



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

**Public Safety and Health**  
**Committee Meeting**

February 15, 2017  
1:30 P.M.  
Commission Chamber

**Research Division**

Office of the Commission Auditor  
111 NW First Street, Suite 1030  
Miami, Florida 33128  
305-375-4354

**Public Safety and Health Committee**  
**February 15, 2017 Meeting**  
**Research Notes**

Item No.	Research Notes		
1G1 162964	ORDINANCE RELATING TO WAGE THEFT; AMENDING SECTION 22-5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; ENHANCING PENALTIES FOR FAILURE TO COMPLY WITH WAGE THEFT ORDERS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE		
Notes	The proposed ordinance relating to Wage Theft amends Section 22-5 of the Miami-Dade County Code to include a provision that will enhance penalties on employers that fail to satisfy administrative Wage Theft Orders.		
	The provision will make employers that fail to satisfy the obligations of a wage theft order liable for the attorney’s fees and costs incurred by the claimant in trying to collect on such order. With the additional provision in the proposed ordinance, claimants will be eligible to recover the costs and fees associated with hiring an attorney to enforce an administrative final order if the employer fails to pay the claimant.		
	<div>Code Comparison Chart Section 22-5 Miami-Dade County Code</div>		
	<div>Section</div> <div>Sec. 225. Enforcement of wage theft violations.</div>	<div>Current</div> <div>(1) Order Issued. At the conclusion of a hearing and upon a finding of a wage violation, the Hearing Examiner shall issue a written order as follows: <div>(a) If the preponderance of the evidence demonstrates a wage theft violation, the Hearing Examiner shall order the employer to pay wage restitution to the affected employee in an amount equal to three times the amount of back wages that the respondent employer is found to have unlawfully failed to pay the complainant employee; this treble amount shall include the back wages in addition to liquidated damages as compensation for the economic losses suffered by reason of the employee not receiving their wage at the time it was due; and</div><div>(b) The County shall order the employer to pay to the Board of County Commissioners an assessment of costs in an amount not to exceed actual administrative processing costs and costs of the hearing.</div><div>(2) Failure to Comply with Initial Order. If the County finds that any respondent employer has failed to comply with the Hearing Examiner's order within forty-five (45) days after written notice from the County, the County shall issue a further written order on the respondent employer as follows: <div>(a) The County may, upon request of the respondent, grant the respondent an additional forty-five (45) days to</div></div></div>	<div>Proposed</div> <div>(1) Order Issued. At the conclusion of a hearing and upon a finding of a wage violation, the Hearing Examiner shall issue a written order as follows: <div>(a) If the preponderance of the evidence demonstrates a wage theft violation, the Hearing Examiner shall order the employer to pay wage restitution to the affected employee in an amount equal to three times the amount of back wages that the respondent employer is found to have unlawfully failed to pay the complainant employee; this treble amount shall include the back wages in addition to liquidated damages as compensation for the economic losses suffered by reason of the employee not receiving their wage at the time it was due; and</div><div>(b) The County shall order the employer to pay to the Board of County Commissioners an assessment of costs in an amount not to exceed actual administrative processing costs and costs of the hearing.</div><div>(2) Failure to Comply with Initial Order. If the County finds that any respondent employer has failed to comply with the Hearing Examiner's order within forty-five (45) days after written notice from the County, the County shall issue a further written order on the respondent employer as follows: <div>(a) The County may, upon request of the respondent, grant the respondent</div></div></div>

