



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

Infrastructure and Capital Improvements
Committee (ICI) Meeting

February 12, 2019
2:00 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
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**ICI Meeting: February 12, 2019
Research Notes**

**Item No. 1G3
File No. 190034**

Researcher: LE Reviewer: TD

ORDINANCE RELATING TO ZONING; AMENDING SECTIONS 33-1 AND 33-14.1 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PERMITTING MOBILE BANKING OPERATIONS AMONG AUTHORIZED MOBILE OPERATIONS SUBJECT TO CONDITIONS; MAKING TECHNICAL CHANGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

ISSUE/REQUESTED ACTION

Whether the Board should amend Sections 33-1 and 33-14.1 of the Code of Miami-Dade County to permit mobile banking operations among authorized mobile operations subject to conditions.

APPLICABLE LEGISLATION/POLICY

Miami-Dade County Code Section 33-1 provides definitions for terms used in the chapter of the County code.

[https://library.municode.com/fl/miami -
dade county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTIINGE_S33-1DE](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTIINGE_S33-1DE)

Miami-Dade County Code Section 33-14.1 provides information relating to mobile sales and mobile food service operations such as authorizing certain mobile sales and mobile food service operations within commercial and industrial zoning districts.

[https://library.municode.com/fl/miami -
dade county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTIINGE_S33-14.1MOSAMOFBOSEOP](https://library.municode.com/fl/miami-dade-county/codes/code_of_ordinances?nodeId=PTIIICOR_CH33ZO_ARTIINGE_S33-14.1MOSAMOFBOSEOP)

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Barbara Jordan, District 1
Department/Requester: None**

This item was adopted on first reading during the January 23, 2019 BCC and is tentatively scheduled for a public hearing during the ICI meeting on February 12, 2019.

ANALYSIS

This item is requesting Board amendment to Sections 33-1 and 33-14.1 of the County Code to permit mobile banking operations among authorized mobile operations and subject them to certain conditions.

This item has no fiscal impact.

The Federal Deposit Insurance Corporation (FDIC) in 2017 estimated that approximately 6 percent of households throughout Florida did not hold bank accounts and 18.3 percent may have had banks but were still relying on payday lenders or other alternative financial institutions for financial services. The financial institutions charged significant or exorbitant fees. Particularly in South Florida, the FDIC estimated that 8 percent of households do not have bank accounts and 17.6 percent fall within the underbanked category.

Amending Sections 33-1 and 33-14.1 of the Code will define Mobile Banking Operation and permit mobile banking operations among authorized mobile operations that are subject to certain conditions. The proposed Section 33-1 amendment will authorize establishment of mobile banking services from a portable vehicle, stand, or trailer which may increase federally-insured depository services available to serve unserved or underserved households. Households may be able to reduce their reliance on more costly alternative financial services through greater availability of federally-insured depository institutions to unbanked and underbanked households.

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The table below shows the original Section 33-1 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-1 of the County Code	Proposed changes to Section 33-1 of the County Code
<p>Sec. 33-1. Definitions.</p> <p>For the purpose of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:</p> <p style="text-align: center;">* * *</p> <p>(70.2) <i>Mobile Food Service Operation.</i> The preparation/cooking, serving and/or sale of food conducted from a portable stand, vehicle or trailer. Each such stand, vehicle or trailer shall be considered a mobile food service operation. Mobile food service operations must obtain all required licenses from the State of Florida prior to operating in Miami-Dade County.</p> <p>(70.3) <i>Mobile Sales Operations.</i> Sales of products, limited to flowers, plants and produce, that are conducted from a portable stand, vehicle or trailer. Each such portable stand, vehicle or trailer shall be considered a mobile sales operation.</p> <p>(70.4) <i>Mobile Operations</i>, as referred in this chapter, shall mean mobile food service operations and mobile sales operations. The distribution of box lunches in compliance with Section 33-14 shall not constitute a mobile operation.</p> <p style="text-align: center;">* * *</p>	<p>Sec. 33-1. Definitions.</p> <p>For the purpose of this chapter, the following definitions for terms used herein shall apply to all sections of this chapter unless the context clearly indicates otherwise:</p> <p style="text-align: center;">* * *</p> <p>(70.2) >><u>Mobile Banking Operation.</u> The use of a <u>portable vehicle, stand, or trailer to conduct general commercial banking business to the extent authorized in chapters 658 and 667, Florida Statutes, or to provide credit union services to the extent authorized in chapter 657, Florida Statutes, by a bank or trust company organized under the laws of a state, a national bank, a state or federal credit union, or a federally chartered savings and loan association, provided that deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration and that the entities obtain all required state or federal licenses prior to operating in the County.</u></p> <p><u>(70.3)</u><< <i>Mobile Food Service Operation.</i> The preparation/cooking, serving and/or sale of food conducted from a portable stand, vehicle or trailer. Each such stand, vehicle or trailer shall be considered a mobile food service operation. Mobile food service operations must obtain all required licenses from the State of Florida prior to operating in Miami-Dade County.</p> <p>>>(70.4)<< [[(70.3)]] <i>Mobile Sales Operation</i>[[s]]. Sales of products, limited to flowers, plants and produce, that are conducted from a portable stand, vehicle or trailer. Each such portable stand, vehicle or trailer shall be considered a mobile sales operation.</p> <p>>>(70.5)<< [[(70.4)]] <i>Mobile Operations</i>, as referred in this chapter, shall mean >><u>mobile banking operations</u>,<< mobile food service operations >>_<<and mobile sales operations. The distribution of box lunches</p>

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in compliance with Section 33-14 shall not constitute a mobile operation.

* * *

The table below shows the original Section 33-14.1 of the Code of Miami-Dade County and the proposed changes. Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed.

