Resolution

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL ONE (1), NEEDED FOR THE INSTALLATION OF A WATER MAIN, LOCATED ON NW 58 STREET BETWEEN NW 117 AVENUE AND NW 127 AVENUE, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT A VALUE ESTABLISHED BY APPRAISAL OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on this proposed resolution as presented.

3N

091723 Resolution

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL TWO (2), NEEDED FOR THE INSTALLATION OF A WATER MAIN, LOCATED ON NW 58 STREET BETWEEN NW 117 AVENUE AND NW 127 AVENUE, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT A VALUE ESTABLISHED BY APPRAISAL OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on this proposed resolution as presented.

30

091724 Resolution

RESOLUTION DECLARING THE ACQUISITION OF THE DESIGNATED PROPERTY KNOWN AS PARCEL THREE (3), NEEDED FOR THE INSTALLATION OF A WATER MAIN, LOCATED ON NW 58 STREET BETWEEN NW 117 AVENUE AND NW 127 AVENUE, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY IN FEE SIMPLE BY PURCHASE AT A VALUE ESTABLISHED BY APPRAISAL OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING DECLARATIONS OF TAKING, AS NECESSARY (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Second: Gimenez

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Hearing no comments or questions, the Committee proceeded to vote on this proposed resolution as presented.

3P

091752 Resolution

RESOLUTION APPROVING A CONTRACT AWARD RECOMMENDATION IN THE AMOUNT OF \$8,517,326.67 BETWEEN ACOSTA TRACTORS, INC. AND MIAMI-DADE COUNTY FOR THE PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT ENTITLED ROADWAY IMPROVEMENTS ALONG SW 62 AVENUE, FROM SW 24 STREET TO NW 7 STREET, LOCATED WITHIN COMMISSION DISTRICT 6 (PROJECT NO. 20060469 PTP ESP) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Gimenez

Seconder: Sorenson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed resolution into the record.*

Commissioner Seijas questioned whether a Memorandum of Understanding (MOU) would be developed for the use of stormwater utilities with those cities whose jurisdictions were crossed by this roadway.

Ms. Esther Calas, Director, Public Works Department, noted this was a county-maintained road, and the Stormwater Utility would only be used for maintaining the drainage system of this roadway, which would cost approximately \$1,000 per year.

Hearing no further comments or questions, the Committee proceeded to vote on this proposed resolution as presented.

3Q

091753 Change Orders

CHANGE ORDER NO. ONE AND FINAL (RETROACTIVE) FOR NW 62ND STREET FROM NW 47TH AVENUE TO NW 37TH AVENUE - PROJECT NO. 20050170; CONTRACT NO. 20050170, TO SOUTHEASTERN ENGINEERING CONTRACTORS, INC. (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Rolle

Seconder: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed change order into the record.*

Hearing no comments or questions, the Committee proceeded to vote on this proposed change order as presented.

3R

091755 Bid Rejection

REQUEST TO REJECT ALL PROPOSALS FOR DRAINAGE IMPROVEMENTS TO CARIBBEAN BLVD. OVER THE C-IN CANAL CROSSING - PROJECT NO: E08-PW-01; CONTRACT NO: 20080029 (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Sorenson

Second: Edmonson

Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing request to reject all proposals into the record*

Commissioner Edmonson asked why the number of First-Tier applicants eligible for the Certified Business Enterprise (CBE) set-aside project was not greater.

Ms. Penney Townsley, Director, Small Business Development (SBD), noted the Code required that only First-Tier CBE firms could compete for a CBE set aside contract. She explained that during the availability analysis, six firms were identified as First-Tier CBE firms and five of those firms actually bid on the project. Ms. Townsley further explained that two (2) Second-Tier firms also bid on this project, but were immediately found to be non-compliant, and some First-Tier CBE firms were found to be non-compliant because they chose Second-Tier sub-contractors.

In response to Commissioner Edmonson's question whether this Request for Proposals (RFP) had a flaw, Ms. Townsley noted she reviewed the attendance records for the pre-proposal conference where a detailed presentation on the requirements of the program was presented and only one firm was absent from the conference. She also noted some of the firms that submitted proposals had never done so as prime contractors, but she could not say anything was wrong with this process.

Responding to Commissioner Rolle's inquiry whether SBD monitored the Community Workforce Program, Ms. Townsley explained that SBD monitored this program for compliance.

