



Miami-Dade Board of County Commissioners
Office of the Commission Auditor

Government Operations Committee (GOC) Meeting

April 17, 2018
1:30 P.M.
Commission Chambers

Thomas B. Davis, Esq.
Director, Policy and Legislation
Office of the Commission Auditor (OCA)
111 N.W. First Street, Suite 1030
Miami, FL 33128
(305) 375-2524

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Research Notes**

**Item No. 1G1
File No. 180254**

Researcher: BM Reviewer: TD

ORDINANCE CREATING THE ELDER AFFAIRS ADVISORY BOARD; CREATING ARTICLE CLIX OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING THE COMPOSITION AND DUTIES OF THE BOARD AND OTHER RELATED MATTERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve the creation of the Elder Affairs Advisory Board (board) and creating Article CLIX of the County Code.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code, Section 2-11.36.1 defines the term “board” to include every agency, authority, advisory board, regulatory board, quasi-judicial board, semiautonomous instrumentality, committee, task force or any other citizens’ group created and funded in whole or in part by the Board of County Commissioners. It requires that County boards created for more than one year be created by ordinance. https://library.municode.com/FL/Miami_Dade_County/codes/Code_of_Ordinances?nodeId=PTIICOOR_CH2AD_ARTIBSTCRREBOGE_S2-11.36.1DEBO

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Rebeca Sosa, District 6
Sen. Javier D. Souto, District 10
Commissioner Esteban L. Bovo, Jr., District 13
Commissioner Daniella Levine Cava, District 8
Commissioner Audrey M. Edmonson, District 3
Commissioner Joe A. Martinez, District 11
Commissioner Jean Monestime, District 2
Commissioner Dennis C. Moss, District 9**

02/06/15: Adopted by the Board on first reading. This item was originally file number no. 180147.

FISCAL IMPACT

If the proposed ordinance is approve, it will have a fiscal impact on the County as the ordinance states that there will be a need to convert a part-time position to a full-time position to meet the requirements.

The table below summarizes the estimated expense for a full-time position for the Elder Affairs Advisory Board over the next five years:

Fiscal Year	Estimated Expense
Year 1	\$43,574
Year 2	\$45,748
Year 3	\$48,031
Year 4	\$50,428
Year 5	\$52,945

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ANALYSIS

This item seeks Board approval for the creation of the Elder Affairs Advisory Board and creating section Article CLIX of the County Code.

In Florida, Miami-Dade County has the largest population of individuals who are 60 years old or older. The Elder Affairs Advisory Board would focus on the needs of the elder residents and encourage them to become more active and involved in community events and leadership roles.

The board shall comprised of 15members to be appointed as follows: (1) one member by each County Commissioner; (2) one by the County Mayor; and (3) one by the Miami-Dade Chapter of the American Association of Retired Persons. Each member must be a permanent resident of the County, be at least 65 years of age, and may serve four-year terms, no member to serve more than eight consecutive years.

The amended item differs from the original in that the duties of taking of minutes and maintenance of membership roster is to be conducted by the Office of Community Advocacy, rather than the Clerk of the Board. The item further creates the Article CLIX, Elder Affairs Advisory Board detailed below.

Per the Mayoral memo, an amendment to the ordinance designating the Mayor's Office of Senior Advocacy to support the Elder Affairs Advisory Board would mitigate the fiscal impact by the office absorbing the staffing requirement.

Lake County Florida established the Elder Affairs Coordinating Council to provide their BCC with information regarding existing programs and facilities, identify services that would benefit elders and assist in making Lake County an "elder ready" community

https://www.lakecountyfl.gov/departments/community_services/health_and_human_services/elder_affairs/

Collier County Florida established the Senior Advisory Committee to assist the Board of County Commissioners in compiling and identifying issues and relevant best practices concerning senior citizens in Collier County.

<https://www.colliercountyfl.gov/your-government/advisory-boards-and-authorities/collier-county-ad-hoc-senior-advisory-committee>

Fulton County Georgia established the Commission on Elderly Affairs to make recommendations to improve the quality of life for senior citizens in Fulton County.

http://www.fultoncountyga.gov/images/stories/Clerk%20to%20The%20Commission/COMMISSION_ON_ELDERLY_AFFAIRS_032918.pdf

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<p><i>Sec. 2-2349. Creation and Composition.</i></p>	<p>The Miami-Dade County Elder Affairs Advisory Board (board) is hereby created and shall be comprised of a total of 15 members, as follows: (1) each County Commissioner shall appoint one member; (2) the Mayor shall appoint one member; and (3) the Miami-Dade Chapter of the American Association of Retired Persons shall appoint one member. The members shall be permanent residents and electors of the County in accordance with section 2-11.38, as may be amended, shall have knowledge of and interest in the County's elderly population and shall be at least 65 years of age. Board members shall serve four-year terms, and no member may serve more than eight consecutive years in accordance with section 2-11.38.2, as may be amended.</p>
<p><i>Sec. 2-2350. Membership; officers; meetings.</i></p>	<p>The members of the board shall elect a chairperson, vice-chairperson, and such other additional officers as the board shall deem necessary. All officers shall serve one-year terms, and no member may remain in the same office for more than two consecutive years. After one year of not holding the office, a member may be elected to the same office that was previously held for up to two consecutive years. Officer elections shall take place each November, with newly elected officers installed the following January.</p> <p>A majority of members duly appointed to the board shall constitute a quorum necessary to hold a meeting and take any action. Members shall serve without compensation. The chairperson or vice-chairperson may call meetings of the board. Meetings may also be called by written notice signed by eight members. The board at any duly noticed public meeting may fix and call a meeting on a future date.</p> <p>All meetings shall be held in accordance with Government in the Sunshine laws and access to public records shall be afforded as required by the Public Records Act. Additionally, the public shall be given a reasonable opportunity to be heard pursuant to section 286.0114, Florida Statutes, and related applicable provisions of the Code.</p> <p>Notwithstanding any other provision of the Code, a board member shall be automatically removed if, in a given County fiscal year the member is absent from two consecutive meetings without an acceptable excuse or the member is absent from three of the board's meetings without an acceptable excuse. An 'acceptable excuse' is defined as an absence for medical reasons, business reasons, personal reasons, or any other reason which the board, by a two-thirds vote of its membership, deems appropriate. If a member is absent with an acceptable excuse from three or more meetings, the board may vote to remove the member from the board.</p> <p>A member shall be considered absent from a meeting if the member is not physically present for at least 75 percent of the meeting's duration. A member shall also be considered absent from a meeting if the member refrains from voting on any matter for which voting is conducted at the meeting, unless the member is prevented from voting by a conflict of interest.</p> <p>The provisions of the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, as may be amended, are applicable to this board, as well as other laws applicable to public advisory board membership, including but not limited to section 2-11.38 of the Code.</p>

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<p><i>Sec. 2-2351. Duties; powers; responsibilities.</i></p>	<p>The board shall have the following duties, powers and responsibilities:</p> <p>(1) The board shall advise the Mayor and the Board of County Commissioners on issues related to the County's programming, public services, and facilities for elderly persons, including but not limited to, transportation/mobility services, health care services, parks programming, including silver services programming, and affordable housing.</p> <p>(2) The board shall serve as a liaison with the elderly community. This relationship will enable outreach with the elderly community and receipt of input on the needs of the elderly community that may be addressed by the County.</p> <p>(3) The Board shall recommend activities or programming that promote a healthy lifestyle and enhance the quality of life for elderly persons.</p> <p>(4) The Board shall act as an advisor to the Mayor and the Board of County Commissioners on all other policy matters pertaining to the elderly community in Miami-Dade County, as may be requested by the Mayor, the Chairperson of the Board of County Commissioners, or the Board of County Commissioners.</p> <p>(5) The board shall report at least annually to the Board of County Commissioners as to its activities and recommendations.</p>
<p><i>Sec. 2-2352. Supervision and Support.</i></p>	<p>The Clerk of the Board of County Commissioners (Clerk of the Board) shall retain the current roster of the board's members and minutes of the board's meetings that are provided to the Clerk of the Board.</p> <p>The Office of the Chairperson of the Board of County Commissioners, County Attorney and Office of Community Advocacy shall provide appropriate support for the board. The Chairperson of the Board of County Commissioners shall have the power to appoint, employ, remove and supervise such assistants, employees, and personnel as deemed necessary to provide appropriate support to the board, and such assistants, employees, and personnel. The executive director shall be the director of the Office of Community Advocacy or his or her designee. Any assistant, employee, personnel or executive director shall serve at the will of the Chairperson of the Board of County Commissioners.</p> <p>The Office of Community Advocacy shall ensure the board's membership roster is current and take the minutes and post minutes from the board's meetings online. In addition, the executive director of the Office of Community Advocacy shall provide a report on the board every 12 months to the Board of County Commissioners.</p>

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**Item No. 2A
File No. 180837**

Researcher: BM Reviewer: TD

RESOLUTION AUTHORIZING ACCESS OF BROWARD COUNTY CONTRACT, SOLICITATION # N2111734PL, FOR THE PROVISION OF EMERGENCY LOAN PROGRAM TO MIAMI-DADE COUNTY EMPLOYEES; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE DOCUMENTS NECESSARY TO ACCESS SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize access to Broward County Contract, Solicitation #N2111734Pl, for the provision of emergency loan program to Miami-Dade County (County) employees.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases, Generally); this section requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved, including legacy and designated purchases; and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Master Procurement Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services, including professional services.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

PROCEDURAL HISTORY

Prime Sponsor: Chairman Esteban L. Bovo, Jr., District 13

This Item has no procedural history.

FISCAL IMPACT

If the proposed resolution is approved, it will not have a negative fiscal impact on the County as the contract states that there will be no compensation, fee, charge, cost, or expenditure paid to BMG Money, Inc. (BMG) by Broward County arising from the agreement. Employees will be responsible to pay for interest and principal repayment through payroll deductions.

Broward County's contract solicitation #N2111734Pl, is an agreement with BMG for emergency loans to their County employees. The resolutions would allow the County to access the contract to provide the access to the emergency loans to Miami-Dade County employees.

ANALYSIS

This item seeks Board approval for access to Broward County Contract, Solicitation #N2111734Pl, for the provision of emergency loan program to Miami-Dade County employees. The vendor, BMG, would provide employees of Miami-Dade County an alternative to predatory payday lenders by providing access to fairly priced loans at competitive rates. Implementing Order No. 3-38 allows for accessing contracts from other government entities. The County may award a contract by accessing the competitively solicited contract of any other governmental or quasi-governmental entity or

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not-for-profit organization, provided the goods or services are not available through an existing Miami-Dade County contract at same or lower price.

Miami-Dade County employs approximately 25 thousand employees. Some of these County employees have poor or no credit history and may lack access to fairly priced loans through banks or traditional lenders. Often, interest rates charged by payday lenders are substantially higher than market rates and may charge hidden fees. Short-term payday loans may be a useful tool to help employees through an emergency if they are paid back in full and on time. However, failing to pay the loan back on time may lead to additional borrowing at higher interest rates. Interest rates charged can often reach triple digits.

Below is a table providing example of the fees and annual percentage rate charged for 14-day loans at a payday lender:

The chart below shows the fees and APR based on a loan term of 14 days

Loan Amount	Lender Interest (10% per annum)	CSO Fee	Total Finance Charge	Total Amount Due To CSO / To Lender / Equals			Annual Percentage Rate (APR) (assumes 14-day term)
\$200	\$0.76	\$50	\$50.76	\$50	\$200.76	\$250.76	661.69%
\$300	\$1.14	\$75	\$76.14	\$75	\$301.14	\$376.14	661.69%
\$400	\$1.52	\$100	\$101.52	\$100	\$401.52	\$501.52	661.69%
\$500	\$1.90	\$125	\$126.90	\$125	\$501.90	\$626.90	661.69%
\$1,000	\$3.81	\$250	\$253.81	\$250	\$1,003.81	\$1,253.81	661.71%
\$1,500	\$5.72	\$375	\$380.72	\$375	\$1,505.72	\$1,880.72	661.72%

The agreement between BMG and Broward County is intended to benefit County employees by providing them with a fixed rate, fixed payment voluntary emergency employee loan program for benefit-eligible County employees. Broward County engaged in an open solicitation for a qualified firm to administer the emergency loan program for its employees. The services will be on non-exclusive basis as the County is entitled to do business with other vendors offering similar programs. BMG shall host a fast and convenient on-line enrollment and approval process for said program and should provide employees with 24/7 on-line access to their loan information and status.