Section 33-14.1 of the County Code	Proposed changes to Section 33-14.1 of the County Code
<p>Sec. 33-14.1. – Mobile sales and mobile food service operations.</p> <p>(A) Notwithstanding any provisions of this chapter to the contrary, mobile sales operations, as defined in Section 33-1(70.3), and mobile food service operations, as defined in Section 33-1(70.2) of this Code (collectively defined as mobile operations under Section 33-1(70.4)) are permissible on private property subject to the following conditions:</p> <p>(1) Mobile operations are permissible only in the following zoning districts: BU, IU, urban center, urban area, and GU (where trended for industrial, or business use). Mobile operations are also permissible in residential zoning districts on properties having a current certificate of use and occupancy as a museum, hospital, school or church provided such use does not operate more frequently than once per week and no longer than three consecutive days.</p> <p>(2) Mobile operations may only be conducted from 7:00 a.m. to 10:00 p.m. on weekdays and from 7:00 a.m. to 11:00 p.m. on weekends.</p> <p>(3) Mobile operations shall not be located in any driveway aisles, no parking zones, landscaped area, loading areas, or parking lanes, nor may mobile operations impede the on-site circulation of motor vehicles.</p> <p>(4) Mobile operations shall not be located in required parking spaces unless the number of spaces exceeds the</p>	<p>Sec. 33-14.1. – Mobile [[sales and mobile food service]] operations.</p> <p>(A) Notwithstanding any provisions of this chapter to the contrary, >><u>mobile banking operations</u><< mobile sales operations, [[as defined in Section 33-1(70.3),]] and mobile food service operations, [[as defined in Section 33-1(70.2) of this Code]] (collectively >><u>as</u><< [[defined as]] mobile operations >>), <u>and all as defined in section</u><< [[under Section]] 33-1[[70.4]]) are permissible on private property subject to the following conditions:</p> <p>(1) Mobile operations are permissible only in the following zoning districts: BU, IU, urban center, urban area, and GU (where trended for industrial [[;]] or business use). Mobile operations are also permissible in residential zoning districts on properties having a current certificate of use [[and occupancy]] <u>as a museum, hospital, school >>, or religious facility</u>,<< [[or church]] provided such use does not operate more frequently than once per week and no longer than three consecutive days.</p> <p>(2) Mobile operations may only be conducted from 7:00 a.m. to 10:00 p.m. on weekdays and from 7:00 a.m. to 11:00 p.m. on weekends.</p> <p>(3) Mobile operations shall not be located in any driveway aisles, no parking zones, landscaped area, loading areas, or parking lanes, nor may mobile</p>

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<p>minimum amount required for other uses on the property. The utilization of an off-street parking space for the operation of a mobile operation must not cause the site to become deficient in required off-street parking.</p> <p>(5) Mobile operations shall not be located on the public right-of-way.</p> <p>(6) Mobile operations are permissible on vacant, unimproved property only when approved as a special event pursuant to Section 33-13(h) of this Code.</p> <p>(7) Mobile operations shall be located a minimum of 20 feet from the property line of an existing residential use, except that mobile operations may be located at a minimum of 10 feet from the property line if the residential use is separated by a six (6) foot high masonry wall.</p> <p>(8) The total space dedicated to the mobile operation and vending area shall not exceed an area of six hundred (600) square feet,</p> <p>(9) Alcoholic beverage sales and use of sound amplification devices are prohibited.</p> <p>(10) Electric service connection to an on-site approved outlet is permitted provided that no wiring or cables are run beyond the vending area or pose any danger to the patrons. For purposes of this requirement, the vending area includes the space taken up by: a portable stand, vehicle, or trailer; signs; equipment; products; and any tents, tarpaulins, canopies, or awnings.</p> <p>(11) A Certificate of Use (CU) must be obtained by the property owner to permit mobile operations on the site. A site plan or survey shall be submitted indicating the following:</p> <p>(a) Location of the individual mobile operations and associated vending area. Mobile operations shall be located so as to minimize the impacts on adjacent residential uses.</p> <p>(b) Location of improvements on the site.</p>	<p>operations impede the on-site circulation of motor vehicles.</p> <p>(4) Mobile operations shall not be located in required parking spaces unless the number of spaces exceeds the minimum amount required for other uses on the property. The utilization of an off-street parking space for the operation of a mobile operation must not cause the site to become deficient in required off-street parking.</p> <p>(5) Mobile operations shall not be located on the public right-of-way.</p> <p>(6) Mobile operations are permissible on vacant, unimproved property only when approved as a special event pursuant to >><u>the standards for Mobile Food Service Operations Special Event set forth in</u><< Section 33-13[(h) of this Code].</p> <p>(7) Mobile operations shall be located a minimum of 20 feet from the property line of an existing residential use, except that mobile operations may be located at a minimum of 10 feet from the property line if the residential use is separated by a six [(6)] foot high masonry wall.</p> <p>(8) The total space dedicated to the mobile operation and vending area shall not exceed an area of [[six hundred (6)]600[[9]] square feet,</p> <p>(9) Alcoholic beverage sales and use of sound amplification devices are prohibited.</p> <p>(10) Electric service connection to an on-site approved outlet is permitted provided that no wiring or cables are run beyond the vending area or pose any danger to the patrons. For purposes of this requirement, the vending area includes the space taken up by: a portable stand, vehicle, or trailer; signs; equipment; products; and any tents, tarpaulins, canopies, or awnings.</p> <p>(11) A Certificate of Use (CU) must be obtained by the property owner to permit mobile operations on the site. A site plan or survey shall be submitted indicating the following:</p>
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<p>(c) Location of on-site parking areas.</p> <p>(d) Rights-of-way, internal circulation and ingress and egress.</p> <p>(12) Signage associated with the mobile operation shall be confined to the mobile operation and authorized vending area. Signage attached to the mobile unit shall be permitted. Detached signage shall be limited to one sign not exceeding nine (9) square feet.</p> <p>(13) The number of mobile operations permissible on a site at any one time shall be limited as follows:</p> <p>(a) One (1) mobile operation may be permitted on each site which contains a minimum of 10,000 square feet of net lot area.</p> <p>(b) An additional mobile operation may be permitted for each additional 50,000 square feet of net lot area, up to a maximum of three (3) mobile operations per site.</p> <p>(c) Mobile operations in excess of these thresholds may only be permitted as a special event pursuant to Sections 33-13(g) and 33-13(h) of this Code.</p> <p>(B) If it is found that a mobile operation is operating in manner not consistent with the representations made in the application package provided to the Department, the Director shall have the authority to revoke the CU of the property owner immediately.</p> <p>(C) Except as otherwise provided in this Code, it is unlawful to conduct mobile operations in any outdoor location without first obtaining a CU in accordance with the provisions of this <i>Section</i>.</p> <p>(D) The operator of a mobile operation must be able to produce for inspection: a copy of a letter or other written communication from the property owner or representative that authorizes the mobile operation and, for mobile food service operators, a copy of the applicant's required State license for food service establishments.</p> <p>(E) Mobile operations located at County parks, sports stadiums or racetracks during events shall be exempt</p>	<p>(a) Location of the individual mobile operations and associated vending area. Mobile operations shall be located so as to minimize the impacts on adjacent residential uses.</p> <p>(b) Location of improvements on the site.</p> <p>(c) Location of on-site parking areas.</p> <p>(d) Rights-of-way, internal circulation and ingress and egress.</p> <p>(12) Signage associated with the mobile operation shall be confined to the mobile operation and authorized vending area. Signage attached to the mobile unit shall be permitted. Detached signage shall be limited to one sign not exceeding nine (9) square feet.</p> <p>(13) The number of mobile operations permissible on a site at any one time shall be limited as follows:</p> <p>(a) One (1) mobile operation may be permitted on each site which contains a minimum of 10,000 square feet of net lot area.</p> <p>(b) An additional mobile operation may be permitted for each additional 50,000 square feet of net lot area, up to a maximum of three (3) mobile operations per site.</p> <p>(c) Mobile operations in excess of these thresholds may only be permitted as a special event pursuant to >><u>the standards for Mobile Food Service Operations Special Event set forth in</u><< Section [[s]] 33-13[[(g) and 33-13(h) of this Code]].</p> <p>(B) If it is found that a mobile operation is operating in manner not consistent with the representations made in the application package provided to the Department, the Director shall have the authority to revoke the CU >><u>for the mobile operation</u><< [[of the property owner]] immediately.</p> <p>(C) Except as otherwise provided in this Code, it is unlawful to conduct mobile operations in any outdoor</p>
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from the requirements of this *section* but must otherwise comply with all other applicable requirements in this Code.