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<table><tr><th colspan="3">Additional Information and Legislative History</th></tr><tr><th>Legislation</th><th>Summary</th><th>Discussion</th></tr><tr><td><b>O-10-16</b> 2/18/2010</td><td>Established Chapter 22 of the Miami-Dade County Code prohibiting wage theft and providing for administrative procedures and private cause of action for wage theft. Specifically, Ordinance No. 10-16 aimed to:<ul style="list-style-type: none"><li>Define wage theft violations;</li><li>Outline procedures for filing wage theft complaints;</li><li>Provide criteria for respondents;</li></ul></td><td>During the BCC meeting on February 18, 2010, O-10-16 was discussed as follows:<ul style="list-style-type: none"><li><i>In response to an inquiry regarding whether a complainant had the ability to seek further relief from a State or Federal court once an award was made at the County level, the Assistant County Attorney responded that a complainant would be barred from</i></li></ul></td></tr></table>				Additional Information and Legislative History			Legislation	Summary	Discussion	<b>O-10-16</b> 2/18/2010	Established Chapter 22 of the Miami-Dade County Code prohibiting wage theft and providing for administrative procedures and private cause of action for wage theft. Specifically, Ordinance No. 10-16 aimed to: <ul style="list-style-type: none"><li>Define wage theft violations;</li><li>Outline procedures for filing wage theft complaints;</li><li>Provide criteria for respondents;</li></ul>	During the BCC meeting on February 18, 2010, O-10-16 was discussed as follows: <ul style="list-style-type: none"><li><i>In response to an inquiry regarding whether a complainant had the ability to seek further relief from a State or Federal court once an award was made at the County level, the Assistant County Attorney responded that a complainant would be barred from</i></li></ul>
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		<ul style="list-style-type: none"> <li>• Provide subpoena power for the Hearing Examiner;</li> <li>• Outline applicability of Florida Rules of Civil procedure;</li> <li>• Provide standards for resolving factual disputes;</li> <li>• Address conciliation;</li> <li>• Outline procedures for hearings before Hearing Examiner;</li> <li>• Allow for representation by a non-lawyer advocate;</li> <li>• Provide for enforcement by private persons or by the State of Florida; and</li> <li>• Outline procedures for written orders and failure to comply with initial order.</li> </ul> <p>Provided that the wage theft ordinance was subject to sunset review by the BCC five years from its effective date and that a fiscal report regarding the administrative cost associated with the implementation of the Ordinance be submitted within six months of its effective date and one year after its effective date. Thereafter, the fiscal report was to be submitted annually to provide quarterly statistical data about the number of inquiries, number of petitions for hearings, number of hearings scheduled, the cost of the hearings, and the results of the hearings.</p>	<p><i>pursuing the same claim in a State or Federal Court.</i></p> <ul style="list-style-type: none"> <li>• <i>The Commission noted concerns that the County would be shouldering the burden of the State and Federal government; but that a fiscal report would ensure the intent of the ordinance would be carried out.</i></li> <li>• <i>Responding to an inquiry regarding the County's potential liability and recovery fees associated with this proposed legislation, the Assistant County Attorney advised that the County would not be liable in the event an employer prevailed in a lawsuit. He noted the Hearing Examiner would assess the cost of the hearing to the employer should he/she determine the employer was in violation of this proposed ordinance.</i></li> </ul>
	<p><b>O-10-37</b>  <b>6/3/2010</b></p>	<p>Amended Chapter 22 of the Miami-Dade County Code to clarify that the reasonable time for payment be no later than fourteen calendar days from the date on which the work is performed unless the employer has established, by policy or practice, a pay schedule whereby employees earn and are consistently paid wages according to regularly recurring pay periods.</p>	<p>During the Government Operations Committee meeting on May 11, 2010, O-10-37 was discussed as follows:</p> <ul style="list-style-type: none"> <li>• <i>In response to an inquiry concerning whether this ordinance was more helpful to private businesses than the original ordinance, the Assistant County Attorney noted to the extent the employer had established a pay period, this would give some relief to the employer.</i></li> <li>• <i>In response to an inquiry regarding how many complaints the County had received since this legislation was implemented, and how many complaints had gone to a hearing, the Director of Department of Small Business Development (DSBD), noted DSBD had received nine (9) complaints, of which five (5) were</i></li> </ul>

