



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

Housing and Social Services Committee (HSSC) Meeting

January 14, 2019
9:30 A.M.
Commission Chambers

Thomas B. Davis, Esq.
Director, Policy and Legislation
Office of the Commission Auditor (OCA)
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Miami, FL 33128
(305) 375-2524

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**HSSC Meeting: Jan. 14, 2019
Research Notes**

**Item No. 2A
File No. 182954**

Researcher: LE Reviewer: TD

RESOLUTION DECLARING SURPLUS ONE COUNTY-OWNED PROPERTY LOCATED AT 15300 SW 296TH STREET, MIAMI, FLORIDA AND REVISING THE INVENTORY LIST OF REAL PROPERTIES, AFTER A PUBLIC HEARING, TO INCLUDE SUCH PROPERTY AND THE COUNTY-OWNED PROPERTY LOCATED AT 445 NW 12TH STREET, HOMESTEAD, FLORIDA IN ACCORDANCE WITH SECTION 125.379(1), FLORIDA STATUTES; AUTHORIZING CONVEYANCE, PURSUANT TO SECTION 125.379(2), FLORIDA STATUTES, OF BOTH COUNTY-OWNED PROPERTIES TO LHP INVESTMENT AND DEVELOPMENT LLC, A FLORIDA LIMITED LIABILITY COMPANY, AT A PRICE OF \$10.00, FOR THE PURPOSE OF DEVELOPING SUCH PROPERTIES WITH AFFORDABLE HOUSING TO BE SOLD TO VERY LOW- LOW- OR MODERATE- INCOME HOUSEHOLDS IN ACCORDANCE WITH MIAMI-DADE COUNTY'S INFILL HOUSING INITIATIVE PROGRAM; AUTHORIZING THE CHAIRPERSON OR VICE-CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE A COUNTY DEED; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTION NECESSARY TO ENFORCE THE PROVISIONS SET FORTH IN SUCH COUNTY DEED, TO PROVIDE COPIES OF SUCH COUNTY DEED AND RESTRICTIVE COVENANTS CONTAINED THEREIN TO THE PROPERTY APPRAISER'S OFFICE AND TO ENSURE PLACEMENT OF APPROPRIATE SIGNAGE

ISSUE/REQUESTED ACTION

Whether the Board should declare surplus a County-owned property located at 15300 SW 296th Street, Miami, Florida; revise the inventory list of real properties to include such property and a County-owned property located at 445 NW 12th Street, Homestead, Florida; authorize conveyance of both County-owned properties to LHP Investment and Development LLC at a price of \$10.00.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Administrative Order No. 8-4 states that the authority to sell, lease or otherwise dispose of County-owned real property lies solely with the Board of County Commissioners. Before action is taken on any proposed sale or lease of County-owned real property, unless expressly excluded herein, a recommendation will be requested from the Planning Advisory Board, to indicate whether such proposal is in the public interest and also recommending proper land use classification, if applicable.

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

Miami-Dade County Code, Section 2-8.6.5 governs the purchase, sale 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)

Resolution No. R-380-17, adopted by the Board on April 4, 2017, established the policy requiring the County Mayor to provide written notification to the District Commissioner in which the County-owned property lies no less than four weeks prior to placing any item on the agenda requesting approval of the sale, lease or surplus of County-owned property.

<http://intra/gia/matter.asp?matter=170414&file=true&yearFolder=Y2017>

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Resolution No. R-333-15, adopted April 21, 2015, establishes County policy to require disclosure of market value or market rental in legislative items authorizing the conveyance or lease of County-owned property to promote public disclosure and fiscal responsibility.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2015/R-333-15.pdf>

Florida Statutes, Section 125.38 states that any department, agency, state, political subdivision, municipality of the state, corporation, or not for profit organization desires real or personal property that may be owned by any county of the state or its board of county commissioners, for the purposes of promoting community interest and welfare, must apply to the board of county commissioners for a conveyance or lease of such property.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=125.38&URL=0100-0199/0125/Sections/0125.38.html

Ordinance No. 12-53, adopted on July 3, 2012, requires criminal background checks of certain proposed tenants of County property and disclosure of adverse results to the Board.