location without first obtaining a CU in accordance with the provisions of this *Section*.

(D) The operator of a mobile operation must be able to produce for inspection: a copy of a letter or other written communication from the property owner or representative that authorizes the mobile operation and, for mobile food service operators, a copy of the applicant's required State license for food service establishments.

(E) Mobile operations located at County parks, sports stadiums or racetracks during events shall be exempt from the requirements of this *section* but must otherwise comply with all other applicable requirements in this Code.

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Research Notes**

**Item No. 3A
File No. 190163**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING SETTLEMENT AGREEMENT BETWEEN MIAMI-DADE COUNTY AND SPRINT CORPORATION TO RESOLVE ALL OUTSTANDING DISPUTES REGARDING THE FREQUENCY RECONFIGURATION AND SETTLEMENT AGREEMENT; APPROVING A 30 YEAR LEASE AGREEMENT BETWEEN THE COUNTY AND FIXED WIRELESS HOLDINGS, LLC FOR ACCESS TO 5.5MHZ OF THE COUNTY'S 2.5GHZ SPECTRUM WITH A TOTAL VALUE OF \$4,420,000.00; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SETTLEMENT AND LEASE AGREEMENTS AND EXERCISE ALL RIGHTS CONFERRED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the (1) settlement agreement between the County and Sprint Corporation for the purpose of resolving all outstanding claims under the Frequency Reconfiguration and Settlement Agreement; and (2) 30-year lease agreement with Fixed Wireless Holdings, LLC for access to 5.5MHz of the County's 2.5GHz spectrum with a total value of \$4,420,000.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 119.071 sets forth general exemptions from inspection or copying of public records.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0119/Sections/0119.071.html

Resolution No. R-83-10, adopted by the Board on January 28, 2010, authorized the execution of agreements with Nextel South Corporation and Harris Corporation in an amount not to exceed \$38,600,000 to vacate radio frequencies operated by the County pursuant to Federal Communications Commission orders and to acquire a new radio system that will operate under new frequencies.

<http://intra/gia/matter.asp?matter=093358&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Information Technology

The item has no procedural history.

ANALYSIS

This item is requesting that the Board authorize the County Mayor to execute a settlement agreement between the County and Sprint Corporation for the purpose of concluding the Frequency Reconfiguration and Settlement Agreement. The item is also recommending approval of a 30-year Broadband Spectrum Lease Agreement between the County and Fixed Wireless Holdings, LLC for access to 5.5MHz of the County's 2.5GHz spectrum.

On August 6, 2004, the Federal Communications Commission (FCC) issued a report and order modifying its rules governing the 800 MHz band. The order requires its users, such as the County, to reconfigure radio operations by engaging in a frequency swap known as rebanding.

Addressing the FCC order, on January 28, 2010, pursuant to Resolution No. R-83-10, the Board authorized the execution of a Frequency Reconfiguration and Settlement Agreement between Nextel South Corp. and Miami-Dade County, providing for Nextel to acquire from Harris Corp. and deliver at no cost to the County up to 24,000 terminal radio units and accessories in exchange for the parties settling certain obligations under FCC orders. The resolution also authorized the execution of a Radio Communication System Purchase Contract between Harris and the County to acquire a new radio system, optional adjunct systems and maintenance services and equipment at an amount not to exceed \$38,600,000 over the initial five-year term plus three, two-year options to renew.

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As part of the project, all unconfigurable and any remaining new radio devices had to be returned to Sprint at the conclusion of the process and before the agreement could be closed. A dispute developed concerning the timeliness of the return and the total quantities of radios to be returned to Sprint. The County and Sprint conducted numerous physical inventories, shipping manifest comparisons, database synchronizations and inventory exchange receipt reviews. As a result of the review, it was determined that 1,577 devices, with a market value of \$4,900,000, were pending return to Sprint.

