



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Board of County Commissioners Meeting

July 3, 2012

9:30 A.M.

Commission Chamber

Research Division

Charles Anderson, CPA
Commission Auditor
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**Miami-Dade County Board of County Commissioners
Meeting Agenda**

July 03, 2012

Item Number(s)

5A
7C
8A3
8A5
8A6
8A7
8N2
9A1
9A2
9A3

Acknowledgements:

Bia Marsellos, Senior Legislative Analyst

Michael Amador-Gil, Senior Legislative Analyst

Elizabeth Owens, Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 5A (Exemption from the Responsible Wages)

File Number: 121243

Date of Analysis: June 27, 2012

Summary

The proposed ordinance provides an exemption from the Responsible Wages requirements for certain privately funded projects whose estimated cost is equal to or less than \$ 5 million, and deletes the exemption for certain privately funded projects when the estimated cost is greater than or equal to \$1 million.

Potential Fiscal Impact to the County

1. Future privately funded construction projects (i.e. Public Partnership Projects) on County owned land, the value of which is \$5 million or more, will not benefit from the proposed exemption.
2. If project costs are higher due to higher wage rates, any net leases or other revenue accruing to the County from the developed project could be reduced or operated lease or rent costs to the County could be higher than they would otherwise be.

Background

This proposed ordinance is very similar to Legislative File No. 102582 which was deferred on November 16, 2010.

Legislative File No. 102582 was deferred to no date certain pending the findings of a Florida International University survey to better determine the impact of the ordinance. Although the intent of the ordinance was to require the use of skilled workers and obtain better wages for workers, the fiscal impact could not be determined at that time.

Several concerns were raised during the discussions at that BCC meeting *relating to the fiscal impact to the County, unintended consequences to the private sector, whether it would be prospective applying only to projects advertised after the effective date of the ordinance and when would the County receive the findings of the FIU study and quantify the results in a report to the BCC.*

The Department of Regulatory and Economic Resources, Small Business Development (SBD), provided the Office of the Commission Auditor a list of projects that could be potentially impacted by the proposed ordinance. The list was compiled by the Office of Capital Improvements in 2010. *(Attached list of projects potentially impacted)*

According to SBD staff, the list has not been updated since that time and the FIU study was never conducted.

Comparison of Responsible Wage Ordinance

Legislative File No. 102582	Legislative File No. 121243
Sponsors: Natacha Seijas ,Prime Sponsor Sally A. Heyman ,Co-Sponsor	Sponsors: Sally A. Heyman ,Prime Sponsor Barbara J. Jordan ,Co-Sponsor
BCC 11/16/10 Deferred	BCC 6/19/12 Add-on; Passed as First Reading
ORDINANCE PROVIDING FOR RESPONSIBLE WAGES IN	ORDINANCE PROVIDING FOR RESPONSIBLE WAGES IN

<p>Legislative File No. 102582</p> <p>Sponsors: Natacha Seijas ,Prime Sponsor Sally A. Heyman ,Co-Sponsor</p> <p>BCC 11/16/10 Deferred</p>	<p>Legislative File No. 121243</p> <p>Sponsors: Sally A. Heyman ,Prime Sponsor Barbara J. Jordan ,Co-Sponsor</p> <p>BCC 6/19/12 Add-on; Passed as First Reading</p>
COUNTY CONSTRUCTION CONTRACTS; MODIFYING THE EXEMPTION FOR CERTAIN PRIVATELY FUNDED CONSTRUCTION PROJECTS; PROVIDING THAT CERTAIN PRIVATELY FUNDED PROJECTS WITH AN ESTIMATED COST LESS THAN FIVE MILLION DOLLARS WILL BE EXEMPT; DELETING THE EXEMPTION FOR PROJECTS WHOSE ESTIMATED COST EXCEEDS ONE MILLION DOLLARS; AMENDING SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE	COUNTY CONSTRUCTION CONTRACTS; MODIFYING THE EXEMPTION FOR CERTAIN PRIVATELY FUNDED CONSTRUCTION PROJECTS; PROVIDING THAT CERTAIN PRIVATELY FUNDED PROJECTS WITH AN ESTIMATED COST LESS THAN FIVE MILLION DOLLARS WILL BE EXEMPT; DELETING THE EXEMPTION FOR PROJECTS WHOSE ESTIMATED COST EXCEEDS ONE MILLION DOLLARS; AMENDING SECTION 2-11.16 OF THE CODE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE
<p>BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA: Section 1. Section 2-11.16 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows: Sec. 2-11.16. County construction contracts.</p> <p>(a) In addition to the other elements of the term "responsible bidder" in law or in the discretion of the Board of Commissioners of Miami-Dade County, as applies to competitively bid County contracts in excess of one hundred thousand dollars (\$100,000.00) for the construction, alteration, and/or repair, including painting or decorating, of public buildings or public works, will mean a bidder who provides documented proof in its bid that the various classes of laborers and mechanics will be paid no less than the specified overall hourly rates as set forth in the contract specifications. All leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land [[whose estimated cost is greater than or equal to one million dollars (\$1,000,000.00)]] will require laborers and mechanics performing such work be paid no less than the overall hourly rates required on competitively bid County construction contracts under this Section >>unless specifically exempted below<<. Fees for monitoring compliance with this Section will be charged as provided in the most current County-wide Budget as follows: for County construction contracts, the Department of Business Development will charge the using department therefor; for leases and contracts which provide for privately funded construction, alteration or repair of buildings or improvements on County owned land, the party contracting with the County will be charged therefor.</p>	<p>BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA: Section 1. Section 2-11.16 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows: Sec. 2-11.16. County construction contracts.</p> <p>(a) In addition to the other elements of the term "responsible bidder" in law or in the discretion of the Board of Commissioners of Miami-Dade County, as applies to competitively bid County contracts in excess of one hundred thousand dollars (\$100,000.00) for the construction, alteration, and/or repair, including painting or decorating, of public buildings or public works, will mean a bidder who provides documented proof in its bid that the various classes of laborers and mechanics will be paid no less than the specified overall hourly rates as set forth in the contract specifications. All leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land [[whose estimated cost is greater than or equal to one million dollars (\$1,000,000.00)]] will require laborers and mechanics performing such work be paid no less than the overall hourly rates required on competitively bid County construction contracts under this Section >>unless specifically exempted below<<. Fees for monitoring compliance with this Section will be charged as provided in the most current County-wide Budget as follows: for County construction contracts, the Department of Business Development will charge the using department therefor; for leases and contracts which provide for privately funded construction, alteration or repair of buildings or improvements on County owned land, the party contracting with the County will be charged therefor.</p>

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BCC 11/16/10 Deferred	BCC 6/19/12 Add-on; Passed as First Reading
***	***
<p>(i) Exemption for certain privately funded construction. This Section will not apply to leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is [[greater]] >>equal to or less<<2 than [[or equal to one]] >>five<>5<<,000,000.00) which are financed:</p> <p>(1) Solely through private sources, without one dollar (\$1.00) or more of financing provided through any federal, state, county or local governmental entity or bond sources including Industrial Development Authority (IDA) bonds or similar type of bond funding; or</p> <p>(2) by entities which meet all of three (3) of the following conditions: exemption from Federal Income Taxes under section 501(c)(3), not-for-profit and community-based.</p> <p>(j) The foregoing notwithstanding, any lease or contract entered into after the effective date of this ordinance which provides for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is [[greater]] >>equal to or less<< than [[or equal to one]] >>five<>5<<,000,000.00), receives IDA bond financing and also receives State and/or local development incentives (including but not limited to: waiver of or reduced impact or permit fees and reduced property or other taxes) based on job creation will not require payment of the overall hourly rates provided by this Section. Such lease or contract will provide that in the event the job creation requirements on which the foregoing development incentives were conditioned are not fulfilled, the lessee will be required to pay a penalty of up to twenty (20) percent of the cost of such construction, alteration or repair. Said penalty will be in addition to any rental or other payments required in each lease or contract to which this subsection applies. Said penalty will be paid to Miami-Dade County for deposit in the Department of Business Development Compliance Trust Fund and used to cover the costs of monitoring compliance with this Section.</p>	<p>(i) Exemption for certain privately funded construction. This Section will not apply to leases and contracts entered into after the effective date of this ordinance which provide for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is [[greater]] >>equal to or less<< than [[or equal to one]] >>five<>5<<,000,000.00) which are financed:</p> <p>(1) Solely through private sources, without one dollar (\$1.00) or more of financing provided through any federal, state, county or local governmental entity or bond sources including Industrial Development Authority (IDA) bonds or similar type of bond funding; or</p> <p>(2) by entities which meet all of three (3) of the following conditions: exemption from Federal Income Taxes under section 501(c)(3), not-for-profit and community-based.</p> <p>(j) The foregoing notwithstanding, any lease or contract entered into after the effective date of this ordinance which provides for privately funded construction, alteration or repair of buildings or improvements located on County-owned land whose estimated cost is [[greater]] >>equal to or less<< than [[or equal to one]] >>five<>5<<,000,000.00), receives IDA bond financing and also receives State and/or local development incentives (including but not limited to: waiver of or reduced impact or permit fees and reduced property or other taxes) based on job creation will not require payment of the overall hourly rates provided by this Section. Such lease or contract will provide that in the event the job creation requirements on which the foregoing development incentives were conditioned are not fulfilled, the lessee will be required to pay a penalty of up to twenty (20) percent of the cost of such construction, alteration or repair. Said penalty will be in addition to any rental or other payments required in each lease or contract to which this subsection applies. Said penalty will be paid to Miami-Dade County for deposit in the Department of Business Development Compliance Trust Fund and used to cover the costs of monitoring compliance with this Section.</p>
Section 2. If any section, subsection, sentence, clause or	Section 2. If any section, subsection, sentence, clause or

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provision of this ordinance is held invalid, the remainder of this ordinance will not be affected by such invalidity.	provision of this ordinance is held invalid, the remainder of this ordinance will not be affected by such invalidity.
Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, will become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.	Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, will become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.
N/A	Section 4. The substantive provisions of this ordinance will not apply to any lease or contract resulting from a competitive process advertised prior to the effective date of this ordinance. In the event the lease or contract is not the subject of a competitive process, and application of this ordinance affects in a material way matters negotiated prior to the effective date of this ordinance, the Mayor may request, in writing, the waiver of its requirements.
Section 4. This ordinance will become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, will become effective only upon an override by this Board.	Section 5. This ordinance will become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, will become effective only upon an override by this Board.