The program will offer employees with access to loans between \$500 and \$5,000 and biweekly payback terms of 6, 12, 18, or 24 months. Upon approval, the funds should be made available to employees within two days. The simple interest for the loans may not exceed an APR 23.99%. The contract does not provide set criteria for the classification of an emergency. Should the employee separate from the County, BMG will have no rights or entitlement to deduct remaining balances from the employee's final paycheck or require "balloon payments" to satisfy any outstanding loans. BMG must report to at least one nation-wide credit bureau the employee's loan performance.

The following municipalities throughout Florida offer loan-at-work employee benefit programs:

- Broward County
- Leon County
- Seminole County
- City of Miami
- City of Orlando

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ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), BMG Money, Inc., has an active status as a Foreign For Profit Corporation and first filed and registered on 12/10/2009. The company is registered locally at the following principal address: 1221 Brickell Avenue, Miami, FL 33131.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=BMGMONEY%20F090000049040&aggregateId=forp-f09000004904-399556fe-3820-4e3f-b492c0c14e475cfc&searchTerm=BMG%20Money%2C%20Inc.%20&listNameOrder=BMGMONEY%20F090000049040>

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**Item No. 2D
File No. 180300**

Researcher: MF Reviewer: TD

ORDINANCE PERTAINING TO LEASES OF COUNTY PROPERTY FOR PRIVATE USE; AMENDING SECTION 2-8.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR PAYMENT OF LIVING WAGE TO CERTAIN HOURLY EMPLOYEES OF CERTAIN COUNTY LESSEES; PROVIDING EXCEPTIONS; SUPERSEDING AND REPEALING RESOLUTION NO. R-148-07; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should approve the proposed ordinance to amend the Living Wage Ordinance for County service contracts to apply living wage requirements to certain hourly employees of certain County lessees.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-148-07, adopted by the Board on February 2, 2007, directs the County Mayor to include a Labor Peace requirement in all requests for proposals, requests for qualifications, bids and contracts for concession opportunities at the Miami International Airport (MIA).

<http://intra/gia/matter.asp?matter=062523&file=true&yearFolder=Y2006>

Miami-Dade County Administrative Order No. 8-4 gives the Board the authority to sell or lease or otherwise dispose of County-owned real property.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO8-4.pdf>

Miami-Dade County Administrative Order No. 3-30 requires that all service contractors performing covered services pay employees no less than the applicable hourly living wage rate, with or without benefits.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-30.pdf>

Miami-Dade County Code, Section 2-8.9 codifies the Living Wage Ordinance for County Service Contracts and County Employees.

<https://www.miamidade.gov/business/library/ordinances/living-wage-code.pdf>

Miami-Dade County Code, Section 2-8.6.5 governs purchases, sales and lease of real property.

[https://library.municode.com/fl/miami -
_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR](https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.6.5PUSALEREPR)

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

The proposed ordinance was adopted on first reading at the Board meeting on February 21, 2018. At that meeting, Commissioner Martinez requested that the item be bifurcated. Commissioners Martinez, Sosa and Diaz voted “no”.

The proposed ordinance was considered at the Government Operations Committee meeting of March 13, 2018.

Commissioner Sosa expressed her concerns with this items, noting the companies would have to pay two different sets of wages: one for the employees working in properties owned by the County, and one for the employees working in other locations. She said she was opposed to dictating to companies what they should pay their employees. She

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also pointed out that the proposed ordinance could have unintended consequences because private companies may be reluctant to rent County-owned property to avoid paying living wages.

Commissioner Martinez said he was opposed to imposing compromises reached with labor unions on private companies.

Assistant County Attorney David Murray noted the Board in 2007 passed a requirement that concessionaires in Aviation Concession Leases have Labor Peace Agreements. He said the intent was to ensure that employees, to the extent that they wished to unionize, did not do so in a manner that was disruptive to the operations of the airport. He explained that when a union sought to represent a concessionaire's workforce, the concessionaire, as a pre-condition to being awarded a concession by the Board, had to enter into a Labor Peace Agreement with that union.

The foregoing proposed ordinance was deferred to the next Committee meeting by the Government Operations Committee.

FISCAL IMPACT

It is unclear from the item if adoption of the proposed ordinance will increase administrative costs for the departments impacted as they would have to administer the policy and monitor compliance. As of April 13, 2018, no Fiscal Impact Statement has been included in the item.

ANALYSIS

The purpose of this proposed ordinance is to seek the Board's approval to amend the Living Wage Ordinance to require that certain County properties that are being leased to a lessee provide payment of living wage to certain hourly employees. The existing ordinance covers the following services: County service contracts that involve a total contract value of over \$100,000 per year for food preparation, security services, routine maintenance services, clerical office work, transportation and parking services, etc.; service contractors at Aviation Department facilities, such as ramp service, porter assistance services, janitorial services, in-house cargo handling, etc.

The proposed ordinance would add the following provisions to Subsection (F) regarding services covered by the existing ordinance:

(3) Services Performed by Employees of County Lessees on County Property

Services of hourly employees of any lessee offering goods or services for sale to the public pursuant to any lease of County owned property, but only to the extent such employees are actually employed at the location of such lease. For purposes of this section, an employee shall be considered "actually employed" at such location if that employee spends more than half of their working hours onsite at the location of the lease, or if the employee must physically report to the location of the lease at the beginning or end of the working day or both.

This amendment carves out an exception for the following lease categories:

- *Airlines offering passenger or cargo transportation services;*
- *Maritime passenger cruise lines;*
- *Maritime cargo lines;*
- *Lease appurtenant to any contract with contractor providing goods and services to the County;*
- *Any lease to an architect/engineer belonging to an ongoing County construction project;*
- *Lease to a federal entity;*

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- *A lessee who is exempt from this requirement pursuant to federal or Florida Law.*

The Living Wage requirement was established by the Board on May 11, 1999. This requirement is for employees on County service contracts to allow individuals to support themselves and their families above the poverty line and with dignity. The County feels that employees making the State minimum wage of \$8.25 per hour are more likely to have financial difficulties and make use of governmental services. Therefore, County property should be used to promote business activities that drive broad-based prosperity throughout all communities in the County.

The Living Wage applies to contracts valued greater than \$100,000 per year for the following services:

- Food preparation and/ distribution;
- Security services;
- Routine maintenance service such as custodial, cleaning, refuse removal, repair, refinishing and recycling;
- Clerical or non-supervisory work;
- Transportation and parking services including airport and seaport services;
- Printing and reproduction service; and,
- Landscaping, lawn, and/ agricultural services.

The current living wage for County contracts for covered services entered into before October 1, 2016 is \$13.20 per hour with qualifying health benefits valued at least \$1.91 per hour, otherwise \$15.11 per hour. There was an increase of 2.85 percent compared to the FY 2016/2017 rate.

Living wage for contracts for covered services entered into, extended (by exercise of option to renew or otherwise), amended, or modified on or after October 1, 2016, and all service contractors operating under permits for the Aviation Department is \$12.99 per hour with qualifying health benefits valued at least \$3.16 per hour, otherwise \$16.15 per hour. There was an increase of 4.06 percent compared to the FY 2016/2017 rate.

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Item No. 2E

File No. 180553

Researcher: SM

Reviewer: TD

ORDINANCE RELATING TO BOUNDARY CHANGES AND INCORPORATIONS; CREATING SECTION 20-0 AND AMENDING SECTIONS 20-3, 20-3.1, 20--5, 20-6, 20-7, 20-22, 20-23 AND 20-29 OF THE CODE OF MIAMI--DADE COUNTY; MODIFYING THE DEFINITION OF AN ENCLAVE; REQUIRING MUNICIPALITIES PROPOSING TO ANNEX A PORTION OF THE UNINCORPORATED AREA TO PROVIDE INFORMATION RELATING TO THE MUNICIPALITY'S FISCAL AFFAIRS AND ADJACENT UNINCORPORATED AREAS; REQUIRING THE PLANNING ADVISORY BOARD AND THE COUNTY COMMISSION TO CONSIDER GUIDELINES RELATED TO (1) PROPOSED REVENUE-POSITIVE ANNEXATIONS AND INCORPORATIONS WHICH EXCLUDE CERTAIN REVENUE-NEGATIVE/NEUTRAL UNINCORPORATED AREAS OR ENCLAVES AND (2) IRREGULAR BOUNDARIES; REQUIRING THE COUNTY MAYOR OR MAYOR'S DESIGNEE, THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS, AND THE PLANNING ADVISORY BOARD TO MAKE CERTAIN RELATED REPORTS, REFERRALS, RECOMMENDATIONS, OR DETERMINATIONS, AS APPLICABLE; WAIVING REQUIREMENT OF RESIDENT ELECTOR CONSENT FOR MODIFICATION OF CERTAIN ANNEXATION AND INCORPORATION PETITIONS AND MUNICIPAL ADVISORY COMMITTEE CONSENT FORMS; PROHIBITING APPROVAL OF CERTAIN ANNEXATIONS AND INCORPORATIONS THAT EXCLUDE CERTAIN REVENUE-NEGATIVE/NEUTRAL UNINCORPORATED AREAS OR ENCLAVES; PROVIDING FOR WAIVER OF SUCH PROHIBITION IN CERTAIN CIRCUMSTANCES

ISSUE/REQUESTED ACTION

Ordinance relating to contracts boundary changes and incorporations; creating section 20.0 and amending sections 20-3, 20-3.1, 20-5, 20-6, 20-7, 20-22, 20-23 and 20-29 of the Code, modifying and creating definitions requiring municipalities proposing to annex a portion of the unincorporated area to provide information relating to the municipality's fiscal affairs and adjacent unincorporated areas, requiring the Planning Advisory Board and the County Commission to consider new guidelines prohibiting approval of certain annexations and incorporations that exclude certain revenue- neutral/negative unincorporated areas or enclaves, providing for waiver of such requirement.

APPLICABLE LEGISLATION/POLICY

Section 6.04(B) of the Home Rule Charter governs changes in municipal boundaries.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTICOAMCH_ART6MU_S6.04CHMUBO

Section 20-3(F) (6) of the Code of Miami-Dade County refers to areas designated as terminals in the County's Adopted Land Use Plan Map.

https://library.municode.com/fl/miami/codes/code_of_ordinances?nodeId=PTIITHCO_CH20FLDAPR_S20-3DEEISPFLHAARNOFLHAAR

Section 218.503 of the Florida Statute governs financial matters pertaining to political subdivisions.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0200-0299/0218/Sections/0218.503.html

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Resolution No. R-972-14 adopted December 3, 2013 authorizes the Mayor or designee to enter into an agreement with PMG Associates, Inc. to perform an analysis and carry out the recommendations pursuant to Resolution No. R-1006-13.

<http://intra/gia/matter.asp?matter=141967&file=true&yearFolder=Y2014>

Resolution No. R-1006-13 adopted on December 3, 2013 directs the Mayor or designee to identify one or more universities or a professional consultant to contract with the County to analyze and make recommendations concerning future incorporations and annexations within the unincorporated area.

<http://intra/gia/matter.asp?matter=132352&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

The item was deferred to the next committee meeting at the GOC meeting on March 13, 2018. Commissioner Sosa wanted to know more of the proposed ordinance, Assistant County Attorney Cynthia Johnson-Stacks advised the purpose of this ordinance was to disincentivize cities that were seeking a high value annexation area from leaving behind lower value areas that surrounded the city, or that surrounded the annexation area. Commissioner Moss from district 9 had a question regarding the process for determining a low value area, Assistant County Attorney Johnson-Stacks advised that determination would occur at the time the annexation application was considered by the Planning Advisory Board (PAB). She further advised the City would have an opportunity in its application to explain why a low value area was being excluded; and would be required to appear before the PAB and before the County Commission. Commissioner Sosa requested clarification on the language "waiving requirement of resident elector consent." In response to Commissioner Sosa's request, Assistant County Attorney Johnson-Stacks advised if a municipality in the annexation process decided that it would be better if they added or sought to add lower value areas, they would not have to get resident elector consent, if it was otherwise required. Commissioner Sosa withdrew her second. It was moved by Commissioner Suarez to defer the foregoing proposed ordinance. This motion was seconded by Commissioner Sosa. Commissioner Suarez commented that initially, it did not appear as if Little Gables wanted to be included in any annexation. Commissioner Martinez recalled that during his tenure as a police officer, Little Gables residents wanted to be part of Coral Gables; however, Coral Gables never wanted it. He noted he was not supportive of the proposed ordinance, noting the burden of proof should remain with the municipality to state at the beginning why they wanted or did not want an area. Commissioner Sosa commented on her efforts to facilitate Little Gables' request to be annexed to Coral Gables. She noted if or when the application came before the Board, it would include guidelines the City of Coral Gables promised Little Gables' residents. Commissioner Sosa said twice her office paid for a survey for an election. Commissioner Moss recalled the Board's statement to the City of Coral Gables regarding the inclusion of Little Gables if the City wanted high value communities. There being no further questions or comments, the Committee proceeded to defer the foregoing proposed ordinance to the Committee meeting scheduled for April 17, 2018.