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	<p><b>R-898-10</b> 9/10/2010</p>	<p>Approved Implementing Order 3-54 relating to Miami-Dade County's Wage Theft Ordinance to provide uniform procedures for filing a wage theft complaint in accordance with Chapter 22 of the Miami-Dade County Code.</p>	<p>During the Budget, Planning and Sustainability Committee meeting on July 13, 2010, R-898-10 was discussed as follows:</p> <ul style="list-style-type: none"> <li><i>• The Commission expressed concern that the State Department of Labor was improperly referring cases back to the County as a method to eliminate back log.</i></li> <li><i>• The Director explained that the employer would pay the \$3,500 for the hearing examiner if the employer lost the case, and that the County would pay all fees if the employer prevailed. She noted the County tried to reconcile the claims before a hearing was held. She pointed out that the County had returned 22 cases back to the State Department of Labor because they were under the State's jurisdiction.</i></li> </ul>
	<p><b>O-15-05</b> 2/3/2015</p>	<p>Amended Section 22-8 of the Miami-Dade County Code to extend the time for sunset review of the Wage Theft Ordinance from five years to ten years from its effective date.</p>	<p>During the BCC meeting on February 3, 2015, the following was discussed:</p> <ul style="list-style-type: none"> <li><i>• The Commission inquired as to what amount had been collected, to date, as a result of this ordinance.</i></li> </ul>