Additional Information provided by the Office of the Commission Auditor Research Division

(The information below is not related to the FIU study discussed on page one of the analysis.)

A report by the Research Institute on Social and Economic Policy (RISEP), *The State of Working Florida 2011*, focuses on how workers are faring in Florida's economy.¹

The RISEP report focuses on how workers are faring in Florida's economy, and the overriding theme in 2011 is the stark contrasts in the impact of the recession on different groups of workers. While higher educated workers in higher paying jobs appear to be doing fairly well and even gaining ground in wages, lower educated workers, African American workers, and young workers, are still facing extremely high unemployment rates and wage decreases.

¹ RISEP publishes research and data on issues of concern to low and middle income workers and their families in Florida. Their work focuses on working conditions, low wage workers, working poverty, living wage law and minimum wage laws, and high road development. RISEP also publishes data on Florida's work force, labor market statistics, wage levels, poverty, employment, shifts in jobs, quality of employment, immigration, race and gender statistics. RISEP is part of the Center for Labor Research and Studies of the School of International and Public Affairs at Florida International University.

The following are Highlights from the RISEP Report:

- *Florida was one of the hardest hit states during the Great Recession of 2007-2009, which was brought on by the housing and financial market crashes. Although some industries have gained jobs in the last six months and we are beginning to see some life in the housing market, there are still serious concerns about the possibility of a double dip recession given the very slow economic growth in the nation.*
- *During the worst point of the recession 1.1 million people were out of work in Florida, and unemployment reached 12% in December 2010. In the last six months unemployment has come down to 10.7% and 64,300 jobs have been added. However improvement has been uneven, with growth concentrated in a few industries, particularly Health Care and Social Assistance, Accommodation and Food Services, and Administrative and Waste services.*
- *According to the report, from 2009 to 2010, the employment situation for most, but not all groups, continued to worsen although to a lesser extent than earlier in the recession.*

Trend of Increasing Inequality Continues

The recession has continued the trend of increasing gap between top and bottom wage earners. In 2010 the bottom 20% earned an average hourly wage of \$9.89 while the top 20% earned an average of \$26.65 per hour, a difference of \$16.76.

The gap has widened since 1979, when the difference was \$11.57. Since 1979 the wages of the bottom 20% have grown by 13.8%, while the wages of the top earners have grown by 31.6%. Wages for middle earners have also increased much faster than bottom earners, but not by quite as much as top earners.

Low-wage Workers See Wages Decline

Florida's low wage workers, the bottom 10% of earners, have seen a drop in wages for the second year in a row. From 2008 to 2009 the median wage for this group dropped by \$0.06, and from 2009 to 2010 it dropped by \$0.02. This is despite the fact that leisure and hospitality, where many low-wage jobs are, has actually added jobs over the last two years.

For all years except 2008, workers in Florida have fared worse than the U.S. in this group, as have most other wage groups, although the drop from 2009 to 2010 was not as large for this group in Florida as for their U.S. counterparts.

Attachment: Responsible Wage Ordinance Survey by the Office of Capital Improvements

Prepared by: Bia Marsellos and Michael Amador-Gil

**SURVEY OF COUNTY CAPITAL DEPARTMENTS
PROJECTS POTENTIALLY AFFECTED BY COMM. SEIJAS' RESPONSIBLE WAGES COUNTY CODE
AMENDMENT**

DEPARTMENT	NUMBER OF PROJECTS THAT COULD BE POTENTIALLY AFFECTED	PROJECTS
Miami-Dade Department of Cultural Affairs (CUA)	0	CUA has no projects that would be potentially affected.
Miami-Dade Department of Environmental Resources Management (DERM)	0	DERM has no projects that would be potentially affected.
Miami-Dade General Services Administration (GSA)	7	• GSA Affordable Housing Projects (1) Metrorail Okeechobee Station (District 13); (2) Gran Via (District 11); (3) Metrorail Northside Station (District 2); (4) Caribbean Blvd (District 9); (5) West Dade Library (District 10); (6) Transit Village (District 3); (7) Senator Villas (District 10).
Miami-Dade Aviation Department (MDAD)	2	(1) RFP for Public Private Investor Projects (PPIP) (RFP No. MDAD-07-06) (2) Expression of Interest, Project No. EOI-02-08 - Four (4) development sites at MIA
Miami-Dade Fire Rescue Department (MDFR)	0	Fire-Rescue has no projects that would be potentially affected.
Miami-Dade Housing Agency (MDHA)*	0	Housing has no projects that would be potentially affected.
Miami-Dade Seaport Department (Seaport)	0	Seaport currently has no projects that would be potentially affected.
Miami-Dade Transit Department (MDT)	0	MDT currently has no projects that would be potentially affected.

**SURVEY OF COUNTY CAPITAL DEPARTMENTS
PROJECTS POTENTIALLY AFFECTED BY COMM. SEIJAS' RESPONSIBLE WAGES COUNTY CODE
AMENDMENT**

DEPARTMENT	NUMBER OF PROJECTS THAT COULD BE POTENTIALLY AFFECTED	PROJECTS
Miami-Dade Water & Sewer Department (WASD)	0	WASD has no projects that would be potentially affected.
Miami-Dade Housing and Community Development (HCD)	0	HCD has no projects that would be potentially affected.
Miami-Dade Park & Recreation Department (MDPR)	0	Parks has no projects that would be potentially affected.
Miami-Dade Public Works Department (PWD)	0	PWD has no projects that would be potentially affected.
TOTAL PROJECTS	9	

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Research Notes

Agenda Item: 7C

File Number: 120735

Date of Analysis: June 27, 2012

Summary

This ordinance provides equal access to persons with disabilities; establishes definitions and procedures for refueling assistance for persons with disabilities; and amends Section 8CC-10 of the Code of Miami-Dade County.

Ordinance Highlights:

1. Unlawful Public Accommodations Practices

It will be an unlawful practice for any person to engage in any of the following acts because of the race, color, religion, ancestry, national origin, age, sex, pregnancy, disability, marital status, familial status or sexual orientation of any individual or of any person associated with that individual:

- *To fail or refuse to prominently display a sign, decal or sticker, as described above; or*
- *To fail to **ensure the telephone number indicated on the sign, decal or sticker** is operational and answered by an employee of the gas station retailer during hours the gas station retailer is open for business to the public; or*
- *To fail to **provide refueling assistance to any motor vehicle properly displaying an exemption parking permit as provided in Sections 316.1958 or 320.0848, Florida Statutes, as may be amended, or a license plate issued pursuant to Sections 320.084, 320.0842, 320.0843 or 320.0845, Florida Statutes, as may be amended, when the person to whom such permit has been issued is the operator of the vehicle and such service is requested during the hours the gas station retailer is open to the public unless there is only one attendant on duty at the time of the request; or***
- *Failure of a respondent alleged to have violated this Section 11A-19(5), (6) or (7), and who fails to abide by any provision of a Conciliation Agreement entered into by such Respondent. If Respondent fails to abide by more than one provision of a Conciliation Agreement, each such failure will be a separate violation of this Section.*

2. Accessibility Requirements

(1) Within **ninety (90) days of enactment of this Ordinance, all gas station retailers will be required to prominently display a sign, decal or sticker, no smaller than fifteen (15) square inches**, on the front of all gasoline pumps clearly stating the telephone number for that gas station retailer, the International Symbol of Accessibility (ISA), and wording such as "Call for Assistance" or "Assistance Available upon Request," in substantially the form pictured below. The sign, decal or sticker must also be on a blue background. *The telephone number indicated on the sign decal or sticker will be operational and answered directly by an employee of the gas station retailer is open for business to the public.*

(2) The gas station **retailer will require an attendant to provide refueling assistance** to any motor vehicle properly displaying an exemption parking permit as provided in Sections 316.1958 or 320.0848, Florida Statutes, as may be amended, or a license plate issued pursuant to Sections 320.084, 320.0842, 320.0843, or 320.0845, Florida Statutes, as may be amended, when the person to whom such permit has been issued is the operator of the vehicle and such service is requested during the hours the gas station retailer is open for business to the public.

3. Exemptions:

However, should **such assistance be requested during times when a second attendant is not present at a self-service** gasoline station; the gas station retailer is not required to provide the requested assistance. In such case, if a remote or electronic means of communication with the requester exists, the one attendant on duty will inform the person that he or she is unable to provide such assistance as a result of having only one attendant on duty.

4. Proposed Penalties

Violations of Section 11A-19 (5)-(8) will also be punishable by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the county jail for a period not to exceed sixty (60) days, or by both such fine and imprisonment, in the discretion of the county court.

Additional Information

According the **U.S. Department of Justice**, Civil Rights Division, *Disability Rights Section* states that people with disabilities may find it difficult or impossible to obtain gas for their vehicles because they are unable to use the controls, hose, or nozzle of a self-serve gas pump. At stations that offer only self service, they may be unable to purchase gas.

At stations that offer both self service and full service, people with disabilities may have no choice but to purchase the more expensive fuel from a full-service pump.