FISCAL IMPACT

The fiscal Impact statement states that this item will not require any additional staffing needs or future operational costs, therefore the implementation of this ordinance will not have a fiscal impact to Miami-Dade County. However the mayoral memo does mention that additional analysis required may prolong the review and processing of any annexation application or incorporation proposal. It does not state what the fiscal impact will be if that were to happen.

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ANALYSIS

This item is a substitute to original item 180046. It differs from the original version in correcting two scrivener's errors, strikes the proposed language which would have required the clerk of the Board of County Commissioners to transmit an annexation application to the Planning Advisory Board and retains the current requirement that the County Commission continue to transmit annexation applications to the Planning Advisory Board, and clarifies that a municipality may, but is not required to, explain in its annexation application why it is proposing to exclude a revenue-negative/neutral unincorporated perimeter area or enclave from a proposed revenue-positive annexation.

The Office of Management and Budget (OMB) will use their staff to provide additional information and analysis of any annexation application or incorporation proposal. The social equity statement states that elected officials and residents of these areas will benefit from this legislation by having additional information available when considering annexation and incorporation proposals.

The Board wishes to implement the recommendations below and make certain other changes to the relevant processes as follows:

Ordinance relating to contracts boundary changes and incorporations and **creates section 20.0 of Chapter 20 of the Code.**

<u>Original</u>	<u>Proposed Changes</u>
<p><u>CHAPTER 20- MUNICIPALITIES</u> <u>Sec. 20-0.</u></p> <p><u>N/A</u></p>	<p><u>CHAPTER 20- MUNICIPALITIES</u> Sec. 20-0. Intent of Code Provisions Relating to Avoiding Boundary Changes and Incorporations that Would Result in Irregular Municipal Boundaries and Exclude Certain Revenue- Negative Neutral Unincorporated Areas.</p> <p>In conjunction with article 6 of the Miami-Dade Home Rule Charter, the provisions of this chapter shall govern boundary change and incorporation procedures in Miami-Dade County. It is the policy of the Board of County Commissioners to give appropriate consideration to proposed boundary changes and incorporations that avoid irregular boundaries. Furthermore, it is this Board's policy to give paramount consideration to the interests of the remainder of the County which is unincorporated when considering certain future requests for annexation and incorporation by discouraging the creation or exclusion of revenue-negative/neutral unincorporated enclave areas or certain revenue-negative/neutral areas that are suitable for inclusion within certain Municipalities, pursuant to the provisions of this chapter, as set forth herein.</p>

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Amending sections 20-3 of the Code, Initiated by governing body of municipality.

Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary changes, according to the current tax assessment roll, and pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:

(F) In addition to the foregoing, there shall be filed with the Clerk of the County Commission the following information:

Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary changes, according to the current tax assessment roll, and pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:

(F) In addition to the foregoing, there shall be filed with the Clerk of the County Commission the following information:

(8) The municipality shall provide the following information related to its fiscal affairs:

- a. **Whether the City is or in the preceding five years has been under fiscal oversight by the State of Florida under section 218.503, Florida Statutes;**
- b. **Whether, within the preceding five years, the City has requested to be placed under fiscal oversight by the State of Florida, under section 218.503, Florida Statutes;**
- c. **Whether the City meets or within the preceding five years has met any of the criteria in section 218:503, Florida Statutes that would qualify it for state oversight within the preceding five years;**
- d. **Whether the City has declared financial urgency with respect to collective bargaining agreements under section**

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	<p>447.4095, Florida Statutes within the preceding five years;</p> <p>e. Whether there is other information bearing negatively on the municipality's current fiscal stability or the municipality's fiscal stability in the preceding five years, and if so, the municipality shall inform the County in its request for a boundary change and attach all supporting documents.</p> <p>f. Whether the City has a below average per capita taxable property value as compared to all other cities within the County and UMSA; and</p> <p>g. Whether the City has an above average millage or tax effort as compared to all other cities within the County and UMSA.</p> <p>(9) The municipality shall explain and provide any supporting documents or other information relating to the exclusion of any revenue-negative/neutral unincorporated perimeter area or enclave from any revenue-positive proposed annexation, as defined in this article, to assist in consideration of sections 20-6 and 20-7 of the Code.</p>
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Amending sections 20-3.1 of the Code, Exception to filing and consideration of requests for annexation

No proposed boundary change request shall be filed, nor shall any filed request be heard, considered, or approved, pursuant to Section 20-7 or Section 20-8 by the Board of County Commissioners when the governing body requesting the change has omitted as part of the boundary change application information on an existing enclave, as defined in Section 20-7(A)(l)(c), adjacent to the municipality's boundaries or when the boundary change application creates a new enclave.	No proposed boundary change request shall be filed, nor shall any filed request be heard, considered, or approved, pursuant to Section 20-7 or Section 20-8 by the Board of County Commissioners when the governing body requesting the change has omitted as part of the boundary change application information on an existing enclave, as defined in Section 20-7(A)(l)(c), adjacent to the municipality's boundaries or on any new enclave that would be created, if the boundary change were approved.
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Amending sections 20-5 of the Code, Initial consideration of proposed boundary changes

The Clerk of the County Commission, upon receipt of a request for boundary change filed in compliance with Section 20-3 or Section 20-4 hereof, shall cause such matter to be placed upon the official agenda of an	The Clerk of the County Commission, upon receipt of a request for boundary change filed in compliance with Section 20-3 or Section 20-4 hereof, shall refer the
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ensuing regular meeting of the County Commission and shall notify the person, group or municipality initiating the boundary change of the date of the regular meeting at which such matter will be considered by the County Commission. A representative of the petitioners or of such municipality, as the case may be, may be heard briefly by the County Commission in respect to the merits or propriety of the request for such boundary change. The County Commission shall refer such proposed boundary change to the County Planning Advisory Board for review, study, consideration and recommendations.

request to the Office of Management and Budget, or its successor department, to review and determine whether such request provides the information and documents required by this article. Within 60 days of receipt of such request, the Office of Management and Budget or its successor department shall submit a written memorandum to the Clerk of the County Commission indicating either that the boundary change request has provided all or substantially all information and documents required by this article or that the request is incomplete and in what respect it is incomplete. Once the Office of Management and Budget or its successor department has advised in writing that the request has provided all or substantially all information and documents required by this article, the Clerk of the County Commission shall cause such matter to be placed upon the official agenda of an ensuing regular meeting of the County Commission as a report, and shall notify the person, group or municipality initiating the boundary change of the date of the regular meeting at which such matter will appear on the agenda of the County Commission. A representative of the petitioners or of such municipality, as the case may be, may be heard briefly by the County Commission in respect to the merits or propriety of the request for such boundary change. The Clerk of the County Commission shall refer such proposed boundary change to the County Planning Advisory Board for review, study, consideration and recommendations following the conclusion of the regular meeting, and shall so indicate in the report placed on the County Commission agenda.

Amending sections 20-6 of the Code, Consideration by Planning Advisory Board

(a) The Planning Advisory Board, upon receipt of a petition or resolution referred by the County Commission shall study, review and consider the request for boundary changes embodied therein.

(b) Before the Planning Advisory Board studies and reviews the annexation report will be reviewed by the appropriate County personnel. The statements contained in the annexation report pertaining to the

(a) The Planning Advisory Board, upon receipt of a petition or resolution referred by the **Clerk of the County Commission or upon initiation of a boundary change under sections 20-1 or 20-2 pertaining to such changes initiated by the Planning Advisory Board or the County Commission, respectively** shall study, review and consider the request for boundary changes embodied therein.

(b) Before the Planning Advisory Board studies and reviews **any request for a boundary change prepared by the municipality addressing the issues raised in section 20-3, the request** will be reviewed by the

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<p>quality, quantity, cost and timing of the services the municipality will extend to the areas requested for annexation will be reviewed by the appropriate County department to determine if the services proposed are adequate. The statements pertaining to the financing of the services and analysis of the tax load on the area to be annexed will be reviewed by the Miami-Dade County Budget Officer. Upon completion of, these reviews, the entire application reviewed in accordance with this section by the Planning Advisory Board and then forwarded to the County Manager's office for review and recommendation prior to submittal to the Board of County Commissioners for their consideration.</p> <p>(c) The Planning Advisory Board's recommendation to the Board of County Commissioners shall be either:</p> <p>(1) Approval of the proposed boundary change;</p> <p>(2) Approval of the proposed boundary change on a modified basis;</p>	<p>appropriate County personnel. The statements contained in the annexation request pertaining to the quality, quantity, cost and timing of the services the municipality will extend to the areas requested for annexation will be reviewed by the appropriate County department to determine if the services proposed are adequate. The statements pertaining to the financing of the services and analysis of the tax load on the area to be annexed will be reviewed by the Miami-Dade County Budget Officer. The Office of Management and Budget, in consultation with the Department of Regulatory and Economic Resources, or their successor departments, shall determine whether a revenue-positive annexation request excludes any revenue-negative/neutral unincorporated area that is up to a 1/2 mile perimeter around the proposed annexation area, a 1/2 mile perimeter around the existing boundaries of the municipality, or an enclave (collectively, "revenue-negative/neutral unincorporated perimeter area or enclave"). Staff shall also provide the Planning Advisory Board demographic data related to the municipality the proposed annexation area, and any revenue-negative/neutral unincorporated perimeter area or enclave, including data related to any such area's population, racial and ethnic composition, average per capita income and average property tax value. Upon completion of the tasks described above, the entire application, along with the reviews, staff determination, and data compiled, will be reported to and reviewed in accordance with this section by the Planning Advisory Board and then forwarded to the County Mayor's office for review and recommendation prior to submittal to the Board of County Commissioners for their consideration.</p> <p>(c) The Planning Advisory Board's recommendation to the Board of County Commissioners shall be either:</p> <p>(1) Approval of the proposed boundary change; if a revenue-positive annexation request excludes any revenue-negative/neutral unincorporated perimeter area or enclave, the Planning Advisory Board shall state its reason for not recommending the inclusion of such area in the annexation request;</p> <p>(2) Approval of the proposed boundary change on a modified basis; if a revenue-positive annexation</p>
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<p>(3) Deferral of the proposed boundary change for more information;</p> <p>(4) Deferral of the proposed boundary change to permit Modification; or</p>	<p>request excludes any revenue-negative/neutral unincorporated perimeter area or enclave, the Planning Advisory Board shall state its reason for not recommending the inclusion of such area in the annexation request;</p> <p>(3) Deferral of the proposed boundary change for more information;</p> <p>(4) Deferral of the proposed boundary change to permit modification, including a modification that would allow the municipality to pursue inclusion of any revenue-negative/neutral unincorporated perimeter area or enclave in the proposed annexation request ; or</p> <p>(5) Denial of the proposed boundary change. Notwithstanding any provision in the Code to the contrary, a municipality may expand its revenue-positive annexation request to include any revenue-negative/neutral unincorporated perimeter area or enclave within the proposed annexation area without obtaining any additional written consent from resident electors within such perimeter area or enclave on any annexation petition. It is provided, however, that nothing in this subsection shall be read to supersede any requirement set forth in section 6.04 of the Miami-Dade Home Rule Charter.</p>
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Amending sections 20-7 of the Code, Public Hearing