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			<ul style="list-style-type: none"><li><i>The Consumer Protection Division Director of the Regulatory and Economic Resources Division, stated claims of over \$1 million had been collected and conciliated.</i></li></ul>																																																																																												
<b><u>Additional Information on the Annual Fiscal Report Relating to the Wage Theft Program</u></b> In response to Ordinance No. 10-16, on May 17, 2016, the Mayor issued the Annual Fiscal Report relating to the Wage Theft Program. The report was provided for the period of January 1, 2015 through December 31, 2015 and covered the third year of operation since being transferred to the Department of Regulatory and Economic Resources (RER) Office of Consumer Protection.  The following information was provided by the report:																																																																																															
<table><tr><th colspan="6">Wage Theft Annual Report for the period of January 1-December 31, 2015</th></tr><tr><th></th><th>First Quarter</th><th>Second Quarter</th><th>Third Quarter</th><th>Fourth Quarter</th><th>Annual Total</th></tr><tr><td>Number of complaints filed/opened or reopened</td><td>130</td><td>149</td><td>135</td><td>129</td><td>543</td></tr><tr><td>Number of complaints referred out, inquiry only or abandoned</td><td>66</td><td>64</td><td>62</td><td>36</td><td>228</td></tr><tr><td>Number of complaints qualified</td><td>64</td><td>85</td><td>73</td><td>93</td><td>315</td></tr><tr><td>Number of complaints unable to effect service</td><td>5</td><td>2</td><td>5</td><td>11</td><td>23</td></tr><tr><td>Number of complaints withdrawn or formal bankruptcy</td><td>5</td><td>20</td><td>14</td><td>5</td><td>44</td></tr><tr><td>Number of successful conciliations</td><td>32</td><td>44</td><td>26</td><td>32</td><td>134</td></tr><tr><td>Number of cases with finding of wage theft violation*</td><td>10</td><td>6</td><td>14</td><td>5</td><td>35</td></tr><tr><td>Number of cases with no finding of wage theft violation*</td><td>11</td><td>9</td><td>8</td><td>10</td><td>38</td></tr><tr><td>Cases remaining open from period</td><td>1</td><td>4</td><td>6</td><td>30</td><td>41</td></tr><tr><td>Value of unpaid wages alleged</td><td>\$153,310</td><td>\$215,395</td><td>\$137,809</td><td>\$326,062</td><td>\$832,576</td></tr><tr><td>Value of successful conciliations</td><td>\$57,042</td><td>\$52,507</td><td>\$22,930</td><td>\$54,899</td><td>\$187,378</td></tr><tr><td>Amount of unpaid wages awarded at hearing</td><td>\$12,147</td><td>\$19,817</td><td>\$19,969</td><td>\$17,294</td><td>\$69,227</td></tr><tr><td>Amount of penalties awarded at hearing</td><td>\$24,294</td><td>\$39,634</td><td>\$39,938</td><td>\$34,588</td><td>\$138,454</td></tr></table>						Wage Theft Annual Report for the period of January 1-December 31, 2015							First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Annual Total	Number of complaints filed/opened or reopened	130	149	135	129	543	Number of complaints referred out, inquiry only or abandoned	66	64	62	36	228	Number of complaints qualified	64	85	73	93	315	Number of complaints unable to effect service	5	2	5	11	23	Number of complaints withdrawn or formal bankruptcy	5	20	14	5	44	Number of successful conciliations	32	44	26	32	134	Number of cases with finding of wage theft violation*	10	6	14	5	35	Number of cases with no finding of wage theft violation*	11	9	8	10	38	Cases remaining open from period	1	4	6	30	41	Value of unpaid wages alleged	\$153,310	\$215,395	\$137,809	\$326,062	\$832,576	Value of successful conciliations	\$57,042	\$52,507	\$22,930	\$54,899	\$187,378	Amount of unpaid wages awarded at hearing	\$12,147	\$19,817	\$19,969	\$17,294	\$69,227	Amount of penalties awarded at hearing	\$24,294	\$39,634	\$39,938	\$34,588	\$138,454
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<b>1G2 162965</b>	ORDINANCE RELATING TO A SURCHARGE IN CRIMINAL PROCEEDINGS; AMENDING SECTION 11-13 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; CLARIFYING AN EXCEPTION FOR INDIGENT DEFENDANTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE																	
<b>Notes</b>	The proposed ordinance relating to a surcharge in criminal proceedings amends Section 11-13 of the Miami-Dade County Code to clarify an exemption for indigent defendants.																	