This proposed settlement agreement provides for the transfer of the 1,577 P25 radio devices and accessories with a current value of \$4,900,000 to the County in exchange for a credit of \$3,700,000 applied to an upfront lease payment by a Sprint affiliate under the lease agreement. In addition to the upfront payment, Sprint shall tender monthly payments to the County under the lease of \$2,000. The radio devices represent an interoperability value for the County as the devices are currently used by first responders and local government employees.

Through the proposed settlement agreement, Sprint releases any and all claims against the following inventory currently housed within the Harris warehouse in Miami-Dade County:

- 1,577 P25 radio devices;
- All vehicle installation kits for the M7300 mobile devices;
- All belt clips for Harris handheld portable devices;
- All radio antennas for the handheld portable devices; and
- All battery charges for the handheld portable devices.

In turn, the County withdraws the False Claims Letter, dated February 12, 2018, and received by Sprint on February 19, 2018.

Note that there appears to be a scrivener's error in the body of the resolution, which shows \$4,500,000 as the total value of the lease agreement instead of \$4,420,000 as seen in the mayoral memorandum and the resolution's title.

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Research Notes**

**Item No. 3B
File No. 190149**

Researcher: JFP Reviewer: TD

RESOLUTION APPROVING AND ACCEPTING TWO DEEDS FOR CANAL RIGHT-OF-WAY LOCATED ALONG NW 107 AVENUE NEAR NW 146 STREET IN THE CITY OF HIALEAH GARDENS IN SECTION 19, TOWNSHIP 52 SOUTH AND RANGE 40 EAST IN MIAMI-DADE COUNTY; AUTHORIZING THE CHAIRPERSON OR VICE CHAIRPERSON OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE RIGHT-OF-WAY DEEDS

ISSUE/REQUESTED ACTION

Whether the Board should authorize the Board of County Commissioners to execute two deeds for canal right-of-way, located in District 12 in the City of Hialeah Gardens along NW 107 Avenue between NW 140 Street and NW 146 Street, and ultimately approve and accept these deeds.

APPLICABLE LEGISLATION/POLICY

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_ARTINGE_S2-8.6.5PUSALEREPR

Resolution No. R-974-09, adopted July 21, 2009, 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 Jose "Pepe" Diaz, District 12

Department/Requester: Regulatory and Economic Resources

This item has no procedural history.

ANALYSIS

The proposed resolution seeks to approve and accept two deeds for canal right-of-way, located in District 12 in the City of Hialeah Gardens along NW 107 Avenue between NW 140 Street and NW 146 Street, and authorize the Board of County Commissioners to execute the two right-of-way deeds. The owners of the subject property in Section 19, Township 52 South and Range 40 East—Bridge HG One LLC and Bridge HG South LLC, both Florida Limited Liability Companies—have each offered to dedicate to the County a right-of-way for canal and all other public purposes with a total area of 2.04 acres. Therefore, this item does not require the expenditure of any Miami-Dade County funds, with the exception of consideration of the sum of one dollar per deed.

Bridge HG One LLC has offered to dedicate a canal right-of-way with an area of 1.36 acres, and Bridge HG South, LLC has offered to dedicate a canal right-of-way with an area of 0.68 acres.

The subject properties are encumbered by those rights in reservation given to Miami-Dade County in 1959 by the South Florida Water Management District (formerly known as the Southern Florida Flood Control District) to be used for the limited purposes of water management and flood protection in connection with the Miami-Dade County Water Control Master Plan. These two deeds expand the rights granted to include *all public purpose*.

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Research Notes**

**Item No. 3C
File No. 190138**

Researcher: JFP Reviewer: TD

RESOLUTION AUTHORIZING HISTORIC PRESERVATION AD VALOREM TAX EXEMPTION FOR THE REHABILITATION OF 6300 BISCAYNE BOULEVARD, MIAMI, FLORIDA, PURSUANT TO SECTION 196.1997, FLORIDA STATUTES, AND SECTION 16A-18 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; DIRECTING THE MAYOR OR DESIGNEE TO EXECUTE AND RECORD COVENANT; AND AUTHORIZING MAYOR OR DESIGNEE TO EXERCISE PROVISIONS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize historic preservation ad valorem tax exemption for the commercial property located at 6300 Biscayne Boulevard, Miami, Florida originally constructed in 1953, as it has been deemed to be of architectural significance and was designated as a contributing structure in a local historic district by the City of Miami in 2006.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Section 196.1997 (Ad valorem tax exemptions for historic properties) states that the board of county commissioners of any county or the governing authority of any municipality may adopt an ordinance to allow ad valorem tax exemptions (under s. 3, Art. VII of the State Constitution) to historic properties if the owners are engaging in the restoration, rehabilitation, or renovation of such properties in accordance with guidelines established in this section.

http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=196.1997&URL=0100-0199/0196/Sections/0196.1997.html

Section 16 of the Code of Miami-Dade County declares as a matter of public policy that the protection, enhancement and perpetuation of properties of historical, cultural, archaeological, paleontological, aesthetic and architectural merit are in the interests of the health, prosperity and welfare of the people of the County.

Section 16A-18 of the Code of Miami-Dade County states:

- a) Scope of tax exemptions. A method is hereby created for the Board of County Commissioners, at its discretion, to allow tax exemptions for the restoration, renovation, or rehabilitation of historic properties. The exemption shall apply to one hundred (100) percent of the assessed value of all improvements to historic properties which result from restoration, renovation, or rehabilitation made on or after the effective date of this ordinance. The exemption applies only to taxes levied by Metropolitan Miami-Dade County.
- b) Duration of tax exemptions. Any exemption granted under this section to a particular property shall remain in effect for ten (10) years. The Board of County Commissioners shall have the discretion to set a lesser term if requested by the property owner in its original application and covenant. The term of the exemption shall be specified in the resolution approving the exemption.

https://library.municode.com/fl/miami_-_dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH16AHIPR

Resolution No. R-974-09, adopted July 21, 2009, 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>

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PROCEDURAL HISTORY

Prime Sponsor: Chairwoman Audrey M. Edmonson, District 3

Department/Requester: Regulatory and Economic Resources

This item has no procedural history.