<http://intra/gia/legistarfiles/MinMatters/Y2012/120899min.pdf>

Section 125.379 of the Florida Statutes requires that each county prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing, and adopt a resolution that includes an inventory list of such property following a public hearing. The properties identified may be offered for sale and the proceeds used to purchase land for the development of affordable housing may be sold with restrictions or donated to a nonprofit housing organizing.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=Section+125.379&URL=0100-0199/0125/Sections/0125.379.html

Section 125.411 of the Florida Statutes authorizes the board of county commissioners to take all action necessary to exercise the County Deed.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.411.html

Resolution No. R-376-11 authorizes the rehabilitation, improvement, or conveyance of County-owned real property appropriate for or to be used as affordable housing.

<http://intra/gia/matter.asp?matter=110684&file=true&yearFolder=Y2011>

Resolution No. R-1004-17 declares the property located at 445 NW 12th Street, Homestead, Florida as surplus.

<http://intra/gia/matter.asp?matter=180692&file=false&yearFolder=Y2018>

Resolution No. R-974-09 directs that any resolutions authorizing the execution of instruments creating County interest in real property shall require such instruments to be recorded in the public records of the County and attached to the authorizing resolution.

<http://intra/gia/matter.asp?matter=091900&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Daniella Levine Cava, District 8

Department/Requester: None

The proposed resolution has no procedural history.

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ANALYSIS

This item is requesting Board authorization to declare surplus a County-owned property located at 15300 SW 296th Street, Miami, Florida; revise the inventory list of real properties to include such property and a County-owned property located at 445 NW 12th Street, Homestead, Florida; authorize conveyance of both properties to LHP Investment and Development, LLC at a price of \$10.00, for the purpose to develop such properties with affordable housing to be sold to very low, low, or moderate income households in accordance with the Miami-Dade County's Infill Housing Initiative Program.

The proposed item has a positive impact of \$10.00 towards the County for the conveyance of both properties to LHP Investment and Development LLC. The County will save approximately \$978.00 annually in property monitoring and lawn maintenance and the new homes will generate real estate taxes to the County.

In order to provide more housing opportunities for low-income and working families, the Miami-Dade County Infill Housing Initiative Program was created. Commissioner Daniella Levine Cava advertised an application process where developers could apply for County-owned properties in District 8 to construct affordable single-family homes through the Miami-Dade County's Infill Housing Initiative Program. Applicants were evaluated based on the following criteria: 1) Experience and past performance in developing homes pursuant to the Infill Housing Program; 2) development team, key personnel and functions; 3) approach to providing services to each homeowner; 4) building plans for single family home models; 5) financial capability and demonstrated ability to obtain financing; 6) approach to meeting time schedule and budgets; and 7) marketing skills and ability to reach eligible households.

LHP Investment and Development LLC, was one of the developers that applied and is recommended because of their record of community projects in the County and qualified team members who have been involved in affordable housing production for more than 28 years. LHP Group has been in business in Miami for more than 38 years and LHP Investment and Development, LLC was formed by the owners of the Group. LHP Investment has been in business for approximately 15 months and has proposed to develop the County properties located at 15300 SW 296th Street, Miami, Florida and 445 NW 12th Street, Homestead, Florida into affordable housing and sold to very low, low, and moderate income households. The properties will be conveyed to LHP Investment at the price of \$10.00 if they follow through with their proposal. Furthermore, LHP Investment has disclosed in their application that it currently has deposits and credits in excess of \$1,000,000 for the proposed project.

LHP Investment represented in their application that they will be able to offer homebuyer assistance such as credit counseling and repair services to help families repair their credit, homebuyer education classes by a Housing and Urban Development (HUD) approved housing counseling organization, work with banks affordable housing lending programs to provide financing, and assist families in receiving assistance from the County's Down Payment Assistance Program and Surtax Program to assist in the structural financing for the purchase of homes. Moreover, the two properties are projected to be single family homes using a home model of a 3 bedroom, 2 bathroom home that is approximately 1,245 square feet. Pursuant to the Infill Program, the homes must be sold within 24 months to qualified first-time homebuyers for no more than \$205,000.00.