The Americans with Disabilities Act (ADA) requires gas stations to provide equal access for their customers with disabilities. If necessary to provide access, stations must provide refueling assistance upon the request of an individual with a disability. A service station or convenience store is not required to provide such service at any time that it is operating on a remote control basis with a single employee, but is encouraged to do so, if feasible.

Some stations provide a call button.



The attendant may provide assistance at a self-service pump or at a full-service pump. In either case, the customer must be charged the self-service price.



According to a 2011 article by National Association of Convenience Stores (NACS), *Ordinance Would Allow Disabled Motorists to Phone for Fueling Assistance*, states that Veterans groups in South Florida are lobbying for county ordinances that would require gas stations with two or more attendants to post stickers on their pumps displaying the store's telephone number, allowing handicapped motorists to call clerks inside and request fueling assistance, the Sun-Sentinel reports.

The Americans with Disabilities Act currently addresses the issue, instructing disabled motorists to "honk or otherwise signal" an employee to come out and lend assistance.¹

The Paralyzed Veterans Association of Florida said the phone number sticker plan would be a major improvement.

The Association's Advocacy Director, proposed the idea to Broward County commissioners who expressed willingness to research the issue.

On April 24, 2012, the Broward County Commissioners took legislative action to ensure that people with disabilities can easily access assistance when pumping fuel at gas stations. (See Public Hearing of April 24, 2012, Action Agenda Item No.1)

Under the ordinance, gasoline retailers found to be in violation of the ordinance would face a civil penalty of \$250 for the first violation and \$500 for each repeat violation.

The ordinance would only apply to gas station retailers with more than one employee on duty.

NACS, 1/31/12, *Ordinance Would Allow Disabled Motorists to Phone for Fueling Assistance*. NACS was founded August 14, 1961, as the National Association of Convenience Stores. It is an international trade association representing more than 2,100 retail and 1,600 supplier company members. NACS member companies do business in nearly 50 countries worldwide, with the majority of members based in the United States. The U.S. convenience store industry, with more than 148,000 stores across the country, posted \$681.9 billion in total sales in 2011, of which \$486.9 billion were motor fuels sales.

Hillsborough County, in the Tampa area, is the first county to have adopted the ordinance, passing a bill last month. As such, area pumps there display bright blue stickers on the pumps with the words "assistance available upon request," the station's phone number, and the accessibility icon used on disabled parking permit placards.

The Florida Petroleum Marketers & Convenience Store Association Executive Director, said he believes the plan is one that association members would support. "Most stores have phones. If two people are there, then one can go out and pump the gas," he said. However, many of the state's 7,000 convenience stores that sell fuel only have one person on duty, and those would not be required to have the stickers. Federal regulations state attendants working alone do not have to assist motorists.

Another option for disabled drivers is full service, and state and federal laws require motorists be offered the less expensive self-service price for the assistance. But full-service stations are rare in Florida, with an estimated 125 statewide and 13 in Broward and Palm Beach counties.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 8A3 (Supplemental Joint Participation Agreement No. 2)

File Number: 121074

Date of Analysis: June 28, 2012

Summary

This resolution ratifies the actions of the Mayor's designee, pursuant to provisions of the Miami-Dade Aviation Department's (MDAD) Expedite Ordinance No. 95-64, accepting and executing Supplemental Joint Participation Agreement No. 2, Agreement No. 42043419401 with the Florida Department of Transportation (FDOT) providing \$310,000 to cover the cost increase for the Miami International Airport A380 Gate Modification project.

This Supplemental Joint Participation Agreement No. 2 provides final FDOT funding of \$310,000.00 for a total FDOT funding participation of \$1,603,927 toward the project cost of \$3,381,701.

Background and Relevant Information

On November 3, 2009, the Board of County Commissioners (BCC) adopted R-1239-09 awarding a contract in the amount of \$459,846.75 to Merkury Development Corporation for Modifications to Gate J-17. The term of that contract was 180 days from the effective date established in the Notice to Proceed date of December 7, 2009. FDOT provided a grant in the amount of \$208,500.

On February 2, 2010, the BCC, through R-93-10, ratified a Joint Participation Agreement with the FDOT, allowing the County to accept \$897,000 which went towards the modification costs estimated at **\$2,587,847**.

On April 4, 2011, the BCC, through R-227-11 ratified the acceptance and execution by the Mayor's designee of Supplemental Agreement No. 1 to the Joint Participation Agreement (JPA) 42043419401 between Miami-Dade County and the FDOT in the amount of \$396,927 for additional funding to cover the anticipated cost increase for equipment associated with the modifications to MIA Concourse J, Gate J-17 in order to accommodate the Airbus A380 aircraft (Modifications Project).

Pursuant to Exhibit "A" of the original JPA (R-93-10), the purpose of the JPA and its Supplement is to provide funding for improvements to MIA's airside for the accommodation of the A380 including the purchase, installation and testing of dual Passenger Loading Bridges, Pre-Conditioned Air Units, 400Hz Ground Power Units, Service Transport Units and construction of dual loading bridge support structures to enable conversion of existing gates to A380 compatible gates.

The Modifications Project consisted of all required gate modifications and retrofits to accommodate the Airbus A380 aircraft with three Passenger Loading Bridges (PLBs) for commercial scheduled service into MIA.

- Although the Airbus A380 aircraft was initially anticipated to arrive at MIA on August 2010, Lufthansa had advised MDAD that the A380 was not serving MIA in 2010 and the airline would advise if their fleet scheduling will include MIA in 2011. However, the project moved forward in order to have the ability to accommodate that or any other operator.
- On June 10, 2011, the Airbus A380 arrived for the first time in Miami International Airport from Frankfurt, Germany.
- The A380 flights from Germany to Miami ended in March 2012. The Carrier Lufthansa announced that they were switching to the Boeing 747 for the daily flights between Frankfurt and Miami.

Airbus A380 MIA Airfield Preparedness Presentation by MDAD Staff to CTAC

On May 25, 2011, MDAD staff presented the following information to the Citizen's Transportation Advisory Committee (CTAC):

- Early 1990's: Airbus Industry begins planning the design and development of a 500-seat airliner as a successor to the Boeing 747, at the time the largest commercial jetliner in service.
- Early 1994: MDAD Aviation Planning Division staff and Airbus start to work closely coordinating the development of the A380's airport design compatibility for the airplane's service at MIA.
- FAA's standards classify the A380 as a Group VI aircraft vis-à-vis the Group V for the 747, consequently requiring 100 ft. wide taxiways and 200 ft. wide runways in lieu of the 75 ft. wide taxiways and 150 ft. runways required for Design Group V airports such as MIA.

- MDAD submitted 32 individual adaptation to design standards in February 2003 in support for future A380 operations at MIA.
- February 07, 2008: MIA (First Draft) A380 Operational Plan presented to FAA Air Traffic Manager.
- March 9, 2010: MIA A380 Operational Plan approved by FAA ATC, FAA ADO, and MDAD Airside Operations.
- MIA FAA ATC initiated a strict training program for controllers handling the A380 at MIA.
- MDAD provided a "Follow-Me" Ramp Vehicle to assist the aircraft to and from the contingency Runway 8R/26L.
- FAA mandated, and MDAD will conduct a Foreign Object Debris (FOD) check of the runways after EVERY A380 departure.
- June 10, 2011: Lufthansa began operations of the A380 to MIA.

Furthermore, according to the presentation by MDAD staff before the CTAC:

- Four (4) Airlines operating at MIA ordered the A380:
 - British Airways (BA): Ordered 12 A380s; first delivery in 2013.
 - Air France: Has taken delivery of 5 A380s total order of 12 has expressed interest in MIA although not defined their route network yet.
 - Virgin Atlantic (VS): Has ordered 6 A380s; first delivery in 2014-2015.
 - **Looking forward to the future (2020 and beyond) MIA could up to a maximum of 4 carriers operate the A380 in Miami, with the possibility of one Asian-Pacific carrier.**

About the Airbus A380

- First A380 went into service with Singapore Airlines in October 2007.
- It's 237 ft. long (equal to two blue whales) -- 79 ft. high (five giraffes) -- 263 ft. wingspan (35 wedge-tail eagles) -- 1.3 million lb. (165 elephants).
- The A380 can hold a maximum of 853 passengers.
- The A380 has about 4 million parts produced by 1,500 companies from 30 countries.
- It has 330 miles of wiring, or the distance between Frankfurt and Paris.
- It has a 40 % higher takeoff weight than the 747-400, but it burns 12 percent less fuel per seat and it emits half the noise.
- The A380s are configured with 8 First class, 98 Business and 420 Economy seats, which is a 59 percent increase in capacity over the B747-400 currently serving this route.

Pursuant to MDAD:

- *Gate J17 can be used by other carriers in a 747 configuration. The upper deck loading bridge is only used for the Lufthansa A380.*
- *MDAD does not have any A380's scheduled for the summer 2012. British Airways have suggested that they may have an A380 by summer of 2013. Air France and Virgin's A380's are in an indefinite delay.*
- *No additional airfield improvements are required at MIA to complete the airfield accommodations for the Airbus A380.*

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 8A5 and 8A6 (Central Chiller Plant)

File Number: 121077 and 121079

Date of Analysis: June 28, 2012

Summary

Item 8A5: This resolution rejects all proposals for Consultant Selection for the Concourse D Roof Rehabilitation, Project No. A10-MDAD-01, at Miami International Airport (MIA). The Concourse D Roof Rehabilitation Project will be temporarily postponed because of interim roof repair work performed by the Aviation Department's Maintenance Division.

Subsequent to negotiations with the top-ranked consulting firm, the Miami-Dade Aviation Department (MDAD) reviewed funding for this project and has since determined that funding should be re-allocated to a higher priority project (the Central Chiller Plant Rehabilitation Project).