ANALYSIS

The property at the focus of this historic preservation ad valorem tax exemption resolution is a commercial property located at 6300 Biscayne Boulevard, Miami, Florida, the site of the South Pacific Motel. Built in 1953 by architect Charles Giller, it has been deemed to be of architectural and historical significance, earning the designation as a contributing structure in the City of Miami MiMo Biscayne History District by the City of Miami in 2006. The South Pacific is unique in design, with its stone veneer façade and vintage neon sign. The current property owner, South Pacific 6300 LLC, seeks ad valorem tax exemption pursuant to Section 196.1997 Florida Statutes and Section 16A-18 of the Code of Miami-Dade County for the following restoration work:

- complete interior and exterior renovation;
- installation of historically appropriate impact-resistant windows and doors;
- restoration of character-defining historic stone façade;
- restoration of original neon and pylon signage;
- replacement of roof; and
- site improvements.

The table below details the amount spent by the property owner on the renovation, and the applicable taxable value and corresponding exemption.

Costs of Total Renovation (amount spent by property owner)	Amount Attributed to Work on the Historic Structure	Taxable Value of the Qualifying Improvements (as determined by the Property Appraiser's office)	Estimated ad valorem Tax Exemption (for one year; Countywide operating taxes only)
\$2,910,000	\$1,325,000	\$765,334	\$3,572*

*The proposed exemption of \$3,572 is not for the entire assessed value of the property; the tax exemptions are calculated from what the value of the renovations to the historic property were, and only apply to the countywide portion of the property's tax bill. Countywide operating ad valorem property taxes will still be assessed and collected on the remaining taxable value that did not qualify for the exemption. The annual value of the tax exemption during the ten-year period may fluctuate based on adjustments to either the countywide operating millage or the Property Appraiser's taxable value of the qualifying improvements to the property.

ICI Meeting: February 12, 2019
Research Notes

Below is a photo of the subject property:



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**Item No. 3D
File No. 190224**

Researcher: PGE Reviewer: TD

RESOLUTION APPROVING AN AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI RIVER COMMISSION WHEREBY MIAMI-DADE COUNTY PROVIDES UP TO \$140,000.00 TO THE MIAMI RIVER COMMISSION FOR LITTER AND DEBRIS REMOVAL AND DISPOSAL FROM THE WATERS OF THE MIAMI RIVER IN UNINCORPORATED MIAMI-DADE COUNTY; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should approve the grant agreement between the County and the Miami River Commission whereby the County provides up to \$140,000 to the Miami River Commission to conduct litter and debris removal and disposal from the waters of the Miami River within unincorporated Miami-Dade County, specifically from NW 27 Avenue to NW 36 Street along the Miami River.

APPLICABLE LEGISLATION/POLICY

Florida Statutes Chapter 163.06 established the Miami River Commission as the official coordinating clearinghouse for all public policy and projects related to the Miami River to unite all governmental agencies, businesses, and residents in the area to speak with one voice on river issues; to develop coordinated plans, priorities, programs, projects and budgets that might substantially improve the river area; and to act as the principal advocate and watchdog to ensure that river projects are funded and implemented in a proper and timely manner.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.06.html

Resolution No. R-421-09, adopted by the Board on April 21, 2009, authorized the County Mayor to execute an agreement with the Miami River Fund, Inc. for the County to provide \$100,000 for the specific purpose of litter and debris removal and disposal from the navigable waters of the Miami River in Fiscal Year 2008-09.

<http://intra/gia/matter.asp?matter=090749&file=true&yearFolder=Y2009>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Regulatory and Economic Resources

The item has no procedural history.

ANALYSIS

This item is requesting that the Board approve the grant agreement between the County and the Miami River Commission to fund litter and debris removal and disposal from the waters of the Miami River within unincorporated Miami-Dade County. Under the grant, the County will provide the Miami River Fund, Inc., the Florida nonprofit affiliated with the Miami River Commission, \$140,000 for the project. All work contemplated under the grant shall be completed within 12 months of the date of execution of the agreement.

In the Fiscal Year 2018-19 Budget, the County allocated \$140,000 from the countywide General Fund for the Miami River Commission to provide debris removal and water purification services. Under the grant, the services to be provided shall consist of project management and the collection and disposal of litter and debris in the Miami River within unincorporated Miami-Dade County, from NW 27 Avenue to NW 36 Street. Litter and debris consist of any nonhazardous material floating within the first two feet of water and includes aluminum cans, plastic bags, toys, vegetation, animal debris, wood, leaves and other similar debris.

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The County shall reimburse the Miami River Commission for costs incurred for the management and collection and disposal of litter and debris along the Miami River. Of the \$140,000 in grant funds, up to \$15,000 shall be spent for project management, administration and invoicing, and up to \$125,000 shall be spent for scavenger boat contractual services.

It is important to note that the Miami River Commission, through contractors, performs maintenance and cleaning operations that include the collection and removal of litter and debris on the navigable waters of the Miami River east of NW 27 Avenue within the City of Miami.

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Research Notes**

**Item No. 3E
File No. 190117**

Researcher: MF Reviewer: TD

RESOLUTION AUTHORIZING THE CONVEYANCE OF AN AERIAL EASEMENT TO THE CITY OF MIAMI GARDENS IN ACCORDANCE WITH SECTION 125.38 FLORIDA STATUTES, FOR NO MONETARY CONSIDERATION IN ACCORDANCE WITH FLORIDA STATUTES SECTION 125.38 FOR THE CONSTRUCTION AND MAINTENANCE OF A PEDESTRIAN BRIDGE OVER NW 199 STREET (DAN MARINO BOULEVARD) JUST SOUTH OF THE HARD ROCK STADIUM IN MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE CONVEYANCE OF SAID AERIAL EASEMENT AND EXERCISE ANY AND ALL RIGHTS CONFERRED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should authorize the conveyance of an aerial easement to the City of Miami Garden, for no monetary consideration, for the construction and maintenance of a pedestrian bridge over NW 199 Street (Dan Marino Boulevard) just south of the Hard Rock Stadium in Miami-Dade County.