The property located at 15300 SW 296th Street, Miami, Florida has not been included in the County's Affordable Housing Sites Inventory List as required by Section 125.379(1) of the Florida Statutes. The Board previously adopted Resolution No. R-1004-17 that declared the property located at 445 NW 12th Street, Homestead, Florida as surplus, but it was also not added to the Inventory List. It is recommended to the Board to revise the Affordable Housing Inventory List to include both aforementioned properties as they are considered appropriate for affordable housing

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use. According to the Property Appraiser, the current land value for the property located at 15300 SW 296th Street, Miami, Florida is \$65,200 and for the property located at 445 NW 12th Street, Homestead, Florida is \$43,875.

Additionally, the item requests authorization to exercise all rights and provisions in the County Deed. If LHP Investment fails to comply with the deed restrictions, such as in the case the properties are not developed within two years of the signing of the deed and effective date of the conveyance of the Properties unless time is extended by the discretion of the Board, then the Properties will be subject to reverter.

The image below showcases the property located at 15300 SW 296th Street, Miami, Florida 33033, Folio Number: 30-7909-003-0020.

Address

Owner Name

Subdivision Name

Folio

SEARCH:

30-7909-003-0020

Q

PROPERTY INFORMATION ⓘ

Folio: 30-7909-003-0020

Sub-Division:
DIXIE ESTS AMD

Property Address
15300 SW 296 ST
Miami, FL 33033-2648

Owner
MIAMI DADE COUNTY
ISD RE MGMT

Mailing Address
111 NW 1 ST STE 2450
MIAMI, FL 33128

PA Primary Zone
0100 SINGLE FAMILY - GENERAL

Primary Land Use
8080 VACANT GOVERNMENTAL : VACANT LAND -
GOVERNMENTAL

Beds / Baths / Half

0 / 0 / 0

Floors

0

Living Units

0

Actual Area

0

Living Area

0

Adjusted Area

0

Lot Size

8,800 Sq.Ft

Year Built

0

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Zoom

Map View ▾

Layers ▾

2018 Aerial Photography 60ft

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The image below showcases the property located at 445 NW 12th Street, Homestead, Florida 33033, Folio Number: 10-7812-007-0640.

Address Owner Name Subdivision Name Folio

SEARCH: Q

PROPERTY INFORMATION ⓘ

Folio: 10-7812-007-0640

Sub-Division:
PONCE DE LEON

Property Address
445 NW 12 ST
Homestead, FL 33030-4121

Owner
MIAMI DADE COUNTY
ISD RE MGMT

Mailing Address
111 NW 1 ST STE 2400
MIAMI, FL 33128


PA Primary Zone
0100 SINGLE FAMILY - GENERAL

Primary Land Use
8086 VACANT GOVERNMENTAL : EXTRA FEA OTHER THAN PARKING

Bed / Bath / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0
Living Area	0
Adjusted Area	0
Lot Size	8,750 Sq.Ft
Year Built	0

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Map View ▾ Layers ▾



DEPARTMENTAL INFORMATION

On January 10, 2019, the Office of the Commission Auditor posed the following questions to the Public Housing and Community Development Department and received the following answers; the department's response below is italicized.

- **Approximately how much are the proposed homes going to cost?**
The maximum sales price for the Infill homes cannot exceed \$205,000.00.
- **Are there any terms regarding resale to keep the properties available to low income families for subsequent years?**
The home will be subject to an affordable housing restrictive covenant for twenty (20) years.

ADDITIONAL INFORMATION

The Miami-Dade County's Infill Housing Initiative Program's main goal is to increase the availability of affordable homes for very low, low, and moderate income families. Their additional goals include maintaining a stock of affordable housing, redeveloping urban neighborhoods by eliminating blight on properties, generate payment of ad valorem taxes, and equitable distributing homeownership opportunities.