Item 8A6: This resolution approves, *ratifies* and confirms the actions of the Mayor's designee, pursuant to the provisions of Section 2-285(6) of the Miami-Dade County Code, in approving and executing Amendment No. 1 to Federal Aviation Administration Grant No. 3-12-0049-064-2011 to transfer the original grant of \$3,462,000 for the Concourse D Roof Rehabilitation Project to the *Central Chiller Rehabilitation Project* at Miami International Airport.

Background

The MDAD and the FAA have determined that the Central Chiller Plant Rehabilitation Project requires prompt completion and therefore ranks higher in importance than the Concourse D Roof Rehabilitation Project.

On April 24, 2012, the MDAD submitted a request to the FAA to amend the project scope and description of Grant No. 64 to incorporate the MIA Central Chiller Plant Rehabilitation Project, a ready-to-go project, and to remove the Concourse D Roof Rehabilitation project from the grant. *The Concourse D Roof Rehabilitation Project can be temporarily placed on hold because of interim roof repair work performed by the Aviation Department's Maintenance Division.*

Previous Work at MIA's Central Chiller Plant (East and West Expansion Project)

On June 5, 2007, the BCC, through R-653-07, approved **Final Change Order No. 2** to a contract between Miami-Dade County and the Poole and Kent Company (P&K) for MIA's Central Chiller Plant East and West Expansion (Project A014A).

P&K submitted claims in excess of \$9.4 million. After reviewing the claim, **MDAD negotiated a settlement of \$3.6 million.** MDAD already had made a payment of \$1,296,187.30 and the balance of \$2,303,812.70 was addressed by Change Order No.2.

The reduction in contract value mentioned in the Manager's memo stems from Change Order No. 1 approved by the BCC on July 8, 2003, which addressed two delay claims by P&K against the County resulting in time extensions and liquidated overhead.

About the MIA Central Chiller Plant

The MIA Central Chiller Plant consists of nine machines delivering 28,000 tons of air conditioning per hour, with associated water pumps, cooling towers, 800 tons of thermal (ice bank) storage, 40 secondary pump stations, approximately 5.5 miles of primary, secondary and tertiary chilled water lines serving approximately 6.4 million square feet of air-conditioned space in the Terminal and Concourses.

The original Central Chiller Plant was commissioned in 1990; consequently, some of the pumps, electrical/electronic control equipment are more than 20 years old and have reached their useful life.

In response to questions posed by the Office of the Commission Auditor, MDAD staff provided the following information:

- The work for the chiller plant will be *performed by the MCC-8 county contract*;
- *The lifespan of the chiller plant with the new renovation and upgrades is 10-15 years; and*
- *Yes, they include the New South, Central and North Terminals.*

Additional Information

On March 6, 2012, the BCC adopted R-201-12, Joint Participation Agreement between Miami-Dade County and FDOT totaling \$841,250 for the Concourse D (East) Roof rehabilitation. *Pursuant to MDAD staff, funds will not be allocated to the chiller plant project. MDAD is requesting the FDOT to reprogram the funding for MIA Perimeter Road PD&E study.*

Prepared by: Michael Amador-Gil

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Research Notes

Agenda Item: 8A7 (Relaxation Suites at MIA)

File Number: 121080

Date of Analysis: June 27, 2012

Summary

This resolution rejects the one proposal received by the Miami-Dade Aviation Department (MDAD) from Sojesma Miami LLC in response to the Request for Proposals (RFP) No. MDAD-04-10 for a Relaxation Suites Concession Program at Miami International Airport (MIA).

Background

On May 6, 2011, the RFP for Relaxation Suites at MIA was advertised to seek a qualified firm to design, build, operate and maintain a business providing short-term suites for travelers during flight connections to rest, relax or work in the privacy of their own space.

On October 21, 2011, the Selection Committee met and reviewed the sole proposal submitted in response to the RFP, and heard a presentation from Sojesma Miami LLC (Sojesma). The Committee requested that Sojesma provide to them a revised Joint Venture Agreement between Edo Travelers Suites and Hostmark Hospitality Group reflecting a commitment for the entire term of the agreement from Hostmark as the responsible partner. *On January 19, 2012, the Committee reconvened to review the information received from Sojesma and recommended its proposal be rejected because it could not fulfill either of the Committee's requests.*

Additional Information on Relaxation Suites

According to a March 29, 2012 article by Digital Journal, *Relaxation Room debuting at U.S. Airports, rent by the hour*, states that **Minneapolis-St. Paul International Airport** (MSP) is the latest to embrace "relaxation rooms." These so-called relaxation rooms are like mini-hotel rooms, rentable by the hour. The rooms are about the size of a small office and include bedding, television, Internet access and desks. All the makings of a temporary stay, at a price of \$30 for the first hour, \$7.50 per additional quarter hour, and \$120 for an overnight stay. A bathroom is not included as customers will have to use airport facilities.

Minute Suites (company offering this service is Minute Suites, LLC, based in Atlanta, Ga.) has had rooms located at **Atlanta's Hartsfield-Jackson International Airport** since 2009, and the suites expanded to **Philadelphia International Airport in 2011**. Now MSP and also **Dallas-Fort Worth** will be joining the ranks of airports offering an amenity for travelers to quietly rest between layovers and/or delays.

The company states many of their customers are business travelers. To date over 25,000 guests have used Minute Suites' services; the company says they have an almost 30 percent return rate.

According to Zimbio.com and besttourism.com, the following airports provide relaxation suites:

1. Incheon International Airport (IIA) is the largest airport located in South Korea, and the primary airport serving the Seoul national capital area. It is also one of the largest and busiest airports in the world. Known to be the best in the world for five years running (from 2006 to 2010), IIA received a full five-star ranking by Skytrax—alongside only two other airports (Hong Kong International Airport and Singapore Changi Airport). Asia's eighth busiest airport in terms of passengers, IIA is the world's fourth busiest for cargo traffic. What sets IIA apart from other airports are its amenities. (Zimbio.com)

- *It houses comfortable sleeping rooms, a massive skating rink, a casino, and an indoor garden for relaxation. The most notable amenity is perhaps the golf course.*
2. The Munich Airport Center attached to the Munich Airport provides business service area comprising of 25 conference rooms that are fully equipped with qualified technology support and can access catering to make the business event to proceed more perfect and successfully. The airport also includes VIP service and relaxation rooms to make sure that the needs of the participants are completely satisfied.

Munich Airport represents the second largest airport of Germany which started to function on May 17th, 1992. (besttourism.com)

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 8N2 (Coral Gables Trolley)

File Number: 121085

Date of Analysis: June 6, 2012

Summary

This resolution retroactively authorizes the County Mayor or his designee to execute an Interlocal Agreement between Miami-Dade County (County) and the City of Coral Gables (City) for the provision of public transportation services within the City.

This Agreement is necessary, pursuant to Chapter 31, Article III, Section 31-113 of the Miami-Dade County Code (Code), which requires an interlocal agreement to allow the City to provide residents and visitors with public transportation services and to be exempt from the requirements regulating passenger motor carriers.

This Agreement allows the City, under the Coral Gables Trolley Program, to operate public transportation circulator routes within the City to complement Miami-Dade Transit (MDT) services and provide an alternative mode of transit.

This is the second Agreement for public transportation services between MDT and the City. The Agreement will last for five (5) years with two (2) five-year automatic extensions. Each party has the right to terminate for cause.

Background and Relevant Legislation

On July 23, 2002, under Resolution No. 832-02, the City and Miami-Dade County entered into the first Interlocal Agreement, allowing the City to operate a Trolley circulator system along the Ponce de Leon corridor. The Coral Gables Trolley System has operated since the execution of the original Interlocal Agreement which expired in August 2010.

Creation of the Coral Gables Trolley Program

In November 2003, the City launched an intracity circulator, known as the Coral Gables Trolley, to help relieve localized traffic congestion, increase transit ridership, offset parking shortages, and improve the pedestrian environment of the City's Central Business District (CBD). The Coral Gables Trolley has surpassed many projections within the first year. Ridership during the 2005 calendar year was over 700,000 boardings.

Coral Gables Trolley Route Expansion

In 2006, David Plummer & Associates, Inc. prepared the Feasibility Report, dated March 2006 for the expansion of the Coral Gables Trolley Route. With the success of the existing trolley system, the City requested a feasibility study of expanding the existing trolley service to other areas in Coral Gables.

Five distinct areas were preliminarily analyzed to determine the feasibility of extending the trolley. These five areas were:

- The area between SW 8th Street and Flagler Street
 - ***Recommended for development into the Flagler Street Route which will run north and south along Ponce de Leon Boulevard between SW 8th Street and Flagler.***
 - *On May 12, 2009, the City passed a resolution (File No. 09-0329), authorizing the City Manager to execute a Joint Participation Agreement (JPA) between the Florida Department of Transportation (FDOT) and the City for financial assistance in the amount of \$92,500 for service development of this route.*
 - *Subsequently, On May 10, 2011, the City passed a supplemental JPA (File No. 11-0746), extending the time for use of the \$92,500 financial assistance for this expansion.*
 - *Estimated Annual Operating Costs of Route: \$185,000 (\$92,500 FDOT Funds and \$92,500 Surtax Funds).*
 - ***This route extension launched service in March of 2012.¹***
- The MacFarlane Homestead Historic District
 - *Preliminary analysis revealed that this area did not provide the necessary potential ridership to justify the extension of the trolley route. This area can be served by the existing Coconut Grove Circulator and connect to the Coral Gables Trolley at the Douglas Metrorail Station. Miami-Dade Transit would need to expand this route west to either Brooker Street or Jefferson Street. This route will provide a connection between the existing trolley route and the medical office buildings just north of SW 8th Street and the Flagler Street corridor.*
- The University of Miami
- The Red Road area
 - *Preliminary analysis revealed that this area did not provide the necessary potential ridership to justify the extension of the trolley route. However, if the Riviera Business District route is developed, the Red Road area will get limited trolley service.*
- The Riviera Business District
 - ***Recommended for development into the Riviera Business District Route to provide convenient access from/to the Riviera Business District and surrounding attractions and offices with the University of Miami. The route will also connect to the existing Ponce de Leon Boulevard Route at the Douglas Metrorail station. The Riviera Business District Route will run along the southwest leg of Ponce de Leon Boulevard and cross US-1 via Alhambra Circle.***

The costs of extending the trolley system were estimated with assistance from the City's Trolley Manager. The approximate capital costs associated with both routes are \$1 million to 1.2 million and the approximate annual maintenance and operations costs are \$500,000 to \$600,000.