<p>(A) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for boundary change shall consider the following guidelines:</p> <p>(1) The suitability of the proposed boundaries, in conjunction with the existing municipality, provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:</p> <p>(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more than 80 percent of its boundary by one or more municipalities and 2) of a size that could not be serviced efficiently or effectively</p>	<p>(A) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for boundary change shall consider the following guidelines:</p> <p>(1) The suitability of the proposed boundaries, in conjunction with the existing municipality, provide for a municipal community of interest that is both cohesive and inclusive. The proposed annexation area should:</p> <p>(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more than 80 percent of its boundary by one or more municipalities and 2) of a size that could not be serviced efficiently or effectively, but does not include any</p>
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<p>(d) Have natural or built barriers as boundaries, to the extent feasible,</p> <p>(6) Any other factor that arises by virtue of recommendations of the Planning Advisory Board Boundaries Commission, pursuant to Section 20-30 of the Code.</p> <p>(B) At the conclusion of such public hearing, the County Commission, in the exercise of its discretion, may (1) deny the requested boundary change, by motion, or (2) direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change shall be placed on the official agenda of a subsequent regular meeting of the County Commission for consideration and adoption on first</p>	<p>area that has been designated by the Board of County Commissioners as a facility or area of countywide significance or a terminal,</p> <p>(d) Have natural or built barriers as boundaries, to the extent feasible,</p> <p>(e) Not have irregular boundaries that specifically include or exclude certain parcels, lands, properties, or areas resulting in a municipal boundary, if the annexation were to be approved, that either juts into or out of a straight line, or boundaries that are drawn arbitrarily and capriciously to generate bizarrely shaped municipalities. Notwithstanding the foregoing, unincorporated areas that have been designated by the Board of County Commissioners an area or facility of countywide significance or terminals may be excluded from the proposed municipal boundaries, and</p> <p>(6) Any other factor that arises by virtue of recommendations of the Planning Advisory Board Boundaries Commission, pursuant to Section 20-6 of the Code.</p> <p>(12) Whether a revenue-positive annexation request excludes any revenue-negative/neutral unincorporated perimeter area or enclave.</p> <p>For purposes of this article, a "revenue positive annexation request" is one in which there is a request to annex an area that, at the time of the request, generates revenues exceeding the County's cost for providing services to the area. A proposed annexation area is "revenue-negative/neutral" if at the time of the annexation request, the revenues generated by that area are equal to or less than the County's cost of serving that area.</p> <p>(B) After the conclusion of such public hearing, the County Commission, in the exercise of its discretion, may (1) deny the requested boundary change, by motion, or (2) direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change. Notwithstanding any other provision of this article, however, the County Commission may not direct the County Attorney to</p>
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<p>reading, or the County Commission may defer such requested boundary change for further consideration at a subsequent meeting, at which no public hearing or discussion by others than members of the County Commission shall be required.</p>	<p>prepare an ordinance accomplishing a revenue-positive annexation, if it excludes any revenue negative/neutral unincorporated perimeter area or enclave that the County Commission, at its discretion, determines is suitable to be included within the municipality's annexation request. This prohibition may only be waived by a two-thirds vote of the total membership of the County Commission, except that in the case of an annexation request by a fiscally challenged municipality, a simple majority vote of members present shall suffice to waive this prohibition. For purposes of this subsection, a municipality shall be considered "fiscally challenged" if it has a below average per capita taxable property value and an above average millage, and does not answer affirmatively one or more of the questions regarding the municipality's fiscal affairs set forth in Section 20-3(8)(a)-(e). Any ordinance prepared in accordance with this subsection shall be placed on the official agenda of a subsequent regular meeting of the County Commission for consideration and adoption on first reading, or the County Commission may defer such requested boundary change for further consideration at a subsequent meeting, at which no public hearing or discussion by others than members of the County Commission shall be required. Notwithstanding any provision in the Code to the contrary, a municipality may expand its revenue-positive annexation request to include any revenue neutral unincorporated perimeter area or enclave within the annexation area without obtaining any additional written consent from resident electors within such perimeter area or enclave on any annexation petition. It is provided, however, that nothing in this subsection shall be read to supersede any requirement set forth in section 6.0 of the Miami- Dade Home Rule Charter.</p>
<p>Amending sections 20-22 of the Code, Planning Advisory Board's consideration of petition for incorporation (C) The report shall be transmitted to the Planning Advisory Board.</p>	<p>(C) The Office of Management and Budget, in consultation with the Department of Regulatory and Economic Resources, or their respective successor departments shall make a determination as to whether the proposed incorporation is of an</p>

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<p>E) The Planning Advisory Board recommendation to the Board of County Commissioners shall be either:</p> <p>(1) Approval of the petition;</p> <p>(2) Approval of the petition on a modified basis;</p> <p>(3) Deferral of the petition for more information;</p> <p>(4) Deferral of the petition to permit modification,</p>	<p>unincorporated area that is revenue-positive, and if so, if such area excludes any revenue-negative/neutral enclave or unincorporated area up to a 1/2-mile perimeter around the proposed municipality (collectively, "revenue-negative/neutral unincorporated perimeter area or enclave"). Staff shall also determine demographic data related to the proposed municipality and any revenue-negative/neutral unincorporated perimeter area or enclave, including data related to any such area's population, racial and ethnic composition, average per capita income and average property tax value, including the above mentioned staff determination.</p> <p>(E) The Planning Advisory Board recommendation to the Board of County Commissioners shall be either:</p> <p>(1) Approval of the petition; if a revenue-positive incorporation petition or proposal excludes any revenue-negative/neutral unincorporated perimeter area or enclave, the Planning Advisory Board shall state its reason for not recommending the inclusion of such area into the proposed municipality;</p> <p>(2) Approval of the petition on a modified basis; if a revenue-positive incorporation petition or proposal excludes any revenue-negative/neutral unincorporated perimeter area or enclave, the Planning Advisory Board shall state its reason for not recommending the inclusion of such area into the proposed municipality;</p> <p>(3) Deferral of the petition for more information;</p> <p>(4) Deferral of the petition to permit modification, including a modification that would provide for the inclusion of any revenue-negative/neutral unincorporated perimeter area or enclave into the proposed municipality; or</p> <p>(5) Denial of the petition. Notwithstanding any provision of the Code to the contrary, the boundaries of a proposed revenue-positive municipality may be expanded to include any negative/neutral unincorporated perimeter area or enclave without obtaining any additional written consent from resident electors within such area or</p>
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enclave. It is provided, however, that nothing in this section shall be read to supersede any requirement of compliance with an applicable provisions of section 6.05. (A) Of the Miami-Dade Home Rule Charter.

Amending sections 20-23 of the Code, Board of County Commissioners consideration of proposed incorporation petition

(B) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for incorporation, shall consider the following guidelines:

(1) The suitability of the proposed boundaries to provide for a municipal community of interest that is both cohesive and inclusive. Specifically, the area should:

(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more Than 80 percent of its boundary by one or more municipalities and of a size that could not be serviced efficiently or effectively.

(B) At the conclusion of the public hearing the Board of County Commissioners, in evaluating the appropriateness of a petition for incorporation, shall consider the following guidelines:

(1) The suitability of the proposed boundaries to provide for a municipal community of interest that is both cohesive and inclusive. Specifically, the area should:

(c) Have contiguity and not create any unincorporated enclave area(s). An unincorporated enclave area is defined as an area that would be 1) surrounded on more Than 80 percent of its boundary by one or more municipalities and of a size that could not be serviced efficiently or effectively, **but does not include any area that is designated an area or facility of countywide significance or is a terminal, as defined in this article.**

(f) Not have irregular boundaries that specifically include or exclude certain parcels, lands, properties, or areas resulting in a municipal boundary, if the incorporation is approved, that either jut into or out of a straight line or boundaries that are drawn arbitrarily and capriciously to generate bizarrely shaped municipalities. Notwithstanding the foregoing, areas that are areas of countywide significance or terminals may be excluded from the proposed municipal boundaries.

(11) If a proposed municipality is revenue-positive, whether there is any revenue-negative/neutral unincorporated perimeter area or enclave not included in the proposed municipal boundaries?

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<p>(C) The Board of County Commissioners shall at the conclusion of the public hearing take one (1) of the following actions:</p> <p>(1) Call for the election of the area electors on the incorporation petition as presented by the applicant,</p>	<p>For purposes of this article a proposed municipality or incorporation proposal or petition is "revenue-positive" if, at the time that a municipal advisory committee is created to study the incorporation of an area, the revenues generated by that proposed municipality exceed the County's cost for providing services to the area. The applicable portion of the unincorporated area is "revenue-negative/neutral" if, at the time that a municipal advisory committee is created to study the incorporated of an area, the revenues generated by such unincorporated area are equal to or less than cost of serving that area.</p> <p>(C) The Board of County Commissioners shall at the conclusion of the public hearing take one (1) of the following actions:</p> <p>(1) Call for the election of the area electors on the incorporation petition as presented by the applicant; however, notwithstanding any other provision of this article, no such election shall be called if any revenue-negative/neutral perimeter area or enclave is excluded from a proposed revenue positive municipality that, in the discretion: of the County Commission, is suitable to be included within the proposed municipal boundaries, unless approved by a two-thirds vote of the total membership of the County Commission,</p>
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Amending sections 20-29 of the Code, Municipal Advisory Committee – Creation and Limitation Study Area

<p>(A) A Municipal Advisory Committee may only be created by ordinance of the Board in accordance with the provisions of this section to study and give advice to the County Commission regarding the creation of a proposed municipality. However, as of the effective date of this ordinance, no Municipal Advisory Committee shall be created by the County Commission, unless no less than twenty (20) percent of the resident electors in the area to be studied consent to the creation of a Municipal Advisory Committee on a consent form which shall be approved by the Office of Management and Budget. The signed consent forms shall be submitted to the Clerk of the Board of County Commissioners. Upon submission of the signed consent forms, the Clerk of the Board of County Commissioners shall submit the signed consent forms to the Department of Elections for certification as to the</p>	<p>(A) A Municipal Advisory Committee may only be created by ordinance of the Board in accordance with the provisions of this section to study and give advice to the County Commission regarding the creation of a proposed municipality. However, as of the effective date of Ordinance No. 05-140, as modified by Ordinance No. 13-113, no Municipal Advisory Committee shall be created by the County Commission, unless no less than twenty (20) percent of the resident electors in the area to be studied consent to the creation of a Municipal Advisory Committee on a consent form which shall be approved by the Office of Management and Budget. The signed consent forms shall be submitted to the Clerk of the Board of County Commissioners. Upon submission of the signed consent forms, the Clerk of the Board of County Commissioners shall submit the signed consent forms</p>
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sufficiency of signatures on the consent forms. No ordinance to create a Municipal Advisory Committee may be placed on an agenda of this Board unless the Clerk of the Board has forwarded to the County Commission the signed consent forms of area residents and the certification of the sufficiency of the consent forms, as required in this subsection. Upon notification of certification by the Department of Elections, the Clerk of the Board shall forward to the County Commission the signed consent forms of area residents and the certification of the sufficiency of the consent forms. Following public hearing, the County Commission may create a Municipal Advisory Committee by ordinance. It is provided, however, that where a Municipal Advisory Committee has been established, prior to the effective date of this ordinance, no consent of resident electors shall be required for the adoption of an ordinance creating a Municipal Advisory Committee involving the same study area.

to the Department of Elections for certification as to the sufficiency of signatures on the consent forms. No ordinance to create a Municipal Advisory Committee may be placed on an agenda of this Board unless the Clerk of the Board has forwarded to the County Commission the signed consent forms of area residents and the certification of the sufficiency of the consent forms, as required in this subsection. Upon notification of certification by the Department of Elections, the Clerk of the Board shall forward to the County Commission the signed consent forms of area residents and the certification of the sufficiency of the consent forms. Following public hearing, the County Commission may create a Municipal Advisory Committee by ordinance. It is provided, however, that where a Municipal Advisory Committee has been established, prior to the effective date of **Ordinance No. 05-140**, no consent of resident electors shall be required for the adoption of an ordinance creating a Municipal Advisory Committee involving the same study area. **In addition, if the boundaries of a proposed incorporation area being studied by a municipal advisory committee are modified to include any revenue-negative/neutral unincorporated perimeter area or enclave, notwithstanding any provision of the Code, there shall be no requirement that any additional written consents of resident electors be obtained to expand the study area to include such area or enclave. It is provided, however, that nothing in this subsection shall be read to supersede any requirement of compliance with an applicable provisions of section 6.05(A) of the Miami-Dade Home Rule Charter.**

ADDITIONAL INFORMATION

Reference Item 171944 – Relating to Annexation and Incorporation.

Annexation General Information:

Annexation is the process whereby an established municipality amends its boundaries by adding lands that were previously outside of its boundaries.

Miami-Dade County is governed by Chapter 20 of the Miami-Dade County Code of Ordinances. The Code addresses petition requirements and considerations made by the Planning and Advisory Board and the Board of County Commissioners.