<http://www.miamidade.gov/housing/infill-housing-developers.asp>

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**Item No. 2G
File No. 183002**

Researcher: MF Reviewer: TD

RESOLUTION APPROVING ALLOCATION, SUBJECT TO AVAILABILITY FROM RECAPTURE, OF UP TO \$1,500,000.00 FROM BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT 320 – "ECONOMIC DEVELOPMENT IN TARGETED URBAN AREAS" TO PLATFORM 3750, LLC TO FUND CERTAIN ELIGIBLE INFRASTRUCTURE PROJECTS AND DIRECTING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO NEGOTIATE TERMS OF RELATED GRANT AGREEMENT PURSUANT TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM'S ADMINISTRATIVE RULES AND PRESENT SUCH GRANT AGREEMENT OR, ALTERNATIVELY, A REPORT, FOR CONSIDERATION BY BOARD IN ACCORDANCE WITH ORDINANCE NO. 14-65

ISSUE/REQUESTED ACTION

Whether the Board should approve an allocation, subject to availability from recapture, of up to \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 – Economic Development in Targeted Urban Areas” to Platform 3750, LLC to fund certain eligible infrastructure projects.

Whether the Board should direct the County Mayor to negotiate the terms of a related grant agreement pursuant to the Building Better Communities General Obligation Bond Program’s Administrative Rules and present such a grant agreement or, alternatively, a report, for consideration by the Board.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-914-04, adopted by the Board on July 20, 2004, provided for the holding of a General Obligation Bond Special Election in Miami-Dade County on November 2, 2004, with respect to the authorization of not exceeding \$352,182,000 General Obligation Bonds of the County to construct and improve bridges, public infrastructure, and neighborhood improvements.

<http://intra/gia/matter.asp?matter=042286&file=false&yearFolder=Y2004>

Ordinance No. 14-65, adopted by the Board on July 1, 2014, relates to zoning and other land development regulations.

<http://intra/gia/matter.asp?matter=140686&file=true&yearFolder=Y2014>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Xavier L. Suarez, District 7

Department/Requester: N/A

The proposed resolution has no procedural history.

ANALYSIS

Resolution No. R-914-04, adopted by the Board on July 20, 2004, provided for the holding of a General Obligation Bond Special Election in Miami-Dade County on November 2, 2004, with respect to the authorization of not exceeding \$352,182,000 General Obligation Bonds of the County to construct and improve bridges, public infrastructure, and neighborhood improvements.

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One of the projects approved pursuant to Resolution No. R-914-04 is Project No. 320 – Economic Development in Targeted Urban Area (TUA). The goal of Project 320 is to encourage private sector development that will create jobs and cause economic development that will have long-term benefits for the community in the TUAs.

By the mid-1990s, Miami-Dade’s elected officials were aware of the sharp and increasing social and economic disparities between the County’s various neighborhoods. The County identified 15 neighborhoods and two commercial corridors as Target Urban Areas (TUAs) in 1997. The TUAs serve as economic development priority areas and the focus of public efforts largely directed by community input. The number of designated TUAs has increased over time, and there are now 23 designated areas.

The Board previously allocated all of the \$15,000,000.00 Project 320 funds to other infrastructure projects, subject to the negotiation of the County Mayor of a Grant or Interlocal Agreement to be presented to the Board for its approval. If the Mayor is unable to successfully negotiate a Grant or Interlocal Agreement or if the Board does not approve the award of the Project 320 funds to one or more of the proposed grant recipients to whom the Project 320 funds have been allocated, such funds will be recaptured and made available for re-allocation.

Platform 3750, LLC submitted an application for \$1,500,000.00 of Project 320 funding in order to fund public infrastructure costs associated with the development of a mixed-use residential, retail, community service and office development located adjacent to the Douglas Road Metrorail Station.

This project is a one-of-a-kind redevelopment, which will create jobs, provide a grocery store in what is currently a ‘grocery desert’ and provide mixed-income housing to the gateway to West Coconut Grove. Located in the Coconut Grove TUA and linked by a pedestrian bridge to the Douglas Metrorail, the project will bring badly needed affordable housing minutes from the County’s major employment and activity centers. The affordable housing units, which represent 40 percent of the total units, can serve households making up to \$45,000.

The proposed resolution seeks the Board’s approval of an allocation, subject to availability from recapture, of up to \$1,500,000.00 from Building Better Communities General Obligation Bond Program Project 320 – Economic Development in Targeted Urban Areas” to Platform 3750, LLC. The proposed resolution also requests the Board to direct the County Mayor to negotiate the terms of a related grant agreement pursuant to the Building Better Communities General Obligation Bond Program’s Administrative Rules and present such a grant agreement or, alternatively, a report, for consideration by the Board.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Platform 3750, LLC, has an active status as a Florida Limited Liability Company and first filed and registered on 8/24/2015. The principal address is registered as 2100 Hollywood Blvd., Hollywood, FL 33020. Its registered agent is Wolfe, Leon, 2100 Hollywood Blvd., Hollywood, FL 33020.