Fiscal Impacts of the Coral Gables Trolley Program

The operation and maintenance of the Coral Gables Trolley Program is sustained by the 20 percent (20%) transit portion of the City's annual half-cent transit surtax proceeds which, pursuant to the Miami-Dade County Ordinance, must be allocated to transit projects; and Florida Department of Transportation (FDOT) grant funding. No matching funds or contribution from the County's General Fund is required.

¹ e-newscoralgables.com/issues/2012/e-News0314.htm

Additional Information

On May 8, 2012, the City awarded the Coral Gables Trolley Operations contract to Limousines of South Florida, Inc. d/b/a LSF Shuttle, for an initial period of three (3) years, with two (2) one (1) year options to renew.

LSF Shuttle²

Limousines of South Florida, Inc. dba LSF Shuttle is a wholly-owned subsidiary of Tectrans, Inc. and has been operating in the South Florida market for over 25 years.

LSF Shuttle is the largest operator of fixed-route shuttle service for municipalities in South Florida with over 300 vehicles a day in operation in Florida.

LSF has been a Florida Corporation since 1984 with corporate offices in Los Angeles and South Florida. LSF has three operating facilities located in South Florida, including one facility at the Fort Lauderdale-Hollywood International Airport. A second facility in Broward County is just a few blocks away from the Fort Lauderdale Airport facility. A third facility in Broward County is just south of the Palm Beach/Broward County line.

LSF Shuttle has a vast amount of shuttle experience, both fixed-route and airport. The shuttle bus services have been in operation at the Fort Lauderdale-Hollywood International Airport for over fifteen (15) years (1987-2002), and more recently from May 2008 to present. Operations include the shuttle buses for the employee and public remote parking lots along with providing tram service inside the parking garages at the airport.

LSF Shuttle also provides fixed-route community shuttles in Miami-Dade County for the City of Doral, Village of Palmetto Bay, City of Miami Springs, City of North Miami, City of Miami Lakes, City of Aventura, Town of Bay Harbor Island, Town of Bal Harbor, City of Surfside, and Miami Shores Village.

In Broward County, LSF Shuttle provides fixed-route shuttles for the City of Hallandale Beach, City of Dania Beach, Town of Davie, City of Plantation, City of Lauderhill, City of Lauderdale Lakes, City of Coral Springs, City of Pompano Beach, City of Wilton Manors, City of North Lauderdale and the City of Fort Lauderdale, under the Sun Trolley, a wave and ride system that provides community transportation in the City of Fort Lauderdale to visitors and residents. The Sun Trolleys are managed by the Downtown Fort Lauderdale Transportation Management Association (DFLTMA), a non-profit organization created in 1992 to coordinate the efforts of government and private employers, developers, and property owners in addressing common transportation concerns; improving accessibility and mobility; providing transportation services; and working cooperatively with local and state government for the continued growth and development of downtown Fort Lauderdale.

Additionally, LSF Shuttle operates all of the South Florida Regional Transportation Authority (SFRTA) Tri-Rail feeder buses in Broward County, and operates fixed-route parking shuttles for Memorial HealthCare Systems serving three separate facilities, along with several private condominium shuttles. LSF Shuttle also operates the shuttle bus services at the Fort Lauderdale-Hollywood International Airport and for the employee and public remote parking lots along with providing tram service inside the parking garages at the airport.

Additional City of Coral Gables Legislation Expanding the Coral Gables Trolley Program	
May 8, 2012 File No. 12-1718 (adopted)	Resolution accepting the recommendation of the Chief Procurement Officer to award the Coral Gables Trolley Operations contract to Limousines of South Florida, Inc. DBA LSF Shuttle, for an initial period of three (3) years, with two (2) one (1) year options to renew, pursuant to Section 2-828 of the Procurement Code entitled "Contract Award" and Request for Proposal (RFP) 2012.03.22.
April 10, 2012 File No. 12-1628 (adopted)	Resolution accepting the recommendation of the Chief Procurement Officer to piggyback a contract with Specialty Vehicles utilizing H-GAC cooperative purchasing program pursuant to Section 2-980 of the Procurement Code for the purchase of three (3) new, heavy-duty Supreme Classic American Trolleys.
March 13, 2012 File No. 12-1577	Resolution accepting the recommendation of the Chief Procurement Officer to extend the Trolley Operations Contract with First Transit, Inc., pursuant to Section 2-829 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications" from May 20, 2012

² LSF Shuttle website: www.lsfshuttle.com/index.html

<i>(adopted)</i>	<i>through July 9, 2012 to provide additional time for a new Trolley Operations Contract to be executed.</i>
<i>Jan. 24, 2012 File No. 12-1499 (adopted)</i>	<i>Resolution amending the Fiscal Year 2011-2012 Annual Budget, appropriating funds to cover expenses related to the New Trolley Yard Facility and Banking Facility land swap negotiations and approving related expenses incurred to date.</i>
<i>Jan. 24, 2012 File No. 12-1507 (adopted)</i>	<i>Resolution accepting the recommendation of the Chief Procurement Officer to extend the Trolley Operations Contract with First Transit, Inc. pursuant to Section 2-829 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications" from February 20, 2012, on a month-to-month basis for a period not to exceed three (3) months to provide time for a new Trolley Operations Contract to be executed.</i>
<i>Dec. 13, 2011 File No. 11-1239 (adopted)</i>	<i>Resolution authorizing the City Manager to execute Supplemental No. Two to the Florida Department of Transportation Joint Participation Agreement (JPA) No. APF47 entered into June 16, 2009, between the Florida Department of Transportation and the City of Coral Gables to remove the requirement for low floors in trolley procurement specifications and extend the time for use of financial assistance (in the amount of \$377,000.00) for the purchase of two (2) new 30-foot long, heavy-duty, low-floor, replacement shuttle buses for the Coral Gables Trolley Program.</i>
<i>Nov. 8, 2011 File No. 11-1142 (adopted)</i>	<i>Resolution authorizing the execution of an Interlocal Agreement between the City of Coral Gables and Miami-Dade County allowing the City to operate a transit shuttle system along the Ponce de Leon Boulevard corridor.</i>
<i>Oct. 11, 2011 File No. 11-1104 (adopted)</i>	<i>Resolution accepting the recommendation of the Chief Procurement Officer to extend the Trolley Operations Contract with First Transit, Inc., pursuant to Section 2-829 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications" from November 20, 2011, on a month-to-month basis for a period not to exceed three (3) months to provide time for a new Trolley Operations Contract to be executed.</i>
<i>July 19, 2011 File No. 11-0969 (adopted)</i>	<i>Resolution authorizing the City Manager to enter into negotiations with Astor Development regarding a land swap of 4133 LeJeune Road (the trolley facility) with property on Douglas Road that would be improved with a new trolley facility.</i>
<i>May 24, 2011 File No. 11-0781 (adopted)</i>	<i>Resolution authorizing execution of Supplemental No. 1 to the Florida Department of Transportation Joint Participation Agreement (JPA) No. APF47 entered into on June 16, 2009, between the Florida Department of Transportation and the City of Coral Gables, for the purpose of extending the time for use of financial assistance for the purchase of two (2) new 30-foot long, heavy-duty, low-floor, replacement shuttle buses for the Coral Gables Trolley Program.</i>
<i>May 10, 2011 File No. 11-0746 (adopted)</i>	<i>Resolution authorizing the City Manager to execute a supplemental Joint Participation Agreement (JPA) between the Florida Department of Transportation and the City of Coral Gables extending the time for use of financial assistance (in the amount of \$92,500.00) for service development in the expansion of the Coral Gables Trolley Route on Ponce de Leon Boulevard from S.W. 8th Street to West Flagler Street.</i>
<i>June 1, 2010 File No. 10-0367 (adopted)</i>	<i>Resolution authorizing the execution of an Interlocal Agreement with Miami-Dade Transit Agency for federal funding pass-through arrangements with the American Recovery and Reinvestment Act (ARRA) of 2009 to purchase trolley(s) to operate the City of Coral Gables circulator service.</i>
<i>Oct. 27, 2009 File No. 09-0747 (adopted)</i>	<i>Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the requirements of the Procurement Code, for the purpose of authorizing extending an existing agreement with First Transit, Inc., for a one-year period with an additional one-year option, beginning November 1, 2009; and further authorizing an appropriation of funds for said Agreement.</i>
<i>Oct. 27, 2009 File No. 09-0721 (adopted)</i>	<i>Resolution authorizing the execution of a Joint Participation Agreement between Miami-Dade County and the City of Coral Gables for disbursement of Road Impact Fee funds in the amount of \$1,490,000.00 to the City, for the construction of roadway capacity improvements and a raised landscaped median on Ponce de Leon Boulevard from Alcazar Avenue to Salamanca Avenue.</i>
<i>Oct. 27, 2009 File No. 09-0707 (adopted)</i>	<i>Resolution rescinding Resolution No. 2008-08 regarding trolley fleet maintenance services.</i>
<i>July 7, 2009 File No. 09-0353 (adopted)</i>	<i>Resolution authorizing the execution of an amendment to the Professional Services Agreement between the City and ArcoArt Plus, LLC d/b/a Trolinet, by granting an extension of time for project implementation and providing for a revised compensation schedule for the Trolley Advertising Program.</i>
<i>May 12, 2009 File No. 09-0329 (adopted)</i>	<i>Resolution authorizing the City Manager to execute a Joint Participation Agreement between the Florida Department of Transportation (FDOT) and the City of Coral Gables for financial assistance in the amount of \$92,500.00 for service development in the expansion of the Coral Gables Trolley Route on Ponce de Leon Boulevard from S. W. 8th Street to West Flagler Street.</i>
<i>May 12, 2009 File No. 09-0328 (adopted)</i>	<i>Resolution authorizing the City Manager to execute a Joint Participation Agreement between the Florida Department of Transportation and the City of Coral Gables for financial assistance in the amount of \$377,641.00 for the purchase of two (2) new 30-foot long, heavy-duty, low-floor, replacement shuttle buses for the Coral Gables Trolley Program.</i>
<i>Nov. 18, 2008 File No. 08-0784 (adopted)</i>	<i>A Resolution authorizing the City Manager to extend the required time outline in the contract with ArcoArt Plus, d/b/a Trolinet, for the On-board Trolley and Print Advertisement Project from thirty (30) days to ninety (90) days in order to begin payment to the City from the sales proceeds.</i>
<i>Aug. 26, 2008 File No. 08-0534 (adopted)</i>	<i>A Resolution authorizing the award of the On-Board Trolley and Print Advertisement Project to Arcoart Plus, pursuant to Section 2-828(e) of the Procurement Code, for On-Board Trolley and Print Advertisement RFP 2008.07.17. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for (3) additional one (1) year periods.</i>
<i>Feb. 12, 2008 File No. 08-0075 (adopted)</i>	<i>Resolution authorizing the City Manager to purchase a used trolley from George Washington University, the sole source vendor, in the amount of \$68,000.00 as an addition to the fleet of the Coral Gables Trolley Program.</i>
<i>Jan. 8, 2008 File No. 07-1148 (adopted)</i>	<i>Resolution accepting the response to Request for Proposal No. 2007-10-04, Trolley Program Maintenance Services, from First Vehicle Services, Inc. (FVS), the sole respondent to said Request for Proposal; authorizing the City Manager to negotiate a new contract with FVS; and further authorizing the City Manager to extend the current contract with FVS on a month-to-month basis at the current rate until an acceptable contract is negotiated.</i>
<i>Oct. 12, 2007 File No. 07-0960 (adopted)</i>	<i>Resolution approving a Supplemental Joint Participation Agreement between the City of Coral Gables and the Florida Department of Transportation (FDOT) to allow a vehicle previously leased by the City to be eligible expense for purchase under the current Master Joint Participation Agreement between the City and the FDOT for equipment purchase, dated June 16, 2005; and authorizing the City Manager to</i>

