

Memorandum



Date: April 12, 2013

To: Emilio T. Gonzalez, Director
Miami-Dade Aviation Department

From: Carlos A. Gimenez 
Mayor

Subject: Revised Signature Authority

This memorandum supplements my earlier Signature Authority memorandum dated April 2, 2013.

In keeping with the Signature Authority given to me by the Board either by resolution or by ordinance (including but not limited to Section 2-285(7) of the Code of Miami-Dade County), effective immediately you are authorized to take the following actions and to sign the following items for Miami-Dade County's Aviation Department:

- 1) Execution of tenant/user leases and permits to conduct business on County properties which are within the delegated authority of the County Mayor and which do not require County Commission approval.
- 2) Reimbursement for construction and other costs under airport tenant leases relating to a tenant's relocation of all or a portion of its premises, preparation of premises for occupancy, or making emergency repairs, within the limitations provided in Section 2-285 of the County Code (County Mayor's authority as to contracts for the Aviation Department attached).
- 3) Standard form federal grant documents or state joint participation agreements, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits, subject to ratification of the Board.
- 4) Execution of all documents that are (i) approved by the Board under a resolution or other document that authorizes the Mayor or designee to execute the documents, and (ii) a direct consequence of Board approvals of underlying documents, such as applications for permits or approvals pertaining to construction or development contracts, extension of leases or acknowledgement of option or renewal periods set forth in lease or other contract documents, estoppel certificates and memorandums of leases under development lease agreements or financing agreements, and other like actions that are a direct consequence of Board approval of an underlying document.
- 5) Travel authorizations for MDAD staff and members of the Police and Fire Departments serving MDAD, but such authority does not extend to the following: (i) international travel, (ii) travel for 3 or more persons attending one function, (iii) domestic or international travel for federal or state legislative activities, and (iv) travel of any sort for you as the Aviation Director.

- 6) Re-delegation of the foregoing authorizations to a Deputy Director of the Aviation Department, except for travel authorizations under Paragraph 5. Deputy Directors shall not have the authority to re-delegate their authorizations. You may further delegate to any Deputy Director the authority provided by state law for the Aviation Director to take actions specifically authorized by state statute, such as but not limited to disposal of aircraft, vehicles, and property abandoned on airports as provided in Chapter 705, Florida Statutes.

Please use your judgment when reviewing items for signature, and please require any senior executive of your staff who has been provided with any re-delegated authority to use their judgment when reviewing items for signature. If an item is controversial, sensitive or otherwise significant, please forward it to my attention or discuss it with me personally.

Attachment

c: Jack Osterholt, Deputy Mayor/Director
R. A. Cuevas, Jr., County Attorney
Harvey Ruvin, Clerk of the Board
Office of the Mayor Senior Staff

PART III - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

ARTICLE XXXII. - AVIATION DEPARTMENT

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Sec. 2-285. - County Manager's authority as to contracts for the Aviation Department.

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Notwithstanding any other provision of the Miami-Dade County Code to the contrary, the County Manager shall have the following authority:

- (1) As to any Aviation Department contract to which Sections [2-8.2](#), [2-8.2.3](#) or [2-8.2.4](#) are applicable, the County Manager may advertise any competitive contract in which appropriate contract measures as provided in Sections [2-8.2\(3\)\(c\)](#), [2-8.2.3\(3\)\(c\)](#), and [2-8.2.4\(3\)\(c\)](#) have been specified; issue bid and proposal documents including addenda thereto; receive, open and review bids and proposals; issue notices to proceed after award; advertise, select committees for, and negotiate professional services agreements under [Section 2-10.4](#) of the Code; issue amendments to any professional services agreement after award by the Board, including any professional services agreement that relates to a construction or project contract which has been increased in scope hereunder or by approval by the Board (subject, however, to any limitations on such authority as may be contained in the statutory and code provisions applicable to competitive selection of professional services); and perform all the foregoing for professional services agreements not subject to [Section 2-10.4](#); provided however, that the authority in this subsection (1) is subject subsection (4) of this section.
- (2) The County Manager may provide in the bid specifications and contract documents that the contract time may be extended and that liquidated damages for failure to comply therewith may be waived before or after the specified date for completion of the contract;
- (3) The County Manager may negotiate and settle contractor claims, and issue change orders for additional work under contracts and amendments for professional services agreements; as to any specific contract or agreement, change orders or amendments thereto shall not exceed five hundred thousand dollars (\$500,000.00) in cumulative dollar amount and shall not exceed fifteen (15) percent of the contract price in cumulative percentage amount; provided however, that the foregoing limitation shall not apply to any change order or amendment related to environmental remediation or health requirements, and the foregoing change orders and amendments shall require ratification by the Board; provided further, that the County Manager may reduce in any amount the scope and compensation payable under any contract and grant compensable and non-compensable time extensions thereunder.
- (3.1) The provisions of subsection (3) above notwithstanding, the County Manager shall have the authority to issue change orders or amendments provided that the cumulative effect of any such change orders and amendments to a specific contract or agreement does not exceed twenty (20) percent of the original amount of such contract or amendment, and further provided that the consulting engineer (under the existing trust indenture), the Aviation Director, and the Miami-Dade Aviation Consultants (DAC) concur in such action, that the change order or amendment is submitted to the County Commission for ratification within one hundred eighty (180) days. The County Manager shall report on a monthly basis to the Aviation Operations Committee of the County Commission on his actions taken in exercising the authority delegated to him hereunder. the County Manager shall not have delegated authority hereunder to issue any change order or amendment that is the result of design errors or omissions, and any such change order or amendment shall require prior County Commission approval.

Note—Ord. No. 95-210, amended § 2-285 by the addition of subsection (3.1) and § 3 of said ordinance provided sunset provisions which provided that the provisions of subsection (3.1) of

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Chapter 2 - ADMINISTRATION

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Section 2-285 shall stand repealed twelve (12) months from its effective date (adopted Nov. 21, 1995, effective 10 days after the date of enactment.)

- (4) All actions taken by the County Manager under this section shall not require review by any Committee, but the County Manager shall obtain approval of the Board to execute any contract or agreement submitted under subsection (1);
- (5) For any lease with an airport tenant, the County Manager may authorize reimbursement for construction and other costs for the tenant's relocation of all or a portion of its premises, preparation of premises for occupancy, or making emergency repairs, provided the tenant obtains competitive bids for construction work, follows the procedures in [Section 2-10.4](#) for obtaining professional services covered therein, complies with contract measures as approved by the County Manager, and complies with direction otherwise provided by the Aviation Department;
- (6) Subject to ratification of the Board, the County Manager may execute all standard form federal grant documents or state joint participation agreements, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits;
- (7) The County Manager may delegate authority for execution by the Aviation Director or his immediate designee of actions and authorizations permitted hereunder; and
- (8) For all Aviation Department contracts subject to [Section 2-8.3](#) of the Code, the County Manager may waive the provisions of [Section 2-8.3](#) to the extent provided in the solicitation documents.
- (9) The County Manager shall prepare and submit to the County Commission for approval, an Administrative Order which shall establish procedures to expedite the review and approval of change orders, including total quality management techniques and concurrent review by departmental and consultant staff.

(Ord. No. 95-64, § 2, 4-6-95; Ord. No. 95-210, §§ 1—3, 11-21-95)

Cross reference— Aviation Department rules and regulations, Ch. 25.