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

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**Item No. 3A
File No. 182982**

Researcher: IL Reviewer: TD

RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$1,655,000.00 FOR PREQUALIFICATION POOL NO. RTQ-00073 FOR ROOM AIR CONDITIONERS FOR THE DEPARTMENT OF PUBLIC HOUSING AND COMMUNITY DEVELOPMENT

ISSUE/REQUESTED ACTION

Whether the Board should authorize additional expenditure authority to Prequalification Pool No. RTQ-00073, in the amount up to \$1,655,000.00, for room air conditioners for the Department of Public Housing and Community Development department.

APPLICABLE LEGISLATION/POLICY

Section 2-8.1 of the Code of Miami-Dade County (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 \$250,000.00; (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 Implementing Order (I.O.) and approved by the Board.

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

Resolution No. R-716-12, adopted by the Board on September 4, 2012, requires identification of a firm's Small Business Enterprise (SBE) 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>

Resolution No. R-395-12, adopted by the Board on May 1, 2012, Requires vendors added to open pool contracts to be subject to bi-annual ratification by the Board of County Commissioners.

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

Resolution No. R-373-16, adopted by the Board on May 17, 2016, authorizes the establishment of prequalification pool RTQ-00299 in a total amount up to \$10,328,000.00 for heating, ventilating and air-conditioning (HVAC) and control services for County Departments.

<http://intra/gia/matter.asp?matter=160575&file=true&yearFolder=Y2016>

Resolution No. R-502-17, adopted by the Board on May 2, 2017, additional time for five years and expenditure authority in total amount up to \$1,122,000.00 for Prequalification Pool No. RTQ-00073 for purchase and installation of room air conditioners for various County Departments.

<http://www.miamidade.gov/govaction/matter.asp?matter=170786&file=true&fileAnalysis=false&yearFolder=Y2017>

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Resolution No. R-477-18, adopted by the Board on May 1, 2018, directs the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

Implementing Order No. 3-38 provides 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>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

There is no procedural history for this item at this time.

ANALYSIS

The proposed resolution is requesting Board authorization to increase expenditure authority to Prequalification Pool No. RTQ-00073 in an amount up to \$1,655,000.00 for room air conditioners for the Public Housing and Community Development department and the Miami-Dade Water and Sewer Department. Public Housing and Community Development Department (PHCD) will use this contract to replace existing malfunctioning air conditioning units at numerous PHCD facilities.

The pool currently has 6 vendors, of which 4 are local. The vendors are all active and in good standing per sunbiz (the official website of the FL Division of Corporations). Of the 6 vendors currently in the pool, 4 have local addresses (66%), which is below the 75% threshold required by Resolution No. R-477-18.

The pool term expires on September 30, 2022 and has a current cumulative allocation of \$2,182,000.00. If this request is approved, the pool will have a modified cumulative allocation of \$3,837,000.00. The requested increase in expenditure is based on the estimated usage. Per information seen in BTS on January 4, 2019, a total of \$2,182,000 was allocated to the pool's Blanket Purchase Order; of that sum, \$1,932,789.26 has been released, leaving a balance of \$249,210.74.

The Table below illustrates the original allocation, released amount and balance as of January 8 2019, for Public Housing and Community Development

Department	Original Allocation	Released Amount	Balance
Public Housing and Community Development	\$1,675,586.00	\$1,673,868.05	\$1,717.95

The justification per user department for the requested additional expenditure is as follows:

1) Public Housing and Community Development has an original allocation of \$224,765, of which no funds have been released; the department is requesting \$1,655,000.00 for furnishing and maintaining air conditioning at 2,779 elderly designated units, which currently do not have air conditioning units. Air conditioning units are necessary to

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prevent certain health related issues impacting the elderly residents. The current allocation is near exhaustion, and additional allocation is necessary to maintain continuity of services through the expiration of the pool term.