	<i>execute said Supplemental Joint Participation Agreement on behalf of the City.</i>
<i>Aug. 28, 2007 File No. 07-0763 (adopted)</i>	<i>Resolution accepting the recommendation of the City Manager approving the decision pursuant to the provisions of the Procurement Code Section 2-770 "Sole Source Procurement" to select South Florida Trolley Co. to purchase Vehicle Number 733 in the amount of \$30,000.00 as is.</i>
<i>May 22, 2007 File No. 07-0438 (adopted)</i>	<i>Resolution authorizing the City Manager to execute a revised Interlocal Agreement with Miami-Dade County to meet certain specified conditions in order for the City of Coral Gables to receive its appropriate distribution of transportation surtax proceeds.</i>
<i>Nov. 15, 2006 File No. 06-0651 (adopted)</i>	<i>Resolution authorizing the City Manager to extend the City's current Trolley Management and Maintenance Service contract with First Vehicle Services, Inc. for a period of 120 days for the purpose of evaluating existing and new equipment that will assist in preparation of a new Request for Proposal (RFP) for selection of a Trolley Management and Maintenance Services vendor.</i>
<i>Sept. 12, 2006 File No. 06-0454 (adopted)</i>	<i>Resolution authorizing the City Manager to negotiate and execute a contract with First Transit, Inc., the number one-ranked firm as recommended by the Trolley Operations Selection Committee, for the provision of operators for the City of Coral Gables Trolley Program; further authorizing the City Manager to negotiate and execute a contract with the number two-ranked firm, Limousines of South Florida, Inc., in the event negotiations with First Transit, Inc. are unsuccessful; further designating funds therefore in an amount not to exceed \$650,000.00 from the Miami-Dade County One-half Penny Sales Surtax revenues to pay for said service contract.</i>
<i>May 23, 2006 File No. 06-0170 (adopted)</i>	<i>Resolution authorizing the City Manager to negotiate and execute a contract with Trolley Enterprises, Inc., the number one-ranked vendor recommended by the Trolley Selection Committee for the purchase of four (4) diesel-powered buses with a vintage trolley configuration; and designating funds therefore in an amount not to exceed \$1,200,000.00, from revenues from the Miami-Dade County Half-penny Sales Surtax and a matching grant reimbursement from the Florida Department of Transportation (FDOT), as set forth in that certain Joint Participation Agreement between the City of Coral Gables and the FDOT dated June 16, 2005.</i>
<i>May 23, 2006 File No. 06-0167 (adopted)</i>	<i>Resolution authorizing the City Manager to extend the current Coral Gables Trolley Management and Operations contract with Greyhound Travel Services, d/b/a Gray Line of South Florida, for a period of up to 165 days, for the purpose of completing a new Request for Proposal (RFP) for selection of a Trolley Management and Operations Vendor.</i>
<i>May 23, 2006 File No. 06-0166 (adopted)</i>	<i>Traffic Advisory Board meeting of April 18, 2006, requesting the following action by the City Commission: a. The Traffic Advisory Board moved and unanimously approved that the three recommendations described on the attached Exhibit A be submitted to the Miami-Dade County Public Works Director, Esther Calas, P.E., for approval. b. The Traffic Advisory Board moved and unanimously approved that the Hardee/Granada and Hardee/Riviera calming projects, as well as the Maynada and Hardee Road traffic calming projects, Exhibit B, be submitted to the Miami-Dade County Public Works Director, Esther Calas, P.E., for approval.</i>
<i>Feb. 14, 2006 File No. 04-2362 (adopted)</i>	<i>Resolution accepting the lowest responsive, responsible bid received from ABC Construction, Inc., in the amount of \$265,000.00 for the "Trolley Depot Facility, Phase I", construction project, located at 4133 Le Jeune Road, Coral Gables, Florida. Funding sources: FDOT Joint Participation Agreement (match 50% of the cost) and Half-penny Surtax.</i>
<i>Jan. 10, 2006 File No. 04-2256 (adopted)</i>	<i>Resolution accepting Supplemental Joint Participation Agreement Number Three between the City of Coral Gables and the Florida Department of Transportation (FDOT) for operations of Coral Gables Trolley in the amount of \$75,000.00, thus increasing the total FDOT project contribution to \$605,000.00; and authorizing the City Manager to execute said Supplemental Joint Participation Agreement on behalf of the City.</i>
<i>Dec. 13, 2005 File No. 04-2049 (adopted)</i>	<i>Resolution authorizing the City Manager to extend the current Coral Gables Trolley Management and Operations Contract with Greyhound Travel Services d/b/a/ Gray Line of South Florida for a period of up to 180 days for the purpose of completing a new request for proposal (RFP) for selection of a trolley management and operations vendor.</i>
<i>Oct. 12, 2005 File No. 04-2049 (adopted)</i>	<i>Resolution authorizing the City Manager to increase the fee limit from \$300,000.00 to \$400,000.00 for the Professional Services Agreement with David Plummer & Associates, Inc. for the remainder of their two-year contract.</i>
<i>Aug. 23, 2005 File No. 04-1825 (adopted)</i>	<i>Resolution authorizing the City Manager to execute an Interlocal Agreement with the Metropolitan Planning Organization (MPO) to receive reimbursable grant funds in an amount not to exceed \$18,200.00 for the preparation of a Trolley Route Expansion Feasibility Study.</i>

Prepared By: Elizabeth N. Owens

MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR



Research Notes

Agenda Item: 9A1 (United States Geological Survey Funds)

File Number: 120968

Date of Analysis: June 11, 2012

Summary

This resolution ratifies the County Mayor or his designee's action in applying for the US Department of the Interior, US Geological Survey 2012 National Spatial Data Infrastructure Cooperative Agreement Program funds in the total amount of \$39,845.

The deadline for submission was January 24, 2012. The short timeframe imposed by the United States Department of the Interior did not allow sufficient time for Administration to submit an item to the Board of County Commissioners (BCC) for consideration.

Two cooperative agreements in the amounts of \$14,999 for the Miami-Dade County Geographic Information System Inventory System Expansion Project and \$24,846 for Miami-Dade County Geographic Information System Metadata Trainer and Outreach Assistance Project have been awarded to the County to implement over a 12-month period.

The Information Technology Department (ITD) will be coordinating these projects. ITD staff's time has been budgeted and presented as a match in the grant submission in the amount of \$22,152 and \$25,845, respectively. No additional County funds are required to match the grant award.

Geographic Information System (GIS)

Miami-Dade County maintains approximately more than 600 GIS layers in its central data repository that are utilized by County operations such as redistricting, property assessments, safety crime analysis, hydrant maintenance, flood zones, elections management and County Services Near You.

According to the Miami-Dade County GIS website, GIS is a computer system that provides tools to store, edit, display and query data containing locational information, such as address, folio, census tract, Zip Code or x, y coordinates. The GIS allows you to view your data in a totally different way than has traditionally been done with spreadsheets and database table lists. Trends, patterns and relationships between features that have not been analyzed together in the past are easily seen in a GIS.