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**Item No. 3A
File No. 180437**

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING RATIFYING AN EMERGENCY CONTRACT IN THE AMOUNT OF \$3,125,000.00 FOR THE PURCHASE OF MAINTENANCE AND REPAIR SERVICES FOR ELEVATORS, ESCALATORS, AND MOVING WALKWAYS FOR THE INTERNAL SERVICES DEPARTMENT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should authorize the ratification of an emergency contract in the amount of \$3,125,000.00 for the purchase of maintenance and repair services for elevators, escalators, and moving walkways for the Internal Services Department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Miami-Dade County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which competitive bidding may be waived; establishes requirements for legacy purchases, designated purchases, and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 governs the County's processes for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. It contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution R-395-12, adopted by the Board on May 1, 2012, amended prior delegations of authority to the County Mayor or County Mayor's designee with respect to adding vendors to "Open pool contracts;" directed that such vendors be added subject to bi-annual approval by the Board; and further directed the County Mayor or County Mayor's designee to provide a report to the Board, which contains sufficient information for the Board to review whether the added vendors are responsive and responsible, and the current status of the work assigned pursuant to the "open pool contract.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

Resolution No. R-454-13, adopted by the Board on June 4, 2013, directs the County Mayor to bring emergency contract ratifications to the Board within 120 days of such emergency and bring retroactive contract modifications to the Board within 120 days of modification.

<http://intra/gia/matter.asp?matter=131016&file=false&yearFolder=Y2013>

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PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services Department

This item has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, the fiscal impact of this emergency purchase is \$3,125,000 for a six-month term.

ANALYSIS

The Administration is requesting that the Board authorize the ratification of an emergency contract in the amount of \$3,125,000.00 for the purchase of maintenance and repair services for elevators, escalators, and moving walkways for the Internal Services Department. These services are of utmost importance to the County as all elevators, escalators and moving walkways are heavily utilized by both employees and members of the public.

At the April 10, 2018 Board of County Commissioners meeting, the Board adopted an item authorizing the Administration to establish a pre-qualified pool, RTQ-00687, for the installation, maintenance and modernization of elevators, escalators, and moving walkways for multiple County departments. The following six vendors are in the pre-qualified pool:

- Delaware Elevator of Florida, Inc.;
- Eastern Elevator Service, Inc.;
- Oracle Elevator Company;
- Premier Elevator Company, Inc.;
- Schindler Elevator Corporation; and
- Suncoast Elevator Solutions, Inc.

The County is currently using Emergency Contract E9946-0/18 for these services. This was rendered necessary because in November 2017, Kone, Inc. gave the County a one-day notice that it was terminating Contract No. SS1246-3/22-2, which provided maintenance repair services for elevators, escalators, and walkways. The County has initiated a lawsuit to recover damages from Kone, Inc. related to this termination.

A total of 475 units were serviced under the emergency contract, including 366 units located at Miami International Airport. Under the Emergency Contract, which is effective from December 15, 2017 until June 14, 2018, \$3,123,600 was allocated; \$2,202,112 has been released; and the balance is \$921,487. The following awardees under the Emergency Contract are included in the pre-qualified pool for the RTQ-00687:

- Eastern Elevator Service, Inc.;
- Suncoast Elevator Solutions, Inc.; and
- Oracle Elevator Company.

A search of the Miami-Dade County's list of Certified Small Businesses conducted on April 11, 2018, resulted in no small businesses listed under Commodity Code 29570-Passenger Elevators and Parts.

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Research Notes

A search of the Miami-Dade County's list of Certified Small Businesses conducted on April 11, 2018, resulted in the following small business listed under Commodity Code 91013-Elevator Installation, Maintenance and Repair: Aventura Elevator, Inc.

A search of the Miami-Dade County's list of Certified Small Businesses conducted on April 11, 2018, resulted in no small business listed under Commodity Code 29500-Elevators, Escalators and Moving Walks.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Delaware Elevator of Florida, Inc.**, has an active status as a Florida Profit Corporation and first filed and registered on 10/09/2007. The principal address is registered as 1 N.W. 28th Street, Boca Raton, FL 33431. Its registered agent is Korey, Robert, 595 W. Granada Blvd., Suite A, Ormond Beach, FL 32174.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Eastern Elevator Service, Inc.**, has an active status as a Florida Profit Corporation and first filed and registered on 08/03/2006. The principal address is registered as 2111 No. Commerce Parkway, Weston, FL 33326. Its registered agent is McCrae, Mitchell, 5300 West Atlantic Ave., Delray Beach, FL 33484.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Oracle Elevator Company**, has an active status as a Florida Profit Corporation and first filed and registered on 11/17/1982. The principal address is registered as 43 Daycoeton Place, Torrington, CT 06790. Its registered agent is Corporation Service Company, 1201 Hays Street, Tallahassee, FL 32301.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Premier Elevator Services, Corp., has an active status as a Florida Profit Corporation and first filed and registered on 07/16/2009. The principal address is registered as 3000-8 N.W. 25th Ave., Pompano Beach, FL 33069. Its registered agent is Grenauer, Charles, 3000-8 N.W. 25th Ave., Pompano Beach, FL 33069.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Schindler Elevator Corporation**, has an active status as a Foreign Profit Corporation and first filed and registered on 03/08/1979. Its principal address is registered as 20 Whippany Road, Morristown, NJ 07960. It registered agent is CT Corporation System, 1200 S. Pine Island Rd., Plantation, FL 33324.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Suncoast Elevator Solutions, Inc.**, has an active status as a Florida Profit Corporation and first filed and registered on 10/10/2011. The principal address is registered as 7238 N.W. 70th Street, Miami, FL 33166. Its registered agent is Rodriguez, Ray, 7238 N.W. 70th Street, Miami, FL 33166.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

**GOC Meeting: April 17, 2018
Research Notes**

Item No. 3B

File No. 180565

Researcher: SM

Reviewer: TD

RESOLUTION RATIFYING THE ACTION BY THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE WITH RESPECT TO THE ADDITION OF VENDORS TO OPEN POOL CONTRACTS DURING THE PERIOD OF JULY 1, 2017 THROUGH DECEMBER 31, 2017

ISSUE/REQUESTED ACTION

Whether the Board of County Commissioners (Board) should approve this resolution ratifying the action by the County Mayor or County Mayor's designee with respect to the addition of vendors to open pool contracts during the period of July 1, 2017 through December 31, 2017.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-395-12 adopted May 1, 2012 relates to the amending of prior delegations of authority to the County Mayor with respect to adding vendors to "open pool contracts".

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2012/120561.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Requester/Department: Internal Services

This item does not have any procedural history.

FISCAL IMPACT

This item will not create a fiscal impact for the County, as stated by the mayoral memo.

ANALYSIS

This item will ratify the actions by the County Mayor as it relates to the addition of vendors to open pool contracts during the period of July 1, 2017 through December 31, 2017.

The purpose of open pools is to provide opportunities for local and other firms to compete for a contract. Resolution No. R-395-12 requires the administration to prepare a report twice a year for the Board's ratification, listing the names of the vendors added to open pools. The Board reviews the information in that report to evaluate whether the added vendors are responsive and responsible, and to ensure that the current status of the work assigned is pursuant to the open pool contract. If the vendor is not ratified for inclusion by the Board, they will be removed from the open pool contract and will not be eligible to bid for or be awarded any additional work under the pool.

As it relates to this item, the Board will review the added vendors and the information in the report to conclude whether they have sufficient requirements to be awarded a contract in addition to being responsive and responsible vendors. They must continue to meet the County's policies as they provide the highest quality services at the lowest price.

The mayoral memo states that there were 98 vendors out which 48 had a local office, or approximately 49 percent.

The tables below show the "Vendors Added to Pool Report from July 1, 2017- December 31, 2017". The report shows the local address, vendor name, and what type of certification the vendor has, in addition to awards made to that vendor throughout the mentioned year.

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Contract No.	Title	Vendor Name	Certification	Vendor Added	Principal Address	Releases 07/01/17-12/31/17	Local Office	Local Address
0900-0/14	SIGNS AND BANNERS, PURCHASE AND INSTALLATION	MASTER VISUALS PRO, LLC SYSTEM 2 90, INC.		11/03/2017 09/27/2017	10715 SW 190 ST, BAY 11, MIAMI, FL 5350 CORPORATE GROVE BLVD SE, GRAND RAPIDS, MI		YES NO	10715 SW 190 ST, BAY 11, MIAMI, FL
1088-0/17	LAW ENFORCEMENT EQUIPMENT AND SUPPLIES	BOB BARKER COMPANY, INC. RESCUE OPERATIONS INTERNATIONAL GROUP, LLC		08/07/2017 08/07/2017	134 N MAIN ST, FUCHSIA VARIAN, NC 288 NE WAVECREST CT, BOCA RATON, FL	\$23,713.85 NO	NO	
2121-2/13-2	FIRE RESCUE REPLACEMENT EQUIPMENT	A-1 SECURITY BARS, INC. REV RTC, INC.		12/21/2017 11/22/2017	411 N CENTENNIAL, ZEELEND, MI 725 SW 46 AVE, OCALA, FL	NO \$4,664,559.85	NO	
2590-0/17	REMOVAL AND DISPOSAL OF DERELICT VESSELS	MADSON, INC.	SBE	11/29/2017	10625 NW 5 RIVER DR, MEDLEY, FL	\$189,720.00	YES	10625 NW 5 RIVER DR, MEDLEY, FL
3381-5/16-1	BODY WORK REPAIR (COLLISION DAMAGE)	COLLISION SPECIALIST, INC. NATIONAL COLLISION AND TRUCK CENTER, INC.		08/11/2017 08/04/2017	3503 NW 71 ST, MIAMI, FL 5425 N POWERLINE RD, FT LAUDERDALE, FL	\$20,996.23 NO	YES NO	3503 NW 71 ST, MIAMI, FL
4904-1/20-1	RESALE ITEMS FOR COUNTY PRO SHOPS	AMADOR GARCIA, LLC EXTREME GOLF UNLIMITED CORPORATION		09/01/2017 08/01/2017	7241 SW 55 AVE, MIAMI, FL 18074 PERIGON WAY, JUPITER, FL	\$6,008.00 NO	YES NO	7241 SW 55 AVE, MIAMI, FL
5800-5/17-5	RENTAL TRAILERS, VANS, TRUCKS, AND UTILITY VEHICLES	PETERSEN INDUSTRIES, INC. PLANTATION SALES, INC.		11/21/2017 11/15/2017	4000 SR 60 W, LAKE WALES, FL 3650 WESTON RD, DAVIE, FL		NO	
5905-0/23	WORK GLOVES	HUTCHINS AND HUTCHINS, INC. SUMYCA INTERNATIONAL, LLC MAGID GLOVE AND SAFETY MANUFACTURING COMPANY, LLC		11/17/2017 11/13/2017 12/29/2017	35 HUTCHWOOD LN, WAYNESBORO, VA 8238 NW 5 RIVER DR, MEDLEY, FL 1500 NAPERVILLE DRIVE, ROMEOVILLE, IL	\$742.50 \$24.00 \$602.00	NO YES NO	
6276-1/19-1	SECURITY ALARM AND CARD ACCESS SYSTEMS	BOUND TREE MEDICAL, LLC CERTIFIED MULTI-MEDIA SOLUTIONS SOUTH, INC.		07/07/2017 12/26/2017	5060 TUTTLE CROSSING BLVD, DUBLIN, OH 4627 NW 103 AVE, SUNRISE, FL	\$496,142.70 NO	NO	
6417-0/17	EMERGENCY DEBRIS REMOVAL	AFIC, INC. ACTION SALES, LLC ALL FLORIDA LAND CLEANING, INC. ACOSTA TRACTORS, INC. WILLIAMS PAVING COMPANY, INC. H AND J ASPHALT, INC. MCINTYRE MAINTENANCE, INC.	SBE SBE SBE SBE SBE SBE SBE	10/13/2017 10/27/2017 10/27/2017 11/21/2017 10/16/2017 10/04/2017 09/22/2017	3805 NW 132 ST, OPA LOCKA, FL 5700 SW 123 AVE, MIAMI, FL 3805 NW 132 ST, OPA-LOCKA, FL 11866 NW 97 AVE, HIALEAH, FL 11300 NW 5 RIVER DR, MEDLEY, FL 4310 NW 35 AVE, MIAMI, FL 26235 SW 130 PL, HOMESTEAD, FL	\$85,003.00 YES YES YES YES YES YES YES	9979 NW 151 ST, STE 236, MIAMI LAKES 5700 SW 123 AVE, MIAMI, FL 3805 NW 132 ST, OPA-LOCKA, FL 11866 NW 97 AVE, HIALEAH, FL 11300 NW 5 RIVER DR, MEDLEY, FL 4310 NW 35 AVE, MIAMI, FL 26235 SW 130 PL, HOMESTEAD, FL	
6750-5/17-5	A/C AND REFRIGERATION PARTS AND SUPPLIES	WEED A WAY, INC. DORA INDUSTRIES, INC. PROTEC, INC.	SBE SBE SBE	09/22/2017 11/09/2017 10/27/2017	6802 NW 27 AVE, MIAMI, FL 2357 STIRLING RD, DANIA BEACH, FL 6835 NW 50 ST, MIAMI, FL	\$344,661.50 \$35,156.00 \$25,000.00	YES NO YES	6802 NW 27 AVE, MIAMI, FL
6819-5/17-5	PUMPS AND MOTORS, PURCHASE, REPAIR AND PARTS	POWER AND PUMPS, INC.		11/20/2017	803 N MYRTLE AVE, JACKSONVILLE, FL		NO	
6831-1/21-1	BICYCLES: PURCHASE, PARTS, ACCESSORIES AND REPAIR SERVICES	VOLCANIC MANUFACTURING, LLC		10/25/2017	28 CBD MALL ST, N BONNEVILLE, WA		NO	
6879-0/16	LAWN EQUIPMENT, PARTS AND REPAIR SERVICES	EQUIPMENT RENTAL AND SALES INC		10/23/2017	17010 S DIXIE HWY, MIAMI, FL		YES	17010 S DIXIE HWY, MIAMI, FL
7567-5/19-4	BLOWERS, PUMPS, FANS, AIR CURTAINS, PARTS AND ACCESSORIES	AMERICAN PLUMBING SUPPLY COMPANY, INC. E M CORSON AND ASSOCIATES, INC. TSC JACOBS INC		07/13/2017 09/29/2017 07/18/2017	1735 ALTON RD, MIAMI BEACH, FL 2865 SW 30 AVE, PEMBROKE PARK, FL 11021 COUNTRYWAY BLVD, TAMPA, FL	\$1,287,549.79 NO \$63,380.92	YES NO NO	1735 ALTON RD, MIAMI BEACH, FL
7636-5/18-4	AIR COMPRESSORS, PARTS, ACCESSORIES AND REPAIRS	TOOL PLACE CORPORATION	SBE	07/10/2017	9381 NW 13 ST, MIAMI, FL	\$306,880.51	YES	9381 NW 13 ST, MIAMI, FL
7963-1/22-1	BUILDING MATERIALS	JOHN ABELL CORPORATION NETS UNLIMITED, INC. TOOL PLACE CORPORATION		07/11/2017 09/01/2017 09/01/2017	16522 SW 186 ST, MIAMI, FL 28248 N TATUM BLVD B1-450, CAVE CREEK, AZ 9381 NW 13 ST, MIAMI, FL	\$70,687.28 \$60,000.00 \$306,880.51	YES NO YES	16522 SW 186 ST, MIAMI, FL
8073-1/20-1	VETERINARY SUPPLIES AND PHARMACEUTICALS	STERLING BIOMEDICAL, LLC		09/28/2017	7001 MARLBERRY LN, TAMARAC, FL	\$20,000.00	NO	
8193-0/12	AUTOMOTIVE VEHICLES	BECK AUTO SALES, INC.		08/22/2017	256 HWY 17 N, PALATKA, FL	\$377,619.16	NO	
8111-1/23	PROMOTIONAL ITEMS	CASA FAROY TROPHIES, INC.		07/29/2017	2345 NW 7 ST, MIAMI, FL		YES	2345 NW 7 ST, MIAMI, FL