The Policy and Legislation Division of OCA performed a search for commodity code 03110 (Air Purifiers, Accessories and Supplies), on the Business Management Workforce System's Certified Vendor Directory on January 8, 2019 and found 3 local SBE G&S firms: Done Wright A/C and Electric Service, Inc., Electro-power Utility Sales Company, and MAM A/C and refrigeration Company.

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**Item No. 3B
File No. 182991**

Researcher: PGE Reviewer: TD

RESOLUTION RATIFYING AN EMERGENCY PURCHASE IN THE AMOUNT OF \$1,267,000.00 AND AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN THE AMOUNT OF \$5,100,000.00 FOR SECURITY GUARD SERVICES AT PUBLIC HOUSING FACILITIES FOR CONTRACT NO. RFP-00281 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 waive formal bid procedures by a two-thirds vote of the Board members present to ratify an emergency purchase of \$1,267,000 and authorize additional expenditure authority of \$5,100,000 to *Contract No. RFP-00281, Security Guard Services for Housing Facilities*, for the Public Housing and Community Development Department.

APPLICABLE LEGISLATION/POLICY

Section 5.03(D) of the Home Rule Charter states that contracts for public improvements and purchases of supplies, materials, and services other than professional shall be made whenever practicable on the basis of specifications and competitive bids. The Board, upon written recommendation of the Mayor, may by resolution adopted by two-thirds vote of the members present waive competitive bidding when it finds this to be in the best interest of the county.

<http://www.miamidade.gov/chapter/library/chapter.pdf>

Section 2-8.1 of the County Code requires formal sealed bids for all contracts and purchases when the transaction involves the expenditure of \$250,000 or more, except that the Board of County Commissioners, upon written recommendation of the Mayor or Mayor's designee, may, by resolution adopted by two-thirds vote of the members present, waive competitive bidding when it finds this is to be in the best interest of the County.

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

Resolution No. R-477-18, adopted by the Board on May 1, 2018, directed the County Mayor to disclose to the Board the reasons goods and services are not being procured through local businesses when the recommendation is to award a contract to a non-local vendor or to establish a prequalification pool where less than 75 percent of the pool members are local businesses.

<http://intra/gia/matter.asp?matter=180822&file=true&yearFolder=Y2018>

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

<http://www.miamidade.gov/govaction/matter.asp?matter=120287&file=true&fileAnalysis=false&yearFolder=Y2012>

Resolution No. R-454-13, adopted by the Board on June 4, 2013, directed 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://www.miamidade.gov/govaction/matter.asp?matter=131016&file=true&fileAnalysis=false&yearFolder=Y2013>

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Resolution No. R-1011-15, adopted by the Board on November 3, 2015, directed the 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 in memoranda to the Board pertaining to vendors being recommended for contract award.

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

Resolution No. R-391-17, adopted by the Board on April 4, 2017, directed the County Mayor to conduct competitive selections whenever feasible instead of expanding the term or services under existing contracts.

<http://intra/gia/matter.asp?matter=170534&file=true&yearFolder=Y2017>

Resolution No. R-751-17, adopted by the Board on July 18, 2017, approved award of *Contract No. RFP-00281, Security Guard Services for Housing Facilities*, to Security Alliance, LLC in an amount of \$6,552,000 for an initial three-year term plus two, three-year option to renew terms for the Public Housing and Community Development Department.

<http://intra/gia/matter.asp?matter=171564&file=true&yearFolder=Y2017>

Implementing Order 3-38 sets forth the County's policy and procedures for the procurement of goods and services. The I.O. references the obligations and responsibilities of the Internal Services Department; the authority to award; and the requirements for access contracts, emergency purchases, bid waivers, confirmation purchases and sole sources. An emergency purchase is an unforeseen or unanticipated urgent and immediate need for goods or services where the protection of life, health, safety or welfare of the community or the preservation of public properties would not be possible using any of the other purchasing methods described in the Implementing Order.

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

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Internal Services Department

The item has no procedural history.

ANALYSIS

This item is requesting that the Board ratify an emergency purchase in the amount of \$1,267,000 and authorize increased spending in the amount of up to \$5,100,000 for delivery of security guard services at public housing facilities. Although absent from both the resolution and mayoral memorandum, the ratification element of this item requires waiver of competitive bidding procedures by a two-thirds vote of the Board members present.