APPLICABLE LEGISLATION/POLICY

Florida Statutes, Section 125.38, provides that “[i]f the United States, or any department or agency thereof, the State or any political subdivision or agency thereof, or any municipality of this State, or corporation or other organization not for profit which may be organized for the purposes of promoting community interest and welfare, should desire any real or personal property that may be owned by any County of this State or by its Board of County Commissioners, for public or community interest and welfare, then the United States, or any department or agency thereof, State or such political subdivision, agency, municipality, corporation or organization may apply to the Board of County Commissioners for a conveyance or lease of such property.”

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0125/Sections/0125.38.html

Resolution No. R-974-09, adopted on July 21, 2009, directs that any resolution authorizing the execution of instruments creating a County interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County.

<https://www.miamidade.gov/cob/library/Registry/Resolutions/Board-of-County-Commissioners/2009/R-974-09.pdf>

PROCEDURAL HISTORY

**Prime Sponsor: Commissioner Barbara J. Jordan, District
Department/Requester: Transportation and Public Works**

The proposed resolution has no procedural history.

ANALYSIS

The City of Miami Gardens is home to the Dolphin Stadium (Stadium), the largest sports and entertainment complex in Miami-Dade County. The Stadium hosts games for the Miami Dolphins, the University of Miami Hurricanes, and other premier sports and entertainment events including Jazz in the Gardens.

The Stadium is currently undertaking a \$450,000,000 privately-funded renovation project, and is projected to host approximately two million visitors per year and generate more than \$13 million in sales tax revenues for the State of Florida. Currently, patrons of the Stadium are required to traverse roadways that are also heavily used by automobiles presenting safety hazard and mobility challenge.

The Stadium anticipates building pedestrian bridges and tunnels around the Stadium to substantially improve traffic flow and pedestrian safety for the residents and visitors of the City of Miami Gardens (City). In furtherance of this purpose, the City has

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requested the conveyance of an aerial easement to enable the construction of a pedestrian bridge over NW 199th Street, a County-owned road.

The City has selected a Design/Build firm (Condotte America, Inc.) to design, permit and construct the pedestrian bridge. The proposed bridge will include access ramps and steps located north and south of the easement. Once completed, the pedestrian bridge will be open to the public twenty-four hours a day.

The proposed resolution requests the Board to authorize the conveyance of an aerial easement to the City of Miami Garden, for no monetary consideration, for the construction and maintenance of a pedestrian bridge over NW 199 Street (Dan Marino Boulevard) just south of the Hard Rock Stadium in Miami-Dade County.

There is no fiscal impact to the County for this project. The funding source is an agreement between the Department of Transportation and the City of Miami Gardens. Once the project is completed the City will assume the maintenance of the structure.

ADDITIONAL INFORMATION

According to the Florida Department of State Division of Corporations website (Sunbiz.org), Condotte America, Inc., has an active status as a Florida Profit Corporation and first filed and registered on 11/16/1987. The principal address is registered as 10790 NW 127th Street, Medley, FL 33178. Its registered agent is Espino, Alejandro, Esq., 201 Alhambra Circle, Suite 801, Coral Gables, FL 33134.

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

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Research Notes**

**Item No. 3F
File No. 190128**

Researcher: IL Reviewer: TD

RESOLUTION APPROVING AWARD OF A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$524,084.57 TO WANTMAN GROUP, INC. FOR DESIGN SERVICES FOR THE PROJECT ENTITLED ROADWAY IMPROVEMENTS TO SW 157 AVENUE FROM SW 26 STREET TO SW 8 STREET (PROJECT NO. E18-DTPW-07); AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE PROFESSIONAL SERVICES AGREEMENT AND EXERCISE ALL RIGHTS CONTAINED THEREIN

ISSUE/REQUESTED ACTION

Whether the Board should award a Professional Services Agreement between the County and Wantman Group, Inc., for the project entitled "Roadway Improvements to SW 157 Avenue from SW 26 street to SW 8 Street Avenue in the amount of \$524,084.57 for a term of 1095 Days for the Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

Chapter 287 of the Florida Statutes, Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties, will govern how each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

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=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-10.4 of the County Code provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Ordinance 14-79 (Sea Level Rise), adopted on September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-1001-15, adopted November 3, 2015, requires contracts with small business measures to meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for Board approval.

<http://intra/gia/matter.asp?matter=151746&file=true&yearFolder=Y2015>

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Resolution No. R-525-17, adopted May 2, 2017, amended Resolution No. R-1001-15 to except non-compensatory time extensions from the requirement that contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion of the contract work performed to date before a change order or contract amendment be considered for Board or mayoral approval.

<http://intra/gia/matter.asp?matter=170595&file=true&yearFolder=Y2017>

Resolution No. R-796-16, adopted September 7, 2016, approved a contract in the amount of \$4,932,632.41 to H & R Paving, Inc. for the project entitled “Roadway Improvements along SW 152 Street from SW 157 Avenue to SW 147 Avenue.”

<http://intra/gia/matter.asp?matter=161521&file=true&yearFolder=Y2016>

Resolution No. R-421-16, adopted May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor’s work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Administrative Order No. 3-39 sets forth the County’s standard process for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County’s total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E’s certified under the CBE-A/E ordinance.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

ANALYSIS

This item requests Board award a Professional Services Agreement (PSA) between the County and Wantman Group, Inc., for the project entitled “Roadway Improvements to SW 157 Avenue from SW 26 street to SW 8 Street Avenue in the amount of \$524,084.57 for a term of 1095 Days for the Department of Transportation and Public Works (DTPW). The project is located in Commission District 11, represented by Commissioners Joe A. Martinez.

The fiscal impact of this project is \$524,084.57 to be funded through the Road Impact Fee District 4. Any other applicable fund source can subsidize this contract with the exception of funds from the Peoples Transportation Plan. Once the project is constructed the estimated annual operation maintenance costs are approximately \$15,524.00 and \$15,084.00.