Commissioner Edmonson asked Ms. Townsley to clarify her answer regarding the RFP and why this set-aside contract had only two (2) eligible First-Tier applicants.

Ms. Townsley noted two of the six proposers were

Second-Tier CBE firms and the other four proposers were First-Tier CBE firms; however, only one of these four was determined to be compliant because the others had Second-Tier subcontractors as part of their team. She explained that with a First-Tier CBE set aside contract, the entire team had to be First-Tier CBE certified.

Commissioner Edmonson asked Ms. Townsley to meet with her to further clarify the bid process procedures followed for this contract.

Responding to Chairwoman Jordan's question regarding how rejecting all proposals and going out for bid again would correct this issue, Ms. Townsley noted six First-Tier CBE firms were identified to compete for this project during the availability analysis, however, only four of those firms actually competed, and one of the four firms did not respond to the availability analysis.

Hearing no further comments or questions, the Committee proceeded to vote.

4 CLERK OF THE BOARD

4A

091658 Report

CLERK'S SUMMARY MEETING MINUTES FOR MAY 13,
2009 TRANSIT, INFRASTRUCTURE & ROADS
COMMITTEE (Clerk of the Board)

Approved
Mover: Gimenez
Seconder: Rolle
Vote: 6-0

5 REPORTS

5A

091559 Report

PEOPLE'S TRANSPORTATION PLAN 90-DAY REPORT
2ND QUARTER FISCAL YEAR 2008-2009 (County
Manager)

Report Received
Mover: Rolle
Seconder: Sorenson
Vote: 6-0

Report: *Commissioner Edmonson asked why the NE 2nd Avenue Traffic Improvement Project from West Little River Canal to NE 91st Street was ongoing if the language on handwritten page 13 of this report indicated the completion date as January 2009.*

Mr. Frank Aira, People's Transportation Plan (PTP) Coordinator, Public Works Department (PWD), noted the month referenced in this report was a scrivener's error and should be reflected as June 2009; however, the bridge was delayed and staff was working with the contractor to get a final completion date.

Commissioner Edmonson asked Ms. Esther Calas, Director, PWD, to provide her with an estimated completion date for the street improvement project at NE 2nd Avenue from West Little River Canal to NE 91st Street.

No further questions or comments were heard on the foregoing report.

5B

091721 Report

MONTHLY INVOICING AND DBE STATUS REPORT ON
THE PROGRAM MANAGEMENT CONSULTANT (PMC)
CONTRACT
(County Manager)

Report Received
Mover: Sorenson
Seconder: Edmonson
Vote: 6-0

Report: *Assistant County Attorney Bruce Libhaber read the foregoing proposed report into the record.*

The Committee proceeded to vote on the foregoing report as presented.

Assistant County Manager Ysela Llord noted a discussion had occurred regarding the idea that this report had served its time since the Disadvantaged Business Enterprise (DBE) had met the established participation goal and little Program Management Consultant (PMC) work was currently being performed.

No further questions or comments were heard on this report.

5C

091722 Resolution

MONTHLY ORANGE LINE UPDATE (County Manager)

Report Received
Mover: Edmonson
Seconder: Gimenez
Vote: 6-0

Report: *Chairwoman Jordan asked that on future Committee agendas, the title of the foregoing report reflect the report as a quarterly update on the Miami Intermodal Center (MIC)/Earlington Heights project instead of a monthly update on the Orange Line project.*

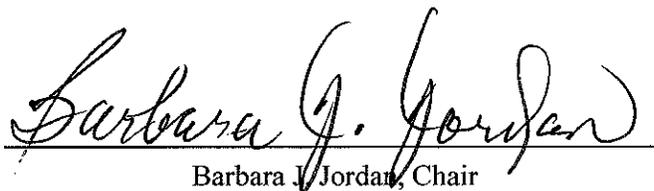
6 POLICY MATTERS FOR DISCUSSION

092066 Report
NON-AGENDA

Report: *Commissioner Seijas noted during the County's budget process she would monitor each County department to determine whether female staff members were being treated inequitably because of their gender, and she would speak up if she determined that this was the case.*

7 ADJOURNMENT

Report: *There being no further business to come before this committee, the Transit, Infrastructure and Roads Committee meeting was adjourned at 3:25 p.m.*


Barbara J. Jordan, Chair