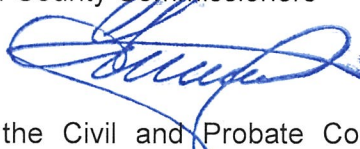


Memorandum



Date: April 12, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Bi-Monthly Update on the Civil and Probate Courthouse Project, Response to Resolution No. R-553-18

On June 5, 2018, the Board of County Commissioners (Board) adopted Resolution No. R-553-18, which directed the County Mayor or County Mayor’s designee to issue a hybrid P3 solicitation for the Civil and Probate Courthouse Project (Courthouse Project) and to provide a corresponding status report every 60 days until a contract award recommendation is made. This report provides 1) an update on the progress made on the Courthouse Project; 2) a summary of the feedback received from public stakeholder meetings, and 3) the next steps for the project over the upcoming 60-day period.

Courthouse Project Progress

The below project timeline was originally distributed to the Board on June 15, 2018 and relevant project updates have been included in this report to inform the Board of the County’s progress towards achieving its target completion dates for the Courthouse Project. Due to the significant progress made by County staff, the Administrative Office of the Courts (AOC), the Clerk of the Courts (COC), and the County Attorney’s Office, the Courthouse Project remains on schedule and a contract recommendation is anticipated to be presented for Board approval in November 2019.

Civil and Probate Courthouse Progress Update		
Activity	Original Target Date	Progress Update
Release Draft RFP – Phase 1	July 2018	Completed on schedule on July 10, 2018.
Release Final RFP – Phase 1	August 2018	Completed on schedule on August 1, 2018.
Response Period, RFP – Phase 1	August – September 2018	Completed on schedule on September 27, 2018.
Evaluation Period, RFP – Phase 1	October – November 2018	Initial evaluations completed on schedule on November 16, 2018. Final scoring completed in December 2018.
Release Draft RFP – Phase 2	December 2018	Completed on schedule with the issuance of RFP-Phase 2 to short listed respondents on December 31, 2018.
Release Final RFP – Phase 2	May 2019	Now scheduled to be completed in May 2019. At the request of all three developer teams, the AOC and COC have agreed to schedule an additional negotiation meeting in May prior to releasing the Final RFP.
Response Period, RFP – Phase 2	May - August 2019	On schedule. All developer teams agreed to a shorter response period to allow for an additional negotiation meeting.
Evaluation, RFP – Phase 2	August – September 2019	On schedule.
BCC Approval of Comprehensive Agreement	April 2020	On schedule. Contract award is now anticipated in November 2019.
Construction Start	July 2020	On schedule. Estimated construction start is dependent on results of environmental studies which will be available in April.

Public Stakeholder Meetings

The County held a public meeting on March 1, 2019 with stakeholders to discuss the Courthouse Project and each stakeholder's respective visions, ideas, concerns, and considerations for the new facility. A representative from each of the three shortlisted developer teams also participated. Attendees included the Chief Judge for the Eleventh Judicial Circuit, the Clerk of the Courts, and representatives from the Miami-Dade Cultural Affairs Department, Miami-Dade Public Library System (Library System), HistoryMiami, the Dade County Bar Association, the Downtown Development Authority (DDA), and the general public.

The operational impact of the Courthouse Project on tenants in the Cultural Center Plaza, including the need to maintain service and pedestrian access points, was the primary area of concern for adjacent stakeholders. The County is evaluating all potential solutions with tenants, including the potential 1) relocation of the service access drive to Flagler Street and 2) conversion of the pedestrian path immediately under the Metrorail line to a service access road to be used for deliveries to the Cultural Center. The County expects the successful developer team to coordinate with adjacent stakeholders, including HistoryMiami, during the construction and operations periods and to incorporate design solutions in their proposals that address stakeholders concerns such that any operational impacts are effectively resolved. Written requirements have been provided by both the Library System and HistoryMiami so that procurement staff can address these with developers during negotiations.