The work consists of design and post-design services in the preparation of construction documents to include:

- A. Master planning
- B. Traffic study
- C. Public involvement

The intent is to widen the road from the current 2 -lane distribution to 4-lane roadway and include new raised landscape medians, bike lanes, sidewalks, curb and gutters, storm drainage system, pavement markings and signage, intersection and signalization improvements, and roadway lighting.

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The Notice to Professional Consultants (NTPC) was advertised on March 29, 2018, and nine proposals were received.

The First Tier meeting was held on June 12, 2018 below are the rankings by the competitive selection committee (CSC) of the 9 firms.

Firm	Score	Final Rank
Kimley-Horn and Associates, Inc.	268	1
A&P Consulting Transportation Engineers, Corp	258	2
Wantman Group, Inc	263	3
Louis Berger, U.S., Inc	259	
New Millenium Design Consultants, Inc.	255	5
T.Y. Lin International	255	6
SRS Engineering, Inc	258	7
R.J. Behar & Company, Inc	252	8
HBC Engineering Company	243	9

The small business measure applicable to the contract is a SBE/ A&E of 17 percent.

SBE/A&E firms authorized under the agreement are: CH Perez & Associates Consulting Engineers, Inc.; Infinite Source Communications Group, LLC, and Geosol, Inc.

The Division of Policy and Legislation of OCA conducted a review of the technical certifications associated with the project on the Business Management Workforce System (BMWS) on February 7, 2019 and found the following: (See the table below)

Prime/Other	Code	Description	Amount of SBE A/E firms identified in BMWS
Prime	3.02	Highway Systems – Major Highway Design	35 SBE A/E Firms were identified
Prime	10.01	Environment Engineering – Stormwater Drainage Desgin Engineering Services	51 SBE A/E Firms were identified
Other	3.04	Highway Systems- Traffic Engineering Studies	15 SBE A/E Firms were identified
Other	3.05	Highway Systems – Traffic Counts	9 SBE A/E Firms were identified
Other	3.09	Highway Systems – Signing, Pavement Marking, and Channelization	46 SBE A/E Firms were identified
Other	9.02	Soils, Foundations and Materials Testing – Geotechincal and Materials Engineering Services	11 SBE A/E Firms were identified
Other	3.11	Highway Systems - Signalization	23 SBE A/E/ Firms were identified
Other	3.10	Highway Systems - Lighting	21 SBE A/E Firms were identified

Wantman Group, Inc., has active status on Sunbiz.org, the official website of the Division of Corporations for the State of Florida, with a principal address of 2035Vista PKWY, West Palm Beach, FL 33411. Additionally, Wantman Group, Inc., has an active account with the Miami-Dade County Tax Collector's office and lastly, Wantman Group, Inc. . possesses a series of licenses in:

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Architect Business, Geology Business, and Landscape Architect Business with no complaints on the Department of Business and Professional Regulation's website.

Pursuant to Resolution No. R-421-16, a Performance Record verification was conducted by OCA in the Capital Improvements Information System (CIIS) on February 6 2019. There are 0 performance evaluations in the Capital Improvements Information Systems Database for Wantman Group, Inc.

ADDITIONAL INFORMATION

Wantman Group, Inc., was recently awarded a contract with the Florida Department of Transportation District 7, for survey services. <https://wginc.com/florida-department-of-transportation-district-7-chooses-wantman-group-inc-for-districtwide-continuing-survey-services-contract-march-2015/>

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Research Notes

Item No. 3G
File No. 190132

Researcher: IL Reviewer: TD

RESOLUTION APPROVING CONTRACT AWARD TO HORIZON CONTRACTORS, INC. IN THE AMOUNT OF \$7,292,647.42, FOR THE PROJECT ENTITLED PEOPLE'S TRANSPORTATION PLAN (PTP) ROADWAY IMPROVEMENTS TO SW 137 AVENUE FROM HOMESTEAD EXTENSION TO FLORIDA'S TURNPIKE (HEFT) TO US-1; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

ISSUE/REQUESTED ACTION

Whether the Board should award a Professional Services Agreement (PSA) between the County and Horizon Contractors, Inc., for the project entitled "People's Transportation Plan (PTP) Roadway Improvements to SW 137 Avenue from Homestead Extension to Florida's Turnpike (HEFT) to US-1 in the amount of \$7,292,647.42 for a term of 660 Days for the Department of Transportation and Public Works (DTPW).

APPLICABLE LEGISLATION/POLICY

Chapter 287 of the Florida Statutes, Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties, will govern how each agency shall publicly announce, in a uniform and consistent manner, each occasion when professional services must be purchased for a project the basic construction cost of which is estimated by the agency to exceed the threshold amount provided in s. 287.017 for CATEGORY FIVE or for a planning or study activity when the fee for professional services exceeds the threshold amount provided in s. 287.017 for CATEGORY TWO, except in cases of valid public emergencies certified by the agency head. The public notice must include a general description of the project and must indicate how interested consultants may apply for consideration.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0200-0299/0287/Sections/0287.055.html

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=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE

Section 2-10.4 of the County Code provides, the rules and regulations associated with the procurement of professional, architectural, engineering, landscape architectural or land surveying and mapping services. Requires a public announcement, submission of qualifications, certification committee, competitive selection committee, and competitive negotiations.

https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10.4ACPRARENLAARLASUMASE

Ordinance 14-79 (Sea Level Rise), adopted on September 3, 2014, amending Section 2-1 of the Code of Miami-Dade County, Florida, to require that in all agenda items related to planning, design and construction of County infrastructure a statement be included that the impact of sea level rise has been considered; providing severability, inclusion in the code, and an effective date.

<http://www.miamidade.gov/govaction/matter.asp?matter=141211&file=true&fileAnalysis=false&yearFolder=Y2014>

Resolution No. R-1001-15, adopted November 3, 2015, requires contracts with small business measures to meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for Board approval.