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Contract No.	Title	Vendor Name	Certification	Vendor Added	Principal Address	Releases 07/01/17-12/31/17	Local Office	Local Address
8079-5/18-1	AUDIO VISUAL EQUIPMENT AND SUPPLIES	CARLTON AUDIO SERVICES, INC.		11/13/2017	14336 SW 20 ST, DAVIE, FL		NO	
		THE INTERGRATION FACTORY		10/24/2017	485 GUS HIPP BLVD, ROCKLEDGE, FL		NO	
8316-5/17-5	PETROLEUM PRODUCTS	M AND J SUNSHINE CORPORATION		12/14/2017	7381 NW 78 ST, MEDLEY, FL		YES	7381 NW 78 ST, MEDLEY, FL
		SCHAEFFER MANUFACTURING COMPANY		12/11/2017	102 BARTON ST, ST LOUIS, MO		NO	
8445-5/17-1	CONSTRUCTION EQUIPMENT RENTAL	BLANCHARD MACHINERY, INC.		07/11/2017	1890 NE 150 ST, N MIAMI, FL	\$129,113.15	YES	1890 NE 150 ST, N MIAMI, FL
		COOLING POWER CORPORATION		07/05/2017	8004 NW 154 ST, STE 445, MIAMI LAKES, FL	\$7,000.00	YES	8004 NW 154 ST, STE 445, MIAMI LAKES, FL
8881-10/19-7	TECHNICAL APPLICATION TRAINING	SENTURUS, INC.		09/18/2017	533 AIRPORT BLVD, BURLINGAME, CA	\$15,395.00	NO	
0556-0/16	PARKING CONTROL SYSTEMS	EOCL 4:12, LLC		08/51/2017	3375A NW 55 ST, FT LAUDERDALE, FL		NO	
8880-10/19-7	PROFESSIONAL TRAINING	JEB ENVIRONMENTAL SERVICES, LLC		09/18/2017	1116 LANDMARK DR, YUKON, OK	\$7,124.38	NO	
		SULLIVAN AND COGLIANO TRAINING CENTERS, INC.		07/26/2017	4760 NW 167, MIAMI LAKES, FL		YES	4760 NW 167, MIAMI LAKES, FL
8858-0/21	MICROSOFT DESKTOP APPLICATION TRAINING	SULLIVAN AND COGLIANO TRAINING CENTERS, INC.		06/24/2017	4760 NW 167, MIAMI LAKES, FL		YES	4760 NW 167, MIAMI LAKES, FL
6933-1/13-1	CENTRAL A/C AND RELATED DUCTWORK	BLIZZARD AIR CONDITIONING, LLC	ACDBE, DBE, SBE	08/04/2017	14346 SW 157 ST, MIAMI, FL	\$118,540.00	YES	14346 SW 157 ST, MIAMI, FL
		FLORIDA ENERGY GREEN, INC.		07/20/2017	8420 BYRON AVE #2, MIAMI BEACH, FL		YES	8420 BYRON AVE #2, MIAMI BEACH, FL
9244-0/13	WEATHERIZATION AND REHABILITATION PROGRAM	RELIANT CONSTRUCTION GROUP, INC.	SBE	06/11/2016	20418 NW 9 AVE, MIAMI GARDENS, FL		YES	20418 NW 9 AVE, MIAMI GARDENS, FL
9394-1/22	APPLIANCES, PARTS, SUPPLIES, AND SERVICES	PDQ SUPPLY, INC.		06/25/2017	901 N RADDANT RD, BATAVIA, IL		NO	
		HIPPO POWER, LLC		11/09/2017	209 NW BUSINESS PARK LN, RIVERSIDE, MO		NO	
9418-0/16	EQUIPMENT, PARTS, SERVICES FOR RAIL VEHICLES AND SYSTEMS	SHERWOOD ELECTRONOTON, INC.		11/28/2017	221 LEIN RD, W SENECA, NY	\$11,000.00	NO	
		TRANSTECH OF SOUTH CAROLINA, INC.		11/13/2017	703 AUGUSTA ARBOR WAY, PIEDMONT, SC	\$42,856.50	NO	
9595-1/21-1	TOOLS AND ACCESSORIES	COLONY HARDWARE CORPORATION		08/29/2017	5725 W HALLANDALE BEACH BLVD, W PARK, FL	\$46,892.63	NO	
		THE WARE GROUP, LLC		10/20/2017	5620 NW 12 AVE, FT LAUDERDALE, FL	\$20,736.48	NO	
		ABLE BUSINESS SERVICES, INC.	DBE, SBE	11/08/2017	1234 NW 79 ST, MIAMI, FL		YES	1234 NW 79 ST, MIAMI, FL
		CUTTING EDGE INDUSTRIES, INC.		11/02/2017	2025 NW 15 AVE, UNIT B, POMPAHO BEACH, FL		YES	3155 NW 40 ST, MIAMI, FL
		IPG NETWORK CORPORATION	SBE	10/30/2017	3155 NW 40 ST, MIAMI, FL		YES	3155 NW 40 ST, MIAMI, FL
		JONES MOVIE PRODUCTIONS, LLC		11/09/2017	9032 SW 152 ST, MIAMI, FL	\$50,000.00	YES	9032 SW 152 ST, MIAMI, FL
		RAS INVESTMENT CORPORATION		10/30/2017	6655 NW 77 AVE #204, MIAMI, FL	\$16,800,000.00	YES	6955 NW 77 AVE #204, MIAMI, FL
		ROCKLAND CONTRACTING, INC.	SBE	10/30/2017	18142 SW 138 TER, MIAMI, FL	\$1,614,226.19	YES	18142 SW 138 TER, MIAMI, FL
		SELECT RECYCLING WASTE SERVICES, INC.		10/30/2017	1500 STEEL ST, CHESAPEAKE, VA	\$650,000.00	NO	
		SFM SERVICES, INC.		10/30/2017	9700 NW 79 AVE, MIAMI, FL	\$15,043,260.00	YES	9700 NW 79 AVE, HIALEAH GARDENS, FL
		TYR ENTERPRISES, INC.		10/30/2017	501 LEANDER DR, LEANDER, TX	\$550,000.00	NO	
CA7859-3/11-3	PROCESS, CONTROL AND INSTRUMENTATION	TELETYPE INSTRUMENTS, INC.		07/11/2017	9485 CARROLL PARK DR, SAN DIEGO, CA	\$113,619.50	NO	
9384-1/22	APPLIANCES, PARTS, SUPPLIES, AND SERVICES	PDQ SUPPLY, INC.		08/25/2017	901 N RADDANT RD, BATAVIA, IL		NO	
R-113-16	PURCHASE OF PLAYGROUND AND PARK EQUIPMENT	FREEPORT FOUNTAINS, LLC		10/12/2017	1610 KASTNER BL, STE 3, SANFORD, FL		NO	
RTQ-00005	FASTENERS	FORCE FASTENERS INTERNATIONAL, LLC		08/22/2017	60 AUSTIN BLVD, COMMACK, NY	\$47,194.50	NO	
		BIRO ROAD BAIT AND TACKLE SHOP, LLC		08/22/2017	8558 NW 93 ST, MEDLEY, FL	\$1,381.50	YES	8558 NW 93 ST, MEDLEY, FL
RTQ-00109	CONSESSIONS SERVICES AND RELATED ACTIVITIES	BIRO ROAD BAIT AND TACKLE SHOP, LLC		12/08/2017	4048 SW 94 AVE, MIAMI, FL		YES	4048 SW 94 AVE, MIAMI, FL
		PADDLEMIAMI, LLC		10/17/2017	1275 NE 79 ST, MIAMI, FL		YES	1275 NE 79 ST, MIAMI, FL
		SCYWARD KITES, INC.		08/31/2017	10900 COLLINS AVE, MIAMI BEACH, FL		YES	10900 COLLINS AVE, MIAMI BEACH, FL
RTQ-00251	PLAYGROUND, INSTALLATION AND INFRASTRUCTURE SERVICES	PLAY SPACE SERVICES, INC.		08/24/2017	3125 SKYWAY CRL, MELBOURNE, FL	\$6,500.00	NO	