	<table><tr><th colspan="3">Code Comparison Chart Section 11-13 Miami-Dade County Code</th></tr><tr><th>Section</th><th>Current</th><th>Proposed</th></tr><tr><td><b>Sec. 11-13.</b> <i>Additional surcharge in criminal proceedings.</i></td><td>In addition to any other fine, penalty, or cost imposed by any other provision of law, an eighty-five dollar (\$85.00) surcharge is hereby imposed upon any conviction, plea of nolo contendere or finding of guilt regardless of whether adjudication is withheld, for each felony,</td><td>In addition to any other fine, penalty, or cost imposed by any other provision of law, an eighty-five dollar (\$85.00) surcharge is hereby imposed upon any conviction, plea of nolo contendere or finding of guilt regardless of whether adjudication is withheld, for each felony, misdemeanor, or criminal traffic</td></tr></table>			Code Comparison Chart Section 11-13 Miami-Dade County Code			Section	Current	Proposed	<b>Sec. 11-13.</b> <i>Additional surcharge in criminal proceedings.</i>	In addition to any other fine, penalty, or cost imposed by any other provision of law, an eighty-five dollar (\$85.00) surcharge is hereby imposed upon any conviction, plea of nolo contendere or finding of guilt regardless of whether adjudication is withheld, for each felony,	In addition to any other fine, penalty, or cost imposed by any other provision of law, an eighty-five dollar (\$85.00) surcharge is hereby imposed upon any conviction, plea of nolo contendere or finding of guilt regardless of whether adjudication is withheld, for each felony, misdemeanor, or criminal traffic						
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		<p>misdemeanor, or criminal traffic offense. The court shall not waive this court cost. The Clerk of the Court shall collect, unless there has been a determination of indigency, the eighty-five dollar (\$85.00) surcharge established in this section and shall remit it to Miami-Dade County.</p> <p>offense. The court shall not waive this <b>surcharge unless the court finds that the defendant is indigent, in which case the court shall not impose this surcharge on such indigent defendant.</b> The Clerk of the Court shall collect the eighty-five dollar (\$85.00) surcharge established in this section and shall remit it to Miami-Dade County.</p>
	<p><b><u>Additional Information on Previous Legislation</u></b></p> <p>On June 21, 2005, the BCC, through Ordinance No. 05-123, created Sections 11-13 of the Miami-Dade County Code to impose additional surcharges on certain crimes and traffic offenses and violations. Specifically, Section 11-13 provides that the Clerk of the Court collect an eighty-five dollar (\$85.00) surcharge upon any conviction, plea of nolo contendere or finding of guilt, regardless of whether adjudication is withheld, for each felony, misdemeanor, or criminal traffic offense.</p> <p>On September 1, 2009, the BCC, through Ordinance No. 09-72, amended Section 11-13 of the Miami-Dade County Code to provide for an exception for indigents related to the collection of court surcharges.</p> <p><b><u>Additional Information- National Public Radio (NPR) Investigation</u></b></p> <p>National Public Radio (NPR) is an American privately and publicly funded non-profit membership media organization that serves as a national syndicator to a network of 900 public radio stations in the United States.</p> <p>NPR's yearlong investigation<sup>1</sup> included more than 150 interviews with lawyers, judges, offenders in and out of jail, government officials, advocates and other experts. It also included a nationwide survey — with help from NYU's Brennan Center for Justice and the National Center for State Courts — of which states are charging defendants and offenders fees. Findings of this investigation include:</p> <ul style="list-style-type: none"> <li>• Defendants are charged for a long list of government services that were once free — including ones that are constitutionally required.</li> <li>• Impoverished people sometimes go to jail when they fall behind paying these fees.</li> <li>• Since 2010, 48 states have increased criminal and civil court fees.</li> <li>• Many courts are struggling to interpret a 1983 Supreme Court ruling protecting defendants from going to jail because they are too poor to pay their fines.</li> <li>• Technology, such as electronic monitors, aimed at helping defendants avoid jail time is available only to those who can afford to pay for it.</li> </ul>	
<p><b>3A</b> <b>170137</b></p>	<p>RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT UP TO \$4,000,000.00 FOR PREQUALIFICATION POOL NO. 9304-1/20-1 FOR PURCHASE OF OEM MAJOR COMPONENT REPLACEMENT PARTS AND SERVICES FOR THE FIRE RESCUE DEPARTMENT</p>	
<p><b>Notes</b></p>	<p>The proposed resolution increases expenditure authority in a total amount up to \$4,000,000 to Prequalification Pool No. 9304-1/20-1, Original Equipment Manufacturers (OEM) Major Component Replacement Parts and Services (Fire Rescue Equipment), for the Fire Rescue Department.</p> <p>This pool was approved by the BCC in July 2010 for a five-year term with one (1), five-year option to renew. The pool is used by the Aviation, Fire Rescue and Police Departments to purchase OEM parts, repair and refurbishment services for various brands of medium and heavy-duty trucks, tractors, construction equipment, and fire equipment. The requested increase in expenditure authority will be used to fund the refurbishment of six (6) 2004 Quints firefighting trucks, which are currently out of service due to mechanical problems. The awarded vendor will provide a complete refurbishment of the trucks, including the cab, chassis, body, fire pump and aerial ladders.</p> <ul style="list-style-type: none"> <li>• <i>Will there be a warranty period on the refurbished parts?</i></li> </ul>	