An additional public meeting was held on April 11, 2019 to discuss the potential 1) acquisition of an aerial easement from the City of Miami and 2) realignment of NW 1 Avenue. Commissioner Heyman, Commissioner Higgins, the Chief Judge for the Eleventh Judicial Circuit, and Deputy Mayor Marquez were in attendance. Staff representing the County Attorney's Office, the Clerk of Courts, the Internal Services Department, the Department of Transportation and Public Works, the Library System, Cultural Affairs, HistoryMiami, the City of Miami, and the DDA were also in attendance.

At the conclusion of the meeting it was decided that the County would immediately initiate a request for an aerial easement from the City of Miami above the right-of-way owned by the City alongside NW 1 Avenue. This easement is required to allow developer teams to accommodate the most efficient courtroom to floor ratio for the Courthouse program and would allow upper floors of the facility to slightly encroach above the sidewalk along NW 1 Avenue by a few feet. Without an aerial easement, developer teams may need to either increase the number of courtroom floors, which will increase the project cost, or reduce the square footage of program elements to fit the required programming within the physical constraints of the site. The aerial easement must be expeditiously approved by the City Commission and County Commission to be included in the Final RFP, which is scheduled to be released on May 23, 2019.

A proposed realignment of NW 1 Avenue was also discussed in the course of the public stakeholder meeting. Specifically, the County is exploring the future removal of a non-revenue parallel parking lane and one of two south-bound traffic lanes on NW 1 Avenue. This realignment would widen the facility's setback from the street and allow for additional pedestrian gathering space adjacent to the Courthouse. To pursue a road realignment, the City previously advised that the County would be required to submit design drawings for the City's review and approval. Designs for the proposed realignment have not been developed and would require the engagement of a civil engineer for approximately three months. The City also advised that the expanded right-of-way could not be used to increase the building footprint, as state law prohibits permanent structures from being on right-of-way. Stairs or ramps within the right-of-way would likewise be prohibited.

Due to timing considerations and the restrictions of use, the County will not be including the proposed realignment in the current Courthouse Project scope, but is evaluating a potential realignment in parallel with this project or as part of the sale of the existing civil courthouse at 73 W. Flagler Street

(Historic Courthouse). To initiate this evaluation, the Department of Transportation and Public Works will perform a traffic study to determine the impact of the potential realignment on traffic flow in the downtown area as well as any impacts to existing bus routes. The results of the analysis will be included in a future bi-monthly report.

Negotiation Meetings

The County and stakeholders are holding monthly negotiation meetings with each shortlisted developer team to discuss the commercial terms of the contract, provide feedback on design concepts, review preliminary designs, and provide necessary clarifications on the solicitation documents. In March, all three developer teams requested that an additional meeting be scheduled in May in exchange for a corresponding reduction in the time allotted for the developer teams to prepare their proposals. The County, the Administrative Office of the Courts, and the Clerk of the Courts have agreed to accommodate the request, as it will enhance the design quality without impacting the procurement timeline.

Sale of Historic Courthouse

The County issued a Request for Information to approximately 2,900 firms to garner market feedback on the proposed sale and redevelopment of the civil courthouse located at the Historic Courthouse, with an up to five-year lease back term while the new courthouse is being constructed. The County received responses on March 21, 2019 from two interested firms, both of which suggested redevelopment of the Historic Courthouse to a hotel. The County intends to issue a Request for Proposals later this year which will require the successful developer to maintain certain historic elements to the building as part of its redevelopment plan. Additional information pertaining to the sale of the Historic Courthouse will be provided in future bi-monthly reports.

This report will be placed on the next available Board agenda pursuant to Ordinance No. 14-65. Should you require additional information, please contact Tara C. Smith, Director of the Internal Services Department, at 305-375-5893, or me directly.

c: Honorable Bertila Soto, Chief Judge, Eleventh Judicial Circuit
Harvey Ruvlin, Clerk of the Courts
Abigail Price-Williams, County Attorney
Geri Bonzon-Keenan, First Assistant County Attorney
Office of the Mayor Senior Staff
Tara C. Smith, Director, Internal Services Department
Jennifer Moon, Director, Office of Management and Budget
Alice Bravo, Director, Department of Transportation and Public Works
Mary Cagle, Inspector General
Yinka Majekodunmi, Commission Auditor
Linda Cave, Acting Director, Clerk of the Board Division
Eugene Love, Agenda Coordinator