<http://intra/gia/matter.asp?matter=151746&file=true&yearFolder=Y2015>

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Resolution No. R-525-17, adopted May 2, 2017, amended Resolution No. R-1001-15 to except non-compensatory time extensions from the requirement that contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion of the contract work performed to date before a change order or contract amendment be considered for Board or mayoral approval.

<http://intra/gia/matter.asp?matter=170595&file=true&yearFolder=Y2017>

Resolution No. R-796-16, adopted September 7, 2016, approved a contract in the amount of \$4,932,632.41 to H & R Paving, Inc. for the project entitled “Roadway Improvements along SW 152 Street from SW 157 Avenue to SW 147 Avenue.”

<http://intra/gia/matter.asp?matter=161521&file=true&yearFolder=Y2016>

Resolution No. R-421-16, adopted May 17, 2016, requires (1) the County Mayor to attach to all items recommending design and/or construction contract awards of \$1,000,000 or greater a list of all County contracts awarded in the previous three years to the recommended contractor and a summary of County evaluations of the recommended contractor’s work; and (2) all County departments to complete contractor evaluations before closing out a contract and making final payment to a contractor.

<http://www.miamidade.gov/govaction/matter.asp?matter=160124&file=true&fileAnalysis=false&yearFolder=Y2016>

Administrative Order No. 3-39 sets forth the County’s standard process for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Implementing Order (I.O.) 3-32, (Small Business Enterprise Architecture And Engineering Program): It is the policy of Miami-Dade County that not less than 10% of the County’s total annual expenditures of all project specific contracts for professional architectural, landscape architectural, engineering, and surveying and mapping services, shall be expended with CBE-A/E’s certified under the CBE-A/E ordinance.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-32.pdf>

PROCEDURAL HISTORY

Prime Sponsor: None

Department/Requester: Transportation and Public Works

ANALYSIS

This item is requesting Board award a award a Professional Services Agreement between the County and Horizon Contractors, Inc., for the project entitled “People’s Transportation Plan (PTP) Roadway Improvements to SW 137 Avenue from Homestead Extension to Florida’s Turnpike (HEFT) to US-1 in the amount of \$7,292,647.42 for a term of 660 Days for the Department of Transportation and Public Works (DTPW). The project is located in Commission District 8, represented by Daniella Levine Cava.

The fiscal impact of this project is \$7,292,647.42 to be funded through the Peoples Transportation Plan. Once the project is constructed the estimated annual operation maintenance costs are approximately \$2,298.00.

The work consists of:

- D. Supervision, materials and equipment tools;
- E. Widening the existing roadway from two to four lanes with a raised median;
- F. Creating a center left turn lane, sidewalks, curb and gutter, bicycle facilities;
- G. Creating a continuous storm drainage system, signalization, pavement markings, signing and street lighting; and
- H. Performing all operations necessary for roadway improvements to SW 137 Avenue from the Turnpike’s Homestead Extension to US-1.

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The intent is to improve mobility along this corridor at an acceptable level along S.W. 137 Avenue for bicycles, pedestrians and other users.

The project was advertised on August 30, 2018, and thirteen proposals were received.

The First Tier meeting was held on June 12, 2018 below are the rankings by the competitive selection committee (CSC) of the 9 firms.

Firm	Bid	Percent below the County's Cost Estimate
Horizon Contractors, Inc.	\$6,596,952.20	6%
Acosta Tractor Inc.	\$6,662,199.85	5%
Roadway Construction, LLC.	\$6,711,631.32	4%

The small business measure applicable to the contract is a SBE/ Construction goal of 11.71 percent, SBE/ Services goal of 1.28 percent.

SBE/A&E firms authorized under the agreement are: S.S.L. Corp., Inc., and Bella Fiore Landscaping, LLC.

The Division of Policy and Legislation of OCA conducted a review of the technical certifications associated with the project on the Business Management Workforce System (BMWS) on February 1, 2019 and found the following: (See the table below)

Prime/Other	Code	Description	Amount of SBE A/E firms identified in BMWS
Prime	3.02	Highway Systems – Major Highway Design	35 SBE A/E Firms were identified
Prime	10.01	Environment Engineering – Stormwater Drainage Design Engineering Services	51 SBE A/E Firms were identified
Other	3.04	Highway Systems-Traffic Engineering Studies	15 SBE A/E Firms were identified
Other	3.05	Highway Systems – Traffic Counts	9 SBE A/E Firms were identified
Other	3.09	Highway Systems – Signing, Pavement Marking, and Channelization	46 SBE A/E Firms were identified
Other	9.02	Soils, Foundations and Materials Testing – Geotechnical and Materials Engineering Services	11 SBE A/E Firms were identified

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Other	3.11	Highway Systems - Signalization	23 SBE A/E/ Firms were identified
Other	3.10	Highway Systems - Lighting	21 SBE A/E Firms were identified

Horizon Contractors, Inc. has active status on Sunbiz.org, the official website of the Division of Corporations for the State of Florida, with a principal address of 8175 W 32nd Avenue Suite 2, Hialeah, FL 33018. Additionally, Horizon Contractors, Inc. has an active account with the Miami-Dade County Tax Collector's office. Lastly, Horizon Contractors, Inc. possesses a license in Construction and Business Information with no complaints on the Department of Business and Professional Regulation's website.

Pursuant to Resolution No. R-421-16, a Performance Record verification was conducted by OCA in the Capital Improvements Information System (CIIS) on February 6 2019. There are 6 performance evaluations with an average evaluation rating of 3.0 out of 4.0 for Horizon Contractors, Inc. The Mayors memo states there are 8 evaluations but OCA was unable to verify this figure on the CIIS system.

ADDITIONAL INFORMATION

Horizon Contractors, Inc., was recently awarded a contract with the Florida Department of Transportation, for roadway improvement services, Contract No. T4480 and Contract No. T4481.

https://fdotwww.blob.core.windows.net/sitefinity/docs/default-source/contracts/lettings/2018/2018-bsn/april-25-2018/t4480.pdf?sfvrsn=6103dfa0_2