GIS combines many disciplines and technologies, such as cartography, computer science, surveying, engineering and geodesy. Many of the complementary technologies that are used include Computer-Aided Design (CAD), Global Positioning Systems (GPS) and Image Processing Packages.

Why Use a GIS?

- Local government environments are well-suited for GIS because 90% of their data is related to geography; specifically address and tax folio.
- A GIS provides an efficient method for the maintenance and storage of maps.
- Analysis of data from multiple departments (and seemingly un-related) is possible based simply on the geography.
- Patterns, trends and relationships are identified and spatially analyzed.

Additional Information

Executive Order 12906¹

On April 11, 1994, President Bill Clinton signed Executive Order 12906: Coordinating Geographic Data Acquisition and Access: The National Spatial Data Infrastructure. The National Performance Review recommended that the executive branch develop, in cooperation with State, local, and tribal governments, and the private sector, a coordinated National Spatial Data Infrastructure to support public and private sector applications of geospatial data in such areas as transportation, community development, agriculture, emergency response, environmental management, and information technology.

The U.S. Federal Geographic Data Committee (FGDC)²

The National Spatial Data Infrastructure (NSDI) was conceptualized in 1992-93, with the vision that the current and accurate geospatial data will be readily available on a local, national and global basis to contribute to economic growth, environmental quality and stability and social progress.

The NSDI, as defined in Executive Order 12906, is the technology, policies, standards and human resources necessary to acquire, process, store, distribute, and improve utilization of geospatial data. The components of the NSDI are data themes, metadata, the National Spatial Data Clearinghouse, standards, and partnerships.

Executive Order 12906 called for the development of the NSDI, and chartered the FGDC to lead and coordinate the effort. The FGDC is the government-wide policy and coordination body for federal geospatial activities in support of the NSDI. FGDC includes 28 member agencies and provides a focal point for geospatial policy, leveraging of resources, data sharing, standards, and coordination with a wide variety of partners and stakeholders.

Provided below is the listing of NSDI Cooperative Agreements Program (CAP) projects awarded in FY 2012:

- | |
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| <ul style="list-style-type: none"> • Alaska Metadata Trainer & Outreach Award Number G12AC20127, Category 1: Metadata Trainer and Outreach Assistance • Miami-Dade County GIS Metadata Trainer and Outreach Assistance Award Number G12AC20131, Category 1: Metadata Trainer and Outreach Assistance • Metadata Training and Support for Conservation Practitioners Award Number G12AC20129, Category 1: Metadata Trainer and Outreach Assistance • Innovate ISO for EPA and Idaho Award Number G12AC20135, Category 2: ISO Geospatial Metadata Standards Implementation • Promoting ISO Metadata Standards Through Application to Puget Sound Nearshore Data Award Number G12AC20124, Category 2: ISO Geospatial Metadata Standards Implementation • Appalachian Ohio Geospatial Data Partnership – Collection and Update of Ohio GIS Metadata in Ramona Award Number G12AC20105, Category 3: Expanding the State GIS Inventory • Expanding the GIS Inventory System in Iowa - EGIS Iowa Award Number G12AC20106, Category 3: Expanding the State GIS Inventory • Expanding Louisiana's Use of the GIS Inventory System Award Number G12AC20132, Category 3: Expanding the State GIS Inventory • Miami-Dade County GIS Inventory System Expansion Award Number G12AC20130, Category 3: Expanding the State GIS Inventory • Strengthening the Maryland Statewide GIS Inventory in Ramona Award Number G12AC20136, Category 3: Expanding the State GIS Inventory • Business Plans for Iowa Geospatial Infrastructure Framework Layers for Emergency Management Applications Award Number G12AC20141, Category 4: Fifty States Initiative: Business Plan Development and Implementation |
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¹ Presidential Documents, Executive Order 12906 of April 11, 1994, Federal Register, Vo. 59, No. 71.

² Presentation on the U.S. Federal Geographic Data Committee (FGDC) Story, by Ivan B. Deloatch, FGDC Executive Director, June 16, 2009.

- Implementation of Statewide Orthoimagery Business Plan for Maine Award Number G12AC20133, Category 4: Fifty States Initiative: Business Plan Development and Implementation
- Business Plan for Maryland Statewide Parcel Data Development & Maintenance Award Number G12AC20134, Category 4: Fifty States Initiative: Business Plan Development and Implementation
- Business Plan Creation for Statewide Parcel Data and Enhanced Elevation Data for Nevada Award Number G12AC0139, Category 4: Fifty States Initiative: Business Plan Development and Implementation
- Developing a Business Case for the North Carolina Master Address Database Maintenance in North Carolina Award Number G12AC20110, Category 4: Fifty States Initiative: Business Plan Development and Implementation
- Integrating the FGDC National Vegetation classification (NVC) Standard Award Number G12AC20142, Category 5: FGDC-endorsed Standards Implementation Training and Outreach
- Implementation Model Development for FGDC-Standard Cadastral Data - Enabling Seamless Parcel Data Exchange Award Number G12AC20143, Category 5: FGDC-endorsed Standards Implementation Training and Outreach
- Enhancing Wetland Classification for the FGDC Wetland Mapping Standard in Montana Award Number G12AC20144, Category 5: FGDC-endorsed Standards Implementation Training and Outreach
- Building Capacity for Implementation of Distributed Online Metadata Catalogs in the Oregon Coastal and Marine Data Network Award Number G12AC20146, Category 5: FGDC-endorsed Standards Implementation Training and Outreach
- Transitioning to the FGDC Draft Geologic Map Database Standard: A Washington State Geologic Survey Pilot Project Award Number G12AC20145, Category 5: FGDC-endorsed Standards Implementation Training and Outreach
- NSDI/Coeur d'Alene Tribe Geospatial Platform Cloud Service Testbed Project Award Number G12AC20128, Category 7: Geospatial Platform Cloud Service Testbed
- IndianaMap Cadastral Cloud Implementation Award Number G12AC20138, Category 7: Geospatial Platform Cloud Service Testbed
- Assessing the Potential Benefits of Hosting Maryland's Basemap in the Cloud Award Number G12AC20137, Category 7: Geospatial Platform Cloud Service Testbed

Question

Will other agencies/municipalities have access to the County's GIS system?

According to ITD, GIS is offered to the public through various channels. There are numerous services provided on the County's portal, and website visitors can download GIS information on the self-service website at <http://gisweb.miamidade.gov/GISSelfServices>.

Municipalities and external agencies take advantage of a subscription service where up-to-date GIS information is made available on a weekly basis. The County also partners with municipalities on specific initiatives. External agencies and cities participate in the County's GIS User Group.

The goal of these grants is to further engage municipalities and external agencies through training and simplified access to information. At the conclusion of the project Miami-Dade's GIS will be part of a national clearing house where information can be easily obtained.

Prepared by: Elizabeth N. Owens



Agenda Item: 9A2 (Payphone Services and Payphone Presubscription Services)

File Number: 120930

Date of Analysis: June 11, 2012

Summary

The proposed resolution authorizes modification to Contract No. 104, Payphone Services and Payphone Presubscription Services, with Global Tel Link Corporation to continue providing payphone and payphone prescription services. In addition, this resolution waives formal bid procedures. This will be the second modification to Contract 104.

Background

Contract Modification No. 1

The first modification to this contract was approved on June 6, 2006, by the Board of County Commissioners (BCC) under Resolution No. 679-06, extending the contract for an additional five (5) years with projected revenue to the County in the amount of \$29,309,720. Pursuant to the request of the Office of Strategic Business Management (OSBM), the Department of Procurement Management conducted market research on payphone service providers throughout the nation in order to obtain a better understanding of the then current market conditions and the benefits of exercising the final OTR.

According to the findings from Market Research conducted by Procurement in May 2011:

- *The payphone industry has undergone considerable change since the County originally awarded Contract 104 (May 2000). With advances in cellular telephone technology and increased affordability and usage of cellular telephone service, the payphone service industry has become less profitable in general public areas. The payphone industry does continue to have a strong presence within the more profitable corrections related facilities.*

As part of the first contract modification, the Contractor was to install new telephone systems in existing Correctional facilities, as well as in all future Correctional facilities that may be opened in the County during the five year period of the extension.

- **Question: Did the Contractor fulfill this obligation?**

The new equipment under the first modification was to include features to allow law enforcement agencies to monitor and record all phone calls placed on the system. The system would also have the capability to search and identify calls made by any particular inmate in addition to include the latest in biometric related security features. Additionally, at the end of the extension, the County would have the option to purchase the new telephone equipment at a significantly discounted price.

- **Question: Did the Contractor fulfill this obligation?**

Furthermore, the proposed modification is similar to the first modification in that it includes similar enhancements like the addition of biometric features to the system with the intent of being able to use multifactor biometric authentication of inmate identity.