Contract No.	Title	Vendor Name	Certification	Vendor Added	Principal Address	Releases 07/01/17-12/31/17	Local Office	Local Address
RTQ-00299	HVAC AND CONTROLS	CLMAX, INC.		09/18/2017	4763 SW 71 AVE, MIAMI, FL		YES	4258 SW 71 AVE, MIAMI, FL
		HONEYWELL INTERNATIONAL, INC.		09/22/2017	23500 W 105 ST, OLATHE, KS		YES	9315 NW 112 AVE, MIAMI, FL
		INTEGRITY CONTROLS AND TEST AND BALANCE, INC.		07/18/2017	2290 NW 94 AVE, DORAL, FL	\$15,600.00	YES	2280 NW 94 AVE, DORAL, FL
		RELIABLE CONTRACTORS GROUP, INC.		08/22/2017	14024 SW 140 ST, MIAMI, FL		YES	14024 SW 140 ST, MIAMI, FL
RTQ-00313	MANAGEMENT ADVISORY CONSULTING SERVICES	STRATEGY MANAGEMENT INSTITUTE, LLC		07/18/2017	433 SUSAN CONSTANT DR, VIRGINIA BCH, VA		NO	
		TAG ASSOCIATES OF FLORIDA, LLC		12/12/2017	511 WASHINGTON ST, STE 101, NORWOOD, MA		NO	
RTQ-00381	INTEGRATED PEST MANAGEMENT	RENTOKIL NORTH AMERICA, INC.		08/22/2017	1125 BERKSHIRE BLVD, STE 150, WYOMISSING, PA		NO	
RTQ-00410	HEAD START/EARLY HEAD START PROGRAM RELATED SERVICES	ACCELERATE LEARNING, INC.		08/17/2017	5177 RICHMOND AVE, STE 1025, HOUSTON, TX		NO	
		OMA ENTERPRISE, INC.		08/25/2017	207 LAUREL OAK LANE, STE B, DAVIE, FL		YES	8821 SW 165 TER, MIAMI, FL
		DIETRICH L NICKLEBERRY-LOVE LAKESHORE EQUIPMENT COMPANY		08/16/2017	2805 NORTHCREST DR, PLANO, TX		NO	
		MABLE M JONES		09/17/2017	2695 E DOWNGUEZ ST, CARSON, CA	\$32,053.70	NO	
		MIAMI CHILDREN'S MUSEUM, INC.		07/11/2017	1037 EMURY PARC PL, ATLANTA, GA		NO	
		MUSEUM OF SCIENCE, INC.		10/17/2017	980 MACARTHUR CWAY, MIAMI, FL		YES	980 MACARTHUR CWAY, MIAMI, FL
		AMPLIFY RELATIONS		12/13/2017	3280 S MIAMI AVE, MIAMI, FL		YES	3280 S MIAMI AVE, MIAMI, FL
RTQ-00462	ASSET MARKETING	CLEMENTS PUBLISHING COMPANY		07/14/2017	675 W MOANA LN, STE 200, RENO, NV		NO	
		SDE MEDIA, LLC		11/13/2017	3390 ISABELLA BLVD, JACKSONVILLE BCH, FL		NO	
		ANIMAL HOSPITAL OF PERRINE		07/06/2017	901 BRICKELL KEY BLVD, #3004, MIAMI, FL		YES	901 BRICKELL KEY BLVD, #3004, MIAMI, FL
RTQ-00494	PET RETENTION VET CARE PROGRAM	VET TO PET BY DR MARTINEZ CORPORATION		12/27/2017	9495 S DIXIE HWY, MIAMI, FL	\$27,000.00	YES	9495 S DIXIE HWY, MIAMI, FL
				10/03/2017	4878 NW 7 ST, UNIT 1, MIAMI, FL	\$19,000.00	YES	4878 NW 7 ST, UNIT 1, MIAMI, FL

**GOC Meeting: April 17, 2018
Research Notes**

Item No. 3C

File No. 180819

Researcher: SM

Reviewer: TD

RESOLUTION APPROVING AWARD OF CONTRACT NO. FB-00685 FOR PURCHASE OF POLO SHIRTS FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$1,562,000.00 FOR AN INITIAL TERM OF FIVE YEARS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO GIVE NOTICE OF THIS AWARD, ISSUE THE APPROPRIATE PURCHASE ORDER TO GIVE EFFECT TO SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board of County Commissioners (Board) should approve this resolution which in turn will approve the award of contract No. FB-00685 for purchase of polo shirts for various County departments in a total amount no to exceed \$1,562,000 for an initial term of five years.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-1011-15 adopted November 3, 2015 is a resolution directing County Mayor to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ; and directing the County Mayor to include such information in memorandum to Board pertaining to vendor being recommended for contract award.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2015/152271.pdf>

Implementing Order 3-38 governs the County's processes and procedures for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. Contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Section 2-8.1 of the Code of Miami-Dade County requires formal sealed bids for purchases over \$250,000; describes the circumstances under which non-competitive purchases may be approved; establishes requirements for legacy purchases, designated purchases, and single vehicle leases; provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Resolution No. R-187-12 adopted February 21, 2012 directs the Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2012/120287.pdf>

Resolution No. R-140-15 adopted February 3, 2015 directs the County Mayor to conduct a full review of the scope, prior to the re-procurement of replacement contracts for goods or services to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation contract language.

<http://www.miamidade.gov/govaction/legistarfiles/Matters/Y2015/150090.pdf>

**GOC Meeting: April 17, 2018
Research Notes**

PROCEDURAL HISTORY

Prime Sponsor: None

Requester/Department: Internal Services

This item does not have any procedural history.

FISCAL IMPACT

As of April 13, 2018 the bid tracking system shows an advertised value of \$1,526,000 million with an awarded amount of \$1,482,000 for contract No. FB-00685, the bid tracking system states that this contract number is pending BCC approval. The bid tracking system shows an awarded value and a current value of \$163,200, as of April 13, 2018 for contract No. FB-00685B with an expiration date of October 31, 2018. The table below show the various departments that are going to receive the polo shirts for their employees. The departments with the larger allocations are **bolded**.

Department	Allocation	Funding Source
Animal Services	\$70,000	General Fund
Aviation	\$90,000	Proprietary Funds
Clerk of the Courts	\$4,000	Clerk Revenue
Communications	\$55,000	General Fund
Community Action and Human Services	\$135,000	Federal Funds/General Fund
Corrections and Rehabilitation	\$100,000	General Fund
Information Technology	\$99,000	Internal Service Funds
Inspector General	\$2,000	Proprietary Funds
Internal Services	\$60,000	Internal Service Funds
Juvenile Services	\$2,000	General Fund/State Funds
Medical Examiner	\$2,000	General Fund
Parks, Recreation and Open Spaces	\$250,000	General Fund
Police	\$200,000	General Fund
PortMiami	\$5,000	Proprietary Funds
Public Housing and Community Development	\$30,000	Federal Funds
Regulatory and Economic Resources	\$100,000	Proprietary Funds
Solid Waste Management	\$90,000	General Fund/ Proprietary Funds
Transportation and Public Works	\$38,000	DTPM Operating
Water and Sewer	\$150,000	Proprietary Funds
Total	1,482,000	

ANALYSIS

If this item receives Board approval then the departments mentioned on the above table will receive the polo shirts requested. This item went through the solicitation process under full and open competition. As stated in the mayoral memo the solicitation has two groups, Group A, which consists of polo shirts purchased with non-federal funds, and group B, which has polo shirts that are purchased with federal funds. The above table shows the funding source.

The mayoral memo states that there were 15 bids which were received and 4 vendors were recommended for the award. See table below:

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Awardee	Principal Address	Address of Branch Offices or Headquarters in Miami-Dade County	Number of Employee Residents
DGG Uniform and Work Apparel, LLC	8725 Youngerman Court Number 305 Jacksonville, FL	None	0
Global Trading Inc. (SBE)	7262 NW 33 Street Miami, FL	Same address	11
IPA Corp. (SBE)	19840 Cutler Court Cutler Bay, FL	Same address	2
Paragon Uniform Group, Inc (SBE)	1612 Jefferson Avenue PH-1 Miami Beach, FL	Same address	6

Three out of four vendors are local.

There was market research which was conducted for the previous contract 8148-0/17, websites for the City of Miami, City of Ft. Lauderdale, Broward County and U.S Communities Purchasing Alliance were searched. All sites visited have two or three polo shirts awarded with U.S. Communities having seven manufacturers represented by Service Wear Apparel. The current County contract has fifteen brands represented. The major cost factors are the price of petroleum (polyester) and the cost of cotton, currently labor is not a major factor and is stable as most shirts are made overseas.

The research which was conducted for Contract No. FB-00685 was made to establish that the items and prices that will be recommended for award are within the market prices for comparable shirts. Five high and medium use shirts were used as a sample in addition there were three additional services which were compared to the price paid on the existing contract. The market research found that the previous prices received to FB-00685 are lower than what was paid on the previous contract 8148-0/17 by a difference ranging from \$.13 to \$2.91 a shirt with prices for the additional services having gone up between \$.25 and \$.75. To establish market prices, the same shirts were researched via the internet to establish pricing from companies that would do large scale sales. Of the five shirts in the survey only one was available on the web at a price lower than what was provided in FB-00685, the difference is \$5.99 vs \$7.14)

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Research Notes**

Item No. 3D

File No. 180825

Researcher: PGE Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL TIME OF FIVE YEARS AND EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$13,526,000.00 FOR PREQUALIFICATION POOL NO. 6750-5/17-5 FOR PURCHASE OF AIR CONDITIONING AND REFRIGERATION PARTS AND SUPPLIES FOR VARIOUS COUNTY DEPARTMENTS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO SOLICIT PRICING, AWARD CONTRACTS, EXERCISE ALL PROVISIONS OF THE SOLICITATION DOCUMENTS AND ANY RESULTING CONTRACTS PURSUANT TO SECTION 2-8.1 OF THE COUNTY CODE AND IMPLEMENTING ORDER 3-38, AND ADD VENDORS TO THE POOL AT ANY TIME, SUBJECT TO RATIFICATION BY THE BOARD ON A BI-ANNUAL BASIS

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional time of five years and expenditure authority in an amount up to \$13,526,000 for the County's prequalification pool for purchase of air conditioning and refrigeration parts and supplies for multiple departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

https://library.municode.com/fl/miami_-

[dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 29-124(f) of the County Code requires the Citizens' Independent Transportation Trust (CITT) to submit a recommendation to the County Commission regarding contract awards where surtax proceeds are applied and for contract awards where no surtax proceeds are applied but the associated allocation is for a transit-related procurement valued at over \$1 million dollars.

https://library.municode.com/fl/miami_-

[dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR](https://library.municode.com/fl/miami_-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH29TA_ARTXVIONHAONPECHCOTRSYSASUAUSE212.0551FLST2001_S29-124SPFUCRUSSUPPROCIINTRTR)

Resolution No. R-395-12, adopted by the Board on May 1, 2012, requires vendors added to open pool contracts to be subject to biannual Board ratification.

<http://intra/gia/matter.asp?matter=120561&file=true&yearFolder=Y2012>

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's small business enterprise program certification in any procurement item submitted for Board approval.

<http://intra/gia/matter.asp?matter=121265&file=true&yearFolder=Y2012>

Resolution No. R-187-12, adopted by the Board on February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120287min.pdf>

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Research Notes**

Implementing Order No. 3-38 sets forth the County's processes and procedures for the purchase of goods and services. The I.O. outlines: the roles and responsibilities of the Internal Services Department; the methods of purchasing goods and services; the authority to award and modify contracts; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Administrative Order No. 11-3 sets forth the County's life cycle cost policy, which requires the expenses associated with the acquisition and operation of an energy consuming facility or piece of equipment to be identified and analyzed.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO11-3.pdf>

PROCEDURAL HISTORY

Prime Sponsor: N/A

Department/Requester: Internal Services

FISCAL IMPACT

The total amount requested for the five-year extension is \$13,526,000. If approved, the pool's cumulative allocation would be \$42,955,000 for a term of 15 years and six months, expiring on July 31, 2023. The pool is currently in its final option to renew term, which commenced on January 22, 2017 and expires on July 21, 2018, and is valued at \$3,553,094.61. Of the \$3,553,094.61 allocated to the pool's Blank Purchase Order, \$2,636,939.96 has been released, leaving a balance of \$916,154.65, per information found in the Bid Tracking System on April 16, 2018. The annual allocation under the extension period is lower than that under the current pool; according to the mayoral memorandum, the requested allocation is based on anticipated expenditures.

The Internal Services, Transportation and Public Works and Water and Sewer departments are requesting the largest allocations for the extension period. The Community Action and Human Services, Regulatory and Economic Resources and Vizcaya Museum and Gardens are not requesting an allocation for the extension period.

ANALYSIS

This item is requesting Board approval to extend Prequalification Pool No. 6750-5/17-5, *Air Conditioning and Refrigeration Parts and Supplies*, for five years and increase expenditure by \$13,526,000 for various County departments. This pool was approved by the Board on January 10, 2008 pursuant to Resolution No. R-31-08 for a five year term for \$13,570,000; the solicitation included an option to renew for five years. The pool is currently in its final option to renew year.

There are two Groups under the pool. Group 1 is used for spot market purchase of air conditioning and refrigeration parts and supplies, such as actuators, blowers, compressors, conductors, driers, fans, motors, regulators and valves. Group 2 is used for spot market purchase of remanufactured or exchanged refrigeration and air conditioning products, including compressors, semi-hermetic stators, motors and pumps.

According to market research conducted by the Internal Services Department, it was determined to be in the County's best interest to extend the pool for five years to prevent unnecessary administrative expenses as the same vendors would prequalify under a replacement solicitation.