<sup>1</sup> <http://www.npr.org/2014/05/19/312158516/increasing-court-fees-punish-the-poor>



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	<p><b><u>Fiscal Impact/Funding Source</u></b>  The initial term of the pool was established with a \$2,450,000 allocation which was modified for \$485,000, resulting in an allocation of \$2,935,000 for the initial term. The pool is currently in its option term, which expires on September 30, 2020, and has an original allocation of \$2,935,000. Accordingly, the existing cumulative allocation for the initial and option terms is \$5,870,000. The recommended modification will authorize additional expenditure authority of \$4,000,000. If this modification is approved, the cumulative pool value will be \$9,870,000.</p> <p>There are seven (7) prequalified vendors, none of which have a local address.</p> <p><b><u>Additional Information</u></b>  On July 20, 2010, the BCC, through Resolution No. R-824-10, established a pool of vendors for the Prequalification of OEM to Supply Major Component Replacement Parts and Services (Fire Rescue Equipment) at the Miami-Dade Fire Rescue and Miami-Dade Aviation Departments in the amount of \$2,450,000 for a five year term. If the County were to exercise the one, five-year option-to-renew period, the cumulative value is \$4,900,000. The vendors recommended for award were: ETR, LLC in Altamonte Springs, Florida and Ten-8 Fire Equipment, Inc. in Bradenton, Florida.</p>
<p><b>3B</b>  <b>170163</b></p>	<p>RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT OF UP TO \$202,000.00 FOR CONTRACT NO. FB-00120 FOR PURCHASE OF ANIMAL CONTROL VANS FOR THE ANIMAL SERVICES DEPARTMENT; AND AUTHORIZES THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS OF THE CONTRACT PURSUANT TO SECTION 2-8.1 OF THE MIAMI-DADE COUNTY CODE AND IMPLEMENTING ORDER 3-38</p>
<p><b>Notes</b></p>	<p>The proposed resolution increases expenditure authority in a total amount of up to \$202,000 to Contract No. FB-00120, ASD ACO Vans, for the Animal Services Department. The requested increase in expenditure authority will be used to purchase three (3) Dodge Promaster vans needed to replace vehicles that have reached or exceeded their useful life and are experiencing continuous mechanical breakdowns.</p> <p>The County Mayor approved the award of this competitive contract in October 2014 for a five-year term to purchase rescue vans used by animal control officers. The vans are required to transport rescued animals to shelters for care and to return animals back to owners. At the time the contract was established, the Animal Services Department could not forecast the timing of the purchase for these three (3) vans, but has since received the necessary administrative approval to replace the existing vans. The replacement of these vans is included the department's five-year vehicle replacement plan, which was implemented during Fiscal Year 2015-16.</p> <p><b><u>Fiscal Impact/Funding Source</u></b>  The contract expires on October 20, 2019 and was modified once under delegated authority for \$204,000 in additional expenditure authority, resulting in an existing allocation of \$963,000. The requested modification will increase expenditure authority by \$202,000, resulting in a modified value of \$1,165,000.</p>
<p><b>3C</b>  <b>170223</b></p>	<p>RESOLUTION AUTHORIZING DESIGNATED PURCHASE PURSUANT TO SECTION 2-8.1(B)(3) OF THE COUNTY CODE BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT; AUTHORIZING AWARD OF ADDITIONAL TIME UP TO 12 MONTHS AND ADDITIONAL EXPENDITURE AUTHORITY IN A TOTAL AMOUNT OF UP TO \$1,500,000.00 FOR CONTRACT NO. CBW600-0/15 FOR PURCHASE OF EMERGENCY MEDICAL SERVICES BILLING AND COLLECTIONS FOR THE FIRE RESCUE 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</p>
<p><b>Notes</b></p>	<p>The proposed resolution authorizes a designated purchase under Contract No. CBW600-0/15, Emergency Medical Services Billing, for the Fire Rescue Department. Approval of a designated purchase is being requested, pursuant to Section 2-8.1(b)(3) of the County Code, to authorize the extension of the current contract term by 12 months and increase expenditure authority by \$1,500,000 to ensure continuity of services while the replacement contract is re-solicited and awarded.</p> <p>This contract was approved by the BCC on September 20, 2011 for a five-year term through Resolution No. R-734-11 and is used by the Fire Rescue Department to obtain emergency medical services (EMS) billing and collections services for patients transported by Fire Rescue Department emergency medical personnel to local</p>