- **Question: Is this modification providing the same enhancements as Modification No. 1?**

Previous Legislation

History of the Original Contract	
Contract 104 ¹ - Payphone Services and Payphone Presubscription Services	
Date	Legislative Information
3/31/98	<p>The BCC approved the issuance of a RFP for Payphone Services and Payphone Presubscription Services for approximately 3,188 payphones at County sites. The RFP allowed proposers to submit proposals in one or more of the following ways: a single proposal for payphones and local service (Part A); a single proposal for long distance service (Part B); a combined proposal for payphones and local service, and long distance service.</p> <p>The RFP stipulated that for purposes of evaluation and award, combined proposals would not be split up, and that single proposals for Part A would be combined with single proposals for Part B.</p>
8/7/98	<p>The RFP closed. Proposals were received from three (3) companies: BellSouth Public Communications, Sprint and TCG/AT&T. The three companies submitted proposals in the following ways:</p> <ul style="list-style-type: none"> • BellSouth: A combined proposal for Part A and B <ul style="list-style-type: none"> ◦ Subsequently, they received an Evaluation Committee score of 824.03. • Sprint: A combined proposal for Part A and B <ul style="list-style-type: none"> ◦ Subsequently, they received an Evaluation Committee score of 948.7. • TCG/AT&T: A combined proposal for Part A and B <ul style="list-style-type: none"> ◦ Subsequently, they received an Evaluation Committee score of 970.8. • BellSouth: A single proposal for Part A / AT&T: A single proposal for Part B <ul style="list-style-type: none"> ◦ Subsequently, they received an Evaluation Committee score of 749.93. <p>The Selection Committee ranked TCG/AT&T the highest with an Evaluation Committee score of 970.8 and recommended them for award.</p>
2/2/99 to 2/10/99	<p>Staff negotiations with TCG/AT&T produced the following contract highlights:</p> <ul style="list-style-type: none"> • \$50 million Minimum Guaranteed Commission payment to the County for the five-year term of the contract (\$10 million per year minimum). • Creation of job opportunities in Miami-Dade County, including use of DBE firms. • Increase of DBE participation from a goal of 25% as required by the RFP to AT&T's voluntary commitment of 30% (work which will be performed by a Miami-Dade County certified DBE), plus 100% of the initial installation of payphones (work which will be performed by a Miami-Dade County certified DBE). • Requirement that the payphones and enclosures be maintained graffiti-free. • Installation of all new, state-of-the-art payphones at County sites, for the installation base of payphones of 3,188 and any additional payphones which exceed the amount of phones. • Additional revenue-generating possibilities from sale of pre-paid phone cards, advertising, speed dial buttons, business centers that include internet terminals and kiosks at the airport and at other facilities that attract business travelers, cellular rentals, and voice messaging.
3/1999	BellSouth Public Communications, the unsuccessful, third ranked proposer filed a formal bid protest.
6/2/99	BellSouth filed an addendum to their formal bid protest, including an allegation that the meeting (held April 1999) of the Cuba Affidavit Waiver Review Committee was not given proper public notice.

¹ Resolution No. 494-00

	Meeting re-held on July 7, 1999.
8/31/99	Cuba Affidavit Waiver Review Committee report approved.
3/9/00	Hearing Examiner issues Findings and Recommendations upholding the County Manager's recommendation to award the payphone contract to AT&T, and denying BellSouth's bid protest. <ul style="list-style-type: none"> The County Manager estimated that the County lost at least \$5,222,529 plus interest in slightly over one year due to the delays in awarding this contract.
5/9/00	The original Contract No. 104, Payphone Services and Payphone Presubscription Services, was approved by the BCC, under Resolution No. 494-00, for a five-year term with two (2) one-year Options-to-Renew (OTR) periods.
6/6/06	The BCC approved the first modification to Contract No. 104, under Resolution No. 679-06, extending the contract for an additional five (5) years. Additionally, the contractor was to provide various enhancements.

Global Tel Link²

In the late 1980's Global Tel Link (GTL), a Mobile, Alabama-based firm, entered the telecommunications market with the introduction of an advanced "smart" store and forward public payphone system. Subsequently, with the success of this public payphone system in several states across the country, GTL entered the Inmate Telephone Industry. GTL's unique product provided the inmate facilities a convenient and secure phone system which required less administrative supervision while decreasing inmate phone-use fraud.

For more than 20 years, GTL has provided telecommunications service to correctional facilities. GTL has expanded to include correctional facilities in more than half of the United States.

Prepared by: Elizabeth N. Owens

² www.gtl.net/

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Research Notes

Agenda Item: 9A3 (RFP809: Continuous Form High-Speed Printers)

File Number: 120979

Date of Analysis: June 12, 2012

Summary

This resolution approves the execution of an agreement with Oce North America to purchase, implement, and maintain two refurbished continuous form high speed printers for the Information Technology Department (ITD).

Contract No. RFP809, Continuous Form High-Speed Printers, is in the amount of \$1.251 million for the initial four (4) year term, and \$2.267 million if the four (4) one-year options-to-renew (OTR) periods are exercised, with Oce North America.

ITD uses these printers to produce high-volume print jobs, which include various reports and notices, employee pay stubs, utility bills, subpoenas, and judicial calendars for several County departments.

The solicitation allowed for proposers to provide the County with the option of either purchasing new or refurbished equipment. ITD elected to purchase refurbished equipment which has been certified by the vendor and will be maintained by the vendor throughout the life of the contract. By selecting to purchase refurbished equipment, the County is able to obtain the equipment at a lower cost when compared to the purchase of new equipment, representing a cost avoidance of \$402,818. The County will also not incur \$31,924 in interest charges that would have been assessed to finance the purchase of new equipment. Additionally, the County's negotiation team negotiated savings of \$46,702 from the original proposed price of the refurbished equipment.

Scope of Services

The scope of services include installation and setup, maintenance and support, training, and acceptance criteria whereby an extension to the reliability period may be considered and negotiated to allow the selected proposer reasonable time to cure any deficiency.

Background and Relevant Legislation

According to Procurement's Bid Tracking System, the County first procured the high speed printers, maintenance and repair services from OCE North America in 1995 through a competitive solicitation. The equipment has been continuously maintained by OCE, the proprietary vendor and manufacturer of the equipment.

History of Previous Contract High Speed Printers with OCE Printing Systems USA, Inc.		
Date and Resolution	Contract Number and Title Award Information	Additional Information
Dec. 4, 2003 <i>R-1394-03</i>	<p>Contract No.: <u>BW5793-3/04-OTR</u> High Speed Printers Maintenance and Repair Services</p> <p>To replace the existing agreement to provide maintenance and repair services for high speed printers used to support the County's mainframe printing operations.</p> <p><u>Utilizing Departments:</u> Miami-Dade Aviation Department and Enterprise Technology Services Department (ETSD)</p>	<p>Allocation: \$350,000</p> <p>Term: One (1) year</p> <p>OTR: Three (3) one-year OTR</p> <p>Vendor: OCE</p> <p>Staff negotiations with OCE Printing Systems resulted in the following:</p> <ul style="list-style-type: none"> • Preserved the same prices for maintenance that have been in place since 1995; • Limited future price adjustments not to exceed five percent (5%) per year for the three (3) OTR's for maintenance; and • Limited future price adjustments not to exceed fifteen percent (15%) for supplies.
Dec. 24, 2007	<p>Contract No.: <u>BW5793-3/04</u> High Speed Printers Maintenance and Repair Services</p> <p>Extension under the Department's authority to extend contract for an additional six (6) months.</p>	<p>Provided an extension of the contract to August 31, 2008.</p>
July 17, 2008 <i>R-843-08</i>	<p>Contract No.: <u>BW5793-3/04</u> High Speed Printers Maintenance and Repair Services</p> <p>To extend this contract for four (4) additional months to December 31, 2008 and for to increase the spending authority under this contract by \$89,000 for ETSD.</p>	<p>The increase in spending authority provided by this resolution brings the total contract value to \$483,087.</p> <p>The ongoing service and repair is proprietary to OCE North America and no other vendor can perform the required maintenance.</p>
Jan. 22, 2009 <i>R-49-09</i>	<p>Contract No.: <u>BW8872-1/12</u> OCE Printer Maintenance and Support Services</p> <p>Bid Waiver to provide maintenance and repair services to high speed printers used to support the County's mainframe printing operations for the ETSD.</p> <p>To maintain three (3) OCE high speed printers located at the County's Regional Data Processing and Communications Center which require ongoing maintenance and repair services.</p>	<p>Allocation: \$975,000</p> <p>Term: Three (3) years</p> <p>Effective Date: Feb. 9, 2009</p> <p>Expiration Date: Feb. 8, 2012</p> <p>OTR: One (1) eleven-month OTR</p> <p>Vendor: OCE North America</p>
Feb. 9, 2012	<p>Contract No.: <u>BW8872-1/12-1</u> OTR Period for OCE Printer Maintenance and Support Services</p>	<p>OTR: One (1) eleven-month OTR</p> <p>Effective Date: Feb. 9, 2012</p>

	<i>This OTR period is currently active.</i>	Expiration Date: Nov. 30, 2012 Amount: \$220,000
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Additional Information

Océ North America

According to the Océ website, Océ is one of the leading providers of document management and printing for professionals. The company was founded in 1877. With headquarters in Venlo, the Netherlands, Océ is active in over 100 countries and employs more than 20,000 people worldwide. Océ North America is headquartered in Trumbull, CT, with additional business units in Chicago, IL and Boca Raton, FL.

In 2010 Océ joined the Canon Group of companies with headquarters in Tokyo, Japan. Canon develops, manufactures and markets a growing line-up of copying machines, printers, cameras, optical and other products that meet a diverse range of customer needs. The Canon Group comprises over 198,000 employees worldwide. Global net sales in 2011 totaled USD 45.6 billion.

From the founding of the company in 1877, Océ claims to have established a tradition of environmental stewardship. In 1927, Océ invented the eco-friendly ammonia-free diazo copying process for technical documents. In 1958, Océ launched a new production process that reduced the use of solvents by 80 percent. In 1975, Océ received Europe's first award for research in environmental protection. Océ printing and copying systems have met the criteria of the United Nations Global Compact since 2002. Today, Océ is one of the first companies to be RoHS compliant. And in 2006, Océ received FedEx Kinko's Best in Sustainability/Environmental performance award at their annual supplier summit.

Many of Océ's printing, copying and scanning systems have received Germany's Blue Angel award, given to products that meet a high standard of performance for efficient energy consumption, use of recycled paper and recyclable materials and that meet strict emissions regulations.

Prepared by: Elizabeth N. Owens