There are currently 36 prequalified vendors, of which 20 have a local address. A search for commodity code #03103 (Air Conditioners Systems, Commercial and Industrial) on the County's Small Business Enterprise Goods and Services Certified Firms by Trade Code List on April 16, 2018 identified the following eight vendors:

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- Brophy Associates, Inc.
- Conwell & Associates Consulting
- Done Wright A/C and Electric Service
- Gamma Air System, Inc.
- Leadex Corporation
- Mama A/C and Refrigeration Company
- Marmich Air Conditioning Inc.
- PUTTN Along Corp dba The Right Filter

These certified firms are not included in the prequalified pool. Of the two firms identified as certified small business enterprises in the mayoral memorandum, OCA was unable to verify the certification status of Shelton Supply, Inc. Additionally, an April 16, 2018 search on sunbiz.org (Florida Department of State, Division of Corporations website) for G & A Engineering and Business, Inc. listed the vendor as inactive and dissolved.

<http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=GAENGINEERINGBUSINESS%20P040000838570&aggregateId=domp-p04000083857-b8dba858-a82e-4907-94f2-b35896382525&searchTerm=G%20%26%20A%20Engineering&listNameOrder=GAENGINEERINGBUSINESS%20P040000838570>

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Research Notes**

Item No. 3E

File No. 180827

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING AWARD OF STATE OF FLORIDA CONTRACT NO. 44102100-17-1 FOR PURCHASE OF MAIL PROCESSING EQUIPMENT FOR VARIOUS COUNTY DEPARTMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$4,400,000.00 FOR AN INITIAL TERM THROUGH MARCH 31, 2022 AND ONE, FIVE-YEAR OPTION TO RENEW TERM; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE DOCUMENTS NECESSARY TO ACCESS SAME AND EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA AND IMPLEMENTING ORDER 3-38

ISSUE/REQUESTED ACTION

Whether the Board should approve award of State of Florida Contract No. 44102100-17-1 for purchase of mail processing equipment for various County departments in a total amount not to exceed \$4,300,000.00 for an initial term through March 31, 2022 and one, five-year option-to-renew term.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Miami-Dade County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which competitive bidding may be waived; establishes requirements for legacy purchases, designated purchases, and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 governs the County's processes for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. It contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12, adopted by the Board of February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-140-15, adopted on February 3, 2015, directs the County Mayor or County Mayor's designee to conduct a full review, prior to re-procurement of replacement contracts for goods or services of the scopes of services or goods requested to ensure such contracts reflect the current needs of the County, to include information in recommendations to the Board, and to consult with the Small Business Development Division regarding solicitation and contract language.

<http://intra/gia/matter.asp?matter=150090&file=true&yearFolder=Y2015>

Resolution No. R-1011-15, adopted on November 3, 2015, directs the County Mayor or County Mayor's designee to require that vendors provide addresses of all local branch offices and headquarters and the number and percentage of local residents such vendors employ; and directed the County Mayor or County Mayor's designee to include such information in a memorandum to the Board pertaining to a vendor being recommended for contract award.

<http://intra/gia/matter.asp?matter=152271&file=true&yearFolder=Y2015>

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PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department (ISD)

This proposed resolution has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, the fiscal impact for the initial term through March 31, 2022 is \$1,913,000. Should the State of Florida elect to exercise the available five-year option-to-renew term, and should the County choose at its discretion to exercise same, the estimated cumulative value will be \$4,300,000.*

*The County's Bid Tracking System shows an award value of \$1,957,000, with an estimated cumulative value of \$4,400,000. The Resolution references a contract total amount not to exceed \$4,400,000.

ANALYSIS

The proposed resolution would allow accessing a competitively established State of Florida contract, Contract No. 44102100-17-1, for mail processing equipment. This equipment would be utilized by multiple County departments to send correspondence such as notices, citations, bills, absentee ballots and various other notifications to County residents. Contracting for this service by these means provides cost savings achieved from free installation, training and preventive maintenance for the mail processing equipment.

Listed below are the departments that would utilize the mail processing equipment, along with the allocation being contributed from that area, as well as its funding source.

Department	Allocation	Funding Source
Aviation	\$94,000	Proprietary Funds
Cultural Affairs	\$4,000	Proprietary Funds
Economic Advocacy Trust	\$14,000	Proprietary Funds
Elections	\$250,000	General Fund
Finance	\$95,000	Proprietary Funds
Internal Services	\$282,000	Internal Service Funds
Library System	\$17,000	Library District
Medical Examiner	\$8,000	General Fund
Office of the Clerk	\$295,000	Clerk Revenue
Parks, Recreation and Open Spaces	\$6,000	General Fund
Police	\$90,000	General Fund
PortMiami	\$7,000	Proprietary Funds
Public Housing and Community Development	\$43,000	Federal Funds
Regulatory and Economic Resources	\$20,000	Proprietary Funds
Water and Sewer	\$688,000	Proprietary Funds
TOTAL:	\$1,913,000	

The State of Florida's invitation to bid resulted in two awardees—Neopost USA, Inc. and Pitney Bowes, Inc.

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Neopost USA, Inc. has an active status as a foreign profit corporation. It first filed and registered on 10/03/1977, and was reinstated on

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2/06/2015. Its principal address is 478 Wheelers Farms Road, Milford, CT 06461. Its registered agent is Corporation Service Company, 1201 Hays Street, Tallahassee, FL 32301-2525.

Pitney Bowes, Inc. has an active status as a foreign profit corporation. It first filed and registered on 1/02/1941. Its principal address is 27 Waterview Drive, Shelton, CT 06484. Its registered agent is CT Corporation System, 1200 S. Pine Island Road, Plantation, FL 33324.

OCA performed a commodity code search for local vendors performing this service; no local vendors were found.

The findings of ISD's market research showed that the City of Miami and Broward County made purchases through the State of Florida contract, with Hillsborough County also making a purchase of a Desktop Mailing System through Pitney Bowes on the State Contract.

OCA posed the following questions to ISD on April 16, 2018:

- How is mail processing done in County departments today?
- What contracts, if any, do the two selected vendors (Pitney Bowes and Neopost) currently have with the County?

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Research Notes**

Item No. 3F

File No. 180835

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$418,000.00 FOR CONTRACT NO. 6694-0/18 FOR THE PURCHASE OF SERVICES FOR FIRE ALARM SYSTEMS FOR VARIOUS COUNTY DEPARTMENTS

ISSUE/REQUESTED ACTION

Whether the County should authorize additional expenditure authority to Contract No. 6694-0/18, Services to Fire Alarm Systems, for multiple County departments.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Miami-Dade County Code requires formal sealed bids for purchases over \$250,000; describes the circumstances under which competitive bidding may be waived; establishes requirements for legacy purchases, designated purchases, and provides that procurement procedures shall be established via an Implementing Order.

https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIIICOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Implementing Order No. 3-38 governs the County's processes for the purchase of goods and services including professional services. It establishes the roles and responsibilities of the Internal Services Department, methods of purchasing goods and services, and the authority to award contracts. It contains requirements for access contracts, emergency purchases, bid waivers, confirmation purchases, and sole sources.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-38.pdf>

Resolution No. R-187-12, adopted by the Board of February 21, 2012, directs the County Mayor to include due diligence information in memoranda recommending certain contract awards.

<http://intra/gia/matter.asp?matter=120287&file=true&yearFolder=Y2012>

Resolution No. R-85-14, adopted on January 22, 2014, authorized the award of competitive contracts in a total amount up to \$6,298,000.00, and authorized additional time and expenditure authority in a total amount up to \$9,934,000.00 for various contracts for the purchase of goods and services, and authorized the use of Charter County Transportation Surtax Funds for such contract.

<http://intra/gia/matter.asp?matter=132342&file=false&yearFolder=Y2013>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Barbara J. Jordan, District 1

This item has no procedural history.

FISCAL IMPACT

According to the Fiscal Impact Statement, the contract term expires on March 31, 2019. The contract has a current cumulative allocation of \$3,392,000. If this request is approved, the contract will have a modified cumulative value of \$3,810,000.

A search of the Bid Tracking System conducted on April 16, 2018, revealed that the amount allocated under Contract No. 6694-0/18 was \$3,392,000; the amount released is \$2,989,165; and the balance is \$402,834.

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ANALYSIS

Through Resolution No. R-85-14, adopted on January 22, 2014, the Board authorized

- the award of six competitive contracts in a total amount up to \$6,298,000.00;
- additional time and expenditure authority in a total amount up to \$9,934,000.00 for various contracts for the purchase of goods and services; and
- the use of Charter County Transportation Surtax Funds for such contract.

The awarded vendors were Sunshine Hoist & Steel Erectors, Inc., and Equipment Repair Co., Inc. for **Bridge Cranes and Hoists**; and Metro Dade Security System, Inc., Florida Fire Alarm, Inc., Alemany Building Solutions, Corp., and Alpha Security & Fire Alarm Services, Inc., for **Fire Alarm Systems**.

Since the contracts were awarded, the following four departments have experienced a number of unanticipated developments, resulting in the need for additional expenditure authority:

- Corrections and Rehabilitation had experienced unexpected repairs and services that are required primarily due to vandalism by inmates;
- Cultural Affairs need the additional funding to include all cultural facilities for the remaining term of the contract;
- Internal Services needs the additional funding for the capital project updating services at the Caleb Center, the Caleb Daycare Center, and the Graham Building; and
- Parks, Recreation and Open Spaces has experienced the need for the unanticipated replacement of system parts and batteries, the opening of a new restaurant at Zoo Miami, the addition of service locations by the Community Parks and Aquatics Division, and the addition of monitoring services.

The following table provides the existing cumulative allocation, the additional allocation requested, the modified cumulative allocation and the funding source for the four departments:

Department	Existing Cumulative Allocation	Additional Allocation Requested	Modified Cumulative Allocation	Funding Source
Corrections and Rehabilitation	\$175,000	\$100,000	\$275,000	General Fund
Cultural Affairs	\$12,000	\$8,000	\$20,000	Proprietary Fund
Internal Services	\$635,000	\$250,000	\$885,000	Internal Service Fund
Parks and Recreation	\$231,000	\$60,000	\$291,000	General Fund

The same vendors that were awarded contracts in 2014 are being recommended under the proposed resolution:

Vendor	Principal Address	Local Address	Principal
Alemany Building Solutions, Corp.	1414 NW 107 th Ave., Suite 207, Doral	same	Reynaldo Alemany
Alpha Security & Fire Alarm Services, Inc.	1150 SW 30 th Ave., Pompano Beach	None	Gerald E. Pinnock
Florida Fire Alarm, Inc.	7487 SW 50 th Terrace, Miami	Same	Carlos Javech

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Metro Dade Security System, Inc.	13350 SW 131 Street, Suite 102, Miami	Same	Dorys M. Martinez
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A search of the Miami-Dade County's list of Certified Small Businesses conducted on April 16, 2018, resulted in one small business listed under Commodity Code 34015 – Fire and Medical Alert Systems: World Security & Electric, LLC d/b/a Wise Fire & Security Systems.

Pursuant to Resolution No. R-187-12, due diligence was conducted in accordance with the Internal Services Department's Procurement Guidelines to determine contractor responsibility, including verifying corporate status and review of performance and compliance issues.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Metro Dade Security System, Inc.**, has an active status as a Florida Profit Corporation and first filed and registered on 08/07/1997. The principal address is registered as 13350 S.W. 131st Street, Suite 102, Miami, FL 33186. Its registered agent is Martinez, Dorys, 13350 S.W. 131st Street, Suite 102, Miami, FL 33186.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Florida Fire Alarm, Inc.**, has an active status as a Florida Profit Corporation and first filed and registered on 12/27/2001. The principal address is registered as 7487 S.W. 50th Terrace, Miami, FL 33155. Its registered agent is Carlos Javech 13350 S.W. 40th Street, Miami, FL 33175.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), **Alpha Security & Fire Alarm Services, Inc.**, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 01/19/1989. The principal address is registered as 1150 S.W. 30th Ave., Pompano Beach, FL 33069. Its registered agent is E. Gerald Pinnock, 6201 N.W. 12th Court, Sunrise, FL 33313.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Alemany Building Solutions, Corp., has an active status as a Florida Profit Corporation and first filed and registered on 07/21/2008. The principal address is registered as 1414 N.W. 107th Ave., Suite 207, Doral, FL 33172. Its registered agent is Reynaldo Alemany, 7941 S.W. 14th Terrace, Miami, FL 33144.

<http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>