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	<p>area hospitals. This contract generates \$23,000,000 in revenue annually and is critical to the Fire Rescue Department's operations.</p> <p>The current term was extended administratively by six (6) months under delegated authority to afford the Fire Rescue Department time to re-solicit this contract. However, changes to the replacement contract's scope of services have delayed the re-procurement process. <b>Accordingly, this item is being presented for BCC approval as a designated purchase because the Administration has exhausted its authority to further extend the contract</b>, and competition is not practicable at this time as re-procurement activity for the replacement solicitation is currently underway.</p> <ul style="list-style-type: none"> <li>• <i>What is the current status of the re-procurement?</i></li> </ul> <p><b><u>Fiscal Impact/Funding Source</u></b>  This cumulative contract allocation is \$6,600,000 for a five-year and six-month term and expires on March 31, 2017. If this request is approved, the new contract expiration date will be March 31, 2018 and the cumulative contract value will be \$8,100,000.</p>
<p><b>3D 170138</b></p>	<p>RESOLUTION AUTHORIZING THE DISBURSEMENT OF UP TO \$98,000.00 FROM THE BISCAYNE BAY ENVIRONMENTAL ENHANCEMENT TRUST FUND FOR BAYNANZA 2017; APPROVING AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT TO PROVIDE FUNDING TO MIAMI-DADE COUNTY FOR BAYNANZA 2017; AND AUTHORIZING MAYOR OR MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT AND EXERCISE THE PROVISIONS CONTAINED THEREIN</p>
<p><b>Notes</b></p>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> <li>• Authorizes the disbursement of \$98,000.00 from the Biscayne Bay Environmental Enhancement Trust Fund (Trust Fund) for Baynanza 2017; and</li> <li>• Authorizes the execution of a related agreement with the Florida Inland Navigation District so that the Florida Inland Navigation District can provide up to \$10,000.00 toward Baynanza 2017 expenses.</li> </ul> <p><b><u>Fiscal Impact/Funding Source</u></b>  Pursuant to Section 7-22.1 of the Code of Miami-Dade County (Code), funds generated by local boat registration fees and deposited into the Trust Fund may be used for water body maintenance and enhancement activities such as Baynanza 2017. The available balance of the Trust Fund is \$4.1 million as of November 30, 2016.</p> <p>Funding in the amount of \$98,000.00 from the Trust Fund is requested for costs related to County services and outside services for educational, public awareness, and environmental enhancement activities as part of Baynanza 2017 and particularly Biscayne Bay Cleanup Day. <b>Costs for Biscayne Bay Cleanup Day include event staffing, safety and sanitation equipment, supplies and services, trash collection and disposal, commemorative t-shirts for volunteers, equipment rental and marketing. The agreement with the Florida Inland Navigation District will provide up to \$10,000.00 toward Baynanza t-shirts.</b></p> <p>The Department of Regulatory and Economic Resources' Division of Environmental Resources Management will seek additional funds and in-kind services through sponsorships from local organizations. Additional costs for the planning and implementation of this event, which exceed the funding amounts shown above, will be paid from the Division of Environmental Resources Management's operating budget.</p> <p><b><u>Background</u></b>  Baynanza is part of the County's longstanding commitment to enhance public awareness of Biscayne Bay as a recreational, aesthetic, economic, historic, scientific and environmental resource. Baynanza is a cooperative effort among several County departments, environmental groups in Miami-Dade County and the community at large. The main event, Biscayne Bay Cleanup Day, will take place on April 22, 2017 and will include shoreline cleanup at 23 sites along Biscayne Bay. This event typically attracts approximately 6,000 volunteers and each receives a Baynanza t-shirt. The t-shirts commemorate the volunteers' hard work and promote awareness of the importance of Biscayne Bay.</p> <p>A variety of other events related to Biscayne Bay will be scheduled from March through April 2017, including nature walks, kayaking tours, and other similar educational activities. A special outreach event is planned for the</p>

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	<p>VIP cleanup site at Matheson Hammock Park, 9610 Old Cutler Road in Coral Gables, to mark the 35th anniversary of Biscayne Bay Cleanup Day.</p> <p><b><u>Additional Information</u></b> On February 7, 2017, the BCC through Resolution No. R-106-17, authorized increased expenditure authority of \$759,000 to Prequalification Pool No. 8111-1/23, Promotional and Advertising Items, for multiple County departments including \$80,000 for the Regulatory and Economic Resources Department, to purchase promotional items for community activities such as clean air campaigns, back to school events, and the annual Baynanza event.</p>