The Board awarded this contract to Security Alliance, LLC on July 18, 2017 to deliver Tier 1 security guard services (armed and unarmed) at various Public Housing and Community Development facilities across the County. The tier designation represents level of risk at facilities or posts throughout the County, with Tier 1 having the lowest level of risk up to Tier 3, which has the highest level of risk. Under the contract, all security guards must hold a Class B security agency license or Class BB security agency branch office license issued by the State of Florida.

The cumulative contract value is \$6,552,000 for an initial three-year term plus two, three-year option to renew terms. The current term expires on August 31, 2020 and has a value of \$3,887,800. As of January 9, 2019, of the \$3,887,800 allocated to the contract's Blanket Purchase Order, \$3,440,714.26 has been released, leaving a balance of

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\$447,085.74. The requested modification is for \$5,100,000, reflecting an expansion in the scope of services (i.e., adding Tier 3 security guard services).

During the contract term, there has been an unexpected rise in criminal activity, including homicide, at multiple housing developments (i.e., Liberty Square, Annie Coleman, Palm Court, Palm Tower and Harry Cain Tower). In response to such activity, the Internal Services Department increased security guard presence patrolling those developments, resulting in an exhaustion of contract funds. To expeditiously address that exhaustion, an emergency purchase of \$1,267,000 was approved by the Internal Services Department on November 5, 2018 to ensure the delivery of heightened security guard services while a larger modification request travelled to the Board. Hence, the Internal Services Department is requesting \$5,100,000 in increased spending to guarantee sufficient funding for expanded security guard services for the remainder of the contract term.

The mayoral memorandum indicates that due to the increased use of security guard services at housing facilities, the County Attorney's Office has recommended the termination of this contract for convenience on December 31, 2019 to enable the Public Housing and Community Development Department to restructure the scope of services in the replacement contract to better address required levels of safety at County facilities.

ADDITIONAL INFORMATION

Miami-Dade County filed a complaint in the Eleventh Judicial Circuit Court against Security Alliance, LLC, for indemnification, breach of contract and contribution. The County is suing Security Alliance, LLC for \$42,000, which was paid by the County as a settlement to Jorge Basulto who was injured while patrolling County property during the course of his employment as a security guard for Security Alliance, LLC. (See *Miami-Dade County v. Security Alliance, LLC*, No. 2017-029385-CA-01).

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Item No. 3C

File No. 183006

Researcher: LE Reviewer: TD

RESOLUTION RETROACTIVELY APPROVING THE AWARD OF FISCAL YEARS 2018-2021 CONTRACTS AND/OR GRANT AGREEMENTS WITH CARRFOUR SUPPORTIVE HOUSING AND REDLAND AHEAD, INC., FLORIDA NOT-FOR-PROFIT HOMELESS HOUSING AND SERVICES PROVIDERS, FOR CAPITAL IMPROVEMENTS TO THE PRODUCE/LANDSCAPE NURSERY AND FARMER'S MARKET/RETAIL COMPLEX, WHICH IS COMMONLY KNOWN AS VERDE GARDENS, LOCATED AT THE FORMER HOMESTEAD AIR FORCE BASE PROPERTY, ELIGIBLE CAPITAL EXPENSES ASSOCIATED WITH VERDE GARDENS, AND SUPPORTIVE SERVICES FOR THE VERDE GARDENS HOUSING COMPONENT, WHICH SUCH CONTRACTS AND/OR GRANT AGREEMENTS MAYBE RENEWED ANNUALLY FOR A PERIOD OF THREE YEARS COMMENCING OCTOBER 11, 2018 AND CONCLUDING SEPTEMBER 30, 2021, AND SHALL BE IN AN ANNUAL AMOUNT NOT TO EXCEED \$405,000.00 AND A TOTAL AMOUNT OVER THE THREE-YEAR PERIOD NOT TO EXCEED \$730,000.00; RETROACTIVELY APPROVING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE'S ACTION IN EXECUTING SUCH CONTRACTS AND/OR GRANT AGREEMENTS; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXERCISE AMENDMENT, RENEWAL, TERMINATION, CANCELLATION, AND MODIFICATION CLAUSES CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should retroactively approve the award of Fiscal Years 2018-2021 contracts and/or grant agreements with Carrfour Supportive Housing and Redland Ahead, Inc. for capital improvements to the produce/landscape nursery and farmer's market/retail complex, eligible capital expenses associated with Verde Gardens, and Supportive Services for the Verde Gardens housing component, which such contracts and/or grant agreements may be renewed annually for a period of three years commencing October 11, 2018 until September 30, 2021, and shall be in an annual amount not to exceed \$405,000.00 and a total amount over the three-year period not to exceed \$730,000.00.

APPLICABLE LEGISLATION/POLICY

Resolution No. R-1238-08, adopted on November 20, 2008, authorizes the execution of a lease agreement at SW 280 Street and 125 Avenue, Homestead with Carrfour Supportive Housing, Inc., for premises to be utilized for a homeless complex and to develop 50.95 acres of property as housing for homeless/formerly homeless families, a produce/landscape nursery, and farmers market.

<http://intra/gia/matter.asp?matter=083224&file=true&yearFolder=Y2008>

Resolution No. R-236-01, adopted on March 8, 2001, prepares an application for conveyance of 717 acres of former Homestead Air Force Base property to the County and authorizes initiation of litigation in federal court to compel a conveyance of surplus property at the base.

<http://intra/gia/matter.asp?matter=010668&file=false&yearFolder=Y2001>

PROCEDURAL HISTORY

Prime Sponsor: Commissioner Dennis C. Moss, District 9

Department/Requester: Miami-Dade Homeless Trust

The proposed resolution has no procedural history.

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ANALYSIS

This item is requesting Board retroactive approval for the award of Fiscal Years 2018-2021 contracts and/or grant agreements with Carrfour Supportive Housing and Redland Ahead, Inc.

The funding for housing and services generated from Food and Beverage Tax revenue is designated for the provision of homeless housing and services, and is subject to availability. The total amount of grant funds for Fiscal Years 2018-2021 annually shall not exceed \$405,000.00, renewal amounts will be no greater than \$225,000.00, and a total amount over the three-year period shall not exceed \$730,000.00. No grant funds have been or will be disbursed to Carrfour and Redland until Board approval.

The Grant Funds cover a one-time non-recurring capital expenditure from the Food and Beverage funds in the amount of \$180,000 for capital improvements to the produce/landscape nursery and farmer's market/retail complex. Eligible capital expenses at Verde Gardens at the Permanent Supportive Housing component are included and the produce/landscape nursery and farmer's market/retail complex up to \$100,000 annually from Fiscal Years 2018-2021 and up to \$125,000 to Carrfour for supportive services for the Verde Gardens housing component.

Through Resolution No. R-1238-08, a lease agreement was executed between the County and Carrfour for the former Homestead Air Force Base property (HAFB Property) to be utilized for a permanent supportive residential facility for families in need of homes, a produce/landscape nursery, and farmer's market/retail complex. Verde Gardens was developed on the former HAFB Property with 145 units of Permanent Supportive Housing (PSH).

Former Homestead Air Force Base property is that acreage transferred from the US Air Force to Miami-Dade County as excess to the newly redesignated Homestead Air Reserve Base. The Base Realignment and Closure (BRAC) process realigned the base from an active duty facility to an air reserve base. That modification made 717 acres of Federal property excess to the needs of the new Homestead Air Reserve Base. That excess acreage was deeded back to the County under Resolution No. R-236-01. Carrfour Supportive Housing and Redland Ahead, Inc controls 50.95 acres of the 717 deeded to the County.

Carrfour subcontracted with Redland Ahead, Inc. through the Trust, to operate, maintain, and improve the farm component of Verde Gardens in 2017 as part of the services agreement with the County. The Trust entered into a services agreement for the Verde Gardens farm directly with Redland, consistent with the uses of the Property, as Carrfour continues their lease for 30 years on Verde Gardens until 2039.

The scope of services provided by Redland Ahead are to manage, operate, and improve the landscape/produce nursery and farmer's market/retail complex of the Redland Community Farm and Market at Verde Gardens on the grounds of the former HAFB property.

The scope of services that will be provided by Carrfour Supportive Housing, Inc. are that they will operate the landscape/produce nursery, a store and farmers market, and maintain, operate, and improve the 145 units of Permanent Supporting Housing (PSH) for